



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



Circular Letter No.:	2018-44
Date:	31 August 2018
Supersedes:	NONE

### CIRCULAR LETTER

**TO : ALL INSURANCE COMPANIES, MUTUAL BENEFIT ASSOCIATIONS (“MBAs”), TRUSTS FOR CHARITABLE USES, PRE-NEED COMPANIES, AND HEALTH MAINTENANCE ORGANIZATIONS (“HMOs”) DOING BUSINESS IN THE PHILIPPINES**

**SUBJECT : GUIDELINES ON THE ISSUANCE OF *STAY ORDERS***

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WHEREAS, the statutory objectives of the conservatorship and receivership processes under Sections 255 & 256 of Republic Act No. 10607, otherwise known as the Amended Insurance Code of the Philippines, Sections 49 & 50 of Republic Act No. 9829, otherwise known as the Pre-Need Code of the Philippines, and Section 4 (i) of Executive Order No. 192, s. 2015 are to: (1) restore distressed regulated companies to financial viability; and (2) preserve and administer the assets of the same for the benefit of said companies’ policyholders, planholders, members, and creditors;

WHEREAS, this Commission has, on various occasions, issued *Stay Orders* in the interest of achieving the objective/s of the rehabilitation of concerned companies under conservatorship or receivership and/or preserving the assets of the same under for the benefit of said companies’ policyholders, planholders, members, and creditors;

WHEREAS, to facilitate the conservatorship and receivership processes, this Commission deems it necessary and beneficial to issue uniform guidelines as regards the issuance of *Stay Orders*;

WHEREAS, in relation to the foregoing, corporate rehabilitation courts are empowered to issue *Stay or Suspension Orders* under Section 16 of Republic Act No. 10142, otherwise known as the Financial Rehabilitation and Insolvency Act (FRIA);