



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

Circular Letter (CL) No:	2014 - 48
Date:	25 November 2014
Amending:	"1. Section 2, Rule 11 of Insurance Memorandum Circular No. 2014-01  2. Section 1 of Rule V and Section 1, Rule VI of Insurance Memorandum Circular No. 1-93"

### CIRCULAR LETTER

**SUBJECT : Amendments to Section 2, Rule 11 of Insurance Memorandum Circular No. 2014-01 and Section 1, Rule V and Section 1, Rule VI Insurance Memorandum Circular No. 1-93**

---

Pursuant to the power of the Insurance Commissioner to repeal or amend rules or regulations under Section 437 (d) of Republic Act No. 10607, the following provisions are hereby amended as follows:

**Section 1.** Section 2 of Rule 11 of Insurance Memorandum Circular No. 2014-01 entitled "*Rules of Procedure Governing Trial and Hearing of Claim Cases on Insurance, Reinsurance and those arising under the Membership Certificates Issued by Mutual Benefit Associations in the Insurance Commission*" is amended to read as follows:

"Section 2. Hearing Officer – The Commissioner or any hearing officer or officers designated by him in a proper order shall conduct hearings and shall be empowered to administer oaths and affirmations, issue subpoenas, take evidence and compel attendance of parties and witnesses and the production of any books, papers, correspondence, memoranda or other records which the Commission deems relevant or material to the case or inquiry.

The hearing officer or officers referred in the aforementioned shall draft the decision, reports or findings relative to the cases pending before him and shall be submitted to the Insurance Commissioner. Said draft of

decisions, reports or findings relative to the cases pending before the hearing officer or officers are merely recommendatory in nature pursuant to the power of control of the Insurance Commissioner to alter or modify or set aside what a subordinate officer had done in the performance of his duties.”

**Section 2.** Section 1 of Rule 5 of Insurance Memorandum Circular No. 1-93 pertaining to the rules of procedure governing all administrative cases before the Insurance Commission is hereby amended to read as follows:

“RULE V

PROCEEDING BEFORE THE DESIGNATED  
HEARING OFFICER

Section 1. Hearing Officer – The Hearing Officer shall conduct hearings and shall be empowered to administer oaths and affirmations, to issue subpoenas, take evidence and to compel attendance of parties and witnesses and the production of any books, papers, correspondence, memoranda, or other records relevant or material to the case under inquiry.

The hearing officer or officers referred in the aforementioned shall draft the decision, reports or findings relative to the cases pending before him and shall be submitted to the Insurance Commissioner for his evaluation. Said draft of decisions, reports or findings relative to the cases pending before the hearing officer or officers are merely recommendatory in nature pursuant to the power of control of the Insurance Commissioner to alter or modify or set aside what a subordinate officer had done in the performance of his duties.”

**Section 3.** Section 1 of Rule 6 of the Insurance Memorandum Circular referred in Section 2 hereof is hereby amended to read as follows:

“RULE VI

DISPOSITION OF CASE

Section 1. Disposition of case – Unless a different period is fixed by special law, all contested cases or incidents shall be decided within thirty (30) days from the date of submission for resolution.

A case or incident is deemed submitted for resolution upon expiration of the period for filing memorandum, position paper or last pleading required of the parties.

The Hearing Officer shall submit a draft of his resolution to the Insurance Commissioner within twenty (20) days from the date of the submission of the case for resolution. The Insurance Commissioner shall have ten (10) days from submission of the draft of the resolution to approve the same and decide the case. The draft of the resolution submitted by the Hearing Officer to the Insurance Commissioner is merely recommendatory pursuant to the power of control of the Insurance Commissioner to alter or modify or set aside what a subordinate officer had done in the performance of his duties.

Unless otherwise provided by special laws, the parties may be required to submit a memorandum, position paper or any other pleading or paper the Hearing Officer may direct the parties to submit.

Any decision or order determining the merits of a case shall be in writing and signed by the Commissioner, stating clearly and distinctly the facts, the law and/or rules and regulations on which it is based and a copy thereof shall be served upon the parties either personally, by registered mail, by courier, or any other means that the Insurance Commissioner may deem appropriate to ensure its receipt."

All concerned should be guided accordingly.

  
**EMMANUEL F. DOOC**  
Insurance Commissioner