

# [ MEMORANDUM CIRCULAR NO.35, November 22, 2017 ]

## **CLARIFYING AND REINFORCING EXISTING RULES REGULATIONS ON FOREIGN TRAVEL AUTHORITIES, TRAVEL ENTITLEMENTS, AND TRAVEL TAX EXEMPTIONS, WHICH REQUIRE THE APPROVAL OF THE OFFICE OF THE PRESIDENT**

**WHEREAS** , government officials and employees can only travel abroad with the requisite authorization;

**WHEREAS** , Executive Order (EO) No. 459 (s. 2005) specifies the appropriate offices which may issue travel authorities for different categories of government personnel, and identifies the Office of the President (OP) as the approving authority with respect to the following: (a) members of the Cabinet and officials of equivalent rank, (b) heads of government-owned and controlled corporations (GOCCs) and government financing institutions (GFIs) under or attached to the OP. and (c) heads of agencies under or attached to the OP;

**WHEREAS** , per EO No. 298 (s. 2004), the grant of official transportation other than restricted economy class and the reimbursement of actual travel expenses in excess of the standard Daily Subsistence Allowance (DSA), even if not involving the aforesaid officials mentioned in EO No. 459, are subject to the approval of the OP;

**WHEREAS** , EO No. 283 (s. 1987) exempts from the payment of travel tax the officials and employees of the Philippine government or any of its departments, bureaus and agencies travelling on official business, and those authorized by the President of the Philippines for reasons of national interest;

**WHEREAS** , unauthorized foreign travels of certain government officials have been observed, and the OP continues to receive requests for foreign travel authority and entitlement to travel expenses and allowances that suffer from incomplete documentation and lack of sufficient lead time for evaluation;

**WHEREAS** , there is a need to clarify and reinforce existing rules and regulations on foreign travel for the guidance and strict compliance of all concerned;

**NOW THEREFORE** , the following are hereby ordered:

**SECTION 1. Allowable Foreign Trips** . No official travel abroad shall be allowed unless it satisfies all of the following minimum criteria: (a) the purpose of the trip is strictly within the mandate of the requesting government official or personnel; (b) the projected expenses for the trip are not excessive; and (c) the trip is expected to bring substantial benefit to the country.

**SECTION 2. Documentary Requirements.** The destination, duration of travel, purposes, justifications, and chargeability of expenses should be clearly stated in the request for travel authority, for entitlement to travel expenses and allowances

(hereinafter "travel entitlements"), and for travel tax exemptions. For all official trips, the request shall state how the subject trip complies with the minimum criteria indicated in Section 1 above. All requests must include the supporting documents indicated in the following Annexes which form an integral part of this Circular:

- a. Annex "A" for travel authorities and travel entitlements of Heads of Departments, Heads of Government-owned and/or -controlled Corporations (GOCCs) and Government Financial Institutions (GFIs), and Heads of Agencies under or attached to the OP;
- b. Annex "B" for additional travel entitlements of Undersecretaries, Assistant Secretaries, Directors, and officials of equivalent ranks and other government personnel; and
- c. Annex "C" for travel tax exemptions of private individuals, groups, or organizations.

**SECTION 3. Period of Submission.** The request for foreign travel authority and its supporting documents must be submitted to the Malacanang Records Office (MRO) at least ten (10) working days prior to the scheduled date of departure, or, in extremely justifiable cases to be substantiated in the request, not later than two (2) working days. The MRO may direct the representative of the requesting agency or official to proceed first to the General Government Administration Office of the OP for a preliminary check of the request and its supporting documents, to ensure that *the same are* complete prior to its acceptance by the MRO. Late submissions shall not be entertained.

**SECTION 4. Travel Expenses and Allowances.** The DSA for accommodation, meals, and incidental expenses shall be based on the United Nations Development Program (UNDP) rates, which UNDP updates *on* a monthly basis. Unless otherwise stated in the UNDP rates, the DSA shall be apportioned as follows: (a) 50% for accommodations, (b) 30% for meals, and (c) 20% for incidental expenses. Claims for reimbursement for actual accommodation rates in excess of the accommodation component of the DSA may be allowed, but in no case shall it exceed one hundred thirty per cent (130%) of such prescribed UNDP rates.

No representation allowance shall exceed the amounts stated in the Annexes herein, nor shall the same be granted to officials who will travel abroad for speaking engagements only, and for training/study.

The airfares of all government personnel shall be limited to economy class, except for long-haul trips, defined as flights exceeding four (4) hours without counting layovers, in which case business class airfares may be authorized.

**Section 5. Prohibition against Certain Individuals.** The following individuals shall not be issued foreign travel authorities, and shall not be entitled to government funding for such trips:

- a Private individuals;
- b. Consultants of, and/or those engaged by way of contracts of service by, government agencies, except in highly meritorious circumstances (e.g., unavailability of qualified employees in highly technical and specialized fields), and upon written justification to be submitted by the requesting agency; and