


**Printing and Use of New
Receipts/ Invoices
pursuant to RR 18-2012
& RMC 44-2013**

Objectives

- **To enhance and facilitate the processing of the Authority to Print ORs, SIs and CIs by having a full automation of the processes involved in the application, generation, approval and issuance of the same through a web-based ATP (on-line ATP) System.**
- **To provide for the additional requirements for the printing of official receipts, sales invoices and other commercial invoices.**

- 
- **To classify receipts and invoices into Principal and Supplementary Receipts/Invoices.**
 - **To regulate further the printing of all invoices by setting a validity period.**
 - **To provide for the standard reports pertaining to the processing of the ATP.**

Types of Receipts and Invoices

- **Principal Receipts/Invoices:**

A. VAT Sales Invoice — for the sale of **goods and/or properties** issued to customers in an ordinary course of business, whether cash sales or on account (credit) which shall be the **basis of the output tax** liability of the seller and the **input tax claim** of the buyer. Cash Sales Invoices and Charge Sales Invoices falls under this definition.

- B. VAT Official Receipt** — for sale of service and/or leasing of properties which shall be the basis of the output tax liability of the seller and the input tax claim of the buyer.

- C. Non-VAT Sales Invoices** — for the sale of goods and/or properties issued to customers in an ordinary course of business, whether cash sales or on account (credit) which shall be the basis of the Percentage Tax liability of the seller.

- D. Non-VAT Official Receipts** — for sale of service and/or leasing of properties which shall be the basis of the Percentage Tax liability of the seller.

- **Supplementary Receipts/Invoices** — which includes but are not limited to delivery receipts, order slips, debit and/or credit memo, purchase order, job order, provisional/temporary receipt, acknowledgement receipt, collection receipt, cash receipt, bill of lading, billing statement, statement of account, and any other documents, by whatever name it is known or called, whether prepared manually (handwritten information) or pre-printed/pre-numbered loose-leaf (information typed using excel program or typewriter) or computerized as long as it is used in the ordinary course of business being issued to customers or otherwise.

Supplementary receipts/invoices, for purposes of Value-Added Tax, are not valid proof to support the claim of Input Taxes by buyers of goods and/or services.

Persons Required to secure Authority To Print for principal and supplementary receipts/invoices

- **All persons, whether private or government, who are engaged in business shall secure/apply from the BIR an Authority to Print principal and supplementary receipts/invoices.**
- **National Government Agencies (NGAs), Government Owned and Controlled Corporation (GOCCs) and Local Government Units (LGUs) engaged in proprietary functions shall apply for ATP in the printing of their principal and supplementary receipts/invoices.**

Government Proprietary Function — for purposes of these Regulations, when a public corporation or a local government unit acts in its proprietary character, it is regarded as having the rights and obligations of a private corporation. For government entities to be taxable, the following requisites must concur:

- 1. the government entity concerned must not be performing an essential governmental function; and**
- 2. it must be engaged in similar business, industry, or activity as performed by other ordinary taxable corporations.**

All income realized from or received in the exercise of its proprietary functions shall be subject to income tax and business taxes in the same manner as other private corporations similarly situated.

Guidelines in the application and issuance of Authority to Print (ATP) and Manner of Printing of Receipts/Invoices.

- **For newly registered taxpayers, the ATP shall be secured simultaneously with the Certificate of Registration (COR)**
- **The Taxpayer-applicant shall apply for an ATP and submit the required documents, using the on-line ATP System. However, in case of systems downtime, taxpayer shall apply for ATP and submit the required documents at the RDO or concerned LT Office having jurisdiction over the taxpayer's Head Office**

- **As a general rule, all applications for ATP of the Head Office (HO) and all its branches shall be done on-line. In case of systems downtime as officially posted in the BIR website, all applications for ATP shall be manually filed and the corresponding ATP shall be manually issued through an alternative off-line ATP system, by the RDO or concerned LT Office having jurisdiction over the taxpayer's Head Office. All applications for ATP processed during systems downtime shall be immediately uploaded by the concerned RDO or LT Office, upon availability of the on-line ATP system**

