

**Office of the President
of the Philippines
Malacañang**

MEMORANDUM CIRCULAR NO. 35

**CLARIFYING AND REINFORCING EXISTING RULES AND
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 Malacañang 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 lay-overs, 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
- c. Spouses or children of government officials, except when diplomatic protocol or practices provide otherwise.

Section 6. Private Trips Abroad of Government Officials and Employees. No government official or employee shall be allowed to depart for any travel abroad, even if such travel is for a purely personal or private purpose without cost to the government, unless such official or employee has duly accomplished the requisite leave forms and has obtained the appropriate travel authorization from his or her agency.

Section 7. Sanctions. Non-compliance with this Circular, as well as other applicable laws, rules and issuances, shall be sufficient ground for the outright denial or non-processing of requests for foreign travel authority, entitlement to travel expenses and allowances, and/or travel tax exemption.

Further, administrative cases for misconduct, insubordination or other related offenses under the Civil Service Commission Revised Rules on Administrative Cases in the Civil Service and/or other relevant laws, rules and regulations shall be filed against government personnel traveling abroad without the requisite authority. The filing of said cases shall be without prejudice to other liabilities and personnel actions allowed under existing laws, rules and regulations.

Section 8. Directive to the Bureau of Immigration. The Bureau of Immigration is hereby directed to strictly enforce the provisions of this Circular, and promulgate the necessary rules and regulations to accomplish the objectives set forth herein.

Section 9. Repeal. The provisions of Memorandum Circular No. 7 (s. 2010), as well as other orders and circulars inconsistent with the foregoing provisions, are hereby modified or repealed accordingly.

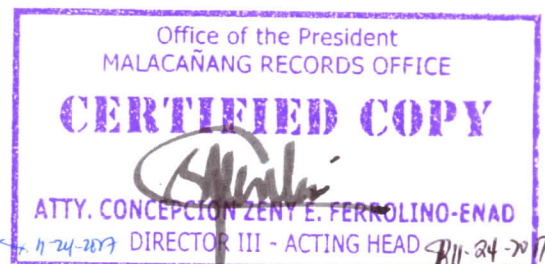
Section 10. Separability. If any provision of this Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 11. Effectivity. This Circular shall take effect immediately.

DONE, in the City of Manila, this 22nd day of November, in the year of Our Lord, Two Thousand and Seventeen.

By authority of the President:


SALVADOR C. MEDIALDEA
Executive Secretary



For Heads of Departments, of GOCCs and GFIs, and of Agencies under or Attached to OP, Requesting Travel Authority and Entitlement to Travel Expenses and Allowances:

- (1) Invitations and/or notices of meetings;
- (2) Confirmation of the dates of meetings/conferences/conventions;
- (3) Administrative arrangements;
- (4) Itemized statement of travel expenses and allowances, and their chargeability (for those that will be covered by government funds);
- (5) Flight itineraries;
- (6) Schedule of activities;
- (7) Justifications for entitlement to hotel allowances based on actual rates (those in excess of the UNDP DSA rates intended for accommodations), airfares on business class, and non-commutable representation allowances, which should not exceed One Thousand US Dollars (US\$1,000.00), only for those who need to avail themselves of these additional expenses;
- (8) List of members of Philippine Delegations (whenever applicable);
- (9) Advice on the name of official who shall be designated as Acting Secretary/Head or Officer-in-Charge; and
- (10) For trips abroad without cost to the government, specify the chargeability of travel expenses and allowances, and include letter(s) from the sponsoring organizations/agencies/individuals, regarding the travel expenses that they will cover (whenever applicable)

For Undersecretaries, Assistant Secretaries, Directors, and Officials of Equivalent Ranks, and other Government Personnel, Requesting Entitlement to Additional Travel Expenses and Allowances:

- (1) Invitations and/or notices of meetings;
- (2) Confirmation of the dates of meetings/conferences/conventions;
- (3) Administrative arrangements;
- (4) Itemized statement of travel expenses and allowances, and their chargeability;
- (5) Flight itineraries;
- (6) Schedule of activities;
- (7) Justifications for entitlement to hotel allowances based on actual rates (those in excess of the UNDP DSA rates intended for accommodations), airfares on business class (for Undersecretaries and Assistant Secretaries, and officials of equivalent ranks), and non-commutable representation allowances, which should not exceed Five Hundred US Dollars (US\$500.00) for Undersecretaries and those of equivalent ranks, and Three Hundred US Dollars (US\$300.00) for Assistant Secretaries and those of equivalent ranks;
- (8) Certified true copies of Travel Authorities and/or Assignment Orders issued by their respective heads of departments/agencies; and
- (9) List of members of Philippine Delegations (whenever applicable)

For Private Individuals, Groups, or organizations requesting Travel Tax Exemption:

- (1) Invitations to participate in competitions, performances, and similar activities; and
- (2) Endorsements by relevant government agencies concerned, with a statement on how the requested travel tax exemption will advance the national interest