



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

OCA CIRCULAR NO. 60-2022

TO : ALL JUDGES HANDLING COMMERCIAL CASES

SUBJECT: RESOLUTION DATED 9 NOVEMBER 2021 IN 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)

In the Resolution dated 9 November 2021 in **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*), the Court *En Banc* essentially **RESOLVED** that:

1. x x x 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 Philippines 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 (RA10173).
2. 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.
3. When there is no Special Commercial Court designated to hear and decide a case filed within the 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.

The Resolution was published in the *Philippine Star* and the *Manila Bulletin* on 13 March 2022 and **shall take effect on 28 March 2022.**

Any prior circular from the Office of the Court Administrator on this matter which is contrary to the foregoing is hereby deemed superseded.

21 March 2022



RAUL BAUTISTA VILLANUEVA
Court Administrator

