

## **MCC TAX AND OTHER RELEVANT UPDATES**

Period Covered: June 2023



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## IMPORTANT UPDATES:

A. REVENUE REGULATIONS		
ISSUANCE	DATE ISSUED	SUBJECT
RR 6-2023	June 13, 2023	<b>Amends</b> certain provisions of RR No. 13-2010 regarding <b>Late/Out-of-District filing of Tax Returns</b>
B. REVENUE MEMORANDUM CIRCULARS		
RMC No. 68-2023	June 13, 2023	Further clarifies <b>imported goods that will no longer require the issuance of “Authority to Release Imported Goods”</b> by the BIR prior to the release by the Bureau of Customs
RMC No. 69-2023	June 20, 2023	<b>Reverts the rates of Percentage Tax, Minimum Corporate Income Tax, and Regular Corporate Income Tax on proprietary educational institutions</b> and not-for-profit hospitals, pursuant to RA No. 11534 (Corporate Recovery and Tax Incentives for Enterprises Act [CREATE])
RMC No. 70-2023	June 22, 2023	Circularizes the <b>Lists of Withholding Agents required to deduct and remit the 1% or 2% Creditable Withholding Tax for the purchase of goods and services</b> under Revenue Regulations No. 31-2020
RMC No. 71-2023	June 23, 2023	Provides <b>streamlined guidelines and mandatory requirements for claims of Value-Added Tax (VAT) Credit/Refund</b> except those under the authority and jurisdiction of the Legal Group
C. REVENUE MEMORANDUM ORDER		
RMO No. 24-2023	June 26, 2023	Prescribes the revised policies and procedures relative to the <b>accreditation of Cash Register Machines (CRMs), Point-of-Sale (POS) and Other Similar Sales Machines/Software</b> Generating Invoices/Receipts Including Electronic Invoicing or Electronic Receipting

		System/Software used under a Subscription-Based Agreement
<b>D. SECURITIES AND EXCHANGE COMMISSION</b>		
SEC Memorandum 9-2023	June 27, 2023	<b>Extending the deadline</b> for filing of the <b>amnesty application.</b>

## **DISCUSSION OF UPDATES**

### **A. REVENUE REGULATIONS**

#### **REVENUE REGULATIONS 6-2023**

The Bureau of Internal Revenue has released on June 13, 2023 Revenue Regulations 6-2023 amending certain provisions of Revenue Regulations 13-2010 concerning out-of-district filing of returns and late filing of returns.

According to this new Regulation, the Bureau of Internal Revenue shall now impose a 25% penalty for filing a return through Authorized Agent Banks not within the jurisdiction of the Revenue District Office which has jurisdiction over the taxpayer.

The duty of the banks shall be to refrain from processing the returns and segregate these returns for transmission to the RDO/LTDO/LT which has jurisdiction over these returns. The RDO/LTDO/LT shall then impose the penalty of twenty-five percent (25%) for filing and paying an out-of-district returns.

It is noteworthy that the new Regulation already incorporated the rule that taxpayers can now file out-of-district if there is an issuance or bank bulletin allowing them to do so.

With regard to the late filing of returns, the standing rule now is that the AABs may now accept the late filed returns provided that the return shall bear the phrase "late filing" or "late filing, increments not paid" pursuant to Sections 248 and 249 of the Tax Code.

### **B. REVENUE MEMORANDUM CIRCULARS**

#### **REVENUE MEMORANDUM CIRCULAR NO. 68-2023**

**REVENUE MEMORANDUM CIRCULAR NO. 68-2023** issued on June 13, 2023 expands the coverage of non-issuance of "Authority to Release Imported Goods (ATRIG)" to importers of goods covered by Value-Added Tax exemption under Section 109(1)(B) of the Tax Code of 1997, as amended, prior to the release of such imported goods by the Bureau of Customs (BOC).

Due to the clamors from the importers that the required ATRIG for the release of imported goods particularly feed, feed ingredients and fertilizers causes delays and losses on their part, and to be consistent with the mandate under Republic Act No. 11032 (Ease of Doing Business and Efficient Government Service Delivery Act of 2018), the Circular is issued to inform the public that ATRIG for feed, feed ingredients and fertilizers shall no longer be secured from the BIR.

