

[DOE-DPF-DBM-DILG-DOTC JOINT CIRCULAR NO. 1, April 27, 2011]

IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 32, SERIES OF 2011 - PUBLIC TRANSPORT ASSISTANCE PROGRAM (PTAP)-PANTAWID PASADA

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:

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