NATIONAL ADMINISTRATIVE REGISTER · APRIL 8, 2013

AMENDMENT TO ALIGN THE FAMILIAL RESTRICTIONS APPLICABLE TO "INDEPENDENT DIRECTOR" WITH THE EXISTING PROVISION OF THE SECURITIES REGULATION CODE

BSP CIRCULAR NO. 793, April 08, 2013

Read online (full-text search, related cases, audio case brief): https://batas.org/library/bc9b6ee26df7/

Pursuant to Monetary Board Resolution No. 406 dated 7 March 2013, the following provisions of the Manual of Regulations for Banks (MORB) and the Manual of Regulations for Non-Bank Financial Institutions (MORNBFI) on the familial restrictions applicable to an independent director are hereby amended.

Section 1. Item (4) of Subsection X141.1.b of the MORB shall be amended, as follows:

> "§ X141.1 Definition/limits
>
> "x x x
>
> "b. Limits on the number of the members of the board of directors.
>
> "x x x
>
> "An independent director shall mean a person who-
>
> "x x x
>
> "(4)
>
> Is not a relative, legitimate or common-law of any director, officer or majority shareholder of the bank or any of its related companies. For this purpose, relatives refer to the spouse, parent, child, brother, sister, parent-in-law, son-/daughter-in-law, and brother-/sister-in-law;
>
> "x x x."

Section 2. Item (4) of Section X144.c of the MORB shall be amended, as follows:

> "Sec. X144 Bio-data of Directors and Officers
>
> "x x x
>
> "In the case of the independent directors, the bio-data shall be accompanied by a certification under oath from the director concerned that he/she is an independent director as defined under Subsec. X141.1 that all the information thereby supplied are true and correct, and that he/she:
>
> "x x x
>
> "(4)
>
> Is not a relative, legitimate or common-law of any director, officer or majority shareholder of the bank or any of its related companies. For this purpose, relatives refer to the spouse, parent, child, brother, sister, parent-in-law, son-/daughter-in-law, and brother-/sister-in-law;

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

"x x x."

Section 3. Item (4) of Subsection 4141Q.1 of the MORNBFI shall be amended, as follows:

"§ 4141Q.1 Limits on the number of the members of the board of directors

"x x x

"An independent director shall mean a person who-

"x x x

"(4)

Is not a relative, legitimate or common-law of any director, officer or majority shareholder of the bank or any of its related companies. For this purpose, relatives refer to the spouse, parent, child, brother, sister, parent-in-law, son-/daughter-in-law, and brother-/sister-in-law;

"x x x."

Section 4. Item 4. of Section 4192Q of the MORNBFI shall be amended, as follows:

"Sec. 4192Q (2008 - 4162Q/4162Q.2) Reports/Manner of filing.

"x x x

"In the case of the independent directors, the bio-data shall be accompanied by a certification under oath from the director concerned that he/she is an independent director as defined under Subsec. 4141Q.1 that all the information thereby supplied are true and correct, and that he/she:

"x x x

"4.

Is not a relative, legitimate or common-law of any director, officer or majority shareholder of the bank or any of its related companies. For this purpose, relatives refer to the spouse, parent, child, brother, sister, parent-in-law, son-/daughter-in-law, and brother-/sister-in-law;

"x x x."

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

FOR THE MONETARY BOARD:

(SGD.) AMANDO M. TETANGCO, JR.
Governor

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.