



**Opening Extractives** Unlocking the benefits of ownership data

# Progress on beneficial ownership transparency in the Philippines

## KEY FACTS



The Philippines has made good progress towards beneficial ownership (BO) disclosure. All registered domestic and foreign companies, including those in the extractive industry, are now required to report their beneficial owners to the Securities and Exchange Commission (SEC).



As of August 2021, 50 out of 79 EITI-reporting companies in the mining, oil and gas industries have disclosed their BO information. 36 companies have consented to their BO data being published in the PH-EITI beneficial ownership registry.



The Philippines is working to identify pathways to overcome the existing legal barriers. This would allow public accessibility of BO information in the extractive sector and facilitate data sharing across EITI-implementing agencies.

## The journey of beneficial ownership transparency reforms in the Philippines

The Philippines joined the Extractive Industries Transparency Initiative.

2013

PH-EITI Multi-Stakeholder Group (MSG) approved its Beneficial Ownership Road Map.

2016

PH-EITI published a scoping study to identify barriers to BO disclosure and to review existing BO definitions and related policies, including procedures for reporting beneficial owners in the Philippines.

2017

The SEC issued Memorandum Circular (MC) No. 15 requiring all registered corporations in the country to include BO information in their annual submission of corporate information. However, the MC does not cover publication of BO information.

2019

**March:** PH-EITI published a provisional beneficial ownership register for the extractive industries on its website containing the BO information of companies that consented to public disclosure.

**June:** The Philippines confirmed its interest in participating in the Opening Extractives programme.

**November:** The Opening Extractives programme was launched in the Philippines during the PH-EITI Extractives Transparency Week.

2021

The Opening Extractives programme conducted a series of engagement sessions and meetings with key stakeholders, legislative committees, and law enforcement agencies. A data-use workshop was also held with members of civil society, academia, and the media.

2022

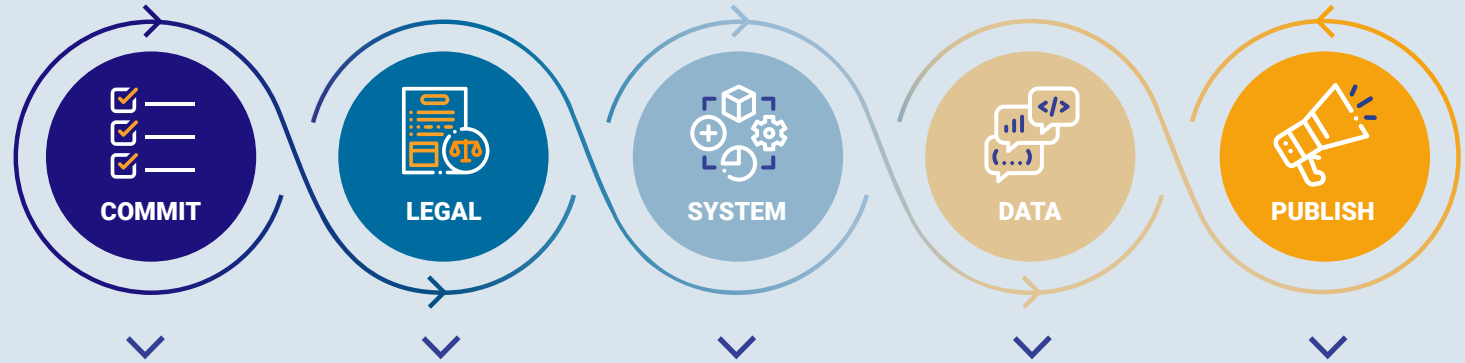
# Beneficial ownership transparency: the Philippines



## Definition of beneficial owners in the Philippines according to the SEC

Section 2 of SEC MC15 defines a beneficial owner as:

*"... any natural person(s) who ultimately own(s) or control(s) or exercise(s) ultimate effective control over the corporation. This definition covers the natural person(s) who actually own or control the corporation as distinguished from the "legal owners" as defined herein."*



EITI in 2013  
OGP NAP 2019-2022  
PH-EITI MSG BO disclosure roadmap

Revised Corporation Code (2019)  
SEC MC 15s2019 and SEC MC 30s2020

The SEC as the corporate regulator mandates BO reporting, but BO information may only be accessed by law enforcement agencies and other competent authorities. BO information is not yet available to the general public.

SEC requires registered corporations to include up-to-date information on their beneficial owners in their annual General Information Sheets.

While there is no publicly-accessible BO register, the PH-EITI has published a beneficial ownership register on its website, which contains the BO information of the extractive companies that consented to publication. The register contains BO data (name, nationality, country of residence, BO category, % of ownership) and indicates whether or not disclosed beneficial owners are politically exposed persons.

[Beneficial ownership registry](#)  
– PH-EITI (dof.gov.ph)

### The benefits of beneficial ownership data



#### For Governments

Beneficial ownership transparency helps prevent tax evasion and ensures that governments receive the revenue they are due.



#### For Civil Society

Once published, citizens can use beneficial ownership information to work with law enforcement, journalists and others to hold those who misuse corporate vehicles to account.



#### For Industry

Publishing information on beneficial ownership supports responsible investment, a more transparent business environment, and a level playing field for all companies.

## Key agencies



Securities and Exchange Commission



Department of Finance (Philippines)



Anti-Money Laundering Council



Philippines EITI