

**Department of Energy
Department of Finance
Department of Budget and Management
Department of Interior and Local Government
Department of Transportation and Communications**

**Joint Circular No. 1
April 27, 2011**

Pursuant to Section 6 of Executive Order (EO) No. 32, Series of 2011, "Instituting the Public Transport Assistance Program (PTAP) – *Pantawid Pasada*," the Department of Energy, the Department of Finance, the Department of Budget and Management, the Department of Interior and Local Government, and the Department of Transportation and Communications hereby jointly issue, adopt and promulgate the following implementing rules and regulations.

RULE I – GENERAL PROVISIONS

SECTION 1. *Title*

These rules shall be known and cited as the "Implementing Rules and Regulations of EO No. 32, Series of 2011 – Public Transport Assistance Program (PTAP) – *Pantawid Pasada*."

SECTION 2. *Coverage*

These rules shall govern the following:

- a.) Guidelines for the sourcing, releasing and liquidation of funds;
- b.) Responsibilities of the DOE, DOF, DBM, DILG, DOTC, and the LGUs;
- c.) Determination of the beneficiaries;
- d.) Guidelines and Mechanism for Distribution;
- e.) Information and Education Campaign; and
- f.) Reportorial requirements.

SECTION 3. *Definition of Terms*

The terms used in this IRR shall have the following meanings:

- a) *BTr* - refers to the Bureau of Treasury;
- b) *Card* – refers to the Pantawid Pasada Card;
- c) *COA* – refers to the Commission on Audit;
- d) *DBM* - refers to the Department of Budget and Management;
- e) *DOE* - refers to the Department of Energy;
- f) *DOF* - refers to the Department of Finance;
- g) *DILG* - refers the Department of Interior and Local Government;
- h) *DOTC* - refers to the Department of Transportation and Communications;
- i) *DND* - refers to the Department of National Defense;
- j) *IECC* - refers to the Inter-Agency Energy Contingency Committee organized under Administrative Order No. 6, Series of 2011;
- k) *Legitimate Franchise Holder* – refers to individuals or entities holding franchises from the LTFRB and the LGUs with valid annual registrations from the LTO;
- l) *LGU* - refers to the local government units with agreements with the DILG for the PTAP;
- m) *LTFRB* - refers to the Land Transportation Franchising and Regulatory Board;
- n) *LTO* - refers to the Land Transportation Office;
- o) *MMDA* – refers to the Metro Manila Development Authority;
- p) *Order* - refers to Executive Order No. 32, Series of 2011;
- q) *PIA* - refers to the Philippine Information Agency; and
- r) *PNP* - refers to the Philippine National Police.

RULE II. FUNDS

SECTION 4. *Fund Sourcing*

The funding of FOUR HUNDRED FIFTY MILLION PESOS (P450,000,000.00) for the PTAP shall be sourced from the DOE-Special Account in the General Fund (SAGF)-151 specifically from Gas-Malampaya Revenue (Service Contract No. 38 – Malampaya), to be released to the following national government agencies:

DOE (<i>PTAP assistance to public utility jeepney driver beneficiaries</i>)	P300,000,000.00
DILG (<i>PTAP assistance to tricycle driver beneficiaries</i>)	<u>150,000,000.00</u>
Total	P450,000,000.00

The counterpart funding of the LGUs may consist of additional cash assistance and/or manpower commitment for the implementation of the PTAP.

The DOF through the BTr shall provide the DOE with the certification of available fund collections under the DOE SAGF-151 of Service Contract No. 38 – Gas Malampaya Collection, copy furnished the DBM.

Consistent with existing laws, the DOE, the DILG and the LGUs may receive assistance from the private sector to support the PTAP provided it is made without any condition. The DOF will assist the DOE, the DILG, and the LGUs in evaluating the offered assistance by the private sector.

SECTION 5. *Fund Release*

The DBM shall approve the special budget submitted by the DOE and release to the latter the Special Allotment Release Order (SARO) and the corresponding Notice of Cash Allocation (NCA).

For the implementation of the PTAP for tricycles, the DBM shall approve the special budget submitted by the DOE on behalf of the DILG and release the corresponding SARO/NCA to the DILG.

The release of NCA shall be based on the projected funding requirements stated in the Monthly Cash Program to be submitted by the DOE and the DILG. Requests of the DOE and the DILG relative to the PTAP will be expeditiously resolved by the DBM and the BTr.

For PTAP fund releases to the DILG to be transferred to the LGUs, a Memorandum of Agreement shall be executed between the DILG and the LGUs. However, all amounts released by the DILG to the LGUs shall be documented and used solely for the purpose it was released.