Thus, the certificate secured from Bureau of Animal Industry, Fertilizer and Pesticides Authority or other concerned regulatory government agency, which is competent to certify that the goods being imported are feed, feed ingredients and fertilizers shall be directly presented to the BOC to effect the release of the imported goods. It shall be the responsibility of the certifying government agencies to conduct their own validation of the declared goods to be released from the BOC and to submit to the BIR the list of importers that secured the said certification for tax audit purposes.

### REVENUE MEMORANDUM CIRCULAR NO. 69-2023

The Bureau of Internal Revenue has recently issued on June 20, 2023 Revenue Memorandum Circular 69-2023 circularizing the reverting to old rates of the following tax types effective July 1, 2023:

<b>Tax Type</b>	<b>Rate</b>	<b>Applicable to</b>
Percentage Tax	3% of the quarterly sales or receipts of the taxpayer	Corporations, self employed individuals and professionals whose gross sales are not exceeding 3M pesos threshold except cooperatives or self employed individuals availing of the 8% income tax rate
Minimum Corporate Income Tax (MCIT)	2% of the gross income	Domestic and Resident Foreign Corporations, including offshore banking units and regional operating headquarters
Regular Corporate Income Tax (RCIT) for proprietary educational institutions and hospitals	10% of the taxable income	Proprietary educational institutions and hospitals.

### REVENUE MEMORANDUM CIRCULAR NO. 70-2023

**REVENUE MEMORANDUM CIRCULAR NO. 70-2023** issued on June 22, 2023 circularizes the additional List of Top Withholding Agents (TWAs) for inclusion to and deletion from the existing list of TWAs required to deduct and remit either the one percent (1%) or two percent (2%) Creditable Withholding Tax (CWT) from the income payments to their suppliers of goods and services, respectively, pursuant to Revenue Regulations (RR) No. 31-2020. The said Lists are posted at the BIR's website ([www.bir.gov.ph](http://www.bir.gov.ph))

Accordingly, the obligation to deduct and remit to the BIR the 1% and 2% CWT shall commence or cease, as the case may be, effective July 1, 2023. Any taxpayer not found in the published List of TWAs is not required to deduct and remit the 1% or 2% CWT under the abovementioned RR

### REVENUE MEMORANDUM CIRCULAR NO. 71-2023

**REVENUE MEMORANDUM CIRCULAR NO. 71-2023** issued on June 23, 2023 provides uniform guidelines and prescribes the revised mandatory documentary requirements in the processing and grant of Value-Added Tax (VAT) credit/refund claims under Section 112 of the Tax Code of 1997, as amended, in line with the latest developments on VAT introduced by Republic Act (R.A.) No. 10963 (TRAIN Law) and R.A. No. 11534 (CREATE Act) except those under the authority and jurisdiction of the Legal Group and shall take effect for VAT refund/credit claims that will be filed starting July 1, 2023.

The time frame to process and grant claims for VAT refund is ninety (90) days from the date of submission of the official receipts or invoices and other documents in support of the application filed in accordance with Sections 112(A) and (B) of the Tax Code of 1997, as amended, up to the release of the payment for the approved amount of the refund.

The "Application for VAT Credit/Refund Claims" (BIR Form No. 1914) shall be received by the processing offices, to wit:

- The VAT Credit Audit Division (VCAD) in the National Office for claims of direct exporters, regardless of the percentage of export sales to total sales, pursuant to Section 106(A)(2)(a)(1) and 106(A)(2)(a)(6) for sale of goods and Sections 108(B)(2), 108(B)(4), and 108(B)(6) for sale of services, and whose claims are anchored under Section 112(A) of the Tax Code, as amended, except for claims with a mix of VAT zero-rated sales emanating from sales of power or fuel from renewable energy sources pursuant to Section 108(B)(7) of the Tax Code, as amended, in which case, Item 2(b) hereof shall apply;
- Claims of taxpayer-claimants (1) engaged in other VAT zero-rated activities, other than direct exports mentioned in Section (1)(2)(a) of this Order, such as but not limited to renewable energy developers pursuant to Section 108(B)(7) of the Tax Code, as amended, and those with indirect exports classified as effectively VAT zero-rated sales, pursuant to Section 112(A) of the Tax Code, as amended; (2) whose VAT registration has been cancelled or change in the VAT registration status to non-VAT but with accumulated unutilized input taxes pursuant to Section 112(B) of the Tax Code, as amended; and (3) those with claims for, recovery of erroneously or illegally assessed or collected VAT pursuant to Sections 204 and 229 of the Tax Code, as amended, shall be filed at the following offices which have jurisdiction over the taxpayer-claimant:
  - The VAT Audit Section (VATAS) in the Regional Assessment Division; or
  - The respective Revenue District Office (RDO) if without VATAS; or
  - The Large Taxpayers VAT Audit Unit (LTVAU) of the Large Taxpayers Service (LTS)

