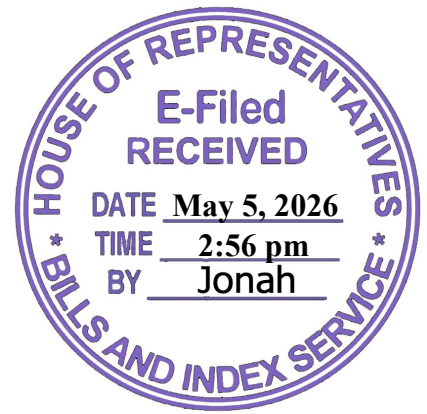


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9100



Introduced by **Representative JEFFREY SORIANO**

EXPLANATORY NOTE

This bill seeks to require government officials and employees to execute a written waiver authorizing lawful examination of their bank deposits and investments, in connection with duly verified investigations. Grounded on the principle that public office is a public trust, it also seeks to strengthen standards of integrity in government, and to reinforce the obligation of public servants to uphold openness in their financial dealings.

The measure is consistent with Republic Act No. 3019, otherwise known as the "*Anti-Graft and Corrupt Practices Act*", which seeks to deter graft or corrupt practices committed by public officers and private persons alike. It likewise addresses the legal barriers that may hinder the investigation of unexplained wealth, while strengthening the accountability mechanisms available to the Office of the Ombudsman, subject to appropriate safeguards ensuring confidentiality, due process, and the protection of individual rights. It further recognizes that the effective deterrence of corruption requires not only punitive enforcement, but also structural reforms that institutionalize transparency and reinforce the integrity and capacity of public institutions.

Ultimately, the bill advances a meaningful reform that helps foster ethical governance, prevent abuse of public office, and restore public confidence in government. This measure offers a concrete and principled step toward cleaner, more trustworthy governance especially at a time of declining public trust in government officials, public institutions, and the Philippine government as a whole.

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


HON. JEFFREY SORIANO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9100

Introduced by **Representative JEFFREY SORIANO**

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 NUMBERS 1405 AND 6426

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 “*Bank Secrecy Waiver Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared 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 all their financial transactions and dealings.

SEC. 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, otherwise known as the “*Code of Conduct and Ethical Standards for Public Officials and Employees*”, except those who serve in an honorary capacity.

SEC. 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 their written waiver within thirty (30) days from the effectivity of the implementing rules and regulations of this Act.

SEC. 5. *Failure or Refusal to Submit Bank Secrecy Waiver.* – Any public official or employee who fails or refuses to submit the required written waiver as mandated by this Act 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.

SEC. 6. *Use and Confidentiality of Information.* – The written waiver and any information or data obtained by virtue thereof shall be exclusively used 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.

SEC. 7. *Lead Agency.* – The Office of the Ombudsman shall have the primary responsibility to implement this Act: *Provided,* That it shall enlist the advice of the Department of Justice and the Bangko Sentral ng Pilipinas in the drafting of the written permission or waiver as provided in this Act.

SEC. 8. *Penalties.* – Any person who unlawfully discloses or misused information obtained under this Act shall be penalized in accordance with existing laws, without prejudice to administrative or criminal liability.

SEC. 9. *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.

SEC. 10. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 11. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, which are inconsistent with the provisions of this Act, are hereby repealed or amended accordingly.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,