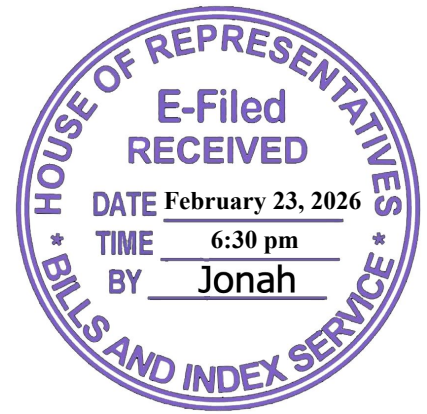


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

TWENTIETH CONGRESS  
First Regular Session

HOUSE BILL NO. 8002



---

Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

---

### EXPLANATORY NOTE

In June 2021, the Philippines was placed on the Financial Action Task Force (FATF)<sup>1</sup> Grey List<sup>2</sup>. This is a sober reminder that in the global financial system, reputation is currency. The designation carried consequences beyond technical compliance reports, such as increased transaction scrutiny, higher costs of doing business, diminished investor confidence, and reputational strain on legitimate Filipino enterprise.

Through coordinated executive action and legislative reform, the Philippines completed all of the 18 FATF Action Plan items and was formally removed from the Grey List in February 2025. That milestone deserves recognition. But recognition is not immunity.

The FATF has commenced its Fourth Round of Mutual Evaluations<sup>3</sup>, which will assess not only whether our laws are compliant on paper, but whether our institutions are effective in practice. The Philippines is scheduled for evaluation in March 2027. The question before us now is no longer whether we can enact reforms, but it is whether we can sustain them with speed, competence, and institutional independence.

These proposed amendments to the Anti-Money Laundering Act (AMLA) seek to address the aforesaid technical compliance requirements arising from the updated FATF Standards.

This bill aims to strengthen the Anti-Money Laundering Council (AMLC) as an operationally independent financial intelligence unit in three critical dimensions: authority, capacity, and integrity.

---

<sup>1</sup> The Financial Action Task Force (FATF) is an Inter-governmental organization that sets the international standards on anti-money laundering and countering the financing of terrorism, known as the FATF 40 Recommendations. All countries are assessed as to the technical compliance of their laws and regulations with the FATF Recommendations.

<sup>2</sup> List of Jurisdictions Under Increased Monitoring

<sup>3</sup> Mutual Evaluation is a peer assessment of the technical compliance of our laws and regulations with the FATF Recommendations, and the effective implementation of these laws and regulations. The ME looks at the totality of the AML/CFT system including supervision, beneficial ownership, criminal justice system (intelligence, investigation, prosecution, confiscation), non-profit organizations, targeted financial sanctions and proliferation financing of weapons of mass destruction.

First, it aligns the AMLA with updated international standards. The bill expressly covers Virtual Asset Service Providers (VASPs), trust and company service providers, online gambling operators, and other high-risk sectors. It clarifies the obligations of professionals engaged in defined financial and business activities, while respecting constitutional and professional safeguards. It modernizes the catalogue of predicate offenses to reflect contemporary threats, including cybercrime, environmental offenses, agricultural economic sabotage, financial fraud, and emerging digital schemes.

Second, it equips the AMLC with calibrated and time-bound administrative tools to prevent the dissipation of illicit assets. The authority to issue transaction suspension orders and administrative freeze orders, subject to prompt judicial review, ensures that the law can act before proceeds vanish across borders or through digital channels. It authorizes the freezing and forfeiture of assets of equivalent value when the original proceeds have been concealed, commingled, or transferred abroad.

Third, it strengthens the country's anti-corruption architecture. Corruption is not merely a breach of ethics, but it is also an economic crime with national security implications. Public funds diverted through fraud, kickbacks, ghost projects, procurement manipulation, and illicit enrichment are laundered through financial systems to conceal their origin. Without a strong financial intelligence and asset-tracing framework, corruption prosecutions become hollow victories. They become mere convictions without recovery.

This proposed measure reinforces the capacity of the State to trace, freeze, and forfeit the proceeds of corruption, whether held directly, layered through corporate vehicles, concealed in real estate, or converted into digital assets. By expanding unlawful activity coverage, strengthening subpoena authority, enhancing administrative sanctions, and allowing limited retention of forfeited assets to augment operational capability, the measure ensures that anti-corruption enforcement is not merely symbolic but systemic.

If reputation is currency in global finance, integrity is capital. This measure ensures that the country does not merely exit monitoring regimes, but graduates from it with strengthened institutions against corruption, financial crime, and the erosion of public trust.

The immediate passage of this bill will give the Philippines sufficient time to demonstrate effective implementation before the conduct of the Mutual Evaluation.

  
**AGATHA PAULA "AGAY" AGUILAR CRUZ**  
*Representative, Fifth Legislative District of Bulacan*



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

TWENTIETH CONGRESS  
First Regular Session

HOUSE BILL NO. 8002

---

Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

---

**AN ACT**  
**FURTHER STRENGTHENING THE ANTI-MONEY LAUNDERING COUNCIL,**  
**AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9160, OTHERWISE**  
**KNOWN AS “THE ANTI-MONEY LAUNDERING ACT OF 2001”, AS AMENDED**

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

1       **Section 1.** Section 2 of Republic Act No. 9160, otherwise known as “The Anti-  
2 Money Laundering Act of 2001”, as amended, is hereby amended to read as follows:

3  
4       SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
5 protect and preserve the integrity **OF THE FINANCIAL SYSTEM** ~~and~~  
6 ~~confidentiality of bank accounts~~ and to ensure that the Philippines shall  
7 not be used as a money laundering site for the proceeds of any unlawful  
8 activity. Consistent with its foreign policy, the State shall extend  
9 cooperation in transnational investigations and prosecutions of persons  
10 involved in money laundering activities wherever committed, as well as in  
11 the implementation of targeted financial sanctions related to the financing  
12 of the proliferation of weapons of mass destruction terrorism, and  
13 financing of terrorism, pursuant to the resolutions of the United Nations  
14 Council.

15  
16       **LIKEWISE, THE STATE SHALL MAINTAIN AN OPERATIONALLY**  
17 **INDEPENDENT CENTRAL ANTI-MONEY LAUNDERING AND**  
18 **COUNTER-TERRORISM FINANCING AUTHORITY THAT SHALL**  
19 **FUNCTION AND OPERATE AS THE FINANCIAL INTELLIGENCE**  
20 **UNIT, SPECIALIZED MONEY LAUNDERING AND TERRORISM**  
21 **FINANCING INVESTIGATION AGENCY, AND ANTI-MONEY**  
22 **LAUNDERING AND COUNTER-TERRORISM FINANCING**  
23 **REGULATOR AND SUPERVISOR OF THE PHILIPPINES. IN LINE**  
24 **WITH THIS POLICY, AND CONSIDERING ITS UNIQUE**

1       FUNCTIONS AND RESPONSIBILITIES THAT AFFECT THE  
2       ECONOMY, PEACE AND ORDER, AND NATIONAL SECURITY,  
3       AMONG OTHERS, THE ANTI-MONEY LAUNDERING COUNCIL  
4       (AMLC) SHALL BE ENHANCED WITH EXPANDED AUTHORITY,  
5       CAPABILITY, AND RESOURCES.

