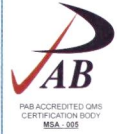




Republic of the Philippines
Department of Finance
INSURANCE COMMISSION
1071 United Nations Avenue
Manila



Circular Letter (CL) No.	:	2024-05
Date	:	03 April 2024
Supersedes	:	CL No. 2022-19 dated 24 March 2022

CIRCULAR LETTER

TO : ALL PRE-NEED COMPANIES AUTHORIZED TO DO BUSINESS
IN THE PHILIPPINES

SUBJECT : GUIDELINES ON THE ELECTRONIC SUBMISSION OF THE
PRE-NEED COMPANIES' ANNUAL STATEMENTS

WHEREAS, Sections 42 and 43 of Republic Act ("RA") No. 9829, otherwise known as the "Pre-Need Code ("PNC")," directs all pre-need companies authorized to do business in the Philippines to submit (a) Annual Audited Financial Statements ("AFS") signed and sworn to by its chief executive officer, chief finance officer and external auditors, within one hundred twenty (120) days after the calendar or fiscal year, and (b) Annual Statement ("AS") of its trust fund for each type of plan, in a form prescribed by the Insurance Commission (IC or the "Commission") and shall include details as to all income, disbursements, assets and liability items of and associated with the said trust fund accounts;

WHEREAS, the IC issued Circular Letter ("CL") No. 2014-15 dated 15 May 2014 entitled "Fees and Charges" ("Circular on Fees and Charges"), which imposes penalties for the delay of the submission of the reportorial requirements as expressly enumerated in Item No. VII, paragraphs A, B and D;

WHEREAS, IC CL No. 2020-59 dated 14 May 2020 directs pre-need companies to submit their AS, AFS and attachments through electronic means. Notwithstanding the submission of AS, AFS and attachments, the IC may require the company to submit the original hard copy of the electronically submitted documents for examination;

NOW, THEREFORE, in view of all the foregoing and pursuant to the Insurance Commissioner's power under Section 6 of RA No. 9829, the following guidelines are hereby promulgated:

SECTION 1. APPLICABILITY

This Circular Letter shall be applicable for all future reporting periods starting 2023 onwards, unless a separate Circular is issued.

SECTION 2. AS OF THE PRE-NEED COMPANY AND AS OF TRUST FUND.

- A. A separate AS showing the financial condition of the pre-need company and AS of the Trust Fund **for each type of plan** shall be submitted in soft copy following the prescribed format:
 - i. AS shall follow the pro-forma template, as seen in **Annex "A-1" and "A-2"**;
 - ii. The exact formats, columnar headings and footnote instruction found in every page of the attached pro-forma AS shall be **strictly observed**; and
 - iii. The Investments in Trust Fund, Pre-Need Reserve and Planholders' Benefit Payable accounts should be broken down into Old ("SEC") and New ("IC") Basket per types of plan in accordance with CL No. 2021-013, as shown in the updated schedule in **Annex "A-1."**
- B. A scanned copy of each notarized sworn statement duly signed by the President, Vice President, Actuary, Treasurer and Chief Accountant with Php30.00-worth documentary stamp attached; and
- C. The submitted AS shall include supporting documents necessary to authenticate the contents of the AS, as seen in **Annex "B."**

Only AS duly filled out in accordance with the prescribed format, complete with details/information and required attachments shall be accepted. A "Not Applicable," "NONE," or "NIL" phrase should be indicated in the schedules or sheets that do not apply or are not suitable to the Company.

The above enumerations do not prejudice the power of the Commission under Section 6 (c) of the PNC of the Philippines to require other relevant information in the regulation, supervision and monitoring of the operations and management of pre-need companies to ensure compliance with the PNC, as well as existing laws, rules, regulations and procedures.

SECTION 3. ONLINE SUBMISSION

All AS and corresponding attachments referred to in this CL as **Annex "B"** shall be uploaded through the IC Online Uploading Portal via <https://onuploading.insurance.gov.ph/templates/login> only.

The documents in **Annex "B"** shall be arranged numerically according to the item numbers.

