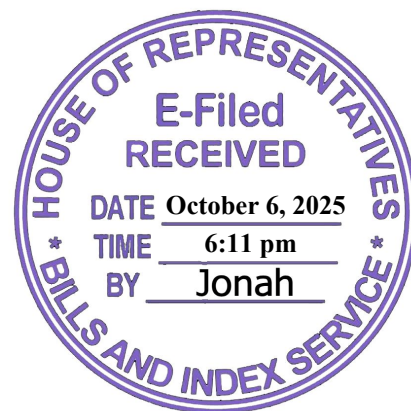




Republic of the Philippines
House of Representatives

20th CONGRESS

First Regular Session



HOUSE BILL NO. 5210

Introduced by Hon. Charisse Anne C. Hernandez

Lone District of Calamba, Laguna

EXPLANATORY NOTE

Corruption remains one of the most pressing challenges confronting governance in the Philippines. Despite existing safeguards such as the Statement of Assets, Liabilities, and Net Worth (SALN) mandated under Republic Act No. 6713, as well as criminal sanctions under the Anti-Graft and Corrupt Practices Act (R.A. 3019) and the Plunder Law (R.A. 7080), the concealment of illicit wealth often thrives through undisclosed or shielded bank deposits and foreign investments.

Past investigations reveal how ill-gotten wealth was amassed and hidden through bank secrecy. Controversies involving the PDAF scam (Janet Napoles cases) showed how kickbacks could be coursed through layered accounts and investment instruments. The Flood Control Projects Expose is also a clear example of how our laws are being bent by these corrupt officials and private contractors.

While the Bank Secrecy Law (R.A. 1405) was originally enacted to promote trust in the banking system, its strict prohibitions have inadvertently provided cover for corrupt practices. Even the Ombudsman and Commission on Audit face significant hurdles in fully investigating unexplained wealth due to banking confidentiality. The Supreme Court, in *Salvacion v. Central Bank* (G.R. No. 94723, August 21, 1997), recognized that while bank secrecy is vital, it is not absolute and must give way to the higher public interest in justice and accountability.

This proposed measure therefore seeks to institutionalize a mandatory waiver of bank secrecy for all elected officials, appointed officials, and civil servants, as a condition of holding public office. By requiring public servants to voluntarily sign such waivers, government agencies tasked with accountability — such as the DOJ, Ombudsman, COA, and AMLC — will have the legal and practical means to verify asset declarations, trace illicit financial flows, and enforce the constitutional mandate that public office is a public trust.

The enactment of this bill will have a profound deterrent effect against corruption. Knowing that their financial records are open to lawful scrutiny, officials will be discouraged from soliciting or concealing ill-gotten wealth. At the same time, honest public servants will benefit from the strengthened public trust and legitimacy that comes with enhanced transparency.

This measure thus advances the Constitution's directive under Article XI, Section 1, that public officers must at all times be accountable to the people, and that service to the nation must be exercised with utmost responsibility, integrity, loyalty, and efficiency.

Thus, I am earnestly requesting for the immediate passage of this bill.



CHARISSE ANNE C. HERNANDEZ



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HOUSE BILL NO. 5210

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**AN ACT REQUIRING ALL GOVERNMENT OFFICIALS AND CIVIL SERVANTS TO
SIGN A WAIVER AUTHORIZING THE EXAMINATION, INQUIRY, AND
DISCLOSURE OF ALL THEIR BANK ACCOUNTS AND INVESTMENTS, BOTH
DOMESTIC AND ABROAD, AS AN INTEGRITY MEASURE AGAINST CORRUPTION
AND ILL-GOTTEN WEALTH, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

**SECTION 1. *Short Title.* - This Act shall be known as the “Public Service Integrity through
Bank and Investments Secrecy Waiver Act.”**

SEC. 2. *Declaration of Policy.* - It is the policy of the State to maintain honesty and integrity in the public service and to eradicate graft and corruption. Towards this end, all public officials and civil servants shall be required to sign a waiver authorizing competent authorities to examine, inquire, and disclose their bank accounts and investments, whether in the Philippines or abroad.

SEC. 3. *Coverage.* — This Act shall apply to all public officials and employees, whether elected or appointed, permanent, contractual, or casual, including those in local government units, government-owned and controlled corporations (GOCCs) and government financial institutions (GFIs).

SEC. 4. *Mandatory Waiver.* — A mandatory waiver shall be submitted by all public officials and employees upon assumption of office and as a condition for appointment, election, or continued employment, all covered officials and employees shall sign an irrevocable waiver permitting the Anti-Money Laundering Council (AMLC), Commission on Audit (COA), Office of the Ombudsman, investigating bodies and other duly authorized agencies to examine all their bank deposits, investments, and related financial assets. The waiver shall cover deposits and investments in any banking or financial institution within or outside the Philippines.

SEC. 5. *Custody and Effectivity of Waiver.* — The signed waiver shall be filed with the Civil Service Commission (CSC) and become effective throughout the duration of the official's service in government, and for a period of five (5) years thereafter. The waiver shall be deemed a complementary mechanism to the Statement of Assets, Liabilities, and Net Worth (SALN), and shall serve as a verification tool to ensure accuracy, completeness, and truthfulness of asset declarations.

SEC. 6. *Penalties.* — Refusal to sign or submit the waiver shall be a ground for disqualification from public office, dismissal from service, or forfeiture of benefits. Falsification or concealment of bank accounts or investments shall constitute grave misconduct, without prejudice to criminal prosecution under existing laws.

SEC. 7. Appropriations. - The amount necessary to Such amount as may be necessary to implement this Act shall be included in the annual General Appropriations Act.

SEC. 8. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, Civil Service Commission, in coordination with Department of Justice, Ombudsman, Commission on Audit and Anti-Money Laundering Council, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 9. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the remainder of the Act shall not be affected and shall continue to be in full force and effect.

SEC. 10. Repealing Clause. - All laws, presidential decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,