6  
7       **Section 2.** Section 3(a) of the same Act is hereby amended to read as follows:

8  
9       (a)     “Covered Persons”, natural or juridical, refers to:

10  
11           (1)     x x x;

12  
13           (2)     x x x;

14  
15           (3)     x x x;

16  
17           (4)     jewelry dealers ~~[in precious metals, who, as a business, trade~~  
18                   ~~in precious metals, for transactions in excess of One million~~  
19                   ~~pesos (P1,000,000.00)]~~;

20  
21           (5)     [jewelry] dealers in **PRECIOUS METALS AND** precious  
22                   stones, ~~[who, as a business, trade in precious stones, for~~  
23                   ~~transactions in excess of One million pesos (P1,000,000.00)]~~;

24  
25           (6)     **TRUST AND** company service providers which, as a  
26                   business, **OR MEANS OF LIVELIHOOD, PREPARE FOR,**  
27                   **OR CARRY OUT, TRANSACTIONS FOR THEIR**  
28                   **CLIENTS** ~~[provide]~~ any of the following **ACTIVITIES**  
29                   ~~[services to third parties]:~~

30  
31                   (i)     xxx;

32  
33                   (ii)    xxx;

34  
35                   (iii)   xxx;

36  
37                   (iv)   xxx;

38  
39                   (v)     **ACTING AS (OR ARRANGING FOR ANOTHER**  
40                           **TO ACT AS) A TRUSTEE OF AN EXPRESS TRUST**  
41                           **OR PERFORMING EQUIVALENT FUNCTION**  
42                           **FOR ANOTHER FORM OF LEGAL**  
43                           **ARRANGEMENT.**

1 (7) persons who, AS A BUSINESS OR MEANS OF  
2 LIVELIHOOD, PREPARE FOR, OR CARRY OUT,  
3 TRANSACTIONS FOR THEIR CLIENTS CONCERNING  
4 ~~[provide]~~ any of the following ACTIVITIES ~~[services]~~;  
5

6 (i) managing of client money, securities or other assets;  
7

8 (ii) management of bank savings or securities accounts;  
9

10 (iii) organization of contributions for the creation,  
11 operation or management of companies;  
12

13 (iv) creation, operation or management of juridical  
14 persons or arrangements, and buying and selling  
15 business entities; AND  
16

17 (v) BUYING AND SELLING REAL ESTATE.  
18

19 FOR THESE PURPOSES, LAWYERS AND  
20 ACCOUNTANTS WHO PROVIDE THE FOREGOING  
21 FINANCIAL OR BUSINESS ACTIVITIES UNDER  
22 SECTIONS 3(A)(6) AND 3(A)(7) OF THIS ACT ARE  
23 COVERED PERSONS. THEY ARE REQUIRED TO  
24 COMPLY WITH THE REQUIREMENTS OF THIS ACT,  
25 INCLUDING THE REPORTING OF COVERED AND  
26 SUSPICIOUS TRANSACTIONS, WITH REGARD ONLY  
27 TO THE TRANSACTIONS CONCERNING THE  
28 COVERED ACTIVITIES UNDER SECTIONS 3(A)(6)  
29 AND 3(A)(7) OF THIS ACT. PROVIDED, THAT  
30 LAWYERS AND ACCOUNTANTS ARE NOT REQUIRED  
31 TO REPORT SUSPICIOUS TRANSACTIONS IF THE  
32 RELEVANT INFORMATION WAS OBTAINED FROM  
33 THEIR CLIENTS IN PERFORMING THEIR TASK OF  
34 DEFENDING OR REPRESENTING THEIR CLIENTS IN,  
35 OR CONCERNING JUDICIAL, ADMINISTRATIVE,  
36 ARBITRATION OR MEDIATION PROCEEDINGS.  
37

38 (8) ~~Casinos [including internet and ship-based casinos, with~~  
39 ~~respect to their casino cash transactions related to their~~  
40 ~~gaming operations]~~ IN RELATION TO THEIR  
41 FINANCIAL TRANSACTIONS WITH THEIR  
42 CUSTOMERS;  
43

44 (9) x x x;

- 1  
2 (10) **ONLINE GAMBLING OPERATORS, REGARDLESS OF**  
3 **THEIR LICENSE CLASSIFICATION OR**  
4 **NOMENCLATURE, [~~Offshore gaming operators,~~]** as well as  
5 their service providers, supervised, accredited or regulated  
6 by the Philippine Amusement and Gaming Corporation  
7 (PAGCOR) or any government agency; **AND**  
8  
9 (11) **VIRTUAL ASSET SERVICE PROVIDERS.**  
10

11 **Section 3.** Section 3(b) is hereby amended to read as follows:  
12

- 13 (b) “Covered transaction” is a transaction in cash or other equivalent  
14 monetary instrument involving a total amount in excess of Five  
15 hundred thousand pesos (P500,000.00) within one (1) banking day;  
16 **FOR COVERED PERSONS UNDER SECTIONS 3(A)(4) AND**  
17 **3(A)(5), A TRANSACTION IN CASH OR OTHER EQUIVALENT**  
18 **MONETARY INSTRUMENT EXCEEDING ONE MILLION**  
19 **PESOS (PHP1,000,000.00);** for covered persons under Section  
20 3(a)(8), a single casino cash transaction involving an amount in  
21 excess of Five million pesos (P5,000,000.00) or its equivalent in any  
22 other currency.  
23

24 For covered persons under Section 3(a)(9) herein, a single cash  
25 transaction involving in excess of Seven Million Five Hundred  
26 thousand pesos (7,500,000.00) or its equivalent in any other  
27 currency.  
28

29 **Section 4.** Sections 3(l) (4) and (5) are hereby amended to read as follows:  
30

- 31 (l) For purposes of the covered persons under Sections 3(a)(8) and  
32 3(a)(10), the following terms are hereby defined as follows:  
33  
34 (1) x x x;  
35  
36 (2) x x x;  
37  
38 (3) x x x;  
39  
40 (4) [~~‘Offshore gaming operator’~~] **“ONLINE GAMBLING**  
41 **OPERATOR”** refers to an entity engaged in offering online  
42 games of chance or sporting events via the internet using a  
43 network and software program, by themselves or through  
44 local service providers; and

- 1  
2 (5) "Service providers" refer to duly constituted business  
3 ~~[corporations]~~ ENTITIES who provide components of  
4 ~~[offshore gaming operations]~~ ONLINE GAMBLING  
5 OPERATIONS  
6

7 **Section 5.** Section 3(q) is hereby inserted on the same Act to read as follows:  
8

9 **(Q) FOR PURPOSES OF THE COVERED PERSON UNDER**  
10 **SECTION 3(A)(11), THE FOLLOWING TERMS ARE HEREBY**  
11 **DEFINED AS FOLLOWS:**  
12

- 13 (1) "VIRTUAL ASSET" REFERS TO A DIGITAL  
14 REPRESENTATION OF VALUE THAT CAN BE  
15 DIGITALLY TRADED, OR TRANSFERRED, AND CAN  
16 BE USED FOR PAYMENT OR INVESTMENT  
17 PURPOSES.  
18

19 VIRTUAL ASSETS, AS DEFINED HEREIN, DO NOT  
20 INCLUDE PRE-EXISTING DIGITAL  
21 REPRESENTATIONS OF FIAT CURRENCIES,  
22 SECURITIES AND OTHER FINANCIAL ASSETS THAT  
23 ARE ALREADY BEING OFFERED BY COVERED  
24 PERSONS OTHER THAN VIRTUAL ASSET SERVICE  
25 PROVIDERS.  
26

- 27 (2) "VIRTUAL ASSET SERVICE PROVIDER" REFERS TO  
28 ANY PERSON WHO, AS A BUSINESS, CONDUCTS ONE  
29 OR MORE OF THE FOLLOWING ACTIVITIES OR  
30 OPERATIONS FOR OR ON BEHALF OF ANOTHER  
31 NATURAL OR JURIDICAL PERSON:  
32

33 (a) EXCHANGE BETWEEN VIRTUAL ASSETS AND  
34 FIAT CURRENCIES;  
35

36 (b) EXCHANGE BETWEEN ONE OR MORE FORMS  
37 OF VIRTUAL ASSETS;  
38

39 (c) TRANSFER (I.E., THE CONDUCT OF A  
40 TRANSACTION ON BEHALF OF ANOTHER  
41 PERSON THAT MOVES A VIRTUAL ASSET  
42 FROM ONE VIRTUAL ASSET ADDRESS OR  
43 ACCOUNT TO ANOTHER) OF VIRTUAL  
44 ASSETS;

(d) SAFEKEEPING AND/OR ADMINISTRATION OF  
VIRTUAL ASSETS OR INSTRUMENTS  
ENABLING CONTROL OVER VIRTUAL ASSETS;  
AND

(e) PARTICIPATION IN AND PROVISION OF  
FINANCIAL SERVICE RELATED TO AN  
ISSUER'S OFFER AND/OR SALE OF A VIRTUAL  
ASSET.