- **There shall be one application for ATP per establishment (HO or branch) which shall be filed with RDO/LT Office concerned where the HO is registered. Each application shall be issued a separate ATP. The principal and supplementary receipts/invoices of the HO and each of the branches must have their own independent series of serial number. Each application as well as the printed accounting document/s shall reflect the exact address of the branch, TIN and the branch code attached to the TIN. The TIN, branch code (if applicable) and address of the HO must be reflected in the printed principal and supplementary Receipts/Invoices used in the business premises of the HO. Likewise, the printed principal and supplementary receipts/invoices to be issued/used in the branches (if applicable) must reflect the TIN, branch code and address of the branch/es.**

- **The approved ATP shall be valid only upon full usage of the inclusive serial numbers of principal and supplementary receipts/invoices reflected in such ATP or five (5) years from issuance of the same, whichever comes first.**
- **No ATP shall be granted for the printing of principal and supplementary receipts/invoices unless the required information which are reflected therein.**
- **The replicate copy of the ATP issued shall be printed at the inside back portion of the cardboard cover of each booklet/pad of principal and supplementary receipts/invoices printed.**

- **Only BIR Accredited Printers shall have the exclusive authority to print principal and supplementary receipts/invoices**
- **A taxpayer with expiring ATP for its invoices/receipts (principal and supplementary) shall apply for a new ATP not later than Sixty (60) days prior to actual expiry date**

Unused/ unissued Receipts/ Invoices

- **All unused/unissued principal and supplementary receipts/invoices printed prior to January 18,2013, shall be valid until August 30, 2013.**
- **All unused/unissued principal/supplementary receipts/invoices shall be surrendered to the RDO where the taxpayer is registered on or before the 10th day after the validity period of the expired receipts/invoices for destruction. An Inventory listing of the same shall also be submitted.**

Accreditation of Printers Pursuant toRRR NO. 015-12

Objectives


- **To properly implement and monitor compliance of printers in securing Authority to Print (ATP) for its clients and consequent printing of official receipts, sales invoices and other commercial receipts and/or invoices in accordance with the provisions of Section 238 of the NIRC, as amended; and**
- **To prescribe policies and guidelines on the Online System for Accreditation of Printers.**

Policies and Guidelines

- **The application for accreditation of printers shall be in the form of a Sworn Statement duly executed by the applicant-printer**
- **Criteria to qualify for accreditation with the Bureau:**
 1. **The printer is registered** as engage in printing services with the Bureau;
 2. **The printer has been in the printing business for no less than three (3) years** and operating based on a going concern principle;

3. The printer **has no delinquent accounts** with the Bureau at the time of filing for accreditation;
4. The printer **has number of printing machines** used in printing of principal and supplementary invoices/receipts which are **available for inspection of the Bureau**;
5. The specified printing **machines are capable of generating security/special markings/features** in printing of the principal and supplementary invoices/receipts;
6. The printer **shall not require minimum number of booklets** for printing of the principal and supplementary invoices/receipts;

7. The printer shall **verify compliance with the information** requirements per prevailing revenue issuances to be printed in the principal and supplementary invoices/receipts of its customer/client;
8. The printer shall **comply with the provisions of the bookkeeping regulations and reportorial requirements** of the BIR;
9. The printer, or any of its owners (if juridical entity), is **not connected with the BIR or is not related to any BIR official or employee** within the fourth civil degree of consanguinity or affinity or the latter's relatives within the fourth civil degree of consanguinity or affinity.

- 
- **All applications for accreditation of printers shall be submitted using the Online System for Accreditation of Printers.**
 - **All applicant printers shall submit complete description and sample of their security/special markings/features in the printing of the principal and supplementary invoices/receipts.**

● Accreditation Body

RMAB/NMAB (Regional/National Monitoring and Accreditation Board), the body constituted to accredit suppliers of CRM/POS are constituted as the same body (except for the RDC/ISOS-DC representatives) to evaluate the accreditation of printers of principal and supplementary receipts/invoices. It shall conduct on-site inspection, and shall have the exclusive authority to approve or disapprove/deny applications for accreditation, and to suspend or dis-accredit printers falling within their respective jurisdiction.

