



S E N A T E

S. No. 1945

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PREPARED BY THE COMMITTEES ON BANKS, FINANCIAL  
INSTITUTIONS AND CURRENCIES, AND JUSTICE AND  
HUMAN RIGHTS WITH SENATORS POE AND MARCOS AS  
AUTHORS

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AN ACT TO FURTHER STRENGTHEN THE ANTI-  
MONEY LAUNDERING LAW, AMENDING FOR  
THE PURPOSE SECTIONS 3, 7, 8-A, 10, 12 AND 14  
OF REPUBLIC ACT NO. 9160, OTHERWISE  
KNOWN AS THE “ANTI-MONEY LAUNDERING  
ACT OF 2001”, AS AMENDED, AND FOR OTHER  
PURPOSES

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

1           SECTION 1. Section 3(a) of Republic Act No. 9160, as  
2 amended, is hereby further amended, to read as follows:

3                   “(a) ‘Covered persons’, natural or juridical

4           refer to:

5                   “(1) xxx

6                   “xxx

1           “(8) casinos, including internet and ship-  
2           based casinos, with respect to their casino cash  
3           transactions related to their gaming  
4           operations;

5           “(9) OFFSHORE GAMING OPERATORS,  
6           AS WELL AS THEIR SERVICE PROVIDERS,  
7           SUPERVISED, ACCREDITED OR REGULATED BY  
8           THE PHILIPPINE AMUSEMENT AND GAMING  
9           CORPORATION (PAGCOR) OR ANY  
10          GOVERNMENT AGENCY;

11          “xxx.”

12          SEC. 2. Section 3(i) of Republic Act No. 9160, as  
13          amended, is hereby further amended to read as follows:

14          xxx

15          “(i) 'Unlawful activity' refers to any act or  
16          omission or series or combination thereof  
17          involving or having direct relation to the  
18          following:

19          “(1) xxx

20          “xxx

1           “(33) Fraudulent practices and other  
2           violations under Republic Act No. 8799,  
3           otherwise known as the Securities Regulation  
4           Code of 2000;

5           [and]

6           “(34) VIOLATION OF SECTION 19 (A)(3)  
7           OF REPUBLIC ACT NO. 10697, OTHERWISE  
8           KNOWN AS THE “STRATEGIC TRADE  
9           MANAGEMENT ACT, IN RELATION TO THE  
10          PROLIFERATION OF WEAPONS OF MASS  
11          DESTRUCTION AND ITS FINANCING  
12          PURSUANT TO UNITED NATIONS  
13          SECURITY COUNCIL RESOLUTION  
14          NUMBERS 1718 OF 2006 AND 2231 OF 2015;

15          “(35) VIOLATIONS OF SECTION 254  
16          OF CHAPTER II, TITLE X OF THE  
17          NATIONAL INTERNAL REVENUE CODE OF  
18          1997, AS AMENDED, WHERE THE BASIC  
19          TAX DUE IN THE FINAL ASSESSMENT IS  
20          IN EXCESS OF TWENTY-FIVE MILLION

1 PESOS (P25,000,000.00) PER TAXABLE  
2 YEAR, FOR EACH TAX TYPE COVERED  
3 AND THERE HAS BEEN A FINDING OF  
4 PROBABLE CAUSE BY THE COMPETENT  
5 AUTHORITY: *PROVIDED, FURTHER*, THAT  
6 THERE MUST BE A FINDING OF FRAUD,  
7 WILLFUL MISREPRESENTATION OR  
8 MALICIOUS INTENT ON THE PART OF  
9 THE TAX PAYER: *PROVIDED, FINALLY*,  
10 THAT IN NO CASE SHALL THE AMLC  
11 INSTITUTE FORFEITURE PROCEEDINGS  
12 TO RECOVER MONETARY INSTRUMENTS,  
13 PROPERTY OR PROCEEDS  
14 REPRESENTING, INVOLVING, OR  
15 RELATING TO A TAX CRIME, IF THE SAME  
16 HAS ALREADY BEEN RECOVERED OR  
17 COLLECTED BY THE BUREAU OF  
18 INTERNAL REVENUE (BIR) IN A  
19 SEPARATE PROCEEDING; AND



1           CORPORATIONS       WHO       PROVIDE  
2           COMPONENTS OF OFFSHORE GAMING  
3           OPERATIONS TO OFFSHORE GAMING  
4           OPERATORS.”