**Section 6.** Section 3(r) is hereby inserted on the same Act to read as follows:

**(R) FOR PURPOSES OF SECTION 14(F), THE FOLLOWING TERMS  
ARE HEREBY DEFINED AS FOLLOWS:**

A. "TRANSACTIONAL VIOLATION" REFERS TO AN ACT  
OR OMISSION CONSTITUTING A VIOLATION OF  
ANY APPLICABLE LAW, OR ANY REGULATION OR  
ORDER ISSUED BY THE COUNCIL, OR ANY ORDER BY  
THE EXECUTIVE DIRECTOR OR AUTHORIZED  
OFFICER OF THE AMLC, WHICH IS CONSUMMATED  
AND CONCLUDED IN A SINGLE INSTANCE OR  
OCCASION.

B. "CONTINUING VIOLATION" REFERS TO AN ACT OR  
OMISSION CONSTITUTING A VIOLATION OF ANY  
APPLICABLE LAW, OR ANY REGULATION OR ORDER  
ISSUED BY THE COUNCIL, OR ANY ORDER BY THE  
EXECUTIVE DIRECTOR OR AUTHORIZED OFFICER  
OF THE AMLC, IN WHICH THE VIOLATION PERSISTS  
OR LINGERS OVER TIME FROM THE INSTANT THE  
PARTICULAR ACT WAS COMMITTED OR OMITTED  
UNTIL THE VIOLATION IS STOPPED.

**Section 7.** Section 3(i) of the same Act is hereby amended to read as follows:

(i) "Unlawful Activity" refers to any act or omission or series or  
combination thereof involving or having relation to the following  
**LAWS AND THEIR RESPECTIVE AMENDMENTS:**

(1) x x x;

(2) x x x;

- (3) x x x;
- (4) x x x;
- (5) x x x;
- (6) Jueteng and Masiao punished as illegal gambling under Presidential Decree No. 1602; **AND ALL ILLEGAL GAMBLING ACTIVITIES DEFINED UNDER EXECUTIVE ORDER NO. 13, SERIES OF 2017 AND PUNISHABLE UNDER ARTICLES 195, 197, 198, AND 199 OF THE REVISED PENAL CODE;**
- (7) x x x;
- (8) x x x;
- (9) x x x;
- (10) Smuggling under Republic Act No. ~~455 and 1937~~ **10863, OTHERWISE KNOWN AS THE CUSTOMS MODERNIZATION AND TARRIFF ACT;**
- (11) x x x;
- (12) x x x;
- (13) Terrorism ~~and~~, ~~the~~ Conspiracy to ~~the~~ Commit ~~the~~ Terrorism, **AND PROVIDING MATERIAL SUPPORT TO TERRORISTS**, as defined and penalized under ~~Sections 3 and 4 of Republic Act No. 9372~~ **SECTIONS 4, 7, AND 12 OF REPUBLIC ACT NO. 11479, OTHERWISE KNOWN AS THE ANTI-TERRORISM ACT OF 2020;**
- (14) x x x;
- (15) x x x;
- (16) x x x;
- (17) x x x;

- (18) Violations of Sections 4 to 6 of Republic Act No. 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003, **AS AMENDED**;
- (19) Violations of Sections ~~[78 to]~~ **68, 69, 70, 71, 77, AND 79** of Chapter IV of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines, as amended;
- (20) Violations of Sections 86 to ~~[106]~~ **107, 110, 111, 114, AND 126** of Chapter VI, of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, **AS AMENDED**;
- (21) x x x;
- (22) x x x;
- (23) x x x;
- (24) x x x;
- (25) x x x;
- (26) Violations of Sections 1 and 5 of Presidential Decree No. 1866, as amended, otherwise known as the Decree Codifying the Laws on Illegal/Unlawful Possession, Manufacture, Dealing In, Acquisition or Disposition of Firearms, Ammunition or Explosives, **AND SECTION 3 OF REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS THE COMPREHENSIVE FIREARMS AND AMMUNITION REGULATION ACT**;
- (27) x x x;
- (28) x x x;
- (29) x x x;
- (30) x x x;
- (31) Violation of Section 4 **AND 6** of Republic Act No. ~~[9775]~~ **11930**, otherwise known as the ~~[Anti-Child Pornography Act of 2009]~~ **ANTI-ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN, AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS**;

- (32) Violations of Sections 5, 7, 8, 9, 10(c), (d) and (e), 11, 12, **12-D**, and 14 of Republic Act No. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination, **AS AMENDED**;
- (33) x x x;
- (34) x x x;
- (35) Violation of Section 254 of Chapter II, Title X of the National Internal Revenue Code of 1997, as amended, where the deficiency basic tax due ~~[in the final assessment]~~ is in excess of Twenty-five million pesos (P25,000,000.00) per taxable year, for each tax type covered. ~~[and there has been a finding of probable cause by the competent authority: Provided, further That there must be a finding of fraud, willful misrepresentation or malicious intent on the part of the taxpayer:]~~ Provided, ~~[finally, T]~~that in no case shall the AMLC institute forfeiture proceedings to recover monetary instruments, property or proceeds representing, involving, or relating to a tax crime, if the same has already been recovered or collected, **OR IN THE PROCESS OF BEING RECOVERED OR COLLECTED** by the Bureau of Internal Revenue (BIR) in a separate proceeding; ~~[and]~~
- (36) ~~[Felonies or offenses of a similar nature that are punishable under the penal laws of other countries]~~ **VIOLATIONS OF SECTION 9 OF REPUBLIC ACT NO. 8484, OTHERWISE KNOWN AS THE ACCESS DEVICES REGULATION ACT OF 1998, AS AMENDED**;
- (37) **VIOLATIONS OF SECTION 4 OF REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS THE CYBERCRIME PREVENTION ACT OF 2012**;
- (38) **VIOLATIONS OF SECTIONS 1, 2, AND 2-A OF COMMONWEALTH ACT NO. 108, OTHERWISE KNOWN AS THE ANTI-DUMMY ACT, AS AMENDED BY PRESIDENTIAL DECREE NO. 715**;
- (39) **VIOLATIONS OF SECTIONS 7, 8, 9, 10, AND 11 OF REPUBLIC ACT NO. 12022, OTHERWISE KNOWN AS**

1 THE ANTI-AGRICULTURAL ECONOMIC SABOTAGE  
2 ACT;

3  
4 (40) FALSIFICATION OF DOCUMENTS UNDER ARTICLES  
5 171 AND 172 OF THE REVISED PENAL CODE, AS  
6 AMENDED;

7  
8 (41) VIOLATIONS OF SECTION 11 OF REPUBLIC ACT NO.  
9 11765, OTHERWISE KNOWN AS THE FINANCIAL  
10 PRODUCTS AND SERVICES CONSUMER  
11 PROTECTION ACT;

12  
13 (42) VIOLATIONS OF REPUBLIC ACT NO. 12312,  
14 OTHERWISE KNOWN AS THE ANTI-POGO ACT OF  
15 2025;

16  
17 (43) VIOLATIONS OF SECTION 13(D) OF REPUBLIC ACT  
18 NO. 6969, OTHERWISE KNOWN AS THE TOXIC  
19 SUBSTANCES AND HAZARDOUS AND NUCLEAR  
20 WASTE CONTROL ACT;

21  
22 (44) VIOLATIONS OF SECTIONS 20(A), (B), (C), (D), (E), (F),  
23 (I), (N), (O), (P), (Q), (R), (T), AND (V) OF REPUBLIC ACT  
24 NO. 7586, OTHERWISE KNOWN AS THE NATIONAL  
25 INTEGRATED PROTECTED AREA SYSTEM, AS  
26 AMENDED;

27  
28 (45) VIOLATIONS OF SECTION 9 OF REPUBLIC ACT NO.  
29 7076, OTHERWISE KNOWN AS THE PEOPLE'S SMALL-  
30 SCALE MINING ACT; AND

31  
32 (46) FELONIES OF A SIMILAR NATURE THAT ARE  
33 PUNISHABLE UNDER THE PENAL LAWS OF OTHER  
34 COUNTRIES.

35  
36 **Section 8.** Creation of the Anti-Money Laundering Council (AMLC). – x x x.

