



Republic of the Philippines  
Department of Finance  
**INSURANCE COMMISSION**  
1071 United Nations Avenue  
Manila



Legal Opinion (LO) No.:	LO-2018-03
Date:	January 30, 2018

**MR. ARNULFO H. DIVINA**  
Insurance Agent  
14 Agueda Street,  
Brgy. Bahay Toro,  
Quezon City

**SUBJECT: Inquiry on the Matter of Doing Insurance Business in the Philippines**

**Dear Mr. Divina:**

This pertains to your letter dated 31 August 2017 requesting for opinion in the matter of doing insurance business in the Philippines.

In the said letter, you raised the following issues, to wit:

1. Whether a single transaction of making or proposing to make, as insurer, an insurance contract within the Philippine territory by an unauthorized foreign insurer, represented by an unauthorized agent, to cover citizens and residents of the Philippines, already constitute a violation of the Insurance Code. If so, what is/are the particular provision/s of the Insurance Code is/are violated and what is/are the penalties imposed for the violation?;
2. Is it lawful for an unauthorized foreign insurer to offer or propose to make, as insurer, an insurance contract in the Philippines, to cover the citizens and residents of the Philippines and after the offer is completed, issue the insurance policy from its country of origin?; and
3. If the Insurance Commission has no jurisdiction over unauthorized industry players, which office has the jurisdiction over them?

After a careful evaluation of the issues presented, this Commission hereby renders its opinion on the matter as discussed hereunder.

As regards your first question, Section 193 of the Insurance Code, as amended, provides that: