**Minimum Documentary Requirements[[1]](#footnote-1) for the Sale of Foreign   
Exchange (FX) Relating to Foreign Loans/Borrowings, Guarantees   
and Other Financing Schemes/Arrangements**

1. **For Servicing of Foreign Loans/Borrowings of the Public Sector[[2]](#footnote-2)**

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| **Transaction** | **Documents Required** |
| 1. BSP-approved public sector loans/borrowings under Sections 23.1 and 25.1 | |
| 1. Regular amortization/payment | 1. For the National Government: Specific  BSP letter-approval 2. For other public sector entities  (e.g., Government Owned and Controlled Corporations, Government Financial Institutions except government banks): 3. BSP letter granting final approval; and 4. Billing statement from creditor or equivalent document/s. |
| 1. Prepayment 2. Payment for loans that are past due (i.e., beyond original/ amended due date duly approved by the BSP) for more than one (1) month | 1. For the National Government: Specific  BSP letter-approval 2. For other public sector entities  (e.g., Government Owned and Controlled Corporations, Government Financial Institutions except government banks):  BSP approval of the prepayment/payment of past due loans/borrowings for more than one (1) month. |
| 1. Short-term public sector loans/ borrowings under Section 23.2.b | 1. Proof of reporting to the BSP  (e.g., BSP acknowledgment letter); and 2. Billing statement from creditor or equivalent document. |

1. **For Servicing of Foreign Loans/Borrowings of the Private Sector**

| **Transaction** | **Documents Required** |
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| 1. BSP-approved and registered publicly-guaranteed private sector loans/borrowings under Sections 24.1 and 25.1; and BSP-registered private sector loans/borrowings that are not publicly-guaranteed under Section 24.2 | |
| 1. Regular amortization/payment | 1. Bangko Sentral Registration Document (BSRD)[[3]](#footnote-3); and 2. Billing statement from creditor or equivalent document.   Amounts that may be purchased shall be up to amounts maturing on scheduled due dates indicated in the BSRD. |
| 1. Prepayment 2. Past due [i.e., beyond original/amended due date duly approved/registered/noted by the BSP (as applicable)] | 1. BSRD3; and 2. For publicly-guaranteed private sector loans/ borrowings:    * 1. Prepayment: BSP approval for the prepayment      2. Past due for more than one (1) month:         1. Payment by the private sector borrower: BSP letter acknowledging receipt of the borrower’s notice of intent to pay past due accounts for more than one (1) month (indicating, among others, the following: name of creditor, BSP registration number for the loan, target date of repayment, and amount of principal to be repaid and related interest/ other fees/charges due in original currency and corresponding original due date based on the amortization schedule); or      3. Payment by the public sector guarantor (in case of call on the guarantee):  BSP approval; or 3. For private sector loans/borrowings that are not publicly-guaranteed: 4. BSP letter acknowledging receipt of the borrower’s notice of intent to prepay or pay past due accounts for more than one (1) month (indicating, among others, the following: name of creditor, BSP registration number for the loan, target date of prepayment/repayment, amount of principal to be prepaid/repaid and related interest/other fees/charges due in original currency and corresponding original due date based on the amortization schedule, and reason  for prepayment) |
| 1. Private sector foreign loans/borrowings (including those in the form of bonds/notes/ other debt instruments issued offshore) that are not publicly-guaranteed[[4]](#footnote-4) and  not covered by Section 24.3.a[[5]](#footnote-5) | |
| 1. Loans under Section 24.3.b – Foreign obligations of residents under deferred letters of  credit (LCs) or under documents against acceptance or open account (DA-OA) arrangements with a term of more than one (1) year that are not guaranteed by foreign governments/official export credit agencies (including prepayment) | 1. Proof of reporting to the BSP (e.g.,  BSP acknowledgment letter) or BSRD[[6]](#footnote-6); and 2. Billing statement from creditor or equivalent document [e.g., Certification from the creditor on outstanding principal amount payable (with due date)].   Amounts that may be purchased shall be up to amounts maturing on scheduled due dates as reported or registered. |
| 1. Loans under Section 24.3.c 2. Short-term trade loans of resident exporters/importers from OBUs 3. Short-term trade loans of resident exporters/importers from non-resident non-bank creditors that have been granted under BSP-reported lending programs |
| 1. Loans compliant with  Section 24.2 for payment of fees (excluding interest) prior to registration | * 1. Specific BSP letter-authority for the payment of fees; and   2. Billing statement from creditor or equivalent document/s [e.g., Certification from the creditor on the amount of fees due prior drawdown (with due date)]. |
| 1. Payments related to foreign loans of non-bank financial institutions with  quasi-banking functions that are not publicly-guaranteed | |
| 1. Regular amortization/payment | 1. Proof of reporting to the BSP  (e.g., BSP acknowledgment letter); and 2. Billing statement from non-resident creditor or equivalent document. |
| 1. Prepayments 2. Past due (i.e., beyond original/ amended due date duly noted by the BSP) for more than  one (1) month | * 1. BSP letter acknowledging receipt of the borrower’s notice of intent to prepay or pay past due accounts for more than  one (1) month (indicating, among others, the following: name of creditor, BSP registration number for the loan, target date of prepayment/repayment, amount of principal to be prepaid/repaid and related interest/ other fees/charges due in original currency, and reason for prepayment); and   2. Billing statement from non-resident creditor or equivalent document. |
| 1. Refund of unused foreign loan proceeds that were funded by inward remittance of FX that was converted to pesos through AABs | * 1. Contract/agreement covering the foreign loan;   2. Request from creditor for refund of the unused foreign loan proceeds; and   3. Certificate of inward remittance (CIR) of FX and conversion to pesos using the prescribed form (Appendix 10.1) or equivalent document/s issued by the receiving and/or converting bank. |

