Global Privilege and Professional Secrecy Guide - Philippines

05 - Investigations

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# Are there any differences in how privilege operates in civil, criminal, regulatory or investigatory situations?

Generally, none. Attorney-client privilege is set out in the Philippine Rules of Court, which apply to civil and criminal cases. The privilege extends to regulatory inspections or administrative investigations, as it is common for government agencies to adopt these rules as a supplement to their own procedural regulations.

# Can notes of interviews with employees and other documents produced during investigations be covered by privilege?

Notes of interviews with employees and other documents produced during investigations should be covered by privilege if the employees act in their capacity as such and on behalf of the client.

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