



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR No. 179-2016

TO: ALL JUDGES AND CLERKS OF COURT OF FIRST AND SECOND LEVEL COURTS

SUBJECT: REQUEST OF BANKS AND OTHER FINANCIAL INSTITUTIONS FOR INFORMATION ON THE STATUS OF A CASE AND THE PERSONAL DATA OF A PARTY TO A CASE RELEVANT TO THE CREDIT STANDING OF THE LITIGANT SUBJECT OF SUCH REQUEST

Pursuant to the 31 May 2016 Resolution of the Court En Banc in A.M. No. 13-05-01-SC, amending items (i) (2) and (iii) of its 3 September 2013 Resolution on the matter, all requests of banks and other financial institutions for information on the status of a case and the personal data of a party to a case, which are relevant to the credit standing of the litigant subject of such request, shall be filed by banks or financial institutions and acted upon by the courts under these conditions:

- (i) the bank or financial institution requesting the said information, after conducting diligent credit investigation shall:
 - (1) provide the docket number and the parties to the case where the litigant under credit investigation is involved, to the court where such case has been found to be assigned;
 - (2) attach to the request the written consent to access to the said information, of all parties to the case, provided that if a party is a juridical person, its president or head shall give consent. If **only the written consent of the bank's client/loan applicant is presented, the information shall be limited to the (a) nature of the case, (b) amount involved, (c) stage of the proceedings, and (d) other information pertaining to the loan applicant necessary for the determination of his/her credit standing. In providing personal details of the said consenting party, care should be made by the Clerk of Court that no personal detail is given concerning the non-consenting adverse party;**

- (3) use the accessed information only for the specific purpose stated in the request; and
 - (4) treat with strict confidentiality the accessed information under pain of contempt of court;
- (ii) the clerk of court of the requested court shall:
- (1) submit the request to the presiding judge of the court for approval;
 - (2) charge the requesting bank or financial institution with service fee in accordance with Rule 141 of the Rules of Court;
 - (3) issue a certification on the requested information within three (3) working days from receipt of the request;
 - (4) furnish each of the parties to the case with a copy of the certification issued; and
 - (5) attach a copy of the certification to the record of the case; and
- (iii) such other conditions as the Office of the Court Administrator may prescribe to protect the privacy of **all parties to the case**, and to ensure that the proper administration of justice is not unduly prejudiced by the additional task of court personnel. [Amendments in bold]

This amends OCA Circular No. 41-2014.

For strict compliance.

1 August 2016


JOSE MIDAS P. MARQUEZ
Court Administrator