1. **For Payments related to Guarantees and Similar Arrangements [including Risk Take Over (RTO) arrangements]**

| **Transaction** | **Documents Required** |
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| 1. Payments under the guarantee | 1. For guarantees under Section 30.1:    1. BSP approval/registration of the guarantee or of the guaranteed foreign obligation (as applicable); and    2. Creditor’s call on the guarantee, or copy of billing statement/proof of peso receivables (e.g., guarantee fee) of the non-resident under the guarantee, or equivalent document (as applicable). 2. For guarantees under Section 30.2: 3. Proof of reporting to the BSP in the prescribed forms (e.g.,  BSP acknowledgment letter); and 4. (i) Guarantee agreement; and  (ii) Creditor’s call on the guarantee/ billing statement/proof of peso receivables (e.g., guarantee fee) of the non-resident under the guarantee, or equivalent document (as applicable). 5. For guarantees under Section 30.3: 6. BSP letter acknowledging receipt of the notice of the call on the guarantee  (as applicable); 7. Proof of compliance of the underlying transactions with applicable regulations on foreign loans/borrowings  (e.g., BSP registration document); and 8. (i) Guarantee agreement; and  (ii) Creditor’s call on the guarantee/ billing statement/proof of peso receivables (e.g., guarantee fee) of the non-resident under the guarantee, or equivalent document (as applicable). |
| 1. Guarantees or similar arrangements which may give rise to actual foreign obligations to non-residents under Section 30.4 | 1. BSP registration of the guarantee; and 2. Proof/notice of original obligor’s default or obligee’s call on the guarantee; or billing statement/proof of peso receivables  (e.g., guarantee fee) of the non-resident under the guarantee, or equivalent document (as applicable). |

1. **Other Financing Schemes/Arrangements**

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| **Transaction** | **Documents Required** |
| 1. Regular fees related to  Build-Operate-Transfer (BOT) and similar financing schemes with transfer provisions under  Section 31.1 | 1. BSRD3; and 2. Billing statement from the private sector project company/proponent or equivalent document. |
| 1. Peso-denominated bonds/notes and similar debt instruments issued offshore by non-residents (whether to be settled in peso or foreign currency) under Section 31.2 | 1. BSRD3. |

1. a) All purchases of FX must be accompanied by duly accomplished Application To Purchase   
   FX (Annex A).

   b) Please refer to Part I, Appendix 1 for the documentary requirements for sale of FX for settlement of foreign currency loans.

   c) For documents issued by the BSP, the following are the acceptable modes of submission by the   
   FX purchaser:

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   | BSP-issued documents | Acceptable mode of submission |
   | For documents issued in original hardcopy before 27 March 2020 | 1. Physical submission of original hardcopy; or 2. Electronic submission of same in .pdf format. |
   | For documents issued in electronic form starting 27 March 2020 | Electronic submission in .pdf format; or  Physical submission of the printed copy of same. |

   [↑](#footnote-ref-1)
2. Excluding sale of FX for servicing of foreign/foreign currency loans/borrowings and prepayments by government banks (e.g., Development Bank of the Philippines, Land Bank of the Philippines,   
   Al-Amanah Islamic Investment Bank of the Philippines) [↑](#footnote-ref-2)
3. BSP registration letter including attachments [↑](#footnote-ref-3)
4. As well as those that do not involve any exposure of a government-owned/controlled entity [↑](#footnote-ref-4)
5. For sale of FX for servicing of foreign currency loan from banks operating in the Philippines under Section 24.3.a. of the FX Manual, the minimum documentary requirements are shown in Appendix 1 of the FX Manual. [↑](#footnote-ref-5)
6. BSRD applies to loans that are not duly reported and were granted specific registration. [↑](#footnote-ref-6)