• **Certificate of Registration**

- A system generated '**Certificate of Accreditation**' shall be issued within five (5) working days from receipt of the application for accreditation and submission of complete documentary requirements. The '**Certificate of Accreditation**' shall reflect a system generated printer's accreditation number which shall be permanent unless and/or until revoked by the BIR. as part of the evaluation process for accreditation by the concerned RMAB/NMAB.

- **Only the BIR Accredited Printers shall have the exclusive authority to print principal and supplementary receipts/invoices.**
- **All accredited printers shall enroll with the BIR online ATP System for processing of their customers' applications for ATP**
- **The Monthly Report of Printer shall be submitted on or before the 20th day of each month using any of the available electronic channels.**

Revocation of Accreditation

The Certificate of Accreditation shall be subject for revocation, if during the conduct of Tax Compliance Verification Drive (TCVD) or in the conduct of regular audit/investigation of the taxpayer's tax liabilities the following findings have been observed/discovered:

- **Tampered Certificate of Accreditation;**
- **Any misrepresentation on the Sworn Statement submitted by the printer;**

- Valid **stop filer cases** against printer for the last three (3) months of operation;
- **Unsettled delinquent accounts** against printer for the last three (3) months of operation except for those with pending application for compromise/abatement for penalties;
- **Requiring a minimum number of booklets** from their client/customer;
- **Failure to submit reports as required;**
- **Any violation(s)** of the accredited printer on the policies and procedures for accreditation prescribed under these Revenue Regulations on Accreditation of Printers.

eTRA pursuant to RR No. 001-13

In relation to Section 27 of Republic Act No. 8792, otherwise known as the "Electronic Commerce Act", Revenue Regulations No. 1-2013 are promulgated to regulate the **electronic filing of Tax Remittance Advice (TRA) of National Government Agencies (NGAs), through the existing eFPS of the Bureau.**

Electronic Tax Remittance Advice (eTRA) System

- **It is the process of remitting taxes withheld by NGAs through the internet using the eFPS facility of the BIR**

NGA's Source of Funds for eTRA

- eTRA as payment is limited only to the **NGAs' tax liabilities arising from the use of funds coming from the DBM.**
- NGAs' tax liabilities arising from the use of funds other than those coming from DBM based on the NGA's Annual Budget as approved under the General Appropriation Act (GA A) **must be paid using cash through the bank debit system of the AAB** where the NGA shall enrol for this purpose. A separate tax return must be accomplished for these tax liabilities since a particular fund is required to have a separate branch code. In the absence of a separate branch code of the fund, the NGA shall secure the same from the concerned Revenue District Office following existing procedures in registration.

Advantages of eTRA:

- **With eTRA System, NGAs need not go to the BIR to secure the blank TRA forms and to manually file the tax returns. In lieu of these manual procedures**
- **NGAs can file the tax return electronically and accomplish the eTRA on-line thru the eFPS facility of the BIR**
- **Transparency and efficiency in revenue collection reporting and reconciliations will be enhanced as all concerned parties can view and record on real time the remittances made by the NGAs.**

Notification Letter

The Bureau of Internal Revenue (BIR) shall issue a Notification Letter to all National Government Agencies, including their branches and extension offices located nationwide which have their own disbursement functions, to inform them that they are mandated to use the eFPS in filing the required returns and in paying the taxes due thereon.

Agency Branches/ Field or Extension Offices

The Head Office of the concerned NGA shall be responsible in providing the BIR with the list of all its branches/field or extension offices located nationwide which have their own disbursement functions, with information as to their respective business addresses, agency codes and taxpayer identification numbers (TINs) Mandatory Conduct of Briefing and Attendance of Notified NGA

Mandatory Briefing

- **The concerned Revenue District Office shall conduct the mandatory briefing to the concerned NGAs on the eTRA System. Notified NGAs are required to attend the said briefing on eTRA, which is a pre-requisite to enrollment in the eFPS.**

