



Bangko Sentral ng Pilipinas

MAYNILA, PILIPINAS

OFFICE OF THE GOVERNOR

Circular No. 485

Series of 2005

Pursuant to Monetary Board Resolution No. 640 dated 12 May 2005, the Manual of Regulations for Banks (MORB) is hereby amended, as follows:

Section 1. Section X263 of the MORB is hereby amended to read as follows:

"Section X263 Service and Maintenance Fees. Banks may impose AND COLLECT service CHARGES AND/or maintenance fees on savings and demand deposit accounts, WHETHER ACTIVE OR dormant, THAT FALL BELOW THE REQUIRED MINIMUM MONTHLY AVERAGE DAILY BALANCE (ADB), SUBJECT TO THE FOLLOWING CONDITIONS:

- A) THE IMPOSITION OF SUCH CHARGES OR FEES IS CLEARLY STATED AMONG THE TERMS AND CONDITIONS OF THE DEPOSIT;
- b) The rate or amount of such charges or fees is properly disclosed among the terms and conditions of the deposit;
- C) THE DEPOSIT ACCOUNT BALANCES HAVE FALLEN BELOW THE REQUIRED MINIMUM MONTHLY ADB FOR DORMANT ACCOUNTS AND FOR AT LEAST TWO (2) CONSECUTIVE MONTHS FOR ACTIVE ACCOUNTS;
- d) The REQUIRED minimum MONTHLY ADB of deposits are properly disclosed among the terms and conditions of the deposit;
- e) IN THE CASE OF CHARGES AND FEES FOR DORMANT ACCOUNTS OR DORMANCY FEE, the period of dormancy as prescribed under Subsec. X163.12 shall be properly disclosed among the terms and conditions of the deposit, AND THAT THE DEPOSITORS SHALL BE INFORMED BY REGISTERED MAIL WITH RETURN CARD ON HIS LAST KNOWN ADDRESS AT LEAST SIXTY (60) DAYS PRIOR TO THE IMPOSITION OF DORMANCY FEE."

Section 2. Subsection X263.1 of the MORB is hereby added to read as follows:

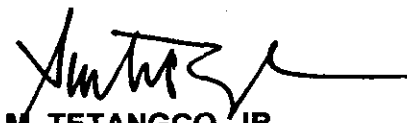
PANANALAPING MATATAG, BANSANG PANATAG

"SUBSEC. X263.1 **Amendments to terms and conditions for the imposition of service charges/fees.** ANY CHANGE IN THE TERMS AND CONDITIONS FOR THE IMPOSITION OF SERVICE CHARGES AND/OR MAINTENANCE FEES, E.G., INCREASE IN THE AMOUNT OF SUCH CHARGES AND FEES OR INCREASE IN THE REQUIRED MINIMUM MONTHLY ADB OF DEPOSITS, SHALL TAKE EFFECT ONLY AFTER DUE NOTICE TO THE DEPOSITOR: *PROVIDED*, THAT INFORMATION BY REGULAR MAIL, STATEMENT OF ACCOUNT MESSAGES, ELECTRONIC MAIL, COURIER DELIVERY AND/OR OTHER ALTERNATIVE MODES OF COMMUNICATION ON THE DEPOSITOR'S LAST KNOWN ADDRESS AT LEAST SIXTY (60) DAYS PRIOR TO IMPLEMENTATION SHALL BE CONSIDERED SUFFICIENT NOTICE: *PROVIDED, FURTHER*, THAT FAILURE OF THE DEPOSITOR TO MANIFEST OR REGISTER HIS OBJECTION TO THE NEW SERVICE CHARGES AND MAINTENANCE FEES OR ANY CHANGE IN THEIR TERMS AND CONDITIONS IN WRITING WITHIN THIRTY (30) DAYS FROM RECEIPT OF WRITTEN NOTICE OF AMENDMENT SHALL BE DEEMED TO CONSTITUTE ACCEPTANCE OF SUCH CHANGES, FOR PURPOSES OF THIS SUBSECTION

BANKS SHALL LIKEWISE POST SAID INFORMATION ON THEIR RESPECTIVE WEBSITES, AUTOMATED TELLER MACHINE (ATM) ON-SCREEN MESSAGES, AND IN CONSPICUOUS PLACES WITHIN THE BANK PREMISES AND OTHER PLACES NEAR THE BANK'S OWN ATM AT LEAST SIXTY (60) DAYS PRIOR TO IMPLEMENTATION."

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

FOR THE MONETARY BOARD:


AMANDO M. TETANGCO, JR.
 Officer-In-Charge

26 May 2005