Subject to the provisions of Sec. 4.112-1 (b) of Revenue Regulations (RR) No. 13-2018, the filing of the claim for VAT refund of a VAT-registered person whose registration has been cancelled due to retirement from or cessation of business, or due to changes in or cessation of status under Section 106(C) of the Tax Code shall be at the BIR office which has jurisdiction over the taxpayer, within two (2) years from the date of issuance of the tax clearance by the BIR.

The taxpayer-claimant shall ensure the completeness and authenticity of the documentary requirements upon filing of the application for VAT refund. Hence, only applications with complete documentary requirements, as enumerated in the Checklist of Requirements (Annexes A.1, A.2 or A.3, whichever is applicable), shall be received and processed by the authorized processing office.

In case where the taxpayer-claimant filed VAT refund claim beyond the 2-year prescriptive period required to file under Section 112 of the Tax Code, as amended,

the claim. shall still be accepted, however, the processing office shall recommend outright denial of the claim.

If upon filing or during the processing of the VAT refund claim, the taxpayer-claimant has outstanding tax liabilities (final and executory) as defined under Section II(1) of Revenue Memorandum Order No. 11-2014, and evidenced by Delinquency Verification Certificate (DVC) prescribed in Revenue Memorandum Circular No. 64-2019, the ensuing approved VAT refund shall be referred for garnishment to the Collection Section of the Revenue District Office and Collection Division of the Revenue Region having jurisdiction over the taxpayer-claimant, as may be used or settle to collect either fully or partially of the outstanding delinquent tax liability subject to existing tax laws and revenue issuances on the enforcement and settlement of delinquent accounts.

The person who will sign and file the application for VAT refund, execute affidavit/s and/or such other document/s supporting the claim shall be duly authorized by the taxpayer claimant. The "Secretary's Certificate" or "Special Power of Attorney" designating/authorizing said representative of the corporate claimant or sole proprietorship/partnership, as the case may be, should be notarized and must be presented to the processing office, together with one (1) valid government-issued Identification Card (ID) of the said authorized representative.

The application/s must be accompanied with complete supporting documents enumerated in the Checklist of Requirements under Annexes A.1, A.2 or A.3, whichever is applicable. As could be gleaned from the said list of mandatory requirements, most documents or data that can be culled from the records of the BIR are no longer required to be submitted in compliance with The Ease of Doing Business Law (RA No. 11032). However, the taxpayer claimants are not precluded from submitting copies of the same to aid the processing offices in the timely processing of the claim.

The original copies of invoices/receipts for sales and purchases shall be submitted for verification by the assigned Revenue Officers (ROs), which shall be forwarded to the Commission on Audit (COA) if the claim is approved for refund with notice to claimant of such transmittal. Should there be a need to obtain a copy of the same, the requesting party shall submit a written request for a certified copy with COA at no cost, stating therein the reason for the request and the specific document/s that need/s to be certified.

However, for claims that have been denied in full, the processing office shall return the original copies of supporting sales invoices or receipts for sales and purchases to the taxpayer claimants after stamping "VAT Credit/Refund Processed" to the supporting sales invoices or receipts for purchases.

Claims for refund of unutilized input VAT on importation shall be supported with a "VAT Payment Certification" issued by the Revenue Accounting Division (RAD) of the Bureau of Customs (BOC), including the supporting Import Entry and Internal Revenue Declarations (IEIRD)/Informal Import Declaration and Entry or Single Administrative

Document (SAD). Only the importations appearing on the certification of BOC-RAD shall be considered in the computation of refundable amount.

