



Legal Opinion No.:	2023-19
Date:	06 October 2023

**MR. JOHN PAUL CAÑETE**  
[johnpaulnc.business@gmail.com](mailto:johnpaulnc.business@gmail.com)

**SUBJECT: Inquiry Regarding Cross-Border Selling of Insurance Products to OFWs**

Dear **Mr. Cañete**:

Relative to your email dated 05 September 2023 seeking guidance on whether or not insurance agents from the Philippines are allowed to do cross-border selling of insurance products to Overseas Filipino Workers (OFWs) outside the Philippines. This Commission maintains that such activities are strictly prohibited.

The Insurance Code, as amended by Republic Act No. 10607 (Amended Insurance Code), governs the regulation and supervision over insurance companies and its agents, among others. All licenses issued pursuant to the Amended Insurance Code are valid within the Philippines only.<sup>1</sup>

While this Commission acknowledges the advancements technology has ushered in, particularly in the area of communications, it seeks to strike a balance with existing laws.

In IC Circular Letter No. 2020-109, the Commission introduced the concept of "remote selling initiatives" in sale of life and non-life insurance products. It affords the industry the opportunity to leverage videoconferencing and various remote communication technologies as a permanent mode of selling insurance products. Nonetheless, it is important to emphasize that such policy is subject to a geographical limitation, such that:

"2. Geographical Limitation. - Insurers shall only insure persons and/or risks situated within the Philippines. **Remote Selling Initiatives may not be utilized in cross-border**

<sup>1</sup> See Section 193 and 307 of the Amended Insurance Code

**selling.** Accordingly, insurers shall adopt measures to ensure that no cross-border selling shall occur at the time of conduct of the sale." [*Emphasis Supplied*]

Please note that this opinion is based on the specific facts presented in the inquiry and pertains exclusively to the issues raised therein. It should not be construed as a general or binding precedent for the Commission in other cases, whether they involve similar or dissimilar circumstances.

For your information and guidance.

Very truly yours,

  
REYNALDO A. REGALADO  
Insurance Commissioner

