



Republika ng Pilipinas
Kagawaran ng Pananalapi
Kawanihan ng Ingatang-Yaman
(Bureau of the Treasury)
Intramuros, Manila

Funding the Republic

TREASURY CIRCULAR NO. 01-2010
April 8, 2010

TO: : **ALL BANKS, TRUST COMPANIES, SAVINGS AND MORTGAGE BANKS, MUTUAL BUILDING AND LOAN ASSOCIATIONS, ALL BANKING INSTITUTIONS OF EVERY KIND, AND ALL CONCERNED.**

SUBJECT : **UNIFORM RULES AND PROCEDURES FOR REACTIVATION OF UNCLAIMED BALANCES REPORTED TO THE TREASURER OF THE PHILIPPINES.**

1. LEGAL BASIS

This Treasury Circular is issued pursuant to Act No. 3936 (The Unclaimed Balances Law), as amended by Presidential Decree No. 679.

2. PURPOSE

This Treasury Circular prescribes the Uniform Rules and Procedure for Reactivation of Unclaimed Balances reported to the Treasurer of the Philippines.

3. DEFINITION OF TERMS

- 2.1 “Unclaimed Balances”** shall include credits or deposits of money, bullion, security or other evidence of indebtedness of any kind, and interest thereon with banks in favor of any person known to be dead or who has not made further deposits or withdrawal during the preceding ten (10) years or more.
- 2.2 “Applicant”** pertains to the depositor or his successor-in-interest who requests for the reactivation of the account which was reported by his depository bank to the Treasurer of the Philippines pursuant to the Unclaimed Balances Law.
- 2.3 “Procedure”** refers to the course of action to be complied with by the applicant in order that his request be given due course.
- 2.4 “Covered Institution”** refers to all banks, trust companies, savings and mortgage banks, mutual building and loan associations, all banking institutions of every kind, covered under Act No. 3936, as amended by P.D. 679, which reported to the Treasurer of the Philippines as unclaimed the account being applied for reactivation.
- 2.5. “Affidavit of Undertaking”** is a sworn statement executed by the responsible authorized officer of the bank absolving the Bureau of the Treasury from any liability that may arise due to the granting of the Applicant’s request for reactivation.

4. PROCEDURE

The following procedure shall be strictly followed in the application for reactivation of unclaimed balances reported to the Treasurer of the Philippines:

4.1. Letter Request of Depositor/Creditor. The depositor/creditor shall write his depository bank requesting for the reactivation of his account which was included in the report of unclaimed balances to the Bureau of the Treasury.

4.2. Authentication. The covered institution shall authenticate and verify the request for reactivation and the signature of the depositor/creditor.

4.3. Letter Request of the Covered Institution. The depository bank shall write the Bureau of the Treasury through the authorized approving official, requesting authority to reactivate the deposit account concerned attaching to its letter the stamped verified letter of the depositor/creditor.

4.4. Deed of Undertaking. The covered institution, through its responsible authorized officer, shall execute a Deed of Undertaking ensuring that the Bureau of the Treasury and its officials and employees shall be free and harmless from any liability once the account is reactivated.

4.5. Letter of Authority to Reactivate. Finding complete documentation supporting the request, the Bureau of the Treasury, through the authorized officer shall issue the authority to the covered institution to reactivate the account.

4.6. Entity Requirements. In case the requesting party/deposit/creditor is a juridical entity/person, the request must be accompanied with corresponding board resolutions and /or Secretary's Certificatate showing that the signatory to the request for reactivation is fully authorized to transact with the Bureau of the Treasury relative to the reactivation of its account.

5. APPROVING AUTHORITY

The authority to reactivate on unclaimed balance account/s shall be issued by the following officers:

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| a. Division Chief/Head
Law & Litigation Division
Legal Service | - aggregate amount of unclaimed balance
not exceeding P100,000.00 |
| b. Director, Legal Service | - aggregate amount of unclaimed balance
exceeding P100,000.00 but not
exceeding P500,000.00 |
| c. Deputy Treasurer of the
Philippines | - aggregate amount exceeding
P500,000.00 but not exceeding
P1,000,000.00 |
| d. Treasurer of the Philippines | - aggregate amount of unclaimed
balances exceeding P1,000,000.00 |

6. EFFECTIVITY

This circular shall take effect fifteen (15) days after publication. Orders, circulars and/or Memoranda which are inconsistent herewith are hereby revoked and modified accordingly.

ROBERTO B. TAN
Treasurer of the Philippines