For the amortized portion of the input VAT on aggregate purchases of capital goods exceeding One Million Pesos (₱ 1,000,000.00) in a month pursuant to Section 110(A)(2)(b) of the Tax Code of 1997, as amended, the following rules shall apply:

- a. For current claims, the corresponding sales invoices and/or official receipts, including proofs of payment, if qualified as "big ticket" purchase, shall be required to be submitted and verified.
- b. For the amortized deferred input VAT which originated from purchases prior to the period of claim, acceptability of supporting documents is clarified as follows:
  - If the source documents of the capital goods were submitted and verified during the time they were claimed, there is no need to re-submit the same source documents. Instead, the schedule of amortization of deferred input VAT in the approved report will be the basis in determining the amortized portion in the subsequent claims. The copy of the schedule should be authenticated by the head of the processing office by marking "Certified True Copy from the Original" on each and every page thereon to clearly show that the purchases have been duly verified in the previous VAT refund claim/s. In this regard, the processing office shall maintain a file for every claimant with amortized input VAT on purchases of capital goods exceeding ₱1,000,000.00 in a month. The processing office shall compare/reconcile the current amount claimed vis-à-vis the amount indicated in the schedule/s.
  - For claims coming from the amortized portion of the deferred input VAT on importation of capital goods, photocopies of previous certifications from BOC-RAD, in addition to the schedules as certified mentioned above.
  - In case the input VAT of capital goods was disallowed due to noncompliance with the invoicing requirements for local purchases or for some other reasons which may warrant absolute disallowance of the corresponding input VAT, the taxpayer-claimant is already barred from claiming the input VAT from the said purchases for the current claim and thereafter.
  - For purchase/importation of capital goods made starting January 1, 2022, no amortization shall be made and the input VAT shall be claimed on the month of purchase in accordance with Section 110 (B) of Tax Code, as amended.

Only tax returns filed by the taxpayer-claimant, particularly the quarterly and/or Annual Income Tax Returns, the Quarterly VAT Returns and the quarterly VAT return/s showing the deduction of the amount of input VAT sought to be refunded, on or before the date of application of the VAT refund or the issuance of a Letter of Authority, whichever comes first, shall be considered in the processing of the claim.

The taxpayer-claimant shall attach a notarized sworn certification attesting to the completeness of the documents submitted. Accordingly, the claim/s shall be



processed based on the documents submitted. The books of accounts and accounting records shall be presented by the taxpayer-claimant upon written request of the assigned ROS. Failure to present the books of accounts and accounting records relevant to the claim/s may be a ground for denial of the claim.

For claims filed under Section 112(B) of the Tax Code, as amended, despite the closure or cessation of the business, the taxpayer-claimant must ensure cooperation with the assigned ROs and availability of all documents that may be requested during verification if there are issues or findings that need further clarification so as not to cause delay on the 90-day processing of the VAT refund/credit. Failure to cooperate or submit the requested documents, other than the mandatory requirements, by the assigned ROs may result in the full or partial denial of the claim.

## **C. REVENUE MEMORANDUM ORDER**

### **REVENUE MEMORANDUM ORDER 24-2023**

REVENUE MEMORANDUM ORDER NO. 24-2023 issued on June 26, 2023 prescribes the revised policies and procedures relative to the accreditation of Cash Register Machines (CRMs), Point-of-Sale (POS) and Other Similar Sales Machines/Software Generating Invoices/Receipts including Electronic Invoicing or Electronic Receipting System/Software used under a Subscription-Based Agreement.

The Order shall cover all types of sales machines and/or software generating invoices/receipts that are used in business to record sales transactions, which shall include the following:

- a. Cash Register Machine (CRM);
- b. POS System–Bundled POS (both hardware and software) and POS Software;
- c. e-Invoicing or e-Receipting System/Software used under a Subscription-Based Agreement;
- d. All other similar sales machines/software that will generate printed invoices/ receipts, such as but not limited to:
  - Taximeters;
  - Handheld or mobile devices linked to a server;
  - Unmanned bill, coin, or token-operated machines issuing invoice upon sale; and
  - Other sales machines/software issuing invoices/receipts, except Computerized Accounting System.

The abovementioned items are required to be accredited with the BIR using the Enhanced Electronic Accreditation and Registration (eAccReg) System facility.

