



**INSURANCE MEMORANDUM
CIRCULAR (IMC) NO. 2022-03**

**AMENDMENTS TO INSURANCE MEMORANDUM CIRCULAR
(IMC) NO. 2016-01 ON THE *RULES OF PROCEDURE FOR SMALL
CLAIMS CASES IN THE INSURANCE COMMISSION*, FURTHER
INCREASING THE JURISDICTIONAL AMOUNT IN SMALL
CLAIMS ACTIONS TO ONE MILLION PESOS (PHP 1,000,000.00)**

Pursuant to the provisions of Sections 437, 438 and 439 of the Insurance Code of the Philippines, as amended by Republic Act No. 10607, Section 55 of Republic Act No. 9829, otherwise known as the Pre-Need Code of the Philippines, and Section 4 (a) of Executive Order No. 192, Series of 2015, the following amendments to Sections 2, 4, 5, and 7 of Insurance Memorandum Circular (IMC) No. 2016-01 on the *Rules of Procedure for Small Claims Cases in the Insurance Commission*, as later amended by IMC Nos. 2020-01 and 2020-02, are hereby adopted and promulgated, to wit:

SEC. 1. Section 2 of IMC No. 2016-01, as amended by IMC Nos. 2020-01 and 2020-02, is hereby further amended to read as follows:

“SEC. 2. *Scope.* – These Rules shall govern hearings of such claims and complaints in actions before the Insurance Commission where the amount being claimed or sued upon does not exceed **ONE MILLION PESOS (PHP 1,000,000.00)** in any single claim, exclusive of interest, costs, and attorney’s fees. Except as to the amount of actual damages, legal interest, attorney’s fees and costs, which include filing fees and litigation expenses, no other form of damages shall be recoverable.”

SEC 2. Section 4 of IMC No. 2016-01, as amended by IMC Nos. 2020-01 and 2020-02, is hereby further amended to read as follows:

“SEC. 4. *Commencement of Small Claims Action.* – A small claims action under these Rules may be commenced by any of the following, to wit:

x x x

b. x x x

iv. The amount of the claim which should not exceed **ONE MILLION PESOS (PHP 1,000,000.00)**, exclusive of interest, costs, and attorney’s fees;

x x x”

SEC. 3. Section 5 of IMC No. 2016-01, as amended by IMC Nos. 2020-01 and 2020-02, is hereby further amended to read as follows:

“SEC. 5. *Joinder of Claims.* – Complainant/s may join in a single Statement of Claim one or more separate small claims against a Respondent; provided, that, the total amount claimed, exclusive of interest and costs, does not exceed **ONE MILLION PESOS (PHP 1,000,000.00)**.”

SEC. 4. Section 7 of IMC No. 2016-01, as amended by IMC Nos. 2020-01 and 2020-02, is hereby further amended to read as follows:

“SEC. 7. *Payment of Filing Fees.* – Unless the Complainant is allowed to litigate as an indigent, the basis in determining the filing fee is the principal amount claimed, exclusive of interest and attorney’s fees. The filing fees shall be as follows:

Principal Amount Claimed	Filing Fee
Does not exceed PHP 200,000.00	PHP 1,000.00
Exceeds PHP 200,000.00, but does not exceed PHP 400,000.00	PHP 2,000.00
Exceeds PHP 400,000.00, but does not exceed PHP 600,000.00	PHP 3,000.00
Exceeds PHP 600,000.00, but does not exceed PHP 800,000.00	PHP 4,000.00
Exceeds PHP 800,000.00, but does not exceed PHP 1,000,000.00	PHP 5,000.00

x x x"

SEC. 5. *Separability Clause.* – Should any provision of this IMC or the application thereof to any person or circumstance be held invalid, the other provisions or sections shall not be affected thereby.

SEC. 6. *Repealing Clause.* – All IMCs and/or rules and regulations, or any part/s thereof, that are inconsistent with the provisions herein are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* – This Insurance Memorandum Circular shall take effect immediately.

City of Manila, Philippines; 25 July 2022.

DENNIS B. FUNA
Insurance Commissioner

