

[LTFRB Memorandum Circular No. 2015-015, May 28, 2015]

RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF TRANSPORTATION NETWORK COMPANIES

*Adopted: 28 May 2015
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PURSUANT TO THE PROVISIONS OF DEPARTMENT ORDER NO. 2015-11 ON THE CREATION OF A NEW TYPE OF SERVICE FOR PUBLIC TRANSPORT CONVEYANCES KNOWN AS "TRANSPORTATION NETWORK VEHICLE SERVICE" AND ON THE ACCREDITATION OF TRANSPORTATION NETWORK COMPANIES, THE FOLLOWING RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF TRANSPORTATION NETWORK COMPANIES ARE HEREBY PROMULGATED.

I. SCOPE OF APPLICATION

A Transportation Network Company (TNC) shall mean as an "organization whether a corporation, partnership, or sole proprietor, that provides pre-arranged transportation services for compensation using an internet-based technology application or digital platform technology to connect passengers with drivers using their personal vehicles."

These Rules and Regulations shall only apply in the accreditation of TNC. The Certificate of TNC Accreditation shall be granted to TNCs providing internet- based digital technology application or digital platform technology to facilitate transportation of passengers by the drivers with the use of their personal vehicles.

II. APPLICATION FOR ACCREDITATION

An Application for the Issuance of a Certificate of Accreditation shall be made in writing on a form provided by the Board, and signed and sworn to by the applicant, or if the applicant is a juridical entity, by its duly authorized representative. Each Application, in addition to other documents that are required, shall submit at a minimum the following:

- a) If the applicant is an individual:
 1. Full Name;
 2. Residence Address;
 3. Business Address;
 4. Business E-mail Address;
 5. Business Telephone Number;
 6. Business Name Registration duly issued by the Department of Trade and Industry; and,
 7. Proof that the Applicant is at least Eighteen (18) Years of Age.

- b) If the applicant is a domestic juridical entity:
1. Corporate/Partnership Name;
 2. Business Address;
 3. Business E-mail Address;
 4. Business Telephone Number;
 5. Certification of Registration of Incorporation/Partnership issued by the Securities and Exchange Commission (SEC);
 6. Articles of Incorporation/Partnership and By-Laws;
 7. Secretary's Certificate of the Board/Partnership Resolution authorizing the representative to sign the Application for Accreditation for and in behalf of the corporation/partnership; and,
 8. Secretary's Certificate of Incumbent Corporate/Partnership Officers and List of Directors/Partners;
- c) If the applicant is a resident foreign juridical entity:
1. Corporate/Partnership Name;
 2. Business Address;
 3. Business E-mail Address;
 4. Business Telephone Number;
 5. Authenticated Copy of the Articles of Incorporation/Partnership with an English Translation thereof if in foreign language other than English;
 6. License To Do Business in the Philippines duly issued by the SEC;
 7. Authenticated Copy of the Board Resolution authorizing the establishment of a Branch/Representative Office in the Philippines;
 8. List of Incumbent Officers and Directors;
 9. Authenticated Copy of the Board/Partnership Resolution authorizing the representative to sign the Application for Accreditation for and in behalf;
 10. Authenticated Copy of the Board/Partnership Resolution designating the Resident Agent to whom summonses and other legal processes may be served in behalf of corporation/partnership;
 11. Authenticated Copy of the Board/Partnership Resolution stipulating that in the absence of such Agent or upon cessation of its business in the Philippines, any summons or legal process may be served to SEC as if the same is made upon the corporation at its home office.

III. OTHER REQUIREMENTS

The following shall also be attached upon filing of the Application for Accreditation:

- a) Complete Description of Business Model;
- b) Business Permit duly issued by the local government where the applicant's principal place of business is located;
- c) Certificate of Registration duly issued by the Bureau of Internal Revenue;
- d) Sample Copy of the Electronic Receipt transmitted to the passenger at the completion of a ride;
- e) Process of Accrediting/Affiliating Transportation Network Vehicle Service (TNVS) vehicles;
- f) Process of Accrediting/Affiliating TNVS drivers;
- g) Terms of Service for Passengers;
- h) Terms of Service for TNVS Operators;