



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court en banc issued a Resolution dated **NOVEMBER 9, 2021**, which reads as follows:*

**“A.M. No. 03-03-03-SC**

**FURTHER EXPANSION OF THE COVERAGE OF CASES  
COGNIZABLE BY SPECIAL COMMERCIAL COURTS TO  
INCLUDE ANTI-MONEY LAUNDERING CASES AND CIVIL AND  
CRIMINAL FORFEITURE CASES UNDER THE ANTI-MONEY  
LAUNDERING ACT OF 2001, AS WELL AS OTHER COMMERCIAL  
CASES UNDER VARIOUS SPECIAL LAWS**

**RESOLUTION**

**WHEREAS**, pursuant to Section 23 of *Batas Pambansa Bilang 129*, the Supreme Court “may designate certain branches of the Regional Trial Courts to handle exclusively criminal cases, juvenile and domestic relations cases, agrarian cases, urban land reform cases which do not fall under the jurisdiction of quasi-judicial bodies and agencies, and/or such other special cases as the Supreme Court may determine in the interest of a speedy and efficient administration of justice”;

**WHEREAS**, the Supreme Court, in A.M. No. 03-03-03-SC dated June 17, 2003, designated certain branches of the Regional Trial Courts as Special Commercial Courts to handle cases of commercial nature;

**WHEREAS**, the Anti-Money Laundering Council (AMLC) sought the consideration of the Court to further include within the exercise of jurisdiction of the Special Commercial Courts the following cases: (1) anti-money laundering cases governed by Republic Act No. (RA) 9160, as amended, including other violations of the said Act; (2) petitions for civil forfeiture and asset preservation of monetary instruments, property, or proceeds representing, involving, or relating to an unlawful activity or

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money laundering offense under A.M. No. 05-11-04-SC; and (3) asset preservation, seizure, and forfeiture in criminal cases under A.M. No. 21-03-13-SC;

**WHEREAS**, upon the recommendation of the Office of the Court Administrator (OCA), the above-stated cases may indeed be included within the exercise of jurisdiction of the Special Commercial Courts given that they are commercial in nature and fall within the said courts' technical expertise;

**WHEREAS**, the OCA further recommended, in consultation with various Special Commercial Court judges, that the following kinds of cases should likewise be included within the exercise of jurisdiction of Special Commercial Courts in light of their commercial nature and the fact that they fall within the said courts' technical expertise: (1) cases involving violations of the Access Devices Regulation Act of 1998 or RA 8484, as amended; (2) cases involving violations of The Securities Regulation Code or RA 8799; (3) cases involving violations of the Consumer Act of the Philippines or RA 7394; (4) cases involving violations of the Price Act or RA 7581; (5) cases involving violations of the Food, Drug, and Cosmetic Act or RA 3720, as amended; (6) cases involving letters of credit under the Code of Commerce; (7) cases involving trust receipts under the Trust Receipts Law or Presidential Decree No. (PD) 115; (8) cases involving warehouse receipts under the Warehouse Receipts Act or Act No. 2137; (9) cases involving banking and bank secrecy laws under The New Central Bank Act or RA 7653, as amended, The General Banking Law of 2000 or RA 8791, the Lending Company Regulation Act of 2007 or RA 9474, as amended, the Philippine Deposit Insurance Corporation Act or RA 3591, as amended, the Act Prohibiting Disclosure of or Inquiry into, Deposits with any Banking Institution and Providing Penalty therefor or RA 1405, as amended, and the Foreign Currency Deposit Act of the Philippines or RA 6426, as amended; (10) cases involving violations of the Truth in Lending Act or RA 3765; (11) cases involving foreign investments, including violations of the Foreign Investments Act of 1991 or RA 7042; (12) cases involving violations of the Electronic Commerce Act or RA 8792; and (13) cases involving violations of the Data Privacy Act of 2012 or RA 10173;

**WHEREAS**, based on the OCA's report, the current caseload of Special Commercial Courts is generally comprised of non-commercial cases, with pending commercial cases accounting for only twelve percent (12%) of their caseload on average;

**WHEREAS**, the further expansion of the Special Commercial Courts' exercise of jurisdiction to include such other commercial cases that are in line with their specialization would promote expediency and efficiency in the administration of justice; and

**WHEREAS**, to equalize case distribution, the expansion of the Special Commercial Courts' exercise of jurisdiction would necessitate their

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exclusion from the raffle of regular cases, unless the OCA deems otherwise based on the circumstances.

**NOW, THEREFORE, the Court RESOLVES as follows:**

1. That (1) anti-money laundering cases governed by RA 9160, as amended, including other violations of the said Act; (2) petitions for civil forfeiture and asset preservation of monetary instruments, property, or proceeds representing, involving, or relating to an unlawful activity or money laundering offense under A.M. No. 05-11-04-SC; and (3) asset preservation, seizure, and forfeiture in criminal cases under A.M. No. 21-03-13-SC; (4) cases involving violations of the Access Devices Regulation Act of 1998 or RA 8484, as amended; (5) cases involving violations of The Securities Regulation Code or RA 8799; (6) cases involving violations of the Consumer Act of the Philippines or RA 7394; (7) cases involving violations of the Price Act or RA 7581; (8) cases involving violations of the Food, Drug, and Cosmetic Act or RA 3720, as amended; (9) cases involving letters of credit under the Code of Commerce; (10) cases involving trust receipts under the Trust Receipts Law or PD 115; (11) cases involving warehouse receipts under the Warehouse Receipts Act or Act No. 2137; (12) cases involving banking and bank secrecy laws under The New Central Bank Act or RA 7653, as amended, The General Banking Law of 2000 or RA 8791, the Lending Company Regulation Act of 2007 or RA 9474, as amended, the Philippine Deposit Insurance Corporation Act or RA 3591, as amended, the Act Prohibiting Disclosure of or Inquiry into, Deposits with any Banking Institution and Providing Penalty therefor or RA 1405, as amended, and the Foreign Currency Deposit Act of the Philippines or RA 6426, as amended; (13) cases involving violations of the Truth in Lending Act or RA 3765; (14) cases involving foreign investments, including violations of the Foreign Investments Act of 1991 or RA 7042; (15) cases involving violations of the Electronic Commerce Act or RA 8792; and (16) cases involving violations of the Data Privacy Act of 2012 or RA 10173 shall be heard and decided by the designated Special Commercial Courts.
2. That, for clarity, the exercise of jurisdiction of Special Commercial Courts shall now cover the following cases:
  - a. Intra-corporate cases and other cases enumerated under Sec. 5, PD 902-A, as amended, that were formerly cognizable by the Securities and Exchange Commission;

- b. Intellectual Property Cases, which include all civil and criminal actions for violations of intellectual property rights provided for in the Intellectual Property Code of the Philippines (RA 8293), as amended, and other laws;
- c. Writs of search and seizure in civil actions involving intellectual property rights covered by Sec. 1, Rule 2, A.M. No. 10-3-10-SC dated 6 October 2020, and search warrants involving violations of intellectual property rights covered by Sec. 1, Rule 10, A.M. No. 10-3-10-SC dated 6 October 2020;
- d. Rehabilitation, insolvency, and liquidation cases under the Financial Rehabilitation and Insolvency Act of 2010 (RA 10142);
- e. Liquidation cases emanating from administrative proceedings and expiration of corporate terms and court-assisted liquidation under special laws;
- f. Dissolution and liquidation of partnerships under Articles 1830 and 1831 of the Civil Code;
- g. Cybercrime cases involving Secs. 4 and 5, Chapter II of the Cybercrime Prevention Act of 2012 (RA 10175);
- h. Cybercrime warrants involving Secs. 4 and 5, Chapter II of the Cybercrime Prevention Act of 2012 (RA 10175);
- i. Competition cases, which include violations of the Philippine Competition Act (RA 10667) and other competition related laws;
- j. Inspection orders for administrative investigations of alleged violations of the Philippine Competition Act (RA 10667), its implementing rules and regulations, and other competition laws;
- k. Anti-money laundering cases, which include violations of the Anti-Money Laundering Act of 2001 (RA 9160), as amended;
- l. Petitions for civil forfeiture and asset preservation of monetary instruments, property, or proceeds representing, involving, or relating to an unlawful activity or money laundering offense under A.M. No. 05-11-04-SC, and asset preservation, seizure, and forfeiture in criminal cases under A.M. No. 21-03-13-SC;



- m. Cases involving violations of the Access Devices Regulation Act of 1998 (RA 8484), as amended;
  - n. Cases involving violations of The Securities Regulation Code (RA 8799);
  - o. Cases involving violations of the Consumer Act of the Philippines (RA 7394);
  - p. Cases involving violations of the Price Act (RA 7581);
  - q. Cases involving violations of the Food, Drug, and Cosmetic Act (RA 3720), as amended;
  - r. Cases involving letters of credit (Code of Commerce);
  - s. Cases involving trust receipts (Trust Receipts Law [PD 115]);
  - t. Cases involving warehouse receipts (Warehouse Receipts Act [Act No. 2137]);
  - u. Cases involving banking and bank secrecy laws (The New Central Bank Act [RA 7653], as amended, The General Banking Law of 2000 [RA 8791], Lending Company Regulation Act of 2007 [RA 9474], as amended, Philippine Deposit Insurance Corporation Act [RA 3591], as amended, the Act Prohibiting Disclosure of or Inquiry into, Deposits with any Banking Institution and Providing Penalty therefor [RA 1405], as amended, and Foreign Currency Deposit Act of the Philippines [RA 6426], as amended);
  - v. Violations of the Truth in Lending Act (RA 3765);
  - w. Cases involving foreign investments, including violations of the Foreign Investments Act of 1991 (RA 7042);
  - x. Violations of the Electronic Commerce Act (RA 8792); and
  - y. Violations of the Data Privacy Act (RA 10173).
3. The effects of this Resolution are prospective in effect. Therefore:
- a. Upon the effectivity of this Resolution, all cases mentioned in the immediately preceding paragraph shall be raffled exclusively among the designated Special Commercial

Courts having territorial jurisdiction over them. Any case not falling under the immediately preceding paragraph that remains pending with the Special Commercial Courts prior to the effectivity of this Resolution shall continue to remain with such courts for their proper action. Meanwhile, any case falling under the immediately preceding paragraph that remains pending with the regular courts prior to the effectivity of this Resolution shall continue to remain with such regular courts for their proper action; and

- b. To ensure the fair and equitable distribution of cases, the Special Commercial Courts shall, upon effectivity of this Resolution, be relieved from the raffle of regular cases unless the OCA deems it otherwise based on the circumstances. The OCA shall continuously monitor the caseload of the Special Commercial Courts and make the necessary recommendations to the Court, as the need arises.
4. When there is no Special Commercial Court designated to hear and decide a case filed within a specific territory in accordance with the existing rules on venue, the case shall be filed in the nearest designated Special Commercial Court within the judicial region of said territory.

This Resolution shall take effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of national circulation. The OCA is directed to circularize the same upon its effectivity.”

*(Original signed)*

**ALEXANDER G. GESMUNDO**

Chief Justice

*(Original signed)*

**ESTELA M. PERLAS-BERNABE**

Senior Associate Justice

*(Original signed)*

**MARVIC M.V.F. LEONEN**

Associate Justice

*(Original signed)*

**ALFREDO BENJAMIN S. CAGUIOA**

Associate Justice

*(Original signed)*

**RAMON PAUL L. HERNANDO**

Associate Justice

*(Original signed)*

**ROSMARI D. CARANDANG**  
Associate Justice

*(Original signed)*

**AMY C. LAZARO-JAVIER**  
Associate Justice

*(Original signed)*

**HENRI JEAN PAUL B. INTING**  
Associate Justice

*(Original signed)*

**RODIL V. ZALAMEDA**  
Associate Justice

*(Original signed)*

**MARIO V. LOPEZ**  
Associate Justice

*(Original signed)*

**SAMUEL H. GAERLAN**  
Associate Justice

*(Original signed)*

**RICARDO R. ROSARIO**  
Associate Justice

*(Original signed)*

**JHOSEP Y. LOPEZ**  
Associate Justice

*(Original signed)*

**JAPAR B. DIMAAMPAO**  
Associate Justice

(37)

By authority of the Court:



**MARIFE M. LOMIBAO-CUEVAS**  
Clerk of Court

HON. ALEXANDER G. GESMUNDO (x)  
Chief Justice  
HON. ESTELA M. PERLAS-BERNABE (x)  
HON. MARVIC MARIO VICTOR F. LEONEN (x)  
HON. ALFREDO BENJAMIN S. CAGUIOA (x)  
HON. RAMON PAUL L. HERNANDO (x)  
HON. AMY C. LAZARO-JAVIER (x)  
HON. HENRI JEAN PAUL B. INTING (x)  
HON. RODIL V. ZALAMEDA (x)  
HON. MARIO V. LOPEZ (x)  
HON. SAMUEL H. GAERLAN (x)  
HON. RICARDO R. ROSARIO (x)  
HON. JHOSEF Y. LOPEZ (x)  
HON. JAPAR B. DIMAAMPAO (x)  
HON. JOSE MIDAS P. MARQUEZ (x)  
HON. ANTONIO TONGIO KHO, JR. (x)  
Associate Justices  
Supreme Court

\*HON. RAUL B. VILLANUEVA (x)  
Deputy Court Administrator and Officer-in-Charge  
Office of the Court Administrator  
Supreme Court

Deputy Court Administrators  
HON. JENNY LIND R. ALDECOA-DELORINO (x)  
HON. LEO T. MADRAZO (x)  
Assistant Court Administrators  
HON. LILIAN BARRIBAL-CO (x)  
HON. MARIA REGINA ADORACION  
FILOMENA M. IGNACIO (x)  
Supreme Court

PUBLIC INFORMATION OFFICE (x)  
Supreme Court

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*\*for circularization*

THE SECRETARY (x)  
Department of Justice  
DOJ Building, Padre Faura St.,  
Ermita, Manila

THE SOLICITOR GENERAL (reg)  
Office of the Solicitor General  
134 Amorsolo Street  
Legaspi Village, Makati City

THE CHAIRPERSON (reg)  
Anti-Money Laundering Council  
5<sup>th</sup> Floor, EDPC Building, BSP Complex  
Roxas Blvd. cor Pablo Ocampo St.  
Malate, 1004 Manila

INTEGRATED BAR OF THE PHILIPPINES (reg)  
15 Doña Julia Vargas Avenue  
Ortigas Center, Pasig City 1600

MANDATORY CONTINUING LEGAL EDUCATION  
OFFICE (reg)  
4<sup>th</sup> Flr., IBP Bldg., 15 Doña Julia Vargas Ave.  
Ortigas Center, Pasig City

THE CHAIRPERSON (reg)  
Securities and Exchange Commission  
Secretariat Building, PICC Complex  
Roxas Blvd., 1307 Pasay City

THE CHAIRPERSON (reg)  
Philippine Competition Commission  
25/F, Vertis North Corporate Center 1  
North Avenue, 1105 Quezon City

THE DIRECTOR GENERAL (reg)  
Intellectual Property Office  
No. 28 Upper McKinley Road  
McKinley Hill Town Center  
Fort Bonifacio, 1634 Taguig City

THE CHAIRPERSON (reg)  
National Privacy Commission  
5<sup>th</sup> Floor Delegation Building  
PICC Complex, Roxas Blvd., Pasay City

THE GOVERNOR (reg)  
Bangko Sentral ng Pilipinas  
A. Mabni St., cor. P. Ocampo St.  
Malate, 1004 Manila

THE DIRECTOR GENERAL (reg)  
Food and Drugs Administration  
1781 Civic Dr., Filinvest Corporate City  
Alabang, 1781 Muntinlupa City

THE SECRETARY (reg)  
Department of Trade and Industry  
361 Sen. Gil J. Puyat Ave.  
1200 Makati City