

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **5447**



Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT MANDATING GOVERNMENT OFFICIALS AND EMPLOYEES TO EXECUTE AND SUBMIT A WRITTEN PERMISSION TO EXAMINE, INQUIRE OR LOOK INTO ALL THEIR DEPOSITS AND INVESTMENTS THEREBY WAIVING THE BANK SECRECY LAW AS PROVIDED FOR UNDER REPUBLIC ACT NOS. 1405 AND 6426

EXPLANATORY NOTE

Corruption, in all its forms, erodes not only the integrity of governance but also the very foundation of democracy. The Filipino people deserve a government that is transparent, accountable, and beyond reproach. Yet, persistent reports of graft and hidden wealth have deeply shaken the public's faith in the institutions of government, including the House of Representatives. In the case of *Canlas v. Bongolan* (2018), the Court held that public officers and employees hold powers in trust that they exercise on behalf of the public. Hence, it is a mandate to uphold higher standards than ordinary citizens to keep the people's faith in the State.¹

The Philippines is one of only three remaining countries in the world, alongside Lebanon and North Korea, that continue to uphold extreme bank secrecy.² Republic Act No. 1405, or the *Bank Secrecy Law of 1955*, was originally enacted to promote confidence in the banking system by safeguarding the confidentiality of deposits. It provides only two exceptions to disclosure: (1) when the depositor grants consent, and (2) when there is a lawful court order. While the law has served its purpose in encouraging savings and financial stability, it has, over time, become an unintended shield for corruption and financial crimes.

Although the Philippines has been delisted from the Financial Action Task Force (FATF) grey list, the fight against corruption is far from over.³ The challenge of curbing corruption and money laundering remains formidable. Bank secrecy, when misused, becomes a convenient refuge for those who engage in bribery, plunder, and other

¹ *Canlas v. Bongolan*, 832 Phil. 293 (2018)

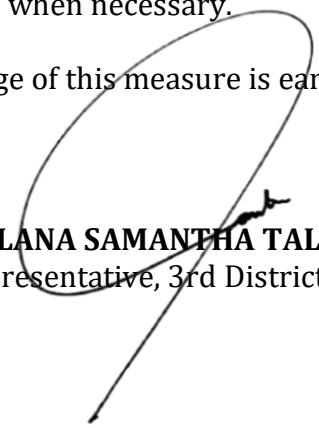
² Strict Bank Secrecy Rules Protect the Corrupt (2024). <https://opinion.inquirer.net/177776/strict-bank-secrecy-rules-protect-the-corrupt>

³ PH Exit from FATF "grey list" Win Against Money Laundering, Terrorism Financing (2025). https://pco.gov.ph/news_releases/pbbm-ph-exit-from-fatf-grey-list-win-against-money-laundering-terrorism-financing/

unlawful enrichment schemes. It undermines the government's efforts to promote clean governance and discourages public participation in nation-building.

To build a system of true transparency, it must start from within. Those who seek and hold public office must be willing to subject themselves to a higher standard of accountability. Hence, this bill seeks to mandate all government officials and employees to execute a written waiver of the Bank Secrecy Law, thereby allowing competent authorities to examine their financial accounts when necessary.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



MA. ALANA SAMANTHA TALIÑO SANTOS
Representative, 3rd District of Cotabato

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **5447**

Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT MANDATING GOVERNMENT OFFICIALS AND EMPLOYEES TO EXECUTE AND SUBMIT A WRITTEN PERMISSION TO EXAMINE, INQUIRE OR LOOK INTO ALL THEIR DEPOSITS AND INVESTMENTS THEREBY WAIVING THE BANK SECRECY LAW AS PROVIDED FOR UNDER REPUBLIC ACT NOS. 1405 AND 6426

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

Section 1. ***Short Title.*** This Act shall be known as the “*The Bank Secrecy Waiver for Public Officials Act*” of 2025.

Section 2. ***Declaration of Policy.*** It is the policy of the State to promote transparency, accountability, and integrity in public service. All public officials and employees shall be open and transparent in their financial transactions and dealings.

Section 3. ***Coverage.*** — This Act shall apply to all public officials and employees as defined under Section 3(a) and (b) of Republic Act No. 6713, except those who serve in an honorary capacity.

Section 4. ***Submission of Written Waiver.*** — All public officials and employees covered by this Act shall, within thirty (30) days from assumption of office, submit to the Office of the Ombudsman a written waiver expressly authorizing the Ombudsman to examine, inquire into, and look into all their deposits and investments, including foreign currency deposits, in banks and other financial institutions, both within and outside the Philippines, as well as investment bonds issued by the government of the Philippines, its political subdivisions, and instrumentalities.

Incumbent public officials and employees shall submit the written waiver within thirty (30) days from the effectivity of the implementing rules and regulations of this Act.

Section 5. ***Effect of Failure or Refusal to Submit Waiver.*** — Any public official or employee who fails or refuses to submit the required written waiver shall not be allowed to enter upon, or continue exercising the functions of, his or her office, and shall be subject to administrative and/or criminal liability as may be provided by law.

Section 6. ***Use and Confidentiality of Information.*** — The written waiver and any information or data obtained by virtue thereof shall be used exclusively by the Office of

the Ombudsman for the purpose of investigating a duly verified complaint or prosecuting a case before the courts. The Ombudsman shall ensure the confidentiality of such information, except as may be necessary for the performance of its official functions.

Section 7. ***Penalties.*** — Any person who unlawfully discloses or misuses information obtained under this Act shall be penalized in accordance with existing laws, without prejudice to administrative or criminal liability.

Section 8. ***Implementing Rules and Regulations.*** — The Office of the Ombudsman shall promulgate the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from its effectivity.

Section 9. ***Separability Clause.*** — If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall remain in full force and effect.

Section 10. ***Repealing Clause.*** — All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 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,