

**[DTI JOINT DEPARTMENT ADMINISTRATIVE
ORDER NO. 10-01, March 24, 2010]**

**GUIDELINES ON THE USE OF ACCESS DEVICES FOR PAYMENT OF
FEES, CHARGES, ASSESSMENTS AND OTHER REVENUES DUE TO
THE GOVERNMENT THROUGH THE ELECTRONIC PAYMENT AND
COLLECTION SYSTEM (EPCS) OF A GOVERNMENT ENTITY**

Pursuant to the provisions of Section 27 of Republic Act No. 8792, otherwise known as the "Electronic Commerce Act of 2000", and Section 37 of its Implementing Rules and Regulations, and pursuant to the provisions of DTI-DOF Joint Department Administrative Order (JDAO) No. 2, Series of 2006, prescribing the "Guidelines Implementing RA 8792 on Electronic Payment and Collection System (EPCS) in Government," the following guidelines on the use of access devices, such as, but not limited to, credit cards, debit cards, cash cards, and mobile phones, for payment of fees, charges, assessments and other revenues due to the government, are hereby prescribed.

I. OBJECTIVE

The use of access devices, such as, but not limited to, credit cards, debit cards, cash cards, and mobile phones, for payment of fees, charges, assessments and revenues due to the government through the Government Entity's EPCS is hereby authorized to bring about a more efficient and effective payment and collection service for government transactions and to provide the transacting clients additional payment options for transactions with government.

II. SCOPE

This JDAO shall apply to all Government Entities that intend to use or which have existing EPCS for the collection of fees, charges, assessments and revenues, and which are required by law to remit their collections to the Treasurer of the Philippines (TOP). This shall be in accordance with the provision under the Government Auditing Code of the Philippines that "Public officers authorized to receive and collect moneys arising from taxes, revenues, or receipts of any kind shall remit or deposit intact the full amount so received and collected by them to the treasury of the agency concerned and credited to the particular accounts to which the said moneys belong" (Sec. 69, PD 1445), Acquiring Banks, Issuing Banks, Electronic Money Issuers, and other Electronic Payment Service providers are covered by the provisions of this JDAO.

Further, this JDAO covers only transactions made over the internet or other forms of transaction that do not require face-to-face with any government personnel or over the counter transactions. All face-to-face/over the counter transactions will be covered by a separate JDAO.

III. DEFINITION OF TERMS

The terms defined in DTI-DOF JDAO NO. 2, series of 2006, are hereby adopted and incorporated herein.

For purposes of this JDAO, the following terms are defined as follows:

ACCESS DEVICE, as defined under Republic Act No. 8484, means any card, plate, code, account number, electronic serial number, personal identification number, or other telecommunications service, equipment, or instrumental identifier, or other means of account access that can be used to obtain money, goods, services, or any other thing of value or to initiate a transfer of funds (other than a transfer originated solely by paper instrument).

ACQUIRING BANK is a bank that has a relationship with the credit card company or electronic payment service provider and the Government Entity's Authorized Government Depository Bank (AGDB) where it has an account. It is sometimes referred to as the clearing bank where e-payment transactions are cleared through. In such case, the Acquiring Bank shall be authorized by the Bangko Sentral ng Pilipinas (BSP) and the Department of Finance (DOF) as an Authorized Agent Bank (AAB).

APPLICATION PROGRAMMING INTERFACE (API) – is an interface implemented by a software program to enable interaction with another software.

CASH CARD is a plastic card that provides an alternative payment method to cash. Funds for payment are deducted from the remaining balance/stored value on the card of the holder.

CONVENIENCE FEE is the additional amount charged for the bona fide convenience of using an access device, such as, but not limited to, a credit card, debit card or cash card, in the form of an alternative payment channel outside the Government Entity's customary payment channel which is the face-to-face/over the counter transaction within the premises of the Government Entity. The convenience fee is collected in addition to the actual amount of fees, charges, assessments or revenues due to a Government Entity which is made through the Government Entity's Electronic Payment and Collection System (EPCS) which can be accessed by the client anytime and anywhere. However, the convenience fee will not be part of the collection of the Government Entity but will go to the account of the Electronic Payment Service Provider. The imposition of the convenience fee shall be subject to the conditions specified in this JDAO.

CREDIT CARD is a part of a system of payments named after the small plastic card issued to users of the system. It is a card entitling its holder to purchase goods and services on credit based on the holder's promise to pay the value therefore with the issuer of the card. The same issuer of the card grants a credit line to the user from which the user can borrow money for payment to a merchant, in this case a Government Entity.

DEBIT CARD is a plastic card issued by banks that provides an alternative payment method to cash. Funds for payment are withdrawn directly from the bank account of the holder.

E-MONEY, as defined under Bangko Sentral ng Pilipinas (BSP) Circular No. 649, series of 2009, shall mean monetary value as represented by a claim on its issuer, that is (a) electronically stored in an instrument or device; (b) issued against receipt