37  
38 (1) to SERVE AS THE FINANCIAL INTELLIGENCE UNIT OF THE  
39 PHILIPPINES WITH THE AUTHORITY TO require, receive and  
40 analyze covered or suspicious transactions reports from covered  
41 persons;

42  
43 (2) x x x;

- (3) to institute civil forfeiture proceedings, and all other remedial proceedings **DIRECTLY WITH THE COMPETENT COURT**, or through the Office of the Solicitor General;
- (4) x x x;
- (5) x x x;
- (6) **TO ISSUE, EX PARTE, AN ADMINISTRATIVE FREEZE ORDER, AND** to apply before the Court of Appeals, ~~ex parte~~ **WITH PRIOR NOTICE TO THE OTHER PARTY**, for the freezing of any monetary instrument or property ~~[alleged to be laundered, proceeds from, or instrumentalities used in or intended for use]~~ **THAT IS RELATED** in any **WAY TO AN** unlawful activity as defined in Section 3(i) hereof **OR MONEY LAUNDERING OFFENSE**;
- (7) to **FORMULATE AND** implement such **RULES, REGULATIONS, AND** measures as may be necessary and justified under this Act to counteract money laundering;
- (8) x x x;
- (9) x x x;
- (10) x x x;
- (11) x x x ;
- (12) x x x;
- (13) x x x;
- (14) in the conduct of its ~~[investigation]~~, **INVESTIGATORY, PROSECUTORIAL, AND QUASI-JUDICIAL FUNCTIONS**, the AMLC shall ~~[apply for the issuance of]~~ **HAVE THE POWER TO ISSUE** *subpoena ad testificandum* and/or *subpoena duces tecum* ~~[with any competent court]~~;
- (15) xxx;
- (16) to preserve, manage, or dispose assets pursuant to a**N ADMINISTRATIVE FREEZE ORDER**, freeze order, asset preservation order, or judgement of forfeiture, **INCLUDING THE AUTHORITY TO PHYSICALLY POSSESS AND MANAGE**

1 MONETARY INSTRUMENTS AND PROPERTIES THAT ARE  
2 IN DANGER OF BEING LOST, REMOVED, MATERIALLY  
3 INJURED, WASTED, OR DISIPATED: *Provided, however,* That  
4 pending their turnover to the national government, all expenses  
5 incurred in relation to the duties herein mentioned shall be  
6 deducted from the amount to be turned over to the national  
7 government;  
8

9 (17) TO SERVE AS THE ANTI-MONEY LAUNDERING  
10 SUPERVISOR WITH THE AUTHORITY TO EXERCISE  
11 VISITATION, INSPECTION, AND EXAMINATION POWERS  
12 TO ENSURE COMPLIANCE BY ALL COVERED PERSONS,  
13 AND THEIR RESPONSIBLE DIRECTORS, OFFICERS, AND  
14 EMPLOYEES, WITH THE REQUIREMENTS OF THIS ACT, ITS  
15 IMPLEMENTING RULES AND REGULATIONS, AND OTHER  
16 ISSUANCES OF THE COUNCIL. PROVIDED, THAT THE  
17 AMLC MAY DEPUTIZE SUPERVISING AUTHORITIES TO  
18 CONDUCT THE ACTUAL COMPLIANCE CHECKING AND  
19 IMPOSITION OF ENFORCEMENT ACTIONS ON THE  
20 PERSONS AND ENTITIES UNDER THEIR RESPECTIVE  
21 PRUDENTIAL SUPERVISION, SUBJECT TO THE  
22 ESCALATION TO THE AMLC OF FINDINGS CONCERNING  
23 HIGH-RISK VIOLATIONS;  
24

25 (18) TO ENTER INTO ANY CONTRACT OR TRANSACTION FOR  
26 THE ACQUISITION, OWNERSHIP, POSSESSION,  
27 ADMINISTRATION, LEASE, DISPOSITION, OR  
28 ACCEPTANCE OF REAL OR PERSONAL PROPERTY IN ITS  
29 NAME, UNDER SUCH CONDITIONS IMPOSED BY THE  
30 COUNCIL;  
31

32 (19) TO DETERMINE AND IMPOSE SUPERVISORY,  
33 ACCREDITATION, AND OTHER ADMINISTRATIVE FEES;  
34

35 (20) TO SPEARHEAD THE NATIONAL COORDINATION  
36 MECHANISM TO IDENTIFY AND ASSESS THE MONEY  
37 LAUNDERING, TERRORISM FINANCING, AND  
38 PROLIFERATION OF WEAPONS OF MASS DESTRUCTION  
39 FINANCING RISKS OF THE PHILIPPINES, INCLUDING  
40 FORMULATION AND ADOPTION OF NATIONAL  
41 STRATEGIES TO ADDRESS THE SAID RISKS; AND  
42

43 (21) TO DELEGATE SUCH AUTHORITIES TO THE EXECUTIVE  
44 DIRECTOR OR ANY OFFICER OR OPERATING UNIT OF THE

1                    AMLC UNDER SUCH GUIDELINES THE COUNCIL MAY  
2                    DETERMINE.  
3

4                    **Section 9.** A new Section 7-A is hereby inserted on the same Act to read as follows:  
5

6                    **SECTION 7-A. RESPONSIBILITY. – THE GENERAL RULE AND THE**  
7                    **EXCEPTION THEREFROM ON THE LIABILITY OF PUBLIC OFFICERS**  
8                    **AS PROVIDED IN SECTION 38 AND 39 OF CHAPTER 9, BOOK 1 OF**  
9                    **THE REVISED ADMINISTRATIVE CODE OF 1987 SHALL APPLY TO**  
10                    **THE MEMBERS OF THE COUNCIL AND OTHER PERSONNEL OF**  
11                    **THE AMLC.**  
12

13                    **IN THE LAWFUL AND AUTHORIZED EXERCISE OF ITS POWERS**  
14                    **AND PERFORMANCE OF ITS OFFICIAL DUTIES AND FUNCTIONS,**  
15                    **THE AMLC, THE MEMBERS OF THE COUNCIL, AND ITS**  
16                    **PERSONNEL, SHALL BE PRESUMED TO HAVE ACTED IN GOOD**  
17                    **FAITH.**  
18

19                    **UNLESS THE ACTIONS OR OMISSIONS IN RELATION THERETO**  
20                    **HAVE BEEN ADJUDGED TO HAVE BEEN PERFORMED IN EVIDENT**  
21                    **BAD FAITH, OR WITH GROSS NEGLIGENCE, THEY SHALL BE**  
22                    **HELD FREE AND HARMLESS FROM LIABILITY TO THE FULLEST**  
23                    **EXTENT PERMITTED BY LAW, AND THEY SHALL BE INDEMNIFIED**  
24                    **FOR ANY AND ALL LIABILITIES, LOSSES, CLAIMS, DEMANDS,**  
25                    **DAMAGES, DEFICIENCIES, COSTS, AND EXPENSES OF**  
26                    **WHATSOEVER KIND AND NATURE THAT MAY ARISE IN**  
27                    **CONNECTION THEREWITH.**  
28

29                    **Section 10.** Section 8-A of the same Act is hereby amended to read as follows:  
30

31                    **Section 8-A. Information Security and Confidentiality. – THE COUNCIL,**  
32                    **AND THE OFFICERS AND STAFF OF the AMLC [~~and its Secretariat~~]**  
33                    **shall securely protect information received or processed and shall not**  
34                    **reveal, in any manner, any information known to them by reason of their**  
35                    **office. THIS PROHIBITION SHALL ALSO APPLY TO ALL**  
36                    **RESPONSIBLE DIRECTORS, OFFICERS, AND EMPLOYEES OF**  
37                    **COVERED PERSONS, LAW ENFORCEMENT AGENCIES,**  
38                    **SUPERVISING AUTHORITIES, OTHER GOVERNMENT AGENCIES,**  
39                    **SUPPLIERS, SERVICE PROVIDERS, CONSULTANTS, TRAINEES,**  
40                    **DETAILED, SECONDED, OR ENLISTED PERSONNEL, AND OTHER**  
41                    **PERSONS AND ENTITIES WITH WHOM THE AMLC SHARED**  
42                    **CONFIDENTIAL INFORMATION OR FOR WHOM AN ACCESS WAS**  
43                    **GIVEN TO THE SAID INFORMATION, AS ALLOWED UNDER THE**  
44                    **SUCCEEDING PARAGRAPH. NEITHER MAY SUCH INFORMATION**

1 BE PUBLISHED OR AIRED IN ANY MANNER OR FORM BY THE  
2 MASS MEDIA OR SOCIAL MEDIA, ELECTRONIC MAIL, OR OTHER  
3 SIMILAR DEVICES OR TECHNOLOGY, UNLESS ALLOWED WITHIN  
4 THE PARAMETERS SET BY THE COUNCIL. This prohibition shall  
5 apply even after their separation from the AMLC, OR RESPECTIVE  
6 OFFICES, OR AFTER THE LAPSE OF THEIR CONTRACT,  
7 ARRANGEMENT, OR OTHER AGREEMENT WITH THE AMLC, AS  
8 THE CASE MAY BE.