SECTION 6. *Fund Liquidation*

The disbursement and liquidation of funds shall be made in accordance with COA Circular 94-013 dated December 13, 1994 and existing budgeting and accounting rules and regulations.

The DOE shall submit an administrative report to the IECC on the status of disbursements of PTAP funds for public utility jeepney driver beneficiaries, copy furnished the DBM. Likewise, the DILG shall submit to the IECC a consolidated report based on the LGUs' reports on the status of the PTAP with respect to disbursement of PTAP assistance to tricycle driver beneficiaries, copy furnished the DBM. Both reports shall state the physical and financial performance of the PTAP to ensure transparency and accountability in its implementation.

The administrative report shall include the Liquidation Report of Disbursements containing the list of franchisees, franchise numbers, plate numbers, name and signature of the beneficiaries, and the date of receipt.

RULE III. RESPONSIBILITIES

SECTION 7. *Responsibilities of the DOE*

The DOE shall:

- a. Submit to the DBM a special budget request for the PTAP supported by the following requirements:
 - i. Details of the PTAP
 - Project Cost
 - Project Location
 - Period of Implementation
 - ii. Status of the available balance of DOE-SAGF-151 based on the latest BTr certification;
- b. Submit a request to the BTr for the transfer of funds from DOE SAGF-151 to the SAGF of the DILG corresponding to the approved cost of the project as endorsed to the DBM; and

- c. Prepare a Card Distribution Plan and serve as the plan's over-all coordinator.

SECTION 8. *Responsibilities of the DOF*

The DOF shall:

- a. Direct the BTr to provide the DOE, copy furnished the DBM, with the certification of available collections under the DOE SAGF-151;
- b. As requested by the DOE, transfer funds from the DOE SAGF-151 to the SAGF of the DILG; and
- c. Assist the DOE, the DILG and the LGUs in evaluating the assistance from the private sector.

SECTION 9. *Responsibilities of the DBM*

The DBM shall:

- a. Based on the request of the DOE, issue the appropriate fund code for the SAGF of the DILG to cover fund releases from the Gas-Malampaya collection transferred from the DOE SAGF-151;
- b. Check the completeness of the supporting documents as submitted by the DOE;
- c. Approve the special budget submitted by the DOE and release the SARO/NCA to the DOE and the DILG; and
- d. Furnish the DOE, copies of its SARO/NCA releases to the DILG.

SECTION 10. *Responsibilities of the DILG*

The DILG shall:

- a. Based on the approved SARO, submit to the DBM a Monthly Cash Program supported by the details of the Distribution Programs of the LGUs containing the following information:
 - Project Cost
 - Project Location

- Period of Implementation;
- b. Transfer fund to LGUs based on the approved SARO by the DBM and upon release of NCA shall transfer the same to LGUs thru the DILG Regional Office for implementation;
 - c. Enter into a Memorandum of Agreement with the LGUs for the distribution of the PTAP assistance to the tricycle driver beneficiaries;
 - d. Issue Memorandum Circular or equivalent orders to local authorities to ensure the effective implementation of the PTAP in the LGUs; and
 - e. Monitor the implementation of the PTAP by the LGUs.

SECTION 11. *Responsibilities of the DOTC*

The DOTC shall:

- a. Assist the DOE in Card distribution for the National Capital Region;
- b. Direct the LTFRB and/or the LTO Regional and District Offices to handle the distribution for all regions except the National Capital Region; and
- c. Accomplish and submit to the DOE an administrative report on the conduct of the distribution for all regions except the National Capital Region.

SECTION 12. *Responsibilities of the LGUs*

The LGUs shall:

- a. Prepare a Distribution Plan for the PTAP assistance to the tricycle driver beneficiaries in their respective localities;
- b. Liquidate the amounts transferred pursuant to COA Circular 94-013 dated December 13, 1994, copy furnished the DOE; and
- c. Submit to the DILG an administrative report on the conduct of the distribution of the PTAP assistance to tricycle driver beneficiaries within their jurisdiction.

RULE IV. IMPLEMENTATION

SECTION 13. Determination of Beneficiaries

The IECC has determined public utility jeepney drivers and tricycle drivers as the beneficiaries of the FOUR HUNDRED FIFTY MILLION PESOS (P450,000,000.00).

SECTION 14. Guidelines for Distribution

Guided by the principles that the purpose of any mechanism is to ensure that maximum benefit redounds to the intended beneficiaries, the choice on the manner of distributing the assistance shall be contingent on the unique circumstances of each sector.

