



COMMONWEALTH OF PUERTO RICO

## OFFICE OF THE COMMISSIONER OF INSURANCE

April 6, 1999

**RULING LETTER NO. N-AV-3-107-99**

**TO ALL INSURERS AUTHORIZED IN PUERTO RICO**

**Subject: Review of Spanish translations of individual life and disability insurance policies**

Ladies and Gentlemen:

Section 11.140(2) of the Insurance Code of Puerto Rico establishes the following:

“Every policy to be effective in Puerto Rico shall be offered in the Spanish language and shall be issued in the English language at the option of the proposed insured. In the interpretation of said policies, the text that is of most benefit to the insured shall prevail. The provisions of this subsection shall not apply to such insurance which the Commissioner, through regulations to that effect, may exclude because of its technical nature or volume.”

Pursuant to said legal requirement, Section 5 of Rule XXIV of the Regulations of the Insurance Code of Puerto Rico stipulates the policy forms that must be provided in the Spanish language. Among these, individual life and disability insurance policies are included.

In the past, this Office has been reviewing the Spanish translations of approved English forms submitted in compliance with the above legal requirements and requiring those changes that we have deemed pertinent.

In order to expedite this time consuming process, effective as of the date of this ruling, the following procedure will be observed regarding future submissions of Spanish translations of approved English forms:

1. This Office will no longer review the Spanish translations of the policy forms that insurers prepare in order to comply with the previously mentioned legal requirements. Instead, this Office will require with each submission of Spanish translations a certification by an authorized representative of the insurer stating that each translated form is a true and faithful translation of the corresponding English form approved by this Office. A copy of the certification that must be used for this purpose is included.
2. Once the certification is received by this Office, we will mark a copy of the transmittal letter with our "Received and Filed" stamp, showing the date in which the submitted certification has been filed by us.
3. One copy of the transmittal letter and of each translated form submitted with said letter will be returned to the insurer stamped as indicated above. The insurer may begin to use the translated version of a form immediately after receiving said documents.

**Please be advised that, pursuant to Section 11.140(2), supra, should a discrepancy arise between the English and Spanish versions of a form, the text that is of most benefit to the insured shall prevail.**

With respect to Spanish translations already filed in this Office, but still pending final approval, the insurer must submit the required certification within the next thirty (30) days, from the date of this letter. Once the certification is received by this Office, we will mark a copy of the transmittal letter of the referred certification, together with a copy of the translated form with our "Received and Filed" stamp, showing the date in which the certification has been filed by us. Your insurer may begin to use the translated version of a form immediately after receiving said stamped copies.

Strict compliance with the provisions of this ruling is hereby required.

Sincerely,



Juan Antonio García  
Commissioner of Insurance

Enclosure

**CERTIFICATION**

Policy and Endorsement Form Nos: \_\_\_\_\_

I, \_\_\_\_\_, \_\_\_\_\_ of  
Name of Officer Position

\_\_\_\_\_, hereby **CERTIFIES** that the text of the  
Name of Insurer

above captioned policy and endorsement forms is a true and faithful translation of the Spanish version of the original English form, and that the same was performed by a duly qualified translator.

Furthermore, in the event of any discrepancy between the original English versions and their corresponding Spanish translations, \_\_\_\_\_  
Name of Insurer

recognizes that it will be understood that the text that is of most benefit to the insured shall prevail, pursuant to Section 11.140(2) of the Insurance Code of Puerto Rico, 26. L.P.R.A. sec. 1114(2).

