

MCC TAX AND OTHER RELEVANT UPDATES

Period Covered: August 2024



MORFE, CENETA & CO.
CERTIFIED PUBLIC ACCOUNTANTS

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IMPORTANT UPDATES:

A. REVENUE REGULATIONS		
ISSUANCE	DATE ISSUED	SUBJECT
RR No. 14-2024	August 14, 2024	Topic: Tax Administration Rules and regulations governing the modes of disposition of seized/forfeited articles in line with Section 130, 131 and 225 of the National Internal Revenue Code of 1997, as Amended
RR No. 15-2024	August 15, 2024	Topic: Tax Administration Prescribing policies and guidelines in the mandatory registration of persons engaged in business and administrative sanctions and criminal liabilities for non-registration
B. REVENUE MEMORANDUM CIRCULAR		
RMC No. 87-2024	August 7, 2024	Topic: Tax Administration Frequently asked questions relative to the filing of tax returns and payment of taxes pursuant to Revenue Regulations No. 4-2024, Implementing the Provisions of Republic Act No. 11976, Otherwise Known as "Ease of Paying Taxes (EOPT) Act"
RMC No. 89-2024	August 13, 2024	Topic: Tax Treatment Clarifying the taxability of income derived by Local Government Units engaged in proprietary functions
RMC No. 91-2024	August 14, 2024	Clarification on Registration Procedures Pursuant to Revenue Regulations No. 7-2024, as amended by Revenue Regulations No. 11-2024
RMC No. 92-2024	August 27, 2024	Topic: Tax Administration Guidelines on the Proper Sale and Affixture of Loose Documentary Stamps to Taxable Documents
RMC No. 95-2024	August 29, 2024	Topic: Tax Administration Clarifying certain issues on the filing of monthly Documentary Stamp Tax Declaration by Electronic Documentary Stamp Tax (eDST) taxpayers using BIR Form No. 2000 v 2018 pursuant to RMC No. 48-2024

RMC No. 96-2024	August 29, 2024	Topic: Tax Administration Amending certain provisions of RMC No. 5-2001 on the grounds and procedures for the implementation of Section 206 of the Tax Code on 1997 on Constructive Dstraint
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DISCUSSION OF UPDATES

A. REVENUE REGULATIONS

REVENUE REGULATIONS 14-2024

The Bureau of Internal Revenue has issued Revenue Regulations 14-2024 which **prescribes the procedures to be followed in the disposition of seized and forfeited assets under Section 130, 131, and 225 of the National Internal Revenue Code, as amended.**

Section 131 of the NIRC provides the obligation of the importer or owner of imported goods to settle the excise tax due therefrom before the release of the imported goods can be had. While Section 225 of the same Code prescribes as to when the destruction or sale of imported goods can be effected.

In line with these provisions, the Bureau of Internal Revenue has classified confiscated articles or imported goods as follows:

- **Injurious to Public Health** – refers to articles that pose a threat or harm to the well-being of persons, encompassing physical health risk such as illness, injury or disease.
- **Prejudicial to the enforcement of the law and other regulated articles** – refers to articles that obstruct or undermine the effective implementation of tax laws and revenue issuances. These include articles that facilitate evasion of taxes or impede the implementation of laws and revenue issuances.

These items categorized as either of the two can be disposed in any of the following manner:

- Public Auction
- Negotiated or Private Sale
- Official Use of the BIR
- Donation
- Destruction

You may refer to this link for complete details: [RR No. 14-2024.pdf \(bir.gov.ph\)](#)

REVENUE REGULATIONS 15-2024

Pursuant to the requirement of registration under Section 236(A) of the National Internal Revenue Code, as amended, the Bureau of Internal Revenue has issued this Revenue **Regulations to mandate the registration of persons, both juridical and natural, engaged in the following businesses to register:**

