


Content

Title :	Insurance Act 
Date :	2022.11.30
Legislative :	Amendment to Article 116 promulgated per Presidential Order No. Hua-Zong-Yi-Jing-Zi-11100101171 dated November 30, 2022.
Content :	<p>Article 116 Unless otherwise stipulated in the contract, when a life insurance premium is due and unpaid, and remains unpaid upon thirty days after receipt of notice of payment due, the validity of the insurance contract shall be suspended.</p> <p>Notice of payment due shall be served to the most recent domicile or residence of the proposer or of the person under obligation to pay the premium. After notice of payment due has been served, the premium shall be paid according to the payment method agreed by the contracting parties. The insurer shall also notify the insured of the said notice of payment to protect their interests. The insurer's obligation to notify the insured shall be deemed to be fulfilled if the notification is sent in the form of either writing, e-mail, text messages or other agreed methods to the latest contact information retained in the insurer's record.</p> <p>A suspended insurance contract as referred to in paragraph 1 shall be reinstated at zero hours on the morning of the day after the premium, the interest stipulated in the insurance contract, and other expenses are paid, provided that such payment is made within six months from the date of suspension. Where the proposer applies for reinstatement more than six months after the date of suspension, the insurer may, within five days from the date on which the proposer applies for reinstatement, require that the proposer furnish proof of insurability for the insured, and the insurer may not refuse reinstatement unless the insured's degree of risk has undergone a change that is sufficiently material as to justify refusal to insure.</p> <p>Where the insurer does not require that the proposer furnish proof of insurability within the time period set out in the preceding paragraph, or it does not refuse reinstatement within 15 days from its receipt of the proof of insurability referred to in the preceding paragraph, it shall be deemed to have consented to reinstatement.</p> <p>The time period for applying for reinstatement stipulated in the insurance contract may not be less than two years from the date of suspension, nor may it extend beyond the expiration date of the policy period.</p> <p>The insurer has the right to terminate the contract upon expiration of the time period set forth in the preceding paragraph.</p> <p>Where the premium has been paid in full for two years or more at the time the insurance contract is terminated, if there is any non-forfeiture value, the insurer shall refund the non-forfeiture value.</p> <p>Where the insurance contract stipulates that the insurer shall provide premium loans, when the principal and interest of such a loan exceeds the non-forfeiture value, suspension of the contract and application for reinstatement shall be subject mutatis mutandis to the provisions of paragraph 1 to paragraph 6.</p>

Data Source : Financial Supervisory Commission Laws and Regulations Retrieving System