



Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION



FDA CIRCULAR
No. 2017-008

25 AUG 2017

TO : ALL CONCERNED STAKEHOLDERS

SUBJECT : Guidelines on the Requests for Transfer of Payments Made to the Food and Drug Administration Offices

1. BACKGROUND

The Food and Drug Administration (FDA), in the exercise of its functions, issues licenses, permits, and certifications to establishments engaged in the manufacture, distribution, trade, and/or sale of health products and for products that are placed in the market. These services involve the consumption of resources that entail cost and expenditure to the agency. As such, the agency uses charges and fees to fund its services. In cases where there are overpayments or erroneous payments made by a client due to circumstances beyond their control, the agency shall provide opportunities to transfer payments made.

2. OBJECTIVE AND SCOPE OF APPLICATION

This Order aims to guide all concerned stakeholders on requests for the transfer of payments made in all FDA Offices (i.e. Alabang Central Office, Regional Field Offices, and Satellite Laboratories) and authorized payment channels for services rendered by the agency.

3. GUIDELINES

- 3.1. Requests for the transfer of payment made shall be granted only upon just and valid causes, in no case shall the request be granted if the cause of the wrong payment was due to the fault or negligence of the payor.
- 3.2. Transfer of payments shall be reviewed, verified, and granted by the office of the Administration and Finance Service (AFS).
- 3.3. Payments may only be transferred to transactions under the same Center or Office concerned where the subject payment was made for.
- 3.4. Requests for transfer of payment must be made within ninety (90) days from the payment, otherwise the payment shall be deemed forfeited.
- 3.5. The transfer request must pertain to a specific receipt. Only one request per receipt shall be entertained.
- 3.6. Payment covered by a receipt may only be transferred once to an application of an equal amount or less. The excess, if any, shall be forfeited.
- 3.7. A single Transfer Transaction may also be made in favor of multiple applications, provided that if the subject payment is insufficient, additional payment shall first be made in order to cover the insufficiency. In this case, only a one time transfer shall be allowed
- 3.8. No transfer shall be made where the request is made to circumvent the procedures of the FDA or where the request is made with intent to defraud. At any rate, payment made through a transfer request shall be dated at the time the request is granted by the AFS.



4. PROCEDURE

- 4.1. Requests for transfer of payments shall be through a letter directed to the AFS Director.
- 4.2. Transfer requests shall be coursed through the Food and Drug Action Center (FDAC), formerly known as the PAIR unit.
- 4.3. The request shall contain a narration of the events necessitating the transfer of payment or a valid justification for the grant thereof with the inclusion of all relevant evidence including proof of payment.
- 4.4. Validity of claims shall be verified by the Accounting Division of the AFS through a checklist duly accomplished by the concerned Office/Center. The request shall be approved or disapproved by the AFS Director based on the verification of the Accounting Division.
- 4.5. In the event of approval of the request, the approval shall be forwarded to the cashier for the facilitation of the transfer.

5. SEPARABILITY CLAUSE

In case any section or provision of this Order or any part thereof, or the application of such section, provision or portion shall be declared invalid, the validity of the remaining provisions of this Order shall not in any way be affected or impaired thereby.

6. REPEALING CLAUSE

Any other order, memorandum, issuance, rule and regulation which are inconsistent with the provisions of this Order is hereby modified or repealed accordingly.

7. EFFECTIVITY

This Order shall take effect immediately.


NELA CHARADE G. PUNO, RPh
FDA Director General ✓