**Minimum Documentary Requirements[[1]](#footnote-1) for the Sale of Foreign   
Exchange (FX) Relating to Inward and Outward Investments**

1. **For Inward Investments by Non-Residents**

| **Purpose** | **Documents Required** |
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| 1. Capital Repatriation for Investments: | |
| 1. In instruments registered with the BSP under Section 36 | |
| 1. Assigned capital/operational working fund/contributed capital 2. Condominium 3. Capitalized expenses incurred by foreign firms | 1. BSRD[[2]](#footnote-2); 2. Supporting document/s (e.g., proof of sale, redemption or distribution of funds/assets, Deed of Sale/Contract to Sell with acknowledgment receipts/ proof of payment for the property sold) showing settlement amount/amount to be repatriated, number of shares/ capital contribution/assigned capital, investment identity and settlement date (as applicable); and 3. Computation of the peso amount to be converted to FX using the prescribed format (Annex N) |
| 1. Equity securities issued onshore by residents that are not listed at an onshore exchange | 1. BSRD2; 2. Supporting document/s (e.g., proof of sale, redemption or distribution of funds/assets) showing settlement amount/amount to be repatriated, number of shares/capital contribution/ assigned capital, investment identity and settlement date (as applicable); and 3. Computation of the peso amount to be converted to FX using the prescribed format (Annex N). |
| 1. Debt securities issued onshore by private sector residents that are not listed at an onshore exchange and not covered by the provisions of Part Three, Chapter I of the  FX Manual | 1. BSRD2; and 2. Supporting document/s (e.g., matured certificate, or proof of sale) showing settlement amount/amount to be repatriated, amount invested, number of shares, investment identity and settlement date (as applicable). |
| 1. Investment funds created onshore by residents | 1. BSRD2; and 2. Supporting document/s (e.g., matured certificate, or proof of sale) showing settlement amount/amount to be repatriated, amount invested, number of shares, investment identity and settlement date (as applicable). |
| 1. Philippine Depositary Receipts (PDRs) that are not listed at an onshore exchange | 1. BSRD2; and 2. Supporting document/s (e.g., broker’s invoice, proof of sale, or redemption) showing settlement amount/amount to be repatriated, number of shares/ amount invested, investment identity and settlement date (as applicable). |
| 1. Debt securities issued onshore by non-residents that are not listed at an onshore exchange | 1. BSRD2; and 2. Supporting document/s (e.g., matured certificate, or proof of sale) showing settlement amount/amount to be repatriated, amount invested, investment identity and settlement date (as applicable). |
| 1. Instruments issued by residents and non-residents which are not covered by Sections 33, 34 and the provisions of Part Three, Chapter I of the FX Manual (Loans/Borrowings and Guarantees), and not contrary to applicable laws, rules and regulations | 1. BSRD2; and 2. Supporting document/s (e.g., proof of sale) showing settlement amount/ amount to be repatriated, number of shares, investment identity and settlement date (as applicable). |
| 1. Instruments under Section 36.1 (a-g) used as collateral involving transfer of legal/beneficial ownership of the collateral to the non-resident investor | 1. BSRD2; and 2. Supporting document/s (e.g., covering agreement for the collateral arrangement, written notice of default as applicable) showing amount to be repatriated, number of shares, investment identity and settlement date (as applicable). |
| * 1. In instruments registered with the BSP through AABs under Section 37 | |
| 1. Debt securities issued onshore by the National Government and other public sector entities | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP[[3]](#footnote-3); or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., confirmation of purchase of the securities) showing settlement amount/amount to be repatriated, number of shares, investment identity and settlement date (as applicable). |
| * + 1. Equity securities issued onshore by residents that are listed at an onshore exchange | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP3; or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., broker’s invoice, proof of sale, or redemption) showing settlement amount/amount to be repatriated, number of shares/ amount invested, investment identity and settlement date (as applicable). |
| * + 1. Debt securities issued onshore by private sector residents that are listed at an onshore exchange and not covered by the provisions of Part Three, Chapter I of the FX Manual |
| * + 1. Exchange Traded Funds (ETFs) issued/created onshore by residents |
| * + 1. PDRs that are listed at an onshore exchange |
| * + 1. Peso time deposits with an AAB with a maturity of at least 90 days | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP3; or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., matured certificate for the 90-day time deposit). |
| * + 1. Equity securities issued onshore or offshore by non-residents that are listed at an onshore exchange | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP3; or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., broker’s invoice, proof of sale, or redemption) showing settlement amount/amount to be repatriated, number of shares/ amount invested, investment identity and settlement date (as applicable). |
| * + 1. Debt securities issued onshore by non-residents that are listed at an onshore exchange | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP3; or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., matured certificate, or proof of sale) showing settlement amount/amount to be repatriated, amount invested, investment identity and settlement date (as applicable). |
| * + 1. Instruments under Section 37.1 (a-h) used as collateral involving transfer of legal/beneficial ownership of the collateral to the non-resident investor | 1. In case the FX selling AAB is also the registering AAB: Proof of receipt of the report submitted by the registering AAB to the BSP3; or   In case the FX selling AAB is not the registering AAB: Letter Advice from the registering AAB; and   1. Supporting document/s (e.g., covering agreement for the collateral arrangement, written notice of default as applicable) showing amount to be repatriated, number of shares, investment identity and settlement date (as applicable). |
| * 1. Prior to 15 March 1973 | 1. BSRD; or 2. BSRDLA; or 3. Stock Transfer Agent’s Certification that the investment was made prior to 15 March 1973, or equivalent document. |
| 1. Remittance of related earnings on  BSP-registered investments of  non-residents | 1. For investments registered with the BSP under Section 36: BSRD2; or   For investments registered with the BSP through AABs under Section 37: Proof of receipt of the report submitted by the registering AAB to the BSP3 (in case the FX selling AAB is also the registering AAB) or Letter Advice from the registering AAB (in case the FX selling AAB is not the registering AAB);   1. Supporting document/s showing amount to be remitted (e.g., PSE Notice or Corporate Disclosure announcing the issuance of cash dividend, Secretary’s certificate on the Board Resolution covering dividend declaration or certification by the authorized officer/representative of the investee firm attesting to the share of the PDR holder in dividends/profits/earnings); and 2. For investments registered with the BSP under Section 36 - Computation of the peso amount to be converted to FX using the prescribed format ([Annex N](file:///C:\Users\IlaganJM\OneDrive%20-%20bsp.gov.ph\Desktop\Penalties%20comments%203rd%20round\Updating%20of%20FX%20Manual\(04)%20Circular%20and%20Attachments\as%20of%2028%20Oct\Links%20to%20Annexes%20to%20Cir%201389\Annex%20N.doc)). |