Consequently, Special Purpose Machines (SPMs) that will be used solely for internal purposes or generates Supplementary Invoice/Receipts only such as, but not limited to, the following shall not be subject to accreditation under the Order but shall be required to register for the issuance of Permit to Use using the Enhanced eAccReg System facility:

- a. Automated Teller Machines (ATMs);
- b. Cash Depository machines/ATMs with cash depository;
- c. Foreign Exchange machines;

- d. d. Ordering machines;
- e. Bills Payment machines;
- f. Price Checking machines;
- g. Inventory checking and maintenance machines;
- h. Lottery Terminal/Ticketing Machine; and
- i. Other special purpose machines that does not generate sales invoices/official receipts, but may include machine/software functioning as ordering machine of online platforms.

Registration of POS/CRM/SPM/Other Similar Sales Machine shall be done via the Enhanced eAccreg System (except for e-Invoicing or e-Receipting System/Software used under a Subscription-Based Agreement), wherein a separate revenue issuance shall be provided relative to the Authority to Generate (ATG) for the e-Receipting or e-Invoicing System/Software used under a Subscription-Based Agreement) and shall be processed by the Large Taxpayers (LT) Office/Revenue District Office (RDO) within two (2) days after receipt of the application

POS System which also generates Supplementary Invoices/Receipts along with Principal Invoices/Receipts shall be included in the accreditation and registration of such "Sales Machines/Software"

The types of machines/software and the corresponding process/es required for each are summarized on the table below:

TYPE OF MACHINES/SOFTWARE	SUBJECT TO ACCREDITATION	SUBJECT TO REGISTRATION
1. CRM	✓	✓
2. POS	✓	✓
3. e-Invoicing or e-Receipting System/Software used under a Subscription-Based Agreement	✓	✓
4. Other Sales Machines Generating Invoices/Receipts	✓	✓
a. Taximeter	✓	✓
b. Handheld or mobile devices	✓	✓
c. Vending Machine	✓	✓
5. Special Purpose Machines	x	✓
a. Automated Teller Machines (ATMs)	x	✓
b. ATMs with Cash Depository	x	✓
c. Foreign Exchange machines	x	✓
d. Ordering machines	x	✓
e. Bills Payment machines	x	✓
f. Price Checking machines	x	✓
g. Inventory checking and maintenance machines	x	✓
h. Lottery Terminal/Ticketing Machine	x	✓
i. Other SPM not generating sales invoices/official receipts	x	✓
6. Computerized Accounting System (CAS)/Components of CAS/Computerized Books of Accounts	x	✓
7. POS as Component of CAS	✓	✓
8. E-invoicing/e-receipting system as component of CAS	x	✓

Legend: x - not required ✓ - required

All suppliers/vendors/developers/providers/taxpayer-users who intend to distribute/sell/use “Sales Machines/Software” shall apply for enrollment in the Enhanced eAccReg System by submitting a Sworn Declaration to the LT Office/RDO where such supplier/vendor/developer/provider/taxpayer-user is registered.

Upon receipt via email of the approval of their enrollment in Enhanced eAccReg System, suppliers/vendors/developers/providers/taxpayer-users shall apply for accreditation by accomplishing online the Application for Accreditation in the Enhanced eAccReg System and manually submitting all the documents listed under the Checklist of Documentary Requirements to the RDO where the supplier/vendor/developer/provider/taxpayer-user’s Head Office is registered.

The “Sales Machines/Software” subject for evaluation and inspection by the BIR must comply with the specifications/features stated in Section IV (5) of the Order to qualify for the accreditation. Said specifications/features must be explicitly attested and declared by the taxpayer through a duly signed and notarized Sworn Statement. A “pseudo” supplier (as defined in the Order) of “Sales Machines/ Software” shall likewise apply for accreditation of its machines/software.

The concerned Technical Working Group (TWG) shall evaluate the “Sales Machines/Software” on its compliance with the applicable specifications/features stated below to qualify for the accreditation through a system demonstration by the taxpayer-applicant. The schedule of the demo shall be coordinated with the taxpayer-applicant by the TWG Secretariat within three (3) working days upon receipt of complete documentary requirements or depending on the preparedness of the taxpayer-applicant to present the “Sales Machines/Software” to the TWG Members based on a “FIRST IN, FIRST OUT” policy. Meeting/evaluation may be done via any online platform depending on the situation.