Only legitimate franchise holders with valid and updated LTO registrations shall be entitled to the Card. For the public utility jeepneys, those with existing franchises of good standing as of March 31, 2011 shall be entitled to the Cards. The DOTC shall direct the LTFRB to furnish the DOE with the list of legitimate public utility jeepney franchise holders. The DOTC shall also direct the LTO to submit the list of vehicles registered as public utility jeepneys.

To assist the DILG in the implementation of the PTAP for tricycles, LGUs are requested to furnish the DILG with the detailed list of legitimate tricycle franchise holders in their respective localities corresponding to the total number of tricycles submitted to the DILG by the respective LGUs as of March 28, 2011.

All lists submitted to the DOE and the DILG by the LTFRB, the LTO and the LGUs are deemed complete and final. Further additions in the list of beneficiaries for both public utility jeepneys and tricycles will no longer be considered for the implementation of this PTAP.

SECTION 15. Mechanism for Distribution

Only public utility jeepneys shall be entitled to use the Card. The distribution of the PTAP for tricycles may use other methods so long as the integrity of the disbursements is assured.

To ensure the integrity of the disbursements, a debit card shall be used. The Card shall have the following features: a) the capability to restrict usage for fuel purchases only, b) provide the DOE other data i.e. the historical data of load consumption, and c) list the following information on the face of the Card: franchise number, vehicle plate number, and route identification.

The DOE, the DOTC on behalf of the LTO and LTFRB, and the LGUs may request the assistance of the MMDA, the PNP and the DND to ensure peace and order in the distribution sites.

SECTION 16. *Ownership of the Cards*

It is hereby declared that the Cards are the property of the Government of the Republic of the Philippines. As such, after the load of the Card has been consumed, the Cards shall not be disposed of by the public utility jeepney beneficiaries. Under the guidelines to be issued, the DOE may request for the immediate surrender of the Cards at any time for monitoring/control purposes. Loss of the Card shall be reported immediately to the DOE for proper accounting.

To support the drive of ensuring that only legitimate public utility jeepney franchise holders are entitled to use the Cards, petroleum retail outlets or gasoline stations are enjoined to verify that the plate number of the public utility jeepney corresponds to the plate number appearing on the Card. Petroleum retail outlets or gasoline stations are hereby authorized to reserve the right to refuse the Card for fuel purchases by any public utility jeepney whose plate number does not match the plate number indicated on the Card.

The DOE will release the appropriate issuance to carry out this provision.

SECTION 17. *Other Benefits of the Cards*

Beginning June 1, 2011, the presentation of the Cards shall be required for the entitlement of the existing discounts in petroleum retail outlets or gasoline stations for public utility jeepneys in areas where the Cards have been distributed. The DOE will come out with the appropriate issuance to carry out this provision.

RULE V. INFORMATION AND EDUCATION CAMPAIGN (IEC)

SECTION 18. *Beneficiaries and Mechanics*

The DOE and the DILG will conduct the necessary IECs to support the program. The PIA is requested to assist in the conduct of IECs and all government agencies are enjoined to provide the necessary support to the DOE and the DILG in the conduct of the IEC. The DOE shall require oil companies and dealers to post the IEC materials in their establishments.

Prior to the distribution of the Cards, the DOE and the LGUs will inform the public of the date and venue of the distribution, and the requirements to be presented by the beneficiaries. For this purpose, the DOE and the LGU shall use the appropriate tri-media to inform the beneficiaries.

LGUs must provide free and accessible venues for the distribution of the Cards for the jeepneys and the PTAP assistance for the tricycles. The DOE and the LGUs will ensure the widespread dissemination of the mechanics of the distribution program for the Cards and the PTAP assistance.

RULE VI. REPORTS

SECTION 19. Reports to the IECC

The DOE and the DILG shall submit to the IECC a report on the implementation of the program and card distribution within one (1) month from the start of the assistance and every month thereafter until the PTAP has been fully implemented, copy furnished the DBM.

SECTION 20. Reports to the President

The IECC shall submit a report on the status of the implementation of the PTAP to the Office of the President within one (1) month from receipt of the report of the DOE and the DILG. Such report shall be submitted every month thereafter until the PTAP has been fully implemented.

RULE VII. FINAL PROVISIONS

SECTION 21. *Governing Clause*

Any request for clarification on any provision of this IRR shall be referred to the DOE, which shall resolve the matter in coordination with the DOF, the DBM, the DILG, and the DOTC.

SECTION 22. *Separability Clause*

Any rule or regulation inconsistent with the provisions of this IRR is hereby repealed or modified accordingly.

SECTION 23. *Effectivity*

This IRR shall take effect immediately upon publication in a newspaper of general circulation.

(Signed)
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(Signed)
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