- a. Sale and/or lease of goods and services through brick-and-mortar stores

- b. E-commerce or online businesses, whether formal or informal, including, but not limited to sale, procurement or availment of physical or digital goods (including virtual items in online games), digital content products, digital financial services, entertainment services, social commerce, on demand labor and repair services, and property and space rentals
- c. Operation of digital platforms, including e-marketplace platforms;
- d. Sale and/or lease of goods and services through digital platforms
- e. Digital content creation and streaming that are income generating including, but not limited to, online advertising, blogging/vlogging, subscription or commission;
- f. E-retailing of goods and services;
- g. Sale of creative or professional services, on demand or freelance services or digital services supplied over the internet; and
- h. Other forms of business other than those mentioned above which are conducted online.

In registering with the Bureau of Internal Revenue, the following are the guidelines:

- A person engaged in the sale and/or lease of goods and services through Brick-and-Mortar stores shall register its head office, facility, and branch at the BIR district office having jurisdiction over the place of their respective business address.
- A person operating an online store or an online store for its physical store shall register its Store Name with the BIR as an additional "business name" attached to the head office or branch managing or operating said online store or business and shall not be registered as branch.
- A person engaged in the sale and/or lease of goods and services, through website, webpage, page, platform or application who do not have a Brick-and-Mortar Store shall register at the BIR district office having jurisdiction over the place of residence for individuals or principal place of business registered with the Securities and Exchange Commission for juridical entities.

All businesses shall now be required to always post the Certificate of Registration / Electronic Certificate of Registration in the place of business of the Company and on the webpage.

All businesses which fail to register with the BIR shall be taken down until it has rectified, and the person fully complied with all the requirements prescribed by the Commissioner of Internal Revenue or any of his/her duly authorized representative/s following the procedure under the existing laws, rules and regulations.

Equally, Lessors, Digital Platforms, including e-marketplaces shall have the following obligations:

- Ensure that all their respective lessees and online sellers or merchants are duly registered with the BIR, with TIN and compliant with the invoicing requirements;
- Prohibit sellers without the required BIR COR/Ecor

This Revenue Issuance likewise prescribed the amount of compromise penalty for failure to register among others.

Nature of Violation	Tax Code Provision	Amount of Compromise Penalty
Late registration – voluntary registration	Sec. 275	P1,000
Failure to register store name or business name	Sec. 275	P1,000.00 per business name or store name
Failure to post COR/ECOR on the place of business or website, webpage, account, page, platform, or application	Sec. 275	P1,000.00 for every violation per business name or store name
Allowing lessees or online seller/merchants to use to engage	Sec. 253 in relation to Sec. 258	20,000.00*** for each branch/store/establishment

in business the premises or digital platform without BIR registration		*** Penalty of lessor/digital platform/e-marketplace
Failure to obey or refusal to comply with the Closure/Takedown Order	Sec. 258	P20,000.00
Failure to Register Head Office or Branch – if the business or self-employed is discovered through various means, including: <ul style="list-style-type: none"> - During Tax Compliance Verification Drive - Ocular Inspection or mission order - Upon BIR notification to register - Through third-party reports 	Sec. 258	Medium and Large Taxpayer – Php20,000.00 Small Taxpayer – P15,000.00 Micro Taxpayer – P5,000.00 Business subject to excise tax – P50,000.00

You may refer to this link for complete details: [RR No. 15-2024.pdf \(bir.gov.ph\)](#)

B. REVENUE MEMORANDUM CIRCULAR

REVENUE MEMORANDUM CIRCULAR 87-2024

The Bureau of Internal Revenue has issued Revenue Memorandum Circular 87-2024 answering the **frequently asked questions relative to the filing of tax returns and payment of taxes** under Section 3 of Revenue Regulations 4-2024 which implements the provision of Ease of Paying Taxes Act.

Q1: Are existing revenue issuances mandating certain taxpayers to use Electronic Filing and Payment (EFPS) repealed by Section 3 RR No. 4-2024?

