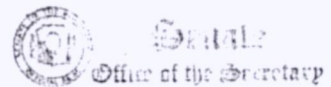


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



SENATE  
P.S. Res. No. 895

SEP 13 A11 :21

RECEIVED

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PROLIFERATION OF INVESTMENT SCAMS, WITH THE END IN VIEW OF ENSURING STRICT ENFORCEMENT OF THE LAW AGAINST FRAUDULENT ACTIVITIES, PROTECTING OUR PEOPLE FROM SCAMS, AND PROMOTING A SAFE INVESTMENT ENVIRONMENT IN THE COUNTRY**

**WHEREAS**, Section 5, Article II of the 1987 Constitution declares that "the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

**WHEREAS**, Article 315 of the Revised Penal Code penalizes swindling or estafa defined therein as the act of "using fictitious name, or falsely pretending to possess power, influence, qualifications, property, credit, agency, business or imaginary transactions, or by means of other similar deceits";

**WHEREAS**, Presidential Decree No. 1689 increased the penalty for syndicated estafa, defined therein as swindling committed by five or more persons, formed with the intention of carrying out the unlawful or illegal act, transaction, enterprise or scheme, resulting in the misappropriation of funds solicited from the general public, to life imprisonment";

**WHEREAS**, Wahana Credit and Wahana Multipurpose, which lends money to casino players, allegedly solicit investments with the promise of a 12-percent weekly return on investment or 48-percent monthly interest. However, Wahana and its affiliates "stopped returning investments despite complainants' demands";

**WHEREAS**, Wahana had victimized 105 people and extorted millions from investors, including policemen, teachers and Overseas Filipino Workers;

**WHEREAS**, on February 26, 2018, the Securities and Exchange Commission (SEC) warned the public against dealing with Wahana Credit and Loan Corporation and Wahana Multipurpose Bank as both entities are not authorized to solicit investments;

**WHEREAS**, on August 24, 2018, criminal complainants have been filed by the NBI before the DOJ against 16 persons involved in a multi-million peso investment scam;

**WHEREAS**, this is not the first time that deceptive investment schemes and networking scams have victimized our countrymen. Investment scams have been proliferating and particularly preying on our Overseas Filipino Workers, ripping them off from their hard-earned money by means of deceit;

**WHEREAS**, various alleged investment scams have been reported in recent years including, but not limited to, the following: One Dream Global Marketing Inc. which allegedly duped thousands of investors of almost P3 billion, Freedom Life Advanced Global Prosperity Marketing Incorporated (FLAG Prosperity) and SUCCESS200 which both engaged in unauthorized investment-taking activities according to the SEC;

**WHEREAS**, investment scams have also used social networking sites in the conduct of their illegal activities. Alleged scams include Emgoldex and OnPal (Online Paluwagan) which used social networking website Facebook to lure investors;

**WHEREAS**, in the advent of cryptocurrencies, the SEC also warned the public against Bitcoin scams which people into growing their money in cryptocurrencies;


**WHEREAS**, it is the duty of Congress to ensure proper implementation of the law, and to review its enforcement for the protection of our people and the investment environment in the county;

**WHEREAS**, it is necessary to investigate illegal investment schemes to determine possible loopholes in existing laws and bureaucratic lapses that have allowed these fraudulent schemes to flourish so that Congress may legislate remedial measures that would stop the proliferation of similar fraudulent activities;



**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED,** to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the proliferation of investment scams, with the end in view of ensuring strict enforcement of the law against fraudulent activities, protecting our people from scams, and promoting a safe investment environment in the country.

*Adopted,*

A handwritten signature in black ink, appearing to read 'J. Ejercito', written over a horizontal line.

**SENATOR JOSEPH VICTOR G. EJERCITO**