5           SEC. 4. Section 3 of Republic Act No. 9160, as  
6           amended, is hereby further amended by inserting new  
7           paragraphs (m) and (n) as follows:

8                   “(a) ‘Covered persons’, natural or  
9           juridical, refer to:

10                   “xxx

11                   “(M) ‘PROLIFERATION FINANCING’  
12           REFERS WHEN A PERSON:

13                   “(1) MAKES AVAILABLE AN ASSET; OR

14                   “(2) PROVIDES A FINANCIAL  
15           SERVICE; OR

16                   “(3) CONDUCTS A FINANCIAL  
17           TRANSACTION; AND THE PERSON KNOWS  
18           THAT, OR IS RECKLESS AS TO WHETHER,  
19           THE ASSET, FINANCIAL SERVICE OR  
20           FINANCIAL TRANSACTION IS INTENDED

1 TO, IN WHOLE OR IN PART, FACILITATE  
2 PROLIFERATION OF WEAPONS OF MASS  
3 DESTRUCTION IN RELATION TO UN  
4 SECURITY COUNCIL RESOLUTION  
5 NUMBERS 1718 OF 2006 AND 2231 OF 2015;  
6 “(N) ‘TARGETED FINANCIAL  
7 SANCTIONS’ REFER TO BOTH ASSET  
8 FREEZING AND PROHIBITION TO  
9 PREVENT FUNDS OR OTHER ASSETS  
10 FROM BEING MADE AVAILABLE,  
11 DIRECTLY OR INDIRECTLY, FOR THE  
12 BENEFIT OF ANY INDIVIDUAL, NATURAL  
13 OR LEGAL PERSONS OR ENTITY  
14 DESIGNATED IN RELATION TO  
15 PROLIFERATION OF WEAPONS OF MASS  
16 DESTRUCTIONS AND ITS FINANCING  
17 PURSUANT TO UNITED NATIONS  
18 SECURITY COUNCIL RESOLUTION  
19 NUMBERS 1718 OF 2006 AND 2231 OF  
20 2015.”

1           SEC. 5. Section 7 of Republic Act No. 9160, as  
2 amended, is hereby further amended to read as follows:

3           “SEC. 7. *Creation of Anti-Money*  
4 *Laundering Council (AMLC).* – The Anti-  
5 Money Laundering Council is hereby created  
6 and shall be composed of the Governor of the  
7 Bangko Sentral ng Pilipinas as Chairman, the  
8 Commissioner of the Insurance Commission  
9 and the Chairman of the Securities and  
10 Exchange Commission, as members. The  
11 AMLC shall act unanimously in the discharge  
12 of its functions as defined hereunder:

13           “(1) to require [and], receive AND  
14 ANALYZE covered or suspicious transactions  
15 reports from covered persons;

16           “xxx

17           “(5) to investigate suspicious transactions  
18 and covered transactions deemed suspicious  
19 after [an investigation by] DETERMINATION



1 by AMLC, money laundering activities, and  
2 other violations of this Act;

3 “xxx

4 “(12) to require the Land Registration  
5 Authority and all its Registries of Deeds to  
6 submit to the AMLC, reports on all real estate  
7 transactions involving an amount in excess of  
8 [Five hundred thousand pesos (P500,000.00)]  
9 FIVE MILLION PESOS (P5,000,000.00) within  
10 fifteen (15) days from the date of registration of  
11 the transaction, in a form to be prescribed by  
12 the AMLC. The AMLC may also require the  
13 Land Registration Authority and all its  
14 Registries of Deeds to submit copies of relevant  
15 documents of all real estate transactions;

16 “(13) TO IMPLEMENT TARGETED  
17 FINANCIAL SANCTIONS IN RELATION TO  
18 PROLIFERATION OF WEAPONS OF MASS  
19 DESTRUCTIONS AND ITS FINANCING,  
20 INCLUDING *EX PARTE* FREEZE, WITHOUT