A1: No. The provisions of Section 3 of Revenue Regulations 4-2024 do not repeal the existing issuances that mandate certain taxpayers to file and pay through the Electronic Filing and Payment System (EFPS). Thus, taxpayers enrolled in the EFPS shall continue using it and may only use EBIRForms only if there is an advisory as to its unavailability.

For those who have not enrolled through the EFPS, although mandated to do so shall now have the option under the new issuance to use EBIRForms facility for them to comply with the electronic filing of tax returns.

Manual Filing is allowed only upon unavailability of all electronic platforms.

Q2: Instances when those mandated to file returns electronically may do it manually?

A2: The following are the instances:

- When there is an advisory on the unavailability of the system;
- When the tax return is not yet available in any of the electronic platforms;
- When there is justifiable reason as may be determined by the Commissioner of Internal Revenue or his authorized representative.

Q3: In case of notice of unavailability of the system (filing/payment), are taxpayers required to manually file their returns and pay the taxes due therefrom anywhere?

A3: Yes. Taxpayers who are mandated to use either the EFPS and EBIR are allowed to file their returns manually and pay the tax due anywhere in case of system unavailability. This can be paid through any Revenue Collection Officer (RCO) or Authorized Agent Bank (AAB).

It must be reminded that for cash payment, RCOs are only allowed to accept to a maximum of Php20,000.00. No limit as to check payment.

Q4: How can the attachments to tax returns be submitted considering that the returns are to be filed electronically?

A4: The attachments are to be submitted either through Electronic Audited Financial Statements (EAFS) or e-submission facility whichever is applicable. In case of unavailability, it may be submitted manually.

Q5: What are the documents that shall be submitted through the EAFS and e-submission facility?

A5: Please refer to Annex "A" of Revenue Memorandum Circular 87-2024

ANNEX "A"

No.	Nature of Documents (Only those applicable to the respective taxpayer)	Manner of Submission	
		Financial Statement (eAFS)	e-Submission Facility
1	Audited or unaudited Annual Financial Statement (AFS)	✓	
2	Notes to AFS	✓	
3	Alphabetical List of Employees/Payees from whom taxes were withheld (ALPHALIST) – BIR Form Nos.: 1604C, 1604E, 1601EQ, 1601FQ, 1600		✓
4	Summary List of Sales (SLS)		✓
5	Summary List of Purchases (SLP)		✓
6	BIR Form No. 2304	✓	
7	BIR Form No. 2307	✓	
8	BIR Form No. 2316	✓	
9	BIR Form No. 1606	✓	
10	Summary ALPHALIST of Withholding Tax (SAWT)		✓
11	Validation Report From eSubmission (SAWT)	✓	
12	Certificate of Compensation	✓	
13	Duly Approved Tax Debit Memo (if applicable)	✓	
14	Proof of Foreign Tax Credits (if applicable)	✓	
15	Proof of prior year's excess credits (if applicable)	✓	
16	Proof of other tax payments/credit (if applicable)	✓	
17	Filing Reference Number (FRN) as proof of eFiling in the eFPS (for eFPS Users/Filers)	✓	
18	Tax Return Receipt Confirmation as proof of eFiling in the eBIRForms (for eBIRForms Users/Filers)	✓	
19	Proof of Payment/Acknowledgement Receipt of Payment	✓	
20	Certificate of Independent CPA duly accredited by the BIR	✓	
21	Statement of Management Responsibilities (SMR)	✓	

Q6: With the removal of the 25% surcharge for "wrong venue" does it mean manual payment to AABs outside the Revenue District Office where the taxpayer is registered is not subject to surcharge?

A6: Yes. The 25% is no longer imposed.

Q7: What are the available electronic payment (Epay) gateways that taxpayers can use in the payment of their taxes aside from EFPS?

