

Name of State or territorial unit: ^{2[1]} PHILIPPINES

For the purpose of the 13 to 15 February 2023 meeting of the EG, Members are invited to report on consideration given to and / or implementation of the following arrangements in their jurisdiction:

- a. Developments in general regarding the international transfer of maintenance funds:

The DSWD as the designated Philippine Central Authority is in the process of crafting guidelines regarding the implementation of the 2007 Convention on Child Support including guidance on international transfer of maintenance funds in coordination with other relevant government agencies and stakeholders.

Aside from the crafting of internal guidelines and as a way forward, the DSWD also will forge partnership between and among the government agencies and other partner stakeholders to effectively implement the mode of payment under the international transfer of maintenance fund.

^{2[1]} In this questionnaire, references to the term "State", where relevant, are to be considered as also applicable to a territorial unit.

b. Elimination of the use of cheques (see Report and C&R 2022 No 1)

Not being considered. Please explain:

Use of cheque as a negotiable instrument is not restricted in the Philippines. The Central Authority may encourage the debtor to use any other mode of payment to the creditor such as bank to bank transactions or through financial service providers within and outside the Philippines. However, it does not preclude the debtor to use the cheque payment.

Is being considered. Please explain:

Has already been implemented. Please explain:

c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see Report and C&R 2022 Nos 2 and 10)

The Central Authority will further study this initiative.

Not being considered. Please explain:

Is being considered. Please explain:

Has already been implemented. Please explain:

d. Solutions where creditors would not bear the costs related to the transfer of funds (see Report and C&R 2022 Nos 2 and 11)

Not being considered. Please explain:

Is being considered. Please explain:

We support the preposition for the debtor to shoulder the cost and other expenses related to the transfer of funds to the creditor provided it is indicated in the court decision or any other communication from the originating central authority.

Has already been implemented. Please explain:

The Philippines has just started implementing the 2007 Convention on Child Support, thus no record yet regarding the costs related to the transfer of funds from debtor to creditor.

e. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see Report and C&R 2022 No 3)

Not being considered. Please explain:

The various banks and financial institutions in the Philippines have their own rules and regulations regarding transfer fees and as its amount that the Central Authority needs to adhere with. In addition, the PH Central Authority has no budget line item to cover the payment of transfer fees from the debtor to the creditor.

- Is being considered. Please explain:
 - Has already been implemented. Please explain:
- f. Requesting Central Authority providing confirmation to the requested Central Authority that the amounts received are the same as the amounts sent and, where applicable, information on the reasons for any difference (see Report and C&R 2022 No 3)

NOTE:

The Philippines has just started implementing the 2007 Convention on Child Support, thus no record yet regarding the consistency of amount sent by the debtor and the amount received by the creditor.

- Not being considered. Please explain:
 - Is being considered. Please explain:
 - Has already been implemented. Please explain:
- g. Establishment of a centralised point (e.g., bank account, central bank) for international transfers dedicated to both incoming and outgoing transfer of funds (see Report and C&R 2022 Nos 4 and 5)

- Not being considered. Please explain:**

There are limitations to the government agencies regarding establishment of centralized points or bank accounts for international transfers. The individual bank accounts of the clients shall be used in every transaction relative to the transfer of funds from debtors to creditors.

- Is being considered. Please explain:
- Has already been implemented. Please explain:

- h. Use of the possibilities afforded by the *Universal Postal Union Postal Payment Services Agreement* of 6 October 2016 (see Report and C&R 2022 No 4)

- Not being considered. Please explain:

- Is being considered. Please explain:**

The PH Central Authority will possibly use the Universal Postal Union Postal Payment Agreement since this has worldwide coverage and the combination of electronic, financial and physical dimensions, ensures that all citizens of the world have access to efficient, reliable, secure and affordable electronic payment services. In this digital era, the PH Central Authority welcomes innovation and any development that addresses the difficulty in transferring funds from one source to another.

- Has already been implemented. Please explain:

- i. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see Report and C&R 2022 No 5)
 - Not being considered. Please explain:**

Due to limited funds and other resources, this may not yet be considered by the Central Authority as of the moment.
 - Is being considered. Please explain:
 - Has already been implemented. Please explain:

- j. Implementation of payment transfer monitoring systems (see Report and C&R 2022 No 6)
 - The Central Authority will further study this initiative.**
 - Not being considered. Please explain:
 - Is being considered. Please explain:
 - Has already been implemented. Please explain:

- k. Implementation of unique case references, known to both the requesting and requested States, attached to each transfer of funds (see Report and C&R 2022 No 7)
 - Not being considered. Please explain:
 - Is being considered. Please explain:

The implementation of unique case reference known to both the requesting part and requested States will be considered in the development of the database.
 - Has already been implemented. Please explain:

- k. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see Report and C&R 2022 No 8)
 - The Central Authority will further study this initiative.**
 - Not being considered. Please explain:
 - Is being considered. Please explain:
 - Has already been implemented. Please explain:

l. Provision of information about international banking to creditors and debtors (see Report and C&R 2022 No 12)

Not being considered. Please explain:

Is being considered. Please explain:

The Philippine Central Authority will provide information whenever necessary to the creditors and debtors relative to the information about international banking. Possible partnership with the banking institutions and other Financial Service Providers will also be considered to have comprehensive information about this matter.

Has already been implemented. Please explain:

m. Implementation of a legal framework enabling the Central Authority, acting both as requesting and requested Central Authority, to handle the transfer of funds – or at least major parts of the process – in as automated a manner as possible (see Report and C&R 2022 No 13)

Not being considered. Please explain:

The DSWD as the Central Authority has no authority to handle the transfer funds of the debtor and creditor in relation to child support. The funds should be through their respective individual bank accounts or in any manner that will be agreed upon by both the debtors and the creditors.

Is being considered. Please explain:

Has already been implemented. Please explain:

n. Implementation of an arrangement with banks that are transparent in relation to their fees and / or are part of the SWIFT Global Payment Initiative (GPI) (see Report and C&R 2022 No 14)

The Central Authority will further review this initiative.

Not being considered. Please explain:

Is being considered. Please explain:

Has already been implemented. Please explain:

o. Would your State consider contributing to iSupport ITMF in terms of expertise and experience?

The Philippines has just started implementing the 2007 Convention on Child Support, the Central Authority will further review this initiative.

Yes

No

- p. Any other developments in your State including bilateral solutions put in place between States and ongoing trials between States:

The Philippines has just started implementing the 2007 Convention on Child Support, thus no record yet regarding bilateral solutions with other States. As way forward, we will explore having the bilateral agreement with the countries with high cases of child support.

Thank you!