1 DELAY, AGAINST ALL FUNDS AND OTHER  
2 ASSETS THAT ARE OWNED AND  
3 CONTROLLED, DIRECTLY OR  
4 INDIRECTLY, INCLUDING FUNDS AND  
5 ASSETS DERIVED OR GENERATED  
6 THEREFROM, BY INDIVIDUALS OR  
7 ENTITIES DESIGNATED AND LISTED  
8 UNDER UNITED NATIONS SECURITY  
9 COUNCIL RESOLUTION NUMBERS 1718  
10 OF 2006 AND 2231 OF 2015 AND THEIR  
11 SUCCESSOR RESOLUTIONS AS WELL AS  
12 ANY BINDING RESOLUTION OF THE  
13 SECURITY COUNCIL;

14 “(14) TO PRESERVE, MANAGE OR  
15 DISPOSE ASSETS PURSUANT TO A  
16 FREEZE ORDER, ASSET PRESERVATION  
17 ORDER, OR JUDGMENT OF FORFEITURE:  
18 *PROVIDED, HOWEVER,* THAT PENDING  
19 THEIR TURN OVER TO THE NATIONAL  
20 GOVERNMENT, ALL EXPENSES

1 INCURRED IN RELATION TO THE DUTIES  
2 HEREIN MENTIONED SHALL BE  
3 DEDUCTED FROM THE AMOUNT TO BE  
4 TURNED OVER TO THE NATIONAL  
5 GOVERNMENT;

6 “(15) TO ENLIST THE ASSISTANCE  
7 OF, AND/OR DIRECT ANY BRANCH,  
8 DEPARTMENT, BUREAU, OFFICE,  
9 AGENCY OR INSTRUMENTALITY OF  
10 THE GOVERNMENT, INCLUDING  
11 GOVERNMENT-OWNED AND -CONTROLLED  
12 CORPORATIONS, IN UNDERTAKING ANY  
13 AND ALL ANTI-MONEY LAUNDERING  
14 OPERATIONS, WHICH MAY INCLUDE THE  
15 USE OF ITS PERSONNEL, FACILITIES AND  
16 RESOURCES FOR THE MORE RESOLUTE  
17 PREVENTION, DETECTION AND  
18 INVESTIGATION OF MONEY LAUNDERING  
19 OFFENSES AND PROSECUTION OF  
20 OFFENDER.”

1           SEC. 6. A new Section 8-A is hereby inserted  
2 after Section 8 (Creation of a Secretariat), of Republic  
3 Act No. 9160, as amended to read as follows:

4           “SEC. 8-A.   *INFORMATION SECURITY*  
5           *AND CONFIDENTIALITY.* – THE AMLC AND  
6           ITS SECRETARIAT SHALL SECURELY  
7           PROTECT INFORMATION RECEIVED OR  
8           PROCESSED AND SHALL NOT REVEAL, IN  
9           ANY MANNER, ANY INFORMATION KNOWN  
10          TO THEM BY REASON OF THEIR OFFICE.  
11          THIS PROHIBITION SHALL APPLY EVEN  
12          AFTER THEIR SEPARATION FROM THE  
13          AMLC.

14          “THE AMLC SHALL FORMULATE  
15          RULES GOVERNING INFORMATION  
16          EXCHANGE AND DISSEMINATION, THE  
17          SECURITY AND CONFIDENTIALITY OF  
18          SUCH INFORMATION, INCLUDING  
19          PROCEDURES FOR HANDLING, STORAGE

1           AND PROTECTION OF, AS WELL AS ACCESS  
2           TO SUCH INFORMATION.”

3           SEC. 7. Section 10 of Republic Act No. 9160, as  
4           amended, is hereby further amended to read as follows:

5                   “SEC 10. *Freezing of Monetary Instrument*  
6                   *or Property.* – Upon a verified *ex parte* petition  
7                   by the AMLC and after determination that  
8                   probable cause exists that any monetary  
9                   instrument or property is in any way related to  
10                  an unlawful activity as defined in Section 3(i)  
11                  hereof, the Court of Appeals may issue a freeze  
12                  order which shall be effective immediately, for  
13                  a period of twenty (20) days. Within the twenty  
14                  (20)-day period, the Court of Appeals shall  
15                  conduct a summary hearing, with notice to the  
16                  parties, to determine whether or not to modify  
17                  or lift the freeze order, or extend its effectivity.  
18                  The total period of the freeze order issued by  
19                  the Court of Appeals under this provision shall  
20                  not exceed six (6) months. This is without

1           prejudice to an asset preservation order that  
2           the Regional Trial Court having jurisdiction  
3           over the appropriate anti-money laundering  
4           case or civil forfeiture case may issue on the  
5           same account depending on the circumstances  
6           of the case, where the Court of Appeals will  
7           remand the case and its records: *Provided,*  
8           That if there is no case filed against a person  
9           whose account has been frozen within the  
10          period determined by the Court of Appeals, not  
11          exceeding six (6) months, the freeze order shall  
12          be deemed *ipso facto* lifted: *Provided, further,*  
13          That this new rule shall not apply to pending  
14          cases in the courts. In any case, the court  
15          should act on the petition to freeze within  
16          twenty-four (24) hours from filing of the  
17          petition. If the application is filed a day before  
18          a nonworking day, the computation of the  
19          twenty-four (24)-hour period shall exclude the  
20          nonworking days.

1           “The freeze order or asset preservation  
2           order issued under this Act shall be limited  
3           only to the amount of cash or monetary  
4           instrument or value of property that court finds  
5           there is probable cause to be considered as  
6           proceeds of a predicate offense, and the freeze  
7           order or asset preservation order shall not  
8           apply to amounts in the same account in excess  
9           of the amount or value of the proceeds of the  
10          predicate offense.

11           “A person whose account has been frozen  
12          may file a motion to lift the freeze order and  
13          the court must resolve this motion before the  
14          expiration of the freeze order. No court shall  
15          issue a temporary restraining order or a writ of  
16          injunction against any freeze order, except the  
17          Supreme Court.

18           “FOR PURPOSES OF IMPLEMENTING  
19          TARGETED FINANCIAL SANCTIONS IN  
20          RELATION TO PROLIFERATION OF

1 WEAPONS OF MASS DESTRUCTION AND  
2 ITS FINANCING, AS PROVIDED UNDER  
3 SECTION 5(13), THE AMLC SHALL HAVE  
4 THE POWER TO ISSUE, *EX PARTE*, AN  
5 ORDER TO FREEZE WITHOUT DELAY. THE  
6 FREEZE ORDER SHALL BE EFFECTIVE  
7 UNTIL THE BASIS FOR ITS ISSUANCE  
8 SHALL HAVE BEEN LIFTED. DURING THE  
9 EFFECTIVITY OF THE FREEZE ORDER,  
10 THE AGGRIEVED PARTY MAY, WITHIN  
11 TWENTY (20) DAYS FROM ISSUANCE, FILE  
12 WITH THE COURT OF APPEALS A  
13 PETITION TO DETERMINE THE BASIS OF  
14 THE FREEZE ORDER ACCORDING TO THE  
15 PRINCIPLE OF EFFECTIVE JUDICIAL  
16 PROTECTION: *PROVIDED*, THAT THE  
17 PERSON WHOSE PROPERTY OR FUNDS  
18 HAVE BEEN FROZEN MAY WITHDRAW  
19 SUCH SUMS AS THE AMLC DETERMINES  
20 TO BE REASONABLY NEEDED FOR



1 MONTHLY FAMILY NEEDS AND  
2 SUSTENANCE INCLUDING THE SERVICES  
3 OF COUNSEL AND THE FAMILY MEDICAL  
4 NEEDS OF SUCH PERSON.

5 "THE AMLC, IF CIRCUMSTANCES  
6 WARRANTS, MAY INITIATE A CIVIL  
7 FORFEITURE PROCEEDINGS TO  
8 PRESERVE THE ASSETS AND TO PROTECT  
9 IT FROM DISSIPATION. NO COURT SHALL  
10 ISSUE A TEMPORARY RESTRAINING  
11 ORDER OR A WRIT OF INJUNCTION  
12 AGAINST THE FREEZE ORDER, EXCEPT  
13 THE COURT OF APPEALS OR THE  
14 SUPREME COURT."