The “Sales Machines/Software” shall comply with the following specifications/features, which must be indicated in the submitted notarized Sworn Statement, to wit:

- a. Accumulated Grand Total Sales
- b. Tamper-free
- c. Activity Log or Transaction Log
- d. Non-volatile memory
- e. E-journal or Audit Journal (for CRM and POS)
- f. Sales Readings
- g. Backend Reports
- h. Sequential series of accountable forms/documents
- i. Reprint Functionality
- j. “Push” Functionality
- k. Verification or Validation Seal
- l. Data Retention
- m. Sales Data Transmission

The Functional and Technical Evaluation Checklist on Sales Machines/Software shall be the guide and basis for evaluation of the “Sales Machines/Software” during the conduct of system demonstration. The said checklist shall be accomplished by the TWG Member/Team Head based on the discussions during the system demonstration with other TWG Members to determine whether or not the “Sales Machines/Software” is in compliance with the requirements set forth under the Order and other related revenue issuances. Minutes of Meeting (MOM) must be prepared for each of the system demonstrations conducted. All items for compliance/submission/issues/peculiar feature of the systems must be indicated in the MOM.

The “Sales Machines/Software” must generate invoices/receipts showing the information required under Revenue Regulations (RR) No. 16-2018 and RR No. 6-2022, in relation to Sec. 6.0 of RR No. 11-2004, which must show, among others, the information enumerated below:

- a. The following salient information must be shown as a header of invoices/ receipts:
  - Registered Name of the Seller;
  - Business Name or Style, if any, based on the clarifications provided on Revenue Memorandum Circular (RMC) No. 55-2019;
  - Detailed business address of the seller;
  - The phrase “VAT REG TIN” or “NON VAT REG TIN”, whichever is applicable, followed by 9-digit Taxpayer Identification Number (TIN) with 5-digit Branch Code of the Seller;
  - Machine Identification Number (MIN);
  - Serial Number of the sales machine (if branded machine) and the Serial Number of the Hard Disk Drive and/or Software License Number (if cloned machine) pursuant to RR No. 5-2005, as amended;
- b. Invoice/receipt number prominently shown with minimum of six (6) digits running Serial Number appended with a Reset Counter, if applicable; Note: If the system generates transaction number, SI/OR number should be a different series.
- c. Date of transaction;
- d. Customer/Buyer details—Name, Address, TIN and Business Style for VAT SI/OR as reiterated by RMC No. 64-2015 pursuant to RR No. 16- 2005, if applicable;
- e. Quantity;
- f. Description of the items/goods or nature of service rendered;
- g. Unit cost;
- h. Total Cost
- i. VAT Amount (if transaction is subject to 12% VAT);
- j. If the seller is engaged in mixed transactions, the sales amount shall be broken down to: VATable Sales, VAT Exempt Sales and Zero-Rated Sales;
- k. The phrase “THIS DOCUMENT IS NOT VALID FOR CLAIM OF INPUT TAX.” in bold letters must be conspicuously printed at the bottom of supplementary invoices/receipts, such as but not limited to order slips, acknowledgment receipts, and collection receipts. Supplementary invoices/receipts also include adjustment documents, such as but not limited to return, void, cancellation, refund, and other similar documents that form part of the accounting records of the taxpayer and/or issued to customers;
- l. The word “EXEMPT” must be prominently shown on the face of the invoices/receipts for taxpayers whose transactions are not subject to both VAT or Percentage Tax that will issue Non-VAT principal invoices/receipts (Example: rice dealer/vegetable/fruits/livestock/ poultry sellers selling only the aforementioned goods);
- m. The breakdown of Sales Subject to Percentage Tax (SSPT) and Exempt Sales must be indicated on Non-VAT principal invoices/ receipts, if the taxpayer is subject to Percentage Tax under Title V of the National Internal Revenue Code (NIRC), as amended by RA No. 10378 (An Act Recognizing the Principle of Reciprocity as Basis for the Grant of Income Tax Exemptions to International Carriers and Rationalizing Other Taxes Imposed Thereon by Amending Sections 28(A)(3)(a), 109, 118 and 236 of the NIRC, as amended, and for Other Purposes) but also sells goods/services under Section 109 (A) to (W), excluding (E) of the same Code, as amended;