A7: The following are the epays for tax payment:

- Land Bank of the Philippines (LBP) Link.Biz Portal* – for taxpayers who have ATM account with LBP and/or holders of BancNet ATM/Debit/Prepaid Card or taxpayer utilizing PESONet facility for depositors of AUB, BPI, PSBank, RCBC, Robinsons Bank and Union Bank;
- Development Bank of the Philippines (DBP) Pay Tax Online* – for holders of Visa/MasterCard Credit Card and/or BancNet ATM/Debit Card
- Union Bank of the Philippines (UBP) Online / The Portal Payment Facilities* – for taxpayers who have an account with UBP or InstaPay using UPAY facility (for individual non-account holder of UnionBank); or
- Tax Software Provider:*
 - MyEG [using credit cards or electronic wallets (e-wallets) such as GCash, Maya, GrabPay or ShopeePay]
 - MAYA – (Mobile Application)

Q8: In using eFPS for the payment of taxes, is opening a bank account necessary?

A8: Yes. Opening a bank account is necessary to pay the tax due electronically.

Q9: How can taxpayers file their tax returns and pay the corresponding taxes due electronically?

A9:

A. EFPS

Taxpayers required to use or voluntarily opt to enroll in the EFPS shall file the tax return/payment form electronically and pay the corresponding taxes due thereon through EFPS. Taxpayers enrolled in the EFPS must enroll and maintain an EFPS-AAB account.

B. eBIRForms or TSP

Taxpayers may file the tax return/payment form electronically thru eBIRForms or TS and pay the corresponding taxes due thereon electronically through the same TSP or any of the abovementioned Epay gateways.

Annex "B"

Name of Software Solution	Tax Software Provider	Certified BIR Forms under the Tax Software Provider
ETAX PH	AKTUS GLOBAL MANAGEMENT INC.	2551M AND 2550Q
ANANTAKS	ANANTA SOLUTION CORP	2550M, 2550Q, 1701A, 2551v2018, 0619E, 1604E, 1601EQ, 1701v2018
TAXWHIZPH	ASIAN CONSULTING GROUP INC.	1701A
TAXISTA	CARL PATRICK E. CUBILLAS	2550M, 2550Q
ETAXPOINT BOOKKEEPING EDITION	ETAXPOINT SOFTWARE SOLUTION CORP	2550M, 0619E
MPM ACCOUNTING SOFTWARE	MPM CONSULTING SERVICES INC.	0619E, 1601EQ, 2551Qv2018
MYTAXWHIZPH DIGITAL SOLUTION INC.	MYTAXWHIZPH DIGITAL SOLUTION INC.	1701A
EPAYTAX	PILIPINAS MICRO-MATRIX TECH. (PMT JOINT VENTURE) INC	1601EQ, 1606, 0619E, 0619F, 1604CF, 1604E, 2550M
PMTI PAYTAX		2550Q, 0619E
TAXUMO, WWW.TAXUMO.COM	TAXUMO INC	0619E, 1601EQ, 1604E, 1700v2018, 1701A, 1701v2018, 2550M, 2550Q, 2551Qv2018
JUANTAX	TEN ELLEVEN MANILA INC.	1606, 1706, 0619E, 0619F, 1601EQ, 1601FQ, 1700v2018, 1701A, 1701v2018, 1702EX, 1702MX, 1702RT, 2550M, 2550Q, 2551M, 2551Qv2018
WYVERN-ONETT	WYVERN CORP.	1800v2018, 1706, 1606, 2000OT
YAHSHUA TAX ONLINE	YAHSHUA SYSTECH CORP.	0619E

Q10: If not yet enrolled in EFPS, how can mandated taxpayers file returns and pay their taxes?

A10: Mandated taxpayers who are not yet enrolled in EFPS shall e-file the return through eBIRForms and pay the tax due thereon either through EPAY facility or manually through RCO or AAB until the EFPS and EFPS-AAB has been approved.

Q11: Are there still cases where Banks receive late-filing and payment?

A11: Yes. There are still cases of late filing and payment of taxes. Taxpayers shall proceed to the RDO for computation of penalties and pay their taxes due to any AAB.

