



BANGKO SENTRAL NG PILIPINAS

CIRCULAR NO. ____
Series of [yyyy]

OFFICE OF THE GOVERNOR

Subject: Amendments to Miscellaneous Rules on Deposits

The Monetary Board, in its Resolution No. ____ dated ____ 2021, approved the amendments governing the miscellaneous rules on deposits under Section 276 of Manual of Regulations for Banks (MORB).

The amendments aim to provide guidance on the handling of joint accounts as well as the acceptability of electronic signatures pursuant to Section 8 of the Republic Act (R.A.) No. 8792 or the Electronic Commerce Act of 2000; and the PhilID card.

Section 1. Section 276 of the MORB on Miscellaneous Rules on Deposit is hereby amended to read, as follows:

"Section 276 MISCELLANEOUS RULES ON DEPOSITS

Banks shall also be governed by the following miscellaneous rules on deposits.

Joint accounts. Joint accounts are deposit accounts named under more than one depositor with the names of the depositors described using either "and" or "or".

Depositors of joint accounts described using the conjunction "and" shall only be allowed to withdraw from said account with the authority of all the depositors named in the joint account. Meanwhile, in joint accounts described using the conjunction "or", any of the depositors named therein, acting separately, shall be allowed to withdraw from the said account, even without the authority of the other depositors named in the account.

Under both types of joint accounts, any of the depositors named in the joint account may place deposits in the account in their individual capacity or even without the authority of the other depositors named in the account.

Banks shall ensure that the terms and conditions governing joint accounts are part of the deposit agreement, and disclosed to customers. Banks shall ensure that such terms and conditions are explained to and understood by the customers. The provisions of Republic Act (R.A.) No. 3591, otherwise known as the Charter of the Philippine Deposit Insurance Act, as amended by R.A. 9302 and R.A. No. 10846, shall govern the treatment of joint deposit accounts for deposit insurance purposes as well as the determination of insured deposits in cases where the depositors have obligations with the closed bank.

Specimen signatures or biometrics, identification photos. For opening an account/establishing relationship under the true and full name of the depositor, all banking institutions are required to simultaneously obtain a minimum of three (3) specimen signatures, either wet or electronic, or biometrics from their depositors and to update the same, as applicable, based on risk and materiality. Banks may, at their option, require their depositors to submit clear ID photos. ~~together with the specimen signatures or biometrics.~~

Electronic signatures shall be accepted pursuant to the provisions of Section 8 of R.A. No. 8792 or the Electronic Commerce Act of 2000.

As provided under R.A. No. 11055 or the Philippine Identification System Act and its implementing rules and regulations, where the PhilID is presented by the customer, it shall be accepted as official and sufficient proof of identity, subject to the appropriate authentication methods, without the need to present other forms of identification.

For accounts used purely for digital or electronic payments or transactions, banks may define appropriate due diligence procedures provided that ML/TF risks are effectively managed.

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Section 2. The following transitory provisions shall be incorporated as footnote to Section 276 on Joint Account:

Banks with existing joint accounts described using “and/or” may retained under such arrangement: *Provided*, That: upon maturity and rollover, the accounts shall be converted into joint accounts described using “and” or “or” accounts with full consent and disclosure to the customers. The bank shall ensure that the terms and conditions are explained to and understood by the customers. Existing “and/or” accounts shall be governed by the rules applicable for joint accounts described using “or”.

Section 3. Effectivity. This Circular shall take effect fifteen (15) calendar days following its publication either in the Official Gazette or in a newspaper of general circulation.

FOR THE MONETARY BOARD:

BENJAMIN E. DIOKNO
Governor

____ September 2021