15 SEC. 8. Section 12 of Republic Act No. 9160, as  
16 amended, is hereby further amended to read as follows:

17 "(a) Civil Forfeiture. – xxx

18 "(b) Claim on Forfeited Assets. – xxx

19 "(c) Payment in Lieu of Forfeiture. – xxx

1           “(D) NO COURT SHALL ISSUE A  
2           TEMPORARY RESTRAINING ORDER (TRO)  
3           OR A WRIT OF INJUNCTION AGAINST ANY  
4           PROVISIONAL ASSET PRESERVATION  
5           ORDER OR ASSET PRESERVATION ORDER,  
6           EXCEPT THE COURT OF APPEALS OR THE  
7           SUPREME COURT.

8           “(E) SYSTEM OF INCENTIVES AND  
9           REWARDS. – A SYSTEM OF SPECIAL  
10          INCENTIVES AND REWARDS IN THE  
11          AMOUNT OF TEN PERCENT (10%) OF THE  
12          VALUE OF ANY MONEY/PROPERTY  
13          FORFEITED IN ACCORDANCE WITH THIS  
14          ACT TO BE DIVIDED EQUALLY BETWEEN  
15          THE INFORMANT AND THE AGENCY THAT  
16          LED AND INITIATED THE  
17          INVESTIGATION, PROSECUTION AND  
18          CONVICTION OF PERSONS INVOLVED IN  
19          THE OFFENSE PENALIZED IN SECTION 4  
20          OF THIS ACT AND THE FORFEITURE OF

1 THE MONEY/PROPERTY INVOLVED  
2 THEREIN IN FAVOR OF THE  
3 GOVERNMENT.”

4 SEC. 9. Section 14, paragraph (d) of Republic Act  
5 No. 9160, as amended, is hereby further amended to read  
6 as follows:

7 “SEC. 14. *Penal Provisions.* –

8 “xxx

9 “(d) Breach of INFORMATION  
10 SECURITY AND Confidentiality. The  
11 punishment of imprisonment ranging from  
12 three (3) to eight (8) years and a fine of not less  
13 than Five hundred thousand pesos  
14 (P500,000.00) but not more than One million  
15 pesos (P1,000,000.00) shall be imposed on a  
16 person convicted for violation under Section  
17 9(c) OR SECTION 8-A ON INFORMATION  
18 SECURITY AND CONFIDENTIALITY. IF  
19 THE OFFENDER IS A PUBLIC OFFICIAL OR  
20 EMPLOYEE, HE/SHE SHALL, IN ADDITION

1 TO THE PENALTIES PRESCRIBED  
2 HEREIN, SUFFER A PENALTY OF  
3 PERPETUAL OR TEMPORARY ABSOLUTE  
4 DISQUALIFICATION FROM PUBLIC  
5 OFFICE, AS THE CASE MAYBE. In case of a  
6 breach of confidentiality that is published or  
7 reported by media, the responsible reporter,  
8 writer, present publisher, manager, and editor-  
9 in-chief shall be liable under this Act.”

10 SEC. 10. *Implementing Rules and Regulations.* – The  
11 AMLC shall within ninety (90) days from the effectivity of  
12 this Act issue the necessary rules and regulations.

13 SEC. 11. *Separability Clause.* – If any provision or  
14 section of this Act is held to be unconstitutional or invalid,  
15 the other provisions or sections hereof, which are not  
16 affected thereby shall continue to be in full force and effect.

17 SEC. 12. *Repealing Clause.* – All provisions of existing  
18 laws, orders, rules and regulations, or parts thereof which  
19 are in conflict or inconsistent with the provisions of this  
20 Act are hereby repealed, amended or modified accordingly:

1 *Provided*, That all provisions of Republic Act No. 9160, as  
2 amended, which are not inconsistent with this Act are  
3 hereby adopted.

4 SEC. 13. *Effectivity*. – This Act shall take effect  
5 immediately after the completion of its publication in the  
6 *Official Gazette* or in a newspaper of general circulation.

Approved,