- n. The following information must be provided if the taxpayer shall transact with Senior Citizen (SC), Person with Disability (PWD), National Athletes and Coaches (NAAC), and/or Solo Parent pursuant to RA No. 9994, RA No. 10754, RA No. 10699, respectively:
  - SC/PWD/NAAC/Solo Parent TIN, if any;
  - OSCA/PWD ID/Philippine National Sports Team (PNSTM) Identification Card No./Solo Parent Identification Card No.;
  - SC/PWD/NAAC/Solo Parent Discount (show the 5% or 20%, whichever is applicable - detailed breakdown must be shown including the VAT exemption, if any); and
  - Signature of the SC/PWD/NAAC/Solo Parent;
- o. The following shall be printed at the bottom portion of the OR/SI/CI:
  - Name, Address and TIN with 5-digit Branch Code of the accredited supplier of sales machines;
  - Accreditation number and the date of accreditation (date issued and valid until) of the accredited supplier; and
  - PTU Number and the Date Issued or Authority to Generate (ATG) Control Number (whichever is applicable).

Taximeter Issuing Receipt must follow RR No. 17-2006 with the information required on the tape receipts, as enumerated below (items a to d must be printed consecutively in the following order in the Official Receipt Header):

- a. Business Name/Name of Taxi;
- b. Registered Taxpayer's Name with BIR;
- c. Taxpayer Identification Number (12 digits including Branch Code);
- d. Address of Operator;
- e. Telephone Number;
- f. Invoice/Receipt Number (minimum of 6 digits);
- g. Accreditation Number;
- h. Permit Number;
- i. Plate Number;
- j. Color Coded Body Number;
- k. Date of Transaction;
- l. Odometer Reading-Start;
- m. Odometer Reading-End;
- n. Distance Travelled;
- o. Waiting Time;
- p. Amount of Fare (In Philippine Peso);
- q. "THIS SERVES AS AN OFFICIAL RECEIPT"

In case "Sales Machines/Software" do not have the capability to encode the information to be reflected on system-generated invoices/receipts and the customer/buyer is a VAT-registered entity, a manual invoice/receipt with approved ATP showing the required information must be issued by the taxpayer/seller; otherwise, the claim for input tax (for VAT purposes) or allowable expenses (for Income Tax purposes) by the customer/buyer shall be disallowed. In such cases, the system-generated tape invoices/receipts must be attached to the duplicate copy of the manual invoices/receipts to avoid a double take-up of sales and as proof during audit.

Sales generated from "Sales Machines/Software" where tape receipts issued were replaced by manual invoices/receipts must be summarized and shall be deducted from the sales to be reported to the Electronic Sales Reporting (eSales) System. Such deduction shall be reflected

as an adjustment in the CRM Sales Book or Backend Report, whichever is applicable, pursuant to RR No. 16- 2018.

In case the taxpayer-applicant has a related company, such as affiliate, subsidiary, branch, franchisee, reseller, or distributor with existing accreditation and sells/distributes/uses exactly the same "Sales Machines/Software", system demonstration may be forgone provided that the complete documentary requirements shall be submitted by the taxpayer-applicant, including a Sworn Statement (Reseller/Distributor of Sales Machines/Software with Existing Accreditation) stating such facts. A Certificate of Accreditation shall be issued within seven (7) working days from receipt of such application with complete documentary requirements.

The Certificate of Accreditation shall be issued by the concerned RDO once the application is approved; otherwise, a Notice/Letter of Denial with the reasons for denial stated therein shall be issued if the said application is denied due to non-compliance with the functional and technical requirements. Once accredited, the Certificate of Accreditation shall reflect an Accreditation Number (AN) for a particular machine brand/model/system/software version and shall be issued within twenty (20) working days from compliance of the taxpayer with the complete documentary requirements and system demonstration, except for applications stated under Section IV (10) of the Order. Otherwise, issue the Notice/Letter of Denial for non-compliance or non-submission of the documentary requirements on the prescribed period. Application for Accreditation of "Sales Machines/Software" is for "FREE". No charge/fee shall be imposed by any Region/LT Office/RDO.

Any "Sales Machines/Software" that was previously accredited but shall undergo major enhancements/upgrades/modifications shall be required to file new Application for Accreditation following the procedures provided herein. A comparative matrix of the functions and/or features between the previously accredited "Sales Machines/Software" and its upgraded/modified/enhanced version shall be required upon filing of the new accreditation application. A new Certificate of Accreditation shall be issued upon approval of the said application.

Enhancements will include but are not limited to: additional functionality, improved field and batch validations, additional reports, change of database platform to accommodate new data to be captured, change of parameter settings during inquiry or change in hardware (for application with bundled Machines/Software). In general, version upgrades and application/system enhancements are considered as "Major Enhancements" which will merit reaccreditation.