For investments registered under the old Central Bank Registration Documents, proof of Central Bank Registration may be submitted in lieu of the BSRD.

1. **For Outward Investments by Residents**

| **Purpose** | **Documents Required** |
| --- | --- |
| Outward investments by Philippine residents under Section 44 of the  FX Manual | 1. Certification by the resident investor on the actual cumulative FX purchases from AABs/AAB forex corps made within the calendar year for all investment instruments under Section 44 of the  FX Manual; or BSP letter[[4]](#footnote-4) acknowledging receipt of the investor’s notice on FX requirements exceeding the USD60 million threshold per investor per year; and 2. Document evidencing the investment[[5]](#footnote-5) or intended investment[[6]](#footnote-6) and amount to be invested. |

**III. For Other Transactions**

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| **Purpose** | **Documents Required** |
| 1. Outward remittance in equivalent FX of: (a) excess pesos that were funded by inward remittance of FX, computed as follows: peso proceeds of FX inward remittance less the peso amount actually used for onshore investment/s; plus (b) interest earned on the excess pesos, if any (Section 38.4) | 1. Certificate of inward remittance of FX and conversion to pesos in the prescribed form (Appendix 10.1 of the FX Manual) or equivalent document/s issued by the receiving and/or converting bank; 2. Proof of investment onshore showing utilization of not less than 50 percent of total peso proceeds, net of charges,  if any; or proof of disapproved subscriptions or oversubscriptions/ erroneously remitted funds/similar cases, as applicable; 3. Document evidencing request by  non-resident investor for the return of excess uninvested funds and amount involved (e.g., swift message/letter); and 4. For interest earned on the excess pesos, certification from the depository bank on the amount of interest earned on such excess/unutilized peso funds for outward remittance (as applicable), or equivalent document. |
| 1. Refund of taxes or erroneously withheld taxes related to BSP-registered investments | 1. BSRD2; and 2. Proof of refund of taxes or erroneously withheld taxes |
| 1. Settlement of FX obligations/ payables of residents to non-resident investors relative to FX-denominated equity and debt securities issued by residents that are not covered by the provisions of Part Three, Chapter I of the FX Manual (Loans/Borrowings and Guarantees) | Proof of FX obligations/payables indicating, among others, amount to be paid by resident issuers. |
| 1. Remittance in equivalent FX of peso proceeds from onshore sale by  non-resident issuer of their equity and debt securities under Section 34 | Proof of onshore sale in pesos by the  non-resident issuer of their equity and debt securities indicating, among others, amount received by the non-resident issuer. |

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

   b) For documents issued by the BSP/registering AABs, 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 by the BSP and registering AABs 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 by the  BSP in electronic form starting  27 March 2020 | Electronic submission in .pdf format; or  Physical submission of the printed copy of same. |
   | For documents issued by the registering AABs in original hardcopy/electronic form starting  27 March 2020 | For those issued in original hardcopy:  1. Physical submission; or 2. Electronic submission of same in .pdf format. For those issued in electronic form:  1. Electronic submission in .pdf format; or 2. Physical submission of the printed copy of same. |

   [↑](#footnote-ref-1)
2. Including transmittal letter and attachment/s (as applicable) in case of BSRDs issued by the BSP   
   in electronic form starting 27 March 2020 [↑](#footnote-ref-2)
3. Issued by the BSP-International Operations Department (IOD) starting from the date of issuance of Circular No. 1192 [↑](#footnote-ref-3)
4. Including duly accomplished Notice to the BSP on Residents’ Foreign Exchange Purchases (Annex U) [↑](#footnote-ref-4)
5. e.g., Swift payment order instruction from the counterparty/broker/trader indicating the name of payee and type/kind of investment, authenticated by the broker/trader (for instruments purchased offshore); or Proof of purchase of the debt securities by the resident client, namely: deal ticket,   
   bank’s confirmation of sale, client’s letter of instructions indicating intent to purchase the securities and other details of the transaction [↑](#footnote-ref-5)
6. e.g., Investment proposal or agreement/subscription agreement/Deed of Sale or Assignment of the Investments/bond or stock offering/signed loan agreement or equivalent signed document/  
   Contract to Sell covering a sale of real property abroad; or investor’s order/letter to broker/trader/bank to purchase instruments (such as investments in debt and equity securities, as well as depositary receipts, MFs and UITFs) [↑](#footnote-ref-6)