Q12: What are the guidelines in the filing of BIR Form No. 0605?

A12:

a. With previous tax computation

The said form can be filed and paid electronically through electronic platforms and epay gateways.

b. Computations needed

Proceed to any RDO for assistance. The collection personnel shall guide the taxpayers who opt to file the return electronically through e-lounge facility, even without the approval/ signature of the concerned official and inform them to pay the corresponding taxes due electronically through the e-pay gateways or pay manually to the respective RCO or the nearest AAB.

Q13: Are there any guidelines to be observed in the issuance of check as mode of payment of tax due?

A13: Yes.

- For “check” to be tendered to an AAB, the taxpayer shall indicate in the space provided for after the phrase **“PAY TO THE ORDER OF”** the following data:
 - Presenting or collecting bank or the bank where the payment is to be coursed;
 - FAO (for the account of) Bureau of Internal Revenue under the ***Account Name***
 - The Taxpayer’s Name and Taxpayer Identification Number (TIN)
- For “Manager’s Check” or “Cashier’s Check” the issuing bank shall indicate on the space for after the phrase **“PAY TO THE ORDER OF”** the following data
 - Presenting or collecting bank or the bank where the payment is to be coursed;
 - FAO (for the account of) Bureau of Internal Revenue under the ***Account Name***
 - The Taxpayer’s Name and Taxpayer Identification Number (TIN)
- If the check shall be paid through RCO, the taxpayer shall indicate in the space provided after the phrase **“PAY TO THE ORDER OF”** the **“Bureau of Internal Revenue”**

Q14: If the receiving AAB’s system is offline or unavailable, can taxpayer transfer to another AAB branch even if the name of the receiving AAB branch is already indicated on the check for payment of taxes due?

A14: Yes. Taxpayers may transfer to another AAB branch, provided that the branch is the same AAB. However, taxpayers should write legibly at the back of the check the following:

- Name of the receiving branch
- Name of taxpayer
- TIN

You may refer to this link for complete details: [RMC No. 87-2024.pdf \(bir.gov.ph\)](#)

REVENUE MEMORANDUM CIRCULAR 89-2024

The Bureau of Internal Revenue has issued Revenue Memorandum Circular 89-2024 which **clarifies the taxability of Local Government Units which performs proprietary functions similar to business, industry or activity as performed by other ordinary taxable corporations and not related to performing an essential government function.**

“Government Function” is defined as functions of a municipal corporation or a local government unit which are conferred or imposed upon it as a local agency that are essential to its existence in the sense of serving the public and which has for its objective the promotion or advancement of the public health, safety, morals, general welfare, security, prosperity and contentment of the inhabitant or in the performance of a duty imposed by sovereign power.

“Proprietary Functions” refers to those that are undertaken only by way of advancing the general interest of society, and merely optional on the government.

Accordingly, the income of the local government units performing proprietary functions not related or essential to performing an essential government function shall be subject to the following tax, to wit:

- a. Income Tax including passive income
- b. Withholding Tax
- c. Value-Added Tax
- d. Other Percentage Taxes
- e. Documentary Stamp Tax

You may refer to this link for complete details: [RMC No. 89-2024.pdf \(bir.gov.ph\)](#)

REVENUE MEMORANDUM CIRCULAR NO. 91-2024

The Bureau of Internal Revenue has issued Revenue Memorandum Circular 91-2024 which makes certain clarifications on the registration procedures pursuant to Revenue Regulations 7-2024 as amended by Revenue Regulations 11-2024.

Q1: Who are those required to register with the BIR and when is the period to register?

A1: Every person subject to internal revenue tax shall register with the BIR either electronically or manually as follows:

- a. **Self Employed individuals, estates and trusts, corporations and their branches, if any** – On or before the commencement of business
- b. **Corporations (Taxable/Non-Taxable)/ One Time Transaction (ONETT)** – Before payment of any tax due.
- c. **Corporations, Partnerships, Associations, Cooperatives, Government Agencies and Instrumentalities** – Before or upon filing of any applicable tax return, statement or declaration as required by the Tax Code
- d. **Employees** – within 10 days from the date of employment
- e. Application under Executive Order (EO) No. 98 series of 1999.