9  
10 The AMLC shall formulate rules governing information exchange and  
11 dissemination, the security and confidentiality of such information,  
12 including procedures for handling, storage, and protection of, as well as  
13 access to such information. WHEN EXCHANGING AND  
14 DISSEMINATING INFORMATION UNDER SUCH RULES, THE  
15 COUNCIL, AND THE OFFICERS AND STAFF OF THE AMLC SHALL  
16 NOT BE DEEMED TO HAVE VIOLATED THE PROVISIONS ON  
17 INFORMATION SECURITY AND CONFIDENTIALITY HEREOF.

18  
19 **Section 11.** A new Section 8-B is hereby inserted in the same Act to read as follows:

20  
21 **SECTION 8-B. ISSUANCE OF INJUNCTIVE RELIEF AGAINST AMLC**  
22 **ACTIONS. – NO COURT, OTHER THAN THE COURT OF APPEALS**  
23 **AND THE SUPREME COURT, SHALL ISSUE ANY TEMPORARY**  
24 **RESTRAINING ORDER OR INJUNCTION AGAINST THE AMLC FOR**  
25 **ANY ACTION UNDER THIS ACT.**

26  
27 **ANY RESTRAINING ORDER OR INJUNCTION ISSUED IN**  
28 **VIOLATION OF THIS SECTION IS VOID AND OF NO FORCE AND**  
29 **EFFECT.**

30  
31 **Section 12.** Section 9 of the same Act is hereby amended to read as follows:

32  
33 SEC. 9. Prevention of Money Laundering: Customer Due Diligence,  
34 Record-Keeping, Transaction Reporting, and Registration Requirements.

35  
36 (a) Customer Identification. - Covered persons shall **CONDUCT**  
37 **CUSTOMER DUE DILIGENCE BY** establishING and recordING  
38 the true identity of its clients based on official documents, **OR**  
39 **OTHER RELIABLE, INDEPENDENT SOURCE DOCUMENTS,**  
40 **DATA OE INFORMATION. PROVIDED, THAT FOR CASINOS,**  
41 **THE REQUIREMENT OF CUSTOMER DUE DILIGENCE**  
42 **SHALL BE PERFORMED FOR TRANSACTIONS INVOLVING**  
43 **THE AMOUNT IN EXCESS OF ONE HUNDRED FIFTY**

1 THOUSAND PESOS (PHP150,000.00), OR ITS EQUIVALENT IN  
2 FOREIGN CURRENCY.

3  
4 COVERED PERSONS ~~[They]~~ shall maintain a system of verifying  
5 the true identity of their clients and, in case of corporate clients,  
6 require a system of verifying their legal existence and organizational  
7 structure, as well as the authority and identification of all persons  
8 purporting to act on their behalf.  
9

10 COVERED PERSONS SHALL EXAMINE THE BACKGROUND  
11 AND PURPOSE OF ALL COMPLEX, UNUSUALLY LARGE  
12 TRANSACTIONS, ALL UNUSUAL PATTERNS OF  
13 TRANSACTIONS, WHICH HAVE NO APPARENT ECONOMIC  
14 OR LAWFUL PURPOSE, AND OTHER TRANSACTIONS THAT  
15 MAY BE CONSIDERED SUSPICIOUS. WHERE THE RISKS ARE  
16 HIGHER, COVERED PERSONS SHALL CONDUCT  
17 ENHANCED DUE DILIGENCE. FOR THESE PURPOSES,  
18 COVERED PERSONS ARE AUTHORIZED TO COORDINATE  
19 WITH OTHER COVERED PERSONS TO DETERMINE THE  
20 PRESENCE OF UNUSUAL OR SUSPICIOUS TRANSACTIONS.  
21 THE PROVISIONS OF REPUBLIC ACT NO. 1405, AS  
22 AMENDED; REPUBLIC ACT NO. 6426, AS AMENDED;  
23 REPUBLIC ACT NO. 8367; AND REPUBLIC ACT NO. 10173,  
24 SHALL NOT APPLY DURING THE VERIFICATION PROCESS  
25 WITH OTHER COVERED PERSONS.  
26

27 The provisions of existing laws to the contrary notwithstanding,  
28 anonymous accounts, accounts under fictitious names, and all other  
29 similar accounts shall be absolutely prohibited. Peso and foreign  
30 currency non-checking numbered accounts shall be allowed. The  
31 BSP may conduct annual testing solely limited to the determination  
32 of the existence and true identity of the owners of such accounts.  
33

34 (b) Record-Keeping. – x x x  
35

36 (c) Reporting of Covered and Suspicious Transactions. – Covered  
37 persons shall report to the AMLC all covered transactions and  
38 suspicious transactions within five (5) working days from  
39 occurrence thereof, unless the AMLC prescribes a different period  
40 not exceeding fifteen (15) working days.  
41

42 ~~[Lawyers and accountants acting as independent legal professionals~~  
43 ~~are not required to report covered and suspicious transactions if the~~

1 ~~relevant information was obtained in circumstances where they are~~  
2 ~~subject to professional secrecy or legal professional privilege]~~  
3

4 Should a transaction be determined to be both a covered transaction  
5 and a suspicious transaction, the covered person shall be required  
6 to report the same as a suspicious transaction.  
7

8 x x x  
9

- 10 (d) **REGISTRATION WITH THE AMLC. – COVERED PERSONS**  
11 **SHALL REGISTER WITH THE AMLC IN ACCORDANCE WITH**  
12 **THE GUIDELINES PRESCRIBED FOR SUCH PURPOSE.**  
13 **SUPERVISING AUTHORITIES AND OTHER LICENSING OR**  
14 **BUSINESS REGISTRATION AUTHORITIES OF COVERED**  
15 **PERSONS SHALL PRESCRIBE REGISTRATION WITH THE**  
16 **AMLC AS A REQUIREMENT FOR CONTINUED LICENSING**  
17 **AND/OR OPERATIONS, AND, WHEN NECESSARY,**  
18 **TRANSACTING WITH OTHER COVERED PERSONS.**  
19

20 **Section 13.** Section 10 of the same Act is hereby amended to read as follows:  
21

22 SEC. 10. Authority to Suspend Transactions and Freezing of Monetary  
23 Instrument or Property. –  
24

- 25 **A. THE AMLC, EITHER UPON ITS OWN INITIATIVE, OR AT THE**  
26 **REQUEST OF A COVERED PERSON OR DOMESTIC OR**  
27 **FOREIGN COMPETENT AUTHORITIES, IS HEREBY**  
28 **AUTHORIZED TO ISSUE, EX PARTE, A TRANSACTION**  
29 **SUSPENSION ORDER, UPON REASONABLE SUSPICION**  
30 **THAT A TRANSACTION OR FUND IS UNUSUAL, WITHOUT**  
31 **CLEAR ECONOMIC PURPOSE, FROM UNKNOWN OR**  
32 **ILLEGAL SOURCE, OR IN ANY WAY RELATED TO AN**  
33 **UNLAWFUL ACTIVITY OR MONEY LAUNDERING OFFENSE.**  
34

