

[BATAS PAMBANSA BLG. 874, June 12, 1985]

AN ACT AMENDING CERTAIN SECTIONS OF PRESIDENTIAL DECREE NUMBERED FOURTEEN HUNDRED AND SIXTY, OTHERWISE KNOWN AS THE INSURANCE CODE OF 1978

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Section Twenty-seven of Presidential Decree Numbered Fourteen hundred and sixty, otherwise known as the Insurance Code of 1978, is hereby amended to read as follows:

"SECTION 27. A concealment whether intentional or unintentional entitles the injured party to rescind a contract of insurance."

SEC. 2. Section Forty-five of the same Code is amended to read as follows:

"SECTION 45. If a representation is false in a material point, whether affirmative or promissory, the injured party is entitled to rescind the contract from the time when the representation becomes false. The right to rescind granted by this Code to the insurer is waived by the acceptance of premium payments despite knowledge of the ground for rescission."

SEC. 3. Section one hundred eighty of the same Code is amended by inserting as Section 180-A thereof the following:

"SECTION 180-A. The insurer in a life insurance contract shall be liable in case of suicides only when it is committed after the policy has been in force for a period of two years from the date of its issue or of its last reinstatement, unless the policy provides a shorter period: *Provided, however,* That suicide committed in the state of insanity shall be compensable regardless of the date of commission."

SEC. 4. Section Three hundred eighty-four of same Code is hereby amended to read as follows:

"SECTION 384. Any person having any claim upon the policy issued pursuant to this Chapter shall, without any unnecessary delay, present to the insurance company concerned a written notice of claim setting forth the nature, extent and duration of the injuries sustained as certified by a duly licensed physician. Notice of claim must be filed within six months from date of accident, otherwise, the claim shall be deemed waived. Action or suit for recovery of damage due to loss or inquiry must be brought in proper cases, with the Commissioner or the Courts within one year from denial of the claim, otherwise the claimant's right of action shall prescribe."

SEC. 5. The seventh paragraph, Section Four hundred sixteen of the same Code is amended to read as follows:

"Any decision, order or ruling rendered by the Commission after a hearing shall have the force and effect of a judgment. Any party may appeal from a final order, ruling or decision of the Commissioner by filing with the Commissioner within thirty days from receipt of copy of such order, ruling or decision a notice of appeal to the