Enrollment for System Usage

All NGAs notified thru the Notification Letter shall enroll in the eTRA system by enrolling first with the BIR's eFPS facility in accordance with the following detailed procedures:

- **Open your internet browser by clicking the “Internet Explorer” icon or “Netscape Navigator” icon.**
- **Access the BIR website by typing “<http://www.bir.gov.ph>” in the address bar of your browser.**

- **Once the BIR website appear, click on “eFPS” icon.**
- **Once the “eFPS log-in” screen appears, choose “Enroll to eFPS”.**
- **Supply all the necessary information/data on the screen.**
- **After supplying the necessary information, click “submit”.**
- **Wait three (3) to five (5) days before you can receive an e-mail that your enrollment/application has been accepted or rejected.**

- **If accepted, you may now log-in to the eFPS using your TIN, username and password provided in the enrollment form.**
- **If rejected, determine from the concerned RDO the reasons for the rejection, then repeat the enrollment process indicated above.**
- **If you did not receive any e-mail on the status of the enrollment, contact the concerned RDO.**

Authorized Officers of the NGA

NGAs shall be required to submit to the Revenue District Office where they are registered the names of two (2) authorized officers designated to file the required tax returns pursuant to Section 52 (A) of the Tax Code (e.g., Head of Office and Chief Accountant/Disbursement Officer)

In addition, NGA shall also enroll with any authorized agent bank (AAB) where it intends to pay through the bank debit system, in cases of remittance of withheld taxes on funds not coming from the DBM or the payment of internal revenue taxes thru cash and not thru TRA.

Returns Covered by Enrollment

NGAs mandated to file electronically thru the issuance of the Notification Letter shall file the following tax returns via the eFPS, whether or not payment shall make use of eTRA.

Tax Return	Description
BIR Form 1601-C	Monthly Remittance Return of Income Taxes Withheld on Compensation
BIR Form 1601-E	Monthly Remittance Return of Creditable Income Taxes Withheld (Expanded) [Except for transactions involving onerous transfer of real property classified as ordinary asset]
BIR Form 1601-F	Monthly Remittance Return of Final Income Taxes Withheld

Tax Return	Description
BIR Form 1603	Quarterly Remittance Return of Final Income Taxes Withheld on Fringe Benefits Paid to Employees Other than Rank and File
BIR Form 1600	Monthly Remittance Return of Value-Added Tax and Other Percentage Taxes Withheld
BIR Form 1702	Annual Income Tax Return for Corporations, Partnerships and Other Non-Individual Taxpayers

Tax Return	Description
BIR Form 1702Q	Quarterly Income Tax Return for Corporations, Partnerships and Other Non-Individual Taxpayers
BIR Form 2550M	Monthly Value-Added Tax Declaration
BIR Form 2550Q	Quarterly Value-Added Tax Return
BIR Form 2551M	Monthly Percentage Tax Return
BIR Form 2000	Documentary Stamp Tax Declaration/Return

Time to File Returns

All tax returns must be electronically filed (e-filed) following the regular due dates observed prior the enrolment in efps. Payment of the tax due must also be made on the same day the return is e-filed by accomplishing on-line the Tax Remittance Advice (TRA).

Manner of Recording Tax Collections by the Bureau of Treasury.

The BIR, through its Information Systems Group, shall generate report of NGAs' remitted withheld taxes using TRA based on cut-off dates to be defined under a separate revenue issuance. The report generated shall be submitted by the Bureau's Revenue Accounting Division to the Bureau of Treasury (BTr) and shall be used by the latter in recording and crediting the same as BIR's tax collections.

Transitory Provision

For the pilot roll-out of the eTRA, the Withholding Tax Division shall conduct the eTRA briefing with the selected NGAs. All NGAs which will not be given Notification Letter as stated under Section 3 hereof shall continue to file their tax returns manually by accomplishing the appropriate tax returns and attaching thereto the corresponding TRAs before having these documents received by the RDOs where the NGAs are registered. RDOs shall process these tax returns and report the collections thru TRAs following existing procedures.

Effectivity

These regulations shall take effect after fifteen (15) days following the publication in the Official Gazette or in a newspaper of general circulation.