Q2: What are the different ways to register with the BIR?

A2:

- a. Manually at the RDO
- b. New Business Registration (NewBizReg) Portal
- c. Taxpayer Registration Related Application (TRRA) Portal
- d. Philippine Business Hub
- e. Online Registration and Update System

Q3: What is the reckoning period for commencement of business?

A3: Commencement of business shall reckon:

- a. When the first sale transaction occurred
- b. Upon the lapse of thirty (30) calendar days from the issuance of Mayor's Permit, PTR, OTR, DTI Certificate or the Certificate of Incorporation issued by the SEC whichever comes first.

Q4: What should the taxpayer register and in what manner?

A4: Taxpayers shall be registered at the appropriate RDO based on his/her/ its taxpayers type.

Q5: I am an employer, and I have foreign national employees who are still securing their work and employment permits. How will they be registered with the BIR?

A5: Foreign nationals who are securing work and employment permits shall be registered with the Bureau of Internal Revenue following the policies and guidelines prescribed in Revenue Memorandum Circular 28-2019

Q6: I am registering with ORUS when I experience error, can I do it manually instead?

A6: Yes, by presenting a proof of error or technical issue except when the BIR announces through advisory in which case proof is no longer required. The taxpayer may also use the BIR's NewBizReg or TTRA portal if the transaction is available therein.

Q7: I am an online seller. Do I need to post my Certificate of Registration (COR)? If yes, where will I post it?

Physical Store – In the conspicuous place in the business establishment

Online Seller – electronic copy of the COR shall be posted in the website or profile at the e-commerce platform

No fixed place of business – the COR/ECOR shall be kept in possession of the holder thereof or the at place of residence or the head office's address.

Q8: As an online seller, do I need to register to the BIR my store name as reflected in the online page, account, website or e-commerce platform where I sell my products/services?

A8: Yes, taxpayers engaged in business shall register with the BIR all of their business/trade names as registered in SEC or DTI, and declare their store names used in all their online page, account, website or e-commerce platforms which shall be reflected as business names in the COR.

Q9: Do I still need to pay the Annual Registration Fee of Php500.00

A9: No.

Q10: My COR still reflects the Annual Registration Fee, do I need to replace it?

A10: No. It remains to be valid even not replaced.

Q11: How will I register my books of accounts?

A11: Books of Accounts shall be registered via ORUS.

Q12: In relation to Question No. 11, if I register the Books via ORUS, what is the proof? Do I still need to go to RDO?

The ORUS shall release a QR Code to be pasted in the books of accounts. No need to go to the RDO.

Q13: How will I transfer my registration to another RDO?

A14: By mere filing or submission of application using the BIR Form 1905 with complete documentary requirements.

Q14: How will I close my business?

A14: By mere filing of application using BIR Form 1905 with complete documentary requirements.

You may refer to this link for complete details: [RMC No. 91-2024.pdf \(bir.gov.ph\)](https://www.bir.gov.ph/rmc-no-91-2024-pdf)

REVENUE MEMORANDUM CIRCULAR 92-2024

The Bureau of Internal Revenue has issued Revenue Memorandum Circular 92-2024 dated 27 August **2024 as guidelines for the proper sale and affixture of loose documentary stamp tax to taxable documents**. The loose documentary stamps are not applicable to be issued in the following transactions:

- a. One-Time Transactions (ONETT)
- b. Taxable documents issued in the regular operations of mandated taxpayers-users of the EDST system of the BIR
- c. Certificates covered by the CS/RS under Revenue Regulations 2-2023

The loose documentary stamps shall only be sold by the authorized Specialized Revenue Collecting Officers (SRCO) or Revenue Collection Officers (RCO) assigned in the National Office and the Regional District Office.