"Minor Enhancements" shall not require reaccreditation but the taxpayer must inform the LT Office/RDO of such change/ minor enhancement. Examples of "Minor Enhancements" are arrangement of the field for user interface and adding security control that is transparent to the user or any modification that will not change/impact any functionality of the system/application.

A Consolidated Monthly Report on the Applications for Accreditation Received shall be submitted by the Large Taxpayer Accreditation Board (LTAB)/Regional Accreditation Board (RAB) Secretariat to NAB Secretariat every 10th day of the following month for monitoring purposes and necessary action on all unresolved issues which will require clarification by the NAB.

The eAccReg System Accreditation of Software and/or Hardware Job Aid shall serve as guide of the concerned Head/member of LTAB/RAB/TWG Secretariat in using the system.

A list of all duly updated accredited “Sales Machines/Software” shall be posted by the concerned office in-charge with the official website of the BIR ([www.bir.gov.ph](http://www.bir.gov.ph)) to inform the taxpayer-user of those “Sales Machines/ Software” that have been accorded official accreditation by the BIR

If during the conduct of Tax Compliance Verification Drive or post evaluation/audit, the following findings have been observed, the Certificate of Accreditation granted shall be subject for revocation:

- a. Tampering Certificate of Accreditation;
- b. Any misrepresentation on the Sworn Statement submitted by the supplier;
- c. Tampering of sales data to avoid the recording of sales transactions;
- d. Use of sales suppression software or mechanism; and
- e. Any violation(s) of the supplier on the policies and procedures for accreditation under RR No. 11-2004, this Order, and other relevant existing revenue issuances.

Revocation of the Accreditation of the developer/distributor due to any of the grounds enumerated above does not necessarily mean that the Permit to Use (PTU) issued to the taxpayer-user of the system is automatically revoked. However, if the violation was done by the taxpayer-user, that will now be a ground for revocation of the PTU.

All revenue officials, officers and employees of the BIR must strictly observe the “ACCREDITATION IS FREE OF CHARGE” policy and comply with the time within which the Certificate of Accreditation or Notice/Letter of Denial should be issued to the taxpayer-applicant in accordance with the provisions of Republic Act (RA) No. 9485 (Anti Red Tape Act of 2007), as amended by RA No. 11032 and the latest Citizen’s Charter of the BIR. Any violation of the provisions of this Memorandum shall be subject to the corresponding penalties imposed under RA No. 11032, Section 269 and other related provisions of the NIRC of 1997, as amended, and other applicable.

All pending applications upon approval of this Order must already comply with the policies and requirements stated herein to proceed with the processing of the application. On the other hand, previous accreditation of “Sales Machines/Software” that were granted prior to the effectivity of this Order and were found to be not completely compliant with the requirements under this Order is still valid until its expiration or if such “Sales Machines/Software” have undergone enhancement. Thus, such “Sales Machines/Software” will have to undergo reaccreditation to check its compliance with the requirements of this RMO and other revenue issuances related to the Accreditation of POS.

The roles and responsibilities of the Accreditation Board (AB) in the National Office, Large Taxpayers Service (LTS) and the Revenue Regions as well as the procedures relative to the accreditation of “Sales Machines/Software” used under a Subscription-Based agreement are specified in the Order.

## **D. SECURITIES AND EXCHANGE COMMISSION**

### **SEC MEMORANDUM CIRCULAR 9-2023**

The Securities and Exchange Commission has recently issued SEC Memorandum Circular 9 s. 2023 amending earlier issuances and **extending the deadline for filing amnesty application from June 30 to September 30, 2023.**

Under SEC Memorandum Circular 2 s. 2023 corporations with late filing and non-filing of either Audited Financial Statements or General Information Sheets including non-compliance with SEC Memorandum Circular 28 s 2022 shall be given amnesty by paying a **one-time amnesty amounting to Php5,000.00 for non-compliant corporations and 50% of the assessed fines plus Php3,060 for suspended or revoked corporations.**

To check your company's eligibility, you may log-in to your company EFAST account via [SEC eFAST](#). Note that after the period of amnesty, the new penalty amount for non-filing and late filing of AFS and GIS will be imposed plus running penalty until the report is filed.

**\*\*\*Nothing Follows\*\*\***