Taxation on the Sale of Gold and Other Metallic Minerals to Bangko Sentral ng Pilipinas pursuant to RR No. 6-2012

- **Purchase by BSP of gold — the BSP, regardless whoever is selling, is obliged to collect the 2% excise tax on the actual market value of the gold sold to it, regardless of the purchase price it paid for the transaction, and remit the same to the BIR. If the seller is able to produce proof of payment of excise taxes on said goods, the BSP shall not be liable anymore for payment of excise taxes.**

- **BSP is likewise obliged to withhold and remit to the BIR the Creditable Withholding Taxes of 5% due from the sale, regardless whoever is selling.**

The withholding tax return (BIR Form 1601-E) and the Excise Tax return (BIR Form 2200-M) shall be filed and payment shall be made within ten (10) days after the end of each month, except for taxes withheld for the month of December, which shall be filed on or before January 15 of the following year.

However, if the BSP availed of the Electronic Filing and Payment System (EFPS), the deadline for electronic filing of the applicable withholding tax returns (BIR Form No. 1601-E) and payment of taxes due thereon remains on the 15th day of the following month.

**Withholding Tax on
Professional Fees paid
to Real Estate Service
Practitioners pursuant
to RR No.10-2013**

- **Licensed real estate service practitioners (RESPs) - Fifteen percent (15%), if the gross income for the current year exceeds P 720,000; and Ten percent (10%), if otherwise.**

(e. real estate consultant, appraiser and broker) who passed the licensure examination given by the Real Estate Service under the Professional Regulations Commission (as defined in Republic Act No. 9646, “The Real Estate Service Act of the Philippines”) as among those professionals falling under Section 2.57.2(A)(1) of RR No. 2-98, as amended

- **Unlicensed real estate service practitioners (RESPs) – Ten percent (10%)**

(real estate consultants, real estate appraisers and real estate brokers) who failed or did not take up the licensure examination given by and not registered with the Real Estate Service under the Professional Regulations Commission, falling under Sec.2.57.2 (G) of RR 2-98 –Income payment to certain brockers and agents.

The Regulations shall take effect June 1, 2013 and shall cover income payments to be paid or payable starting June 1, 2013, which are required to be remitted within the month of July, 2013.

REVENUE REGULATIONS

NO. 11-2013 issued on
June 6, 2013 prescribes the
filing/submission of hard copy
of the Certificate of
Compensation Payment/Tax
Withheld (BIR Form 2316)
covering employees who are
qualified for substituted filing

- **In cases covered by substituted filing, the employer shall furnish each employee with the original copy of BIR Form No. 2316 and file/submit to the BIR the duplicate copy not later than February 28 following the close of the calendar year.**
- **Any employer/withholding agent, including the government or any of its political subdivisions and government-owned and -controlled corporations, who/which fails to comply with the said filing/submission of BIR Form 2316 within the time required by the Regulations, may be held liable under Section 250 of the Tax Code. Failure to comply with the said filing/submission within the required time for two consecutive years shall be dealt with in accordance with Section 255 of the Tax Code.**

- **Sec. 250 of the Tax Code-“In the case of each failure to file an information return, statement or list, or keep any record, or supply any information required by this Code or by the Commissioner on the date prescribed therefor, unless it is shown that such failure is due to reasonable cause and not to willful neglect, there shall, upon notice and demand by the Commissioner, be paid by the person failing to file, keep or supply the same, one thousand pesos (P1,000) for each such failure: Provided, however, That the aggregate amount to be imposed for all such failures during a calendar year shall not exceed twenty-five thousand pesos (P25,000).**

- **Sec. 255 of the Tax Code-“Any person required under this Code or by rules and regulations promulgated thereunder to pay any tax, make any return, keep any record, or supply correct and accurate information, who wilfully fails to pay such tax, make such return, keep such record, or supply such correct and accurate information, or withhold or remit taxes withheld, or refund excess taxes withheld on compensation, at the time or times required by law or rules and regulations shall, in addition to other penalties provided by law, upon conviction thereof, be punished by a fine of not less than Ten Thousand Pesos (P10,000.00) and suffer imprisonment of not less than one (1) year but not more than ten (10) years.” In settlement under this situation, the compromise fee shall be P1,000 for each BIR Form No. 2316 not filed without any maximum threshold.**


