

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

16<sup>th</sup> CONGRESS  
First Regular Session

House Bill No. 1471



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Introduced by **HON. JUAN R. REVILLA**

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### **Explanatory Note**

The National Government has always encouraged the generation of resources in order to fund its general operation, programs and projects which will deliver the infrastructure as well as services for our people and in turn boost the economy of our country.

Aside from the laws fixing taxes, tariffs, duties and fees, one of the government's fund generating law is Republic Act No. 3936, otherwise known as the Unclaimed Balances Law, as amended by Presidential Decree No. 679, wherein millions of unclaimed pesos are collected and deposited at the Bureau of Treasury and are credited in favor of the National Government every year. However, with the limitations on its scope and the long and tedious procedures undertaken to escheat unclaimed balances due to National Government, the present law has caused delays in the remittances because of the confinement of the Bureau of Treasury with what is provided for in R.A. 3936 as amended in escheating unclaimed balances.

It is high time that the legislature, as the highest policy making body of the land, steps in and institute the needed policies to strengthen the mandate of the Bureau of Treasury, the sole agency decreed to escheat unclaimed balances to the credit of the National Government, on unclaimed balances and to simplify the procedures under the said Republic Act for a more efficient and effective enforcement, broader scope and expeditious escheatment of unclaimed balances.

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

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AN ACT  
AMENDING REPUBLIC ACT NO. 3936 OTHERWISE KNOWN AS THE UNCLAIMED  
BALANCES LAW AS AMENDED BY PRESIDENTIAL DECREE NO. 679.

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

SECTION 1. Republic Act Number 3936, otherwise known as the Unclaimed Balances Act, as amended by Presidential Decree Number 679 is hereby amended.

SEC. 2. This Act shall be known as the “**Revised Unclaimed Balances Act of 2013.**”

SEC. 3. “Unclaimed balances” within the meaning of this Act, shall include credits or deposits of money, bullion, securities or other evidence of indebtedness of any kind, and interest thereon, *and any other personal and real properties within the Philippines* with banks, building and loan associations, and trust corporations, in favor of any person, *natural or juridical*, known to be dead/*dissolved*, who/*which* has not made further deposits or withdrawals *or, such other deposits or credits of unknown owner*, during the preceding *five (5) years* or more. Such unclaimed balances, together with the increase and proceeds thereof, shall be *ceded to* the Treasurer of the Philippines to the *credit of the National Government to be used as Congress may direct*.

“Banks,” “building and loan associations” and “trust corporations” within the meaning of this Act shall refer to institutions, defined under Sections Two (2), Thirty-Nine (39) and Fifty-Six (56), respectively of Republic Act Number 337, otherwise known as the General Banking Act, as Amended, whether organized under special charters or not

SEC. 4. Immediately and within the month of January of every Odd Year, all banks, buildings and loan associations and trust corporations shall *cede* to the Treasurer of the Philippines *the corresponding amounts of all unclaimed balances as defined in Section 2 hereof* together with a statement under oath, of their respective *Presidents or similar officials*, held by them in favor of *natural or juridical persons*, known to be dead/*dissolved*, who/*which* have not made further deposits or withdrawals, *or such other deposits or credits of unknown owner*, during the preceding *five (5) years* or more, arranged in alphabetical order according to the names of the creditors and depositors, and showing:

- (a) The names and last known place of residence, *business address*, or post office address of the persons in whose favor such unclaimed balances stand. *In case of unknown owners, only the last known address shall be stated;*
- (b) The amount *and the interest thereon* and, the date of the outstanding unclaimed balance *and f in security or any other real or personal property, by stating its nature;*

- (c) The date when the person in whose favor the unclaimed balance stands died, if known, *or the date when the last transaction was made.*

A copy of the above sworn statement shall be posted in a conspicuous place in the premises of the bank, building and loan association, or trust corporation concerned for at least *thirty (30) days* from the date of the filing thereof; Provided, That immediately before *ceding the corresponding amounts of unclaimed balances to the Bureau of Treasury* and filing the above sworn statement, the bank, building and loan association, and trust corporation shall communicate with the person in whose favor the unclaimed balance stands at his last known place of residence, *business*, or post office address.

**SEC. 5.** *The Bureau of Treasury shall consolidate by provinces or cities all such lists of unclaimed balances submitted by banks, building and loan association or trust corporation and immediately thereafter, publish the same, twice in a newspaper of general circulation in the Philippines, and once in a local newspaper where the bank, building and loan association, or trust corporation, is located.*

*One (1) year after the completion of the two publications, and there being no claim from the concerned depositor during such period, the unclaimed balances are deemed to be escheated in favor of the National Government.*

**SEC. 6.** If the president *or similar official* of any bank, building and loan association, or trust corporation neglects or refuses to *cede the corresponding amount of unclaimed balances as required by the preceding provisions of this Act* and file the sworn statement, such bank, building and loan association, or trust corporation shall *be liable to pay the National Government, in the name of the Treasurer of the Philippines, the sum of Five Thousand Pesos (P 5,000.00) a month for each month or fraction thereof during which such default shall continue.*

**SEC. 7.** *The Bureau of Treasury shall propose for a yearly allocation of budget, to be included by Congress in the annual General Appropriations Act, to answer claims of ownership from creditor, depositors or owners, and such other incidental expenses that may be incurred in carrying out the provisions of this Act.*

**SEC. 8.** Any bank, building and loan association or trust corporation which shall *cede unclaimed balances* to the Treasurer of the Philippines in conformity with the provisions of this Act, shall not thereafter be liable to any *natural or juridical person* for the same and any action which may be brought by any *natural or juridical person* against any bank, building and loan association, or trust corporation for unclaimed balances *escheated* with the Treasurer of the Philippines shall be defended by the Office of the Solicitor general without any cost to such bank, building and loan association or trust corporation.

**SEC. 9.** *If any provision of this Act shall at any time be found to be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain in full force and effect.*

**SEC. 10.** *All laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.*

**SEC. 11.** *This Act shall take effect after fifteen (15) days following its complete publication in two (2) newspapers of general circulation.*

Approved,