Uploaded documents shall be encrypted and the checksum of each file/folder shall be certified and uploaded in the above portal to ensure the data integrity of the uploaded documents.

SECTION 4. DEADLINE OF ONLINE SUBMISSION OF THE AS

The AS and corresponding attachments of the pre-need companies shall be submitted within **120 days after the calendar year or 30 April**, unless the deadline was extended through an advisory/circular letter. If the deadline falls on a Saturday, Sunday or a holiday, the deadline shall be moved to the next working day.

Submission of the AS and its attachments **AFTER 4:00 PM** shall be considered as submitted the next working day. Submissions on Saturday, Sunday or a holiday shall also be considered as submitted on the next working day.

Penalty shall be imposed on submission of the AS and its attachments later than the set deadline.

SECTION 5. REVIEW AND APPROVAL

The submission shall be considered official once an e-mail from the company's authorized representative, stating that the AS and corresponding attachments are completely uploaded, is received by the IC Examiner-in-Charge ("EIC"). Copy furnished the Division Manager and Supervisors.

The EIC will evaluate the uploaded documents and if found complete, the EIC will release an email, with the attached Order of Payment ("OP") notifying the company's authorized representative to proceed with the payment of the filing fee and penalty (if any).

If the uploaded AS and its attachments are found to be incomplete, the same shall not be accepted, and the EIC will notify the company's authorized representative regarding the lacking items/documents/attachments via e-mail.

SECTION 6. PAYMENT INSTRUCTIONS

Payment of the filing fee and penalty (if any) shall be made within the date indicated in the OP, in any of the following manner:

Mode of Payment	Where to Pay	Cut-Off Time
Cash/Check	Cashier Section, 2 nd Floor, IC Head Office, 1071 United Nations Avenue, Manila	4:00 pm

	<p>The Company representative shall secure an appointment with the IC Appointment Reservation System at least one (1) day before payment.</p> <p>ICare link: https://web.insurance.gov.ph/icare/login</p>	
Online Payment	<p>Through the Link.BizPortal using the following link:</p> <ol style="list-style-type: none"> 1. https://www.lbp-eservices.com/eqps/portal/index.jsp 2. https://epaymentportal.landbank.com/pay1.php?code=OW1NMEdmdm1UbHE1OHk5ZXIqZXBTLzJtOEFpS1IPUmVqdkdEVTIncVFraz0 <p>User Guide for Expanded Transaction Types is available at the IC Website via this link:</p> <p>https://www.insurance.gov.ph/wp-content/uploads/2022/05/IC-LBP-ePayment-System-User-Guide-Version-June-2021.pdf</p>	

The OP shall be valid until the next business day from the date indicated in the OP.

If mode of payment is done via cash/check, the company representative shall proceed to the Pre-Need Division to provide a copy of the IC Cashier-issued **Official Receipt** to validate the completion of filing.

If mode of payment is done via online payment, the company representative shall send a screen-captured image of the Landbank-generated **Transaction or Acknowledgement Receipt** to the EIC via e-mail to validate the completion of filing.

None or late payment of the filing fee and penalty (if any) after the validity of the OP shall constitute an interest of 12% per annum until the same is fully paid.

SECTION 7. PENALTY CLAUSE

Non-compliance with the prescribed guidelines shall be subject to the following penalties in accordance with IC CL No. 2014-15:

No.	Particulars	Amount
1.	Delay in submission of AS and supporting documents	₱5,000.00/day
2.	None/late payment of the filing fee and penalty (if any)	12% per annum

SECTION 8. ACCESS OF THE AUTHORIZED REPRESENTATIVE TO THE ONLINE UPLOADING PORTAL

The Online Uploading Portal shall be opened for uploading immediately upon effectivity of this CL.

SECTION 9. SEPARABILITY CLAUSE

If any provision of this Circular shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 10. REPEALING CLAUSE

All circulars, rules and regulations or parts thereof, which are inconsistent with the provisions of this Circular, are deemed repealed, superseded or modified accordingly.

SECTION 11. EFFECTIVITY CLAUSE

This Circular shall take effect immediately.


REYNALDO A. REGALADO
Insurance Commissioner