You may refer to this link for complete details: [RMC No. 92-2024.pdf \(bir.gov.ph\)](https://bir.gov.ph/rmc-no-92-2024.pdf)

REVENUE MEMORANDUM CIRCULAR 95-2024

Revenue Memorandum Circular 95-2024 was issued to clarify certain issued on the filing of Monthly Documentary Stamp Tax Declaration by Electronic Documentary Stamp Tax (EDST) taxpayers using BIR Form No. 2000 v. 2018 pursuant to RMC No. 48-2024.

1. **Issue:** additional filing of BIR Form No. 2000 for declaring the total DST from all the taxable documents for the month considering that these are already encoded in the taxpayer's ledger of the EDST system as utilizations from their advance deposit

Clarification: Due to the limitation of the BIR Form No. 2000, the same is to be used for remittance of advance deposit of the taxpayer as a payment form and as a means to declare taxable transactions in the computation of the total DST due pending the revision of the said form.

2. **Issue:** Due to the voluminous transactions to be encoded in the system, the session in the EDST system suddenly terminates leaving all those that have been encoded already, erased.

Revised Procedures: The encoding of the Alphanumeric Tax Code (ATC) No. 010 and the amount under the "Tax Due" column equivalent to the total tax due for the month reflected in the taxpayer's ledger of said system shall be sufficient in the accomplishment of the said schedule.

3. **Issue:** Due to inability or delay to generate the declaration, the EFPS automatically computes the penalties due to late filing of the Form without fault from the taxpayer.

Clarification: The taxpayer shall not be held responsible for the payment of interest computed by the EFPS considering that the DST has already been paid in advance.

4. **Issue:** The total penalty computed by EFPS is based on the total tax due which is very significant amount on the part of the taxpayers as it is not proportion to the violation of filing of a simple declaration within the prescribed deadline.

Clarification: Considering the technical limitations of the EFPS in accomplishing Schedule 1 of the said form involving voluminous transactions, the compromise penalties which are otherwise due resulting from non-filing or late filing by EDST taxpayers-users of the said form as a declaration covering the previous taxable months from the date of issuance of RMC No 48-2024 shall no longer be assessed and collected.

You may refer to this link for complete details: [RMC No. 95-2024.pdf \(bir.gov.ph\)](#)

REVENUE MEMORANDUM CIRCULAR NO. 96-2024

The Bureau of Internal Revenue has issued Revenue Memorandum Circular 96-2024 released last August 29, 2024 concerning **the expansion of cases where Notice or Warrant of Constructive Distraint over the property/ies of a taxpayer may be issued:**

- a. Companies filing for business closure with pending assessment equal to or more than its net worth during the current taxable year.
- b. Taxpayer who is under investigation has a record of leaving the Philippines at least twice over a twelve-month period unless connected with his business, profession or employment
- c. When a taxpayer, other than a banking institution, who is under tax investigation has a record of transferring his bank deposits and other valuable personal property/ies from the Philippines to any foreign country
- d. When the taxpayer uses aliases in bank accounts, other than the name for which he is legally and/or popularly known
- e. When the taxpayer keeps bank deposits and owns property/ies under the name of another not under lawful fiduciary or trust capacity
- f. Taxpayers underdeclared income of 30% of the gross sales per return
- g. When the BIR receives information or complaint pertaining to undeclared income in an amount exceeding by at least 30% of gross sales, gross receipts or gross revenue declared per return of a particular taxpayer
- h. When the taxpayer who is under tax investigation tries to hide or conceal his personal property to prevent discovery thereof by tax authorities
- i. When the taxpayer who is under tax investigation intends to perform any act tending to obstruct the proceedings for collecting the tax due or which may be due from him
- j. When the taxpayer is tagged as Cannot be Located; and
- k. Other analogous cases

You may refer to this link for complete details: [RMC No. 96-2024.pdf \(bir.gov.ph\)](#)

*****NOTHING FOLLOWS*****