



Circular Letter No.:	2021-37
Date:	21 May 2021
Supplements:	CL No. 2020-08
Date:	24 February 2020

CIRCULAR LETTER

TO : ALL INSURANCE/REINSURANCE COMPANIES, INSURANCE AND REINSURANCE BROKERS, MUTUAL BENEFIT ASSOCIATIONS, TRUSTS FOR CHARITABLE USES, PRE-NEED COMPANIES, HEALTH MAINTENANCE ORGANIZATIONS AND OTHER INSURANCE COMMISSION REGULATED ENTITIES

SUBJECT : ONLINE SUBMISSION OF THE AML AND CTF COMPLIANCE QUESTIONNAIRE UNDER CIRCULAR LETTER NO. 2020-08

WHEREAS, the Commission issued CL No. 2020-08¹ requiring all Insurance Commission Regulated Entities (ICRE) to accomplish and submit their initial compliance for the AML and CTF Compliance Questionnaire on or before the 15th day of May 2020;

WHEREAS, by reason of the COVID-19 pandemic, the deadline for submission was extended to 30 July 2020 through the issuance of CL No. 2020-68²;

WHEREAS, the extended deadline for submission on 30 July 2020 through the above-cited circular was further extended to 30 September 2020 through an Advisory No. 21-2020³;

WHEREAS, despite extending the period of submission, not all ICREs were able to comply;

WHEREAS, relative to the Implementation of Community Quarantine in the Philippines, as amended, and Civil Service Commission (CSC) Memorandum Circular

¹ "Insurance Commission Anti-Money Laundering (AML) and Counter-Terrorism Financing (CTF) Risk Rating System for Insurance Commission Regulated Entities" dated 24 February 2020;

² "Further Extension of Period to Comply with Section 29 of CL No. 2019-65 and Submit a duly accomplished and certified under oath AML and CTF Compliance Questionnaire Under CL No. 2020-08" dated 22 May 2020;

³ "Extension of Deadline to comply with CL No. 2019-65 and CL No. 2020-08, as amended dated 14 July 2020

(MC) No. 10, series of 2020, the Insurance Commission has been operating in a limited capacity and has adopted a work-from-home and skeleton workforce arrangement schemes;

NOW THEREFORE, pursuant to the authority vested in the Insurance Commissioner under Section 437 of the Insurance Code, as amended by Republic Act No. 10607, Section 6 of Republic Act No. 9829, otherwise known as "*The Pre-Need Code of the Philippines*," Section 4 of Executive Order No. 192, Series of 2015, Section 4.1 of Rule 7 of the 2018 Implementing Rules and Regulations (IRR) of Republic Act No. 9160, otherwise known as the "*Anti-Money Laundering Act of 2001 (AMLA), As Amended*," and Rule 27 of the Implementing Rules and Regulations (IRR) of Republic Act No. 10168, otherwise known as "*The Terrorism Financing Prevention and Suppression Act*," the following guidelines are hereby adopted and promulgated:

SECTION 1: ONLINE SUBMISSION OF AML AND CTF QUESTIONNAIRE

All Insurance Commission Regulated Entities (ICREs) shall submit their duly accomplished and certified under oath AML and CTF Questionnaire online to the email address (indicated below) in an accessible Portable Document Format (PDF) together with all necessary supporting documents:

amld@insurance.gov.ph

SECTION 2: MONETARY PENALTIES

Pursuant to Section VII of the Risk Rating System for ICREs provided under CL No. 2020-08, the following monetary penalties bear emphasis, to wit:

"Late submission by ICREs of a duly accomplished and certified under oath AML and CTF Compliance Questionnaire to the IC shall be meted by this Commission with a penalty amounting to Five Thousand Pesos (PhP5,000.00) per day of delay but in no case shall the total penalty exceed One Hundred Thousand Pesos (PhP100,000.00). Provided that such late submission has been made within thirty (30) days from deadline. Otherwise, late submission beyond the deadline shall be deemed as non-submission.

Non-submission by ICREs of a duly accomplished and certified under oath AML and CTF Compliance Questionnaire shall be meted by this Commission with a penalty amounting to Two Hundred Thousand Pesos (PhP200,000.00)."

SECTION 2: SEPARABILITY CLAUSE

If any provision or section of this Circular Letter is held to be unconstitutional or invalid, the other provisions or sections hereof, which are not affected thereby shall continue to be in force and effect.

SECTION 3: EFFECTIVITY CLAUSE

This Circular Letter shall take effect immediately.



DENNIS B. FUNA
Insurance Commissioner