35 **THE AUTHORITY TO TEMPORARILY SUSPEND**  
36 **TRANSACTION OR FUND UNDER THIS SECTION SHALL BE**  
37 **EXERCISED BY A DULY AUTHORIZED OFFICER OR**  
38 **OPERATING UNIT OF THE AMLC.**  
39

40 **THE TRANSACTION SUSPENSION ORDER SHALL BE**  
41 **EFFECTIVE FOR A PERIOD OF FIFTEEN (15) WORKING DAYS**  
42 **FROM RECEIPT THEREOF, UNLESS THE COUNCIL**  
43 **PRESCRIBES ANOTHER PERIOD NOT EXCEEDING THIRTY**  
44 **(30) WORKING DAYS. PROVIDED, THAT IF THERE IS NO**

1 ADMINISTRATIVE FREEZE ORDER ISSUED BY THE  
2 COUNCIL OR A PETITION FOR ISSUANCE OF FREEZE  
3 ORDER FILED BEFORE THE COURT OF APPEALS, THE  
4 TRANSACTION SUSPENSION ORDER SHALL BE DEEMED  
5 IPSO FACTO REVOKED WITHOUT NEED OF  
6 CONFIRMATION FROM THE AMLC.  
7

8 A PERSON WHOSE TRANSACTION OR FUND HAS BEEN  
9 SUSPENDED MAY MOVE FOR THE REVOCATION OF THE  
10 SUSPENSION ORDER SUBJECT TO THE RULES AND  
11 REGULATIONS PRESCRIBED BY THE AMLC.  
12

13 A COVERED PERSON, OR ANY OF ITS RESPONSIBLE  
14 DIRECTORS, OFFICERS, OR EMPLOYEES, SHALL BE HELD  
15 FREE AND HARMLESS FROM ANY ACCOUNTABILITY OR  
16 LIABILITY FOR ANY ACT DONE IN COMPLIANCE WITH A  
17 TEMPORARY SUSPENSION ORDER FROM THE AMLC.  
18

19 NO COURT SHALL ISSUE A TEMPORARY RESTRAINING  
20 ORDER OR A WRIT OF INJUNCTION AGAINST ANY  
21 TRANSACTION SUSPENSION ORDER, EXCEPT THE COURT  
22 OF APPEALS AND THE SUPREME COURT.  
23

- 24 B. Upon [~~a verified ex parte petition by the AMLC and after~~]  
25 determination that probable cause exists that any monetary  
26 instrument or property is in any way related to an unlawful activity  
27 as defined in Section 3(i) hereof, **THE COUNCIL**, [~~the Court of~~  
28 ~~Appeals~~] may issue, **EX PARTE**, an **ADMINISTRATIVE** freeze  
29 order which shall be effective immediately, for a period of twenty  
30 (20) days.  
31

32 Within the [~~twenty (20)-day period~~] **NEXT WORKING DAY**  
33 **FROM THE ISSUANCE OF THE ADMINISTRATIVE FREEZE**  
34 **ORDER THE AMLC SHALL FILE A PETITION FOR ISSUANCE**  
35 **OF A FREEZE ORDER BEFORE THE COURT OF APPEALS:**  
36 **PROVIDED, THAT, THE TWENTY-DAY PERIOD OF THE**  
37 **ADMINISTRATIVE FREEZE ORDER SHALL REMAIN**  
38 **EFFECTIVE UNTIL THE COURT OF APPEALS RESOLVES THE**  
39 **PETITION. PROVIDED, FURTHER THAT, WITHIN THE**  
40 **PERIOD OF THE ADMINISTRATIVE FREEZE ORDER, the**  
41 **Court of Appeals shall conduct a summary hearing, with notice to**  
42 **the parties, to determine whether or not to modify or lift the**  
43 **ADMINISTRATIVE freeze order or extend its effectivity BY**  
44 **ISSUING A FREEZE ORDER WHICH SHALL BE EFFECTIVE**

1 FOR A ~~[The total]~~ period ~~[of the freeze order issued by the Court of~~  
2 ~~Appeals under this provision shall]~~ not exceeding six (6) months.  
3 ~~[This is without prejudice to an asset preservation order that the~~  
4 ~~Regional Trial Court having jurisdiction over the appropriate anti-~~  
5 ~~money laundering case or civil forfeiture case may issue on the same~~  
6 ~~account depending on the circumstances of the case, where the~~  
7 ~~Court of Appeals will remand the case and its records; Provided,~~  
8 ~~That if there is no case filed against a person whose account has been~~  
9 ~~frozen within the period determined by the Court of Appeals, not~~  
10 ~~exceeding six (6) months, the freeze order shall be deemed *ipso facto*~~  
11 ~~lifted; Provided, further, That this new rule shall not apply to pending~~  
12 ~~cases in the courts. In any case, the court should act on the petition~~  
13 ~~to freeze within twenty four (24) hours from filing of the petition. If~~  
14 ~~the application is filed a day before a nonworking day, the~~  
15 ~~computation of the twenty four (24) hour period shall exclude the~~  
16 ~~nonworking days.~~

17  
18 ~~The freeze order or asset preservation order issued under this Act~~  
19 ~~shall be limited only to the amount of cash or monetary instrument~~  
20 ~~or value of property that court finds there is probable cause to be~~  
21 ~~considered as proceeds of a predicate offense, and the freeze order~~  
22 ~~or asset preservation order shall not apply to amounts in the same~~  
23 ~~account in excess of the amount or value of the proceeds of the~~  
24 ~~predicate offense.]~~

25  
26 A person whose ~~[account]~~ **MONETARY INSTRUMENT OR**  
27 **PROPERTY** has been **THE SUBJECT OF AN ADMINISTRATIVE**  
28 **FREEZE ORDER OR FREEZE ORDER** ~~[frozen]~~ may ~~[file a motion~~  
29 ~~to lift the freeze order and the court must resolve this motion before~~  
30 ~~the expiration of the freeze order]~~ **MOVE FOR ITS LIFTING**  
31 **BEFORE THE COURT OF APPEALS.**

32  
33 **THE ADMINISTRATIVE FREEZE ORDER OR THE FREEZE**  
34 **ORDER SHALL INCLUDE THOSE MONETARY INSTRUMENT**  
35 **OR PROPERTY HAVING EQUIVALENT VALUE TO THE**  
36 **MONETARY INSTRUMENT OR PROPERTY FOUND TO BE**  
37 **RELATED IN ANY WAY TO AN UNLAWFUL ACTIVITY OR**  
38 **MONEY LAUNDERING OFFENSE, WHEN WITH DUE**  
39 **DILIGENCE, THE FORMER CANNOT BE LOCATED, OR IT**  
40 **HAS BEEN SUBSTANTIALLY ALTERED, DESTROYED,**  
41 **DIMINISHED IN VALUE OR OTHERWISE RENDERED**  
42 **WORTHLESS BY ANY ACT OR OMISSION, OR IT HAS BEEN**  
43 **CONCEALED, REMOVED, CONVERTED, OR OTHERWISE**  
44 **TRANSFERRED, OR IT IS LOCATED OUTSIDE THE**

1 PHILIPPINES OR HAS BEEN PLACED OR BROUGHT  
2 OUTSIDE THE JURISDICTION OF THE COUNCIL AND THE  
3 COURT OF APPEALS, OR IT HAS BEEN COMMINGLED WITH  
4 OTHER MONETARY INSTRUMENT OR PROPERTY  
5 BELONGING TO EITHER THE RESPONDENT OR A THIRD  
6 PERSON OR ENTITY, THEREBY RENDERING THE SAME  
7 DIFFICULT TO IDENTIFY OR BE SEGREGATED FOR  
8 PURPOSES OF FREEZING.