- 
- **The Regulations shall take effect beginning with the calendar year 2013**

**Deductibility of Depreciation
Expenses as it Relates to Purchase
of Vehicles and Other Expenses
Related Thereto, and Input Taxes
Allowed Therefor Pursuant to RR
12-2012**

• **No deduction from gross income for depreciation shall be allowed unless the taxpayer substantiates the purchase with sufficient evidence, such as official receipts or other adequate records which contain the following, among others:**

- 1. Specific Motor Vehicle Identification Number, Chassis Number, or other registrable identification numbers of the Vehicle;**
- 2. The total price of the specific Vehicle subject to depreciation; and**
- 3. The direct connection or relation of the Vehicle to the development, management, operation, and/or conduct of the trade or business or profession of the taxpayer;**

- **Only one Vehicle for land transport is allowed for the use of an official or employee, the value of which should not exceed Two Million Four Hundred Thousand Pesos (Php2,400,000.00);**
- **No depreciation shall be allowed for yachts, helicopters, airplanes and/or aircrafts, and land vehicles which exceed the above threshold amount, unless the taxpayer's main line of business is transport operations or lease of transportation equipment and the vehicles purchased are used in said operations;**

- 
- **All maintenance expenses on account of non-depreciable Vehicles for taxation purposes are disallowed in its entirety;**
 - **The input taxes on the purchase of non-depreciable Vehicles and all input taxes on maintenance expenses incurred thereon are likewise disallowed for taxation purposes.**

REVENUE REGULATIONS NO. 6-2013 issued on April 22, 2013 amends certain provision of Revenue Regulations No. 6-2008 entitled “Consolidated Regulations” Prescribing the Rules on the Taxation of Sale, Barter, Exchange or Other Disposition of Shares of Stock Held as Capital Assets”.

Definition of "fair market value" of the Shares of Stock Not Traded Through a Local Stock Exchange

In the case of shares of stock not listed and traded in the local stock exchanges, the value of the shares of stock at the time of sale shall be the fair market value. In determining the value of the shares, the Adjusted Net Asset Method shall be used whereby all assets and liabilities are adjusted to fair market values. The net of adjusted asset minus the liability values is the indicated value of the equity.

For purposes of this section, the appraised value of real property at the time of sale shall be the higher of:

- **The fair market value as determined by the Commissioner, or**
- **The fair market value as shown in the schedule of valued fixed by the Provincial and City Assessors, or**
- **The fair market value as determined by Independent Appraiser**

Assume that Mr. X sold on April 30, 2013, 5000 shares of stock of “A” Corporation. “A” Corporation has 10,000 outstanding shares The total assets and liabilities of “A” Corporation in its latest audited financial statements (AFS) are Php20,000,000 and Php5,000,000, respectively. Assuming further that the book value of all its assets and liabilities is also the market value with the exception of its real property.

Supposing, the market value of the real properties of “A” Corporation are as follows:

	Book	FMV per Tax	Zonal	Independent	Highest of	Adjustment
	Value per AFS	Declaration	Valuation	Appraiser	the Three	
Land A	2,000,000	2,500,000	5,000,000	6,000,000	6,000,000	4,000,000
Land B	2,000,000	2,200,000	4,000,000	3,500,000	4,000,000	2,000,000
Building A	1,000,000	2,400,000		3,000,000	3,000,000	2,000,000
Building B	500,000	2,000,000		1,950,000	2,000,000	1,500,000
TOTAL	5,500,000				15,000,000	9,500,000

In the above case, the net asset of “A” Corporation is Php15,000,000 while the adjusted net asset is Php24,500,000 [(20,000,000 + 9,500,000) - 5,000,000]. As such, with the adjusted value per shares of stock of Php2,450, the fair market value of the shares sold was Php12,250,000 (5000 shares