

SIXTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
Second Regular Session )

Senate  
Office of the Secretary

75 JAN 20 P1 58

SENATE

Senate Bill No. 2575

SECRETARY \_\_\_\_\_  
*J.*

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 6426, OTHERWISE KNOWN AS "FOREIGN**  
**CURRENCY DEPOSIT ACT OF THE PHILIPPINES", AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

In light of the current developments and issues raised on the secrecy of foreign currency deposits with financial institutions, there is an apparent need to amend the law on Foreign Currency Deposits which was enacted almost four decades ago. Recently, the said law is being used as an excuse and as a refuge to hide alleged illegally acquired wealth of public officials and employees.

This measure seeks to amend Republic Act No. 6426, entitled "An Act Instituting a Foreign Currency Deposit System in the Philippines, and for other Purposes" otherwise known as the Foreign Currency Deposit Act, in order to promote and enhance transparency and accountability in the government. Thus, the proposed measure shall cover all public officials, including those identified in the 1987 Constitution as impeachable officers who may have engaged in corrupt and other criminal activities.

Likewise, this measure intends to discourage private individuals who may intend to hide their unlawful activities by converting their illegal income into foreign currency deposits.

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

  
**JINGGOY EJERCITO ESTRADA**  
Senator

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RECEIVED BY.



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AN ACT  
AMENDING REPUBLIC ACT NO. 6426, OTHERWISE KNOWN AS "FOREIGN  
CURRENCY DEPOSIT ACT OF THE PHILIPPINES", AND FOR OTHER  
PURPOSES

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

1 **SECTION 1.** Section 8 of Republic Act No. 6426, otherwise known as the  
2 "Foreign Currency Deposit Act of the Philippines", is hereby amended to read as  
3 follows:  
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5 **"Section 8.** Secrecy of foreign currency deposits. – All foreign  
6 currency deposits authorized under this Act, as amended by PD  
7 No. 1035, as well as foreign currency deposits authorized under PD  
8 No. 1034 AND REPUBLIC ACT NO. 6426, are hereby declared as  
9 an considered of an absolutely confidential nature and, except upon  
10 the written permission of the depositor AND / OR UPON ORDER  
11 OF AN IMPEACHMENT COURT ON CASES INVOLVING PUBLIC  
12 OFFICIALS CHARGED WITH THE VIOLATION OF REPUBLIC  
13 ACT NO. 3019 OTHERWISE KNOWN AS THE ANTI-GRAFT AND  
14 CORRUPT PRACTICES ACT, UPON MOTION, AND AFTER  
15 PARTIES THERETO ARE GIVEN PROPER NOTICE AND  
16 HEARING; *PROVIDED*, THAT PROBABLE CAUSE BE  
17 ESTABLISHED THAT THE FOREIGN CURRENCY DEPOSIT  
18 INVOLVED IS DIRECTLY RELATED TO THE CAUSE OF ACTION  
19 IN THE COMPLAINT; OTHERWISE, in no instance shall foreign  
20 currency deposits be examined, inquired or looked into by any  
21 person, government official, bureau or office whether judicial or  
22 administrative or legislative, or any other entity whether public or  
23 private; *Provided, however*, That said foreign currency deposits  
24 shall be exempt from attachment, garnishment, or any other order  
25 or process of any court, legislative body, government agency or any  
26 administrative body whatsoever. (*As amended by PD No. 1035,*  
27 *and further amended by PD No. 1246, prom. Nov. 21, 1977.*)  
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29 "THE FOREGOING SHALL CONTINUE TO BE SUBJECT TO  
30 FURTHER EXCEPTIONS PROVIDED FOR UNDER REPUBLIC  
31 ACT NO. 9160, OTHERWISE KNOWN AS THE ANTI-MONEY  
32 LAUNDERING ACT OF 2001."

1 **SEC. 2. *Repealing Clause.*** – All laws or regulations inconsistent with the  
2 provisions of this Act are hereby amended or repealed accordingly.

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5 **SEC. 3. *Effectivity.*** – This Act shall take effect after fifteen (15) days following its  
6 publication in at least two (2) newspapers of general circulation.

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*Approved,*