9  
10 THIS IS WITHOUT PREJUDICE TO AN ASSET  
11 PRESERVATION ORDER THAT THE REGIONAL TRIAL  
12 COURT HAVING JURISDICTION OVER THE APPROPRIATE  
13 MONEY LAUNDERING CASE OR CIVIL FORFEITURE CASE  
14 MAY ISSUE ON THE SAME MONETARY INSTRUMENT OR  
15 PROPERTY DEPENDING ON THE CIRCUMSTANCES OF THE  
16 CASE, WHERE THE COURT OF APPEALS WILL REMAND THE  
17 CASE AND ITS RECORDS; PROVIDED, THAT IF THERE IS NO  
18 CASE FILED AGAINST A PERSON WHOSE MONETARY  
19 INSTRUMENT OR PROPERTY HAS BEEN FROZEN WITHIN  
20 THE PERIOD DETERMINED BY THE COURT OF APPEALS,  
21 THE FREEZE ORDER SHALL BE DEEMED IPSO FACTO  
22 LIFTED; PROVIDED, FURTHER, THAT THIS RULE SHALL  
23 NOT APPLY TO PENDING PETITIONS FOR FREEZE ORDERS.

24  
25 THE PERSON WHOSE MONETARY INSTRUMENT OR  
26 PROPERTY HAS BEEN FROZEN MAY WITHDRAW SUCH  
27 SUMS AS THE AMLC DETERMINES REASONABLE FOR  
28 MONTHLY FAMILY NEEDS AND SUSTENANCE,  
29 INCLUDING THE SERVICES OF COUNSEL AND FAMILY  
30 MEDICAL NEEDS.

31  
32 A COVERED PERSON OR GOVERNMENT AGENCY, OR ANY  
33 OF ITS RESPONSIBLE DIRECTORS, OFFICERS, OR  
34 EMPLOYEES, SHALL BE HELD FREE AND HARMLESS FROM  
35 ANY ACCOUNTABILITY OR LIABILITY FOR ANY ACT DONE  
36 IN COMPLIANCE WITH AN ADMINISTRATIVE FREEZE  
37 ORDER FROM THE COUNCIL OR FREEZE ORDER FROM THE  
38 COURT OF APPEALS.

39  
40 No court shall issue a temporary restraining order or a writ of  
41 injunction against any freeze order, except the Supreme Court.

42  
43 (C) x x x.  
44

1       **Section 14.** Section 11 of the same Act is hereby amended to read as follows:

2  
3       SEC. 11. Authority to Inquire into Bank Deposits. – Notwithstanding the  
4       provisions of Republic Act No. 1405, as amended; Republic Act No. 6426,  
5       as amended; Republic Act No. 8791; **REPUBLIC ACT NO. 10173**; and other  
6       laws, the AMLC may inquire into or examine any particular deposit or  
7       investment, with any banking institution or non-bank financial institution  
8       ~~[upon order of any competent court based on an *ex parte* application in cases~~  
9       ~~of violations of this Act, when it has been established that there is],~~  
10       **WHICH, BASED ON** probable cause, ~~[that the deposits or investments,~~  
11       ~~including related accounts involved, are]~~ **MAY BE** related to ~~[an unlawful~~  
12       ~~activity as defined]~~ **IN THE COMMISSION, PROCEEDS, OR**  
13       **INSTRUMENTALITIES OF ANY UNLAWFUL ACTIVITY UNDER**  
14       Section 3(i) ~~[(1), (2) and (12)]~~ hereof; ~~[and felonies or offenses of a nature~~  
15       ~~similar to those mentioned in Section 3(i)(1), (2) and (12), which are~~  
16       ~~punishable under the penal laws of other countries, and terrorism and~~  
17       ~~conspiracy to commit terrorism as defined and penalized under Republic~~  
18       ~~Act No. 9372]~~ subject of a money laundering investigation or prosecution;  
19       or subject of a request for assistance from a foreign State.

20  
21       ~~[The Court of Appeals shall act on the application to inquire into or~~  
22       ~~examine any deposit or investment with any banking institution or non-~~  
23       ~~bank financial institution within twenty four (24) hours from filing of the~~  
24       ~~application.~~

25  
26       ~~To ensure compliance with this Act, the Bangko Sentral ng Pilipinas may,~~  
27       ~~in the course of a periodic or special examination, check the compliance of~~  
28       ~~a covered person with the requirements of the AMLA and its implementing~~  
29       ~~rules and regulations.~~

30  
31       ~~For purposes of this section, ‘related accounts’ shall refer to accounts, the~~  
32       ~~funds and sources of which originated from and/or are materially linked to~~  
33       ~~the monetary instrument(s) or property(ies) subject of the freeze order(s).~~  
34       ~~A court order *ex parte* must first be obtained before the AMLC can inquire~~  
35       ~~into these related accounts: Provided, That the procedure for the *ex parte*~~  
36       ~~application of the *ex parte* court order for the principal account shall be the~~  
37       ~~same with that of the related accounts.~~

38  
39       ~~The authority to inquire into or examine the main account and the related~~  
40       ~~accounts shall comply with the requirements of Article III, Sections 2 and 3~~  
41       ~~of the 1987 Constitution which are hereby incorporated by reference.]~~  
42

1 THE AUTHORITY TO INQUIRE INTO DEPOSIT OR INVESTMENT  
2 UNDER THIS SECTION SHALL BE EXERCISED BY A DULY  
3 AUTHORIZED OFFICER OR OPERATING UNIT OF THE AMLC.

4  
5 NO COURT BELOW THE COURT OF APPEALS SHALL HAVE  
6 JURISDICTION TO ENJOIN THE AMLC FROM EXERCISING ITS  
7 AUTHORITY TO INQUIRE INTO OR EXAMINE ANY DEPOSIT OR  
8 INVESTMENT UNDER THIS ACT.

9  
10 A COVERED PERSON, OR ANY OF ITS RESPONSIBLE DIRECTORS,  
11 OFFICERS, OR EMPLOYEES, SHALL BE HELD FREE AND  
12 HARMLESS FROM ANY ACCOUNTABILITY OR LIABILITY FOR  
13 ANY ACT DONE IN COMPLIANCE WITH AN ORDER FROM THE  
14 AMLC FOR AN INQUIRY OF A DEPOSIT, OR INVESTMENT.

15  
16 TO ENSURE COMPLIANCE WITH THIS ACT, THE AMLC AND THE  
17 SUPERVISING AUTHORITIES MAY, IN THE COURSE OF A  
18 PERIODIC OR SPECIAL EXAMINATION OR INSPECTION, CHECK  
19 COMPLIANCE OF A COVERED PERSON WITH THE  
20 REQUIREMENTS OF THE AMLA AND ITS IMPLEMENTING RULES  
21 AND REGULATIONS.

22  
23 **Section 15.** Section 12 of the same Act is hereby amended to read as follows:

24  
25 SEC. 12. Forfeiture Provisions. –

26  
27 (a) Civil Forfeiture. – Upon determination by the ~~[AMLC]~~ COUNCIL  
28 that probable cause exists that any monetary instrument or property  
29 is in any way related to an unlawful activity as defined in Section  
30 3(i) or a money laundering offense under Section 4 hereof, the  
31 AMLC shall file, **EX PARTE**, with the **COMPETENT** ~~[appropriate]~~  
32 court **OR** through the Office of the Solicitor General, a verified ~~[ex~~  
33 ~~parte]~~ petition for forfeiture. ~~[and the Rules of Court on Civil~~  
34 ~~Forfeiture shall apply.]~~

35  
36 The forfeiture shall include those other monetary instrument or  
37 property having an equivalent value to that of the monetary  
38 instrument or property found to be related in any way to an  
39 unlawful activity or a money laundering offense, when with due  
40 diligence, the former cannot be located, or it has been substantially  
41 altered, destroyed, diminished in value or otherwise rendered  
42 worthless by any act or omission, or it has been concealed, removed,  
43 converted, or otherwise transferred, or it is located outside the  
44 Philippines or has been placed or brought outside the jurisdiction of

1 the court, or it has been commingled with other monetary  
2 instrument or property belonging to either the ~~[offender himself]~~  
3 **RESPONDENT** or a third person or entity, thereby rendering the  
4 same difficult to identify or be segregated for purposes of forfeiture.  
5

6 (b) Claim on Forfeited Assets. – x x x.  
7

8 (c) Payment in Lieu of Forfeiture. – x x x.  
9

10 (d) x x x.  
11

12 (e) **LAWS ON PRESCRIPTION. – THE LAWS CONCERNING**  
13 **ACQUISITIVE PRESCRIPTION AND LIMITATION OF**  
14 **ACTIONS CANNOT BE INVOKED BY, NOR SHALL THEY**  
15 **BENEFIT THE RESPONDENT, IN RESPECT OF ANY**  
16 **UNLAWFULLY ACQUIRED MONETARY INSTRUMENT,**  
17 **PROPERTY, OR PROCEEDS, AND THEIR FRUITS.**  
18

19 **Section 16.** Section 14 of the same Act is hereby amended to read as follows:  
20

21 SEC. 14. Penal Provisions. – x x x.  
22

23 (f) Imposition of Administrative Sanctions. The imposition of the  
24 administrative sanctions shall be without prejudice to the filing of  
25 criminal charges against the persons responsible for the violation.  
26

27 After due notice and hearing, the AMLC shall, at its discretion,  
28 impose sanctions, including **BUT NOT LIMITED TO** monetary  
29 penalties, **RESTITUTION, SUSPENSION OR**  
30 **DISQUALIFICATION FROM BEING A DIRECTOR, OFFICER,**  
31 **OR EMPLOYEE OF A COVERED PERSON, REVOCATION OF**  
32 **AMLC REGISTRATION, INCREASED MONITORING,**  
33 **INCLUSION IN A LIST OF AMLA VIOLATORS AND ITS**  
34 **PUBLICATION, WARNING, OR REPRIMAND, UPON ANY**  
35 **COVERED PERSON, AND ITS DIRECTORS,** warning or  
36 reprimand, upon any covered person, its directors, officers,  
37 employees or any other person for the violation of this Act, its  
38 implementing rules and regulations, or for failure or refusal to  
39 comply with AMLC orders, resolutions and other issuances. Such  
40 monetary penalties shall be in amounts as may be determined by  
41 the AMLC to be appropriate, which shall not be more than ~~[Five~~  
42 ~~hundred thousand Philippine pesos (P500,000.00) per violation.]~~  
43 **TWO MILLION PHILIPPINE PESOS (PHP2,000,000.00) PER**  
44 **TRANSACTIONAL VIOLATION, OR ONE HUNDRED**

1 THOUSAND PHILIPPINE PESOS (PHP100,000.00) PER  
2 CALENDAR DAY FOR VIOLATIONS OF CONTINUING  
3 NATURE.

4  
5 RESIGNATION, TERMINATION, OR OTHERWISE  
6 SEPARATION FROM OFFICE SHALL NOT EXEMPT SUCH  
7 DIRECTOR, OFFICER, OR EMPLOYEE FROM  
8 ADMINISTRATIVE SANCTIONS.

9  
10 THE DECISION OF THE AMLC IN ADMINISTRATIVE CASES  
11 SHALL BE FINAL AND EXECUTORY, AND MAY NOT BE  
12 RESTRAINED OR SET ASIDE BY THE COURT, EXCEPT ON  
13 PETITION FOR CERTIORARI ON THE GROUND OF GRAVE  
14 ABUSE OF DISCRETION, OR LACK OR EXCESS OF  
15 JURISDICTION OF THE AMLC. PROVIDED, THAT THE  
16 AGGRIEVED PARTY SHALL FILE THE PETITION WITH THE  
17 COURT OF APPEALS.

18  
19 IN THE EXERCISE OF ITS QUASI-JUDICIAL FUNCTION, THE  
20 AMLC SHALL HAVE THE POWER TO ISSUE SUBPOENA  
21 DUCES TECUM AND SUMMON WITNESSES TO APPEAR IN  
22 THEIR PROCEEDINGS AND WHEN APPROPRIATE, ORDER  
23 THE EXAMINATION, SEARCH AND SEIZURE OF ALL  
24 DOCUMENTS, AND BOOKS OF ACCOUNTS OF ANY ENTITY  
25 OR PERSON UNDER INVESTIGATION AS MAY BE  
26 NECESSARY FOR THE PROPER DISPOSITION OF THE  
27 ADMINISTRATIVE CASES BEFORE IT. FURTHER, THE AMLC  
28 SHALL HAVE THE AUTHORITY TO PUNISH FOR  
29 CONTEMPT, BOTH DIRECTLY AND INDIRECTLY, IN  
30 ACCORDANCE WITH THE PERTINENT PROVISIONS OF  
31 AND PENALTIES PRESCRIBED BY THE RULES OF COURT.

32  
33 THE QUASI-JUDICIAL POWER OF THE AMLC SHALL BE  
34 EXERCISED DIRECTLY BY THE COUNCIL OR THE DULY  
35 AUTHORIZED HEARING OFFICER OR PANEL OF HEARING  
36 OFFICERS OF THE AMLC, UNDER SUCH RULES AND  
37 CONDITIONS TO BE DETERMINED BY THE COUNCIL.  
38 PROVIDED FURTHER, THAT THE DECISION OF THE  
39 AUTHORIZED HEARING OFFICER OR PANEL OF HEARING  
40 OFFICERS SHALL NOT BE APPEALABLE TO THE COUNCIL.

41  
42 The AMLC may promulgate rules on fines and penalties taking into  
43 consideration the attendant circumstances, such as the nature and  
44 gravity of the violation or irregularity.

1  
2 THE FINES PRESCRIBED IN THIS SECTION SHALL BE  
3 INCREASED BY TEN PERCENT (10%) EVERY FIVE YEARS TO  
4 COMPENSATE FOR INFLATION AND TO MAINTAIN THE  
5 DETERRENT FUNCTION OF SUCH FINES.”  
6

7 **Section 17.** Section 15 of the same Act shall be reinstated and amended to read as  
8 follows:  
9

10 **SEC. 15. RETENTION AND USE OF FORFEITED ASSETS. – THE**  
11 **AMLC SHALL BE AUTHORIZED TO RETAIN AND USE THE ASSETS**  
12 **FORFEITED FOR THE YEAR, PROVIDED, THAT IN NO CASE SHALL**  
13 **SAID ANNUAL APPROPRIATION EXCEED ONE HUNDRED FIFTY**  
14 **MILLION PESOS (P150,000,000.00).**  
15

16 **THE FOREGOING FUNDS SHALL ACCRUE TO A TRUST FUND TO**  
17 **BE MANAGED AND ADMINISTERED BY THE COUNCIL, AS A**  
18 **SPECIAL ACCOUNT, IN ANY GOVERNMENT FINANCIAL**  
19 **INSTITUTION. THE FUNDS SHALL BE USED EXCLUSIVELY TO**  
20 **AUGMENT THE AMLC’S OPERATIONAL EXPENSES.**  
21

22 **Section 18.** Section 22 of the same Act shall be amended to read as follows:  
23

24 **SEC. 22. FUNDING SOURCE. – THE FUNDS REQUIRED FOR THE**  
25 **IMPLEMENTATION OF THIS ACT AND OTHER OPERATING**  
26 **EXPENSES OF THE AMLC, SHALL BE TAKEN FROM:**  
27

- 28 (A) THE GENERAL APPROPRIATIONS ACT; AND  
29  
30 (B) AUTHORIZED RETAINED FORFEITED ASSETS; AND  
31  
32 (C) SUPERVISORY, ACCREDITATION, AND OTHER  
33 ADMINISTRATIVE FEES COLLECTED, IF ANY.  
34

35 **Section 19. *Implementing Rules and Regulations.*** – The AMLC shall, within ninety  
36 (90) days from the effectivity of this Act, issue the necessary rules and regulations.  
37 Provided, That the non-issuance of the implementing rules and regulations shall not  
38 prevent this Act from coming into force and effect.  
39

40 **Section 29. *Separability Clause.*** – If any part or provision of this Act is held  
41 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in  
42 full force and effect.  
43

44 **Section 30. *Repealing Clause.*** – All laws, decrees, executive orders, rules, and

1 regulations, or parts thereof inconsistent with the provisions of this Act are hereby  
2 repealed or modified accordingly: *Provided*, That all provisions of Republic Act No. 9160,  
3 as amended, which are not inconsistent with this Act are hereby adopted.

4  
5 **Section 31. *Effectivity*.** – This Act shall take effect fifteen (15) days following the  
6 completion of its publication in the *Official Gazette* or in a newspaper of general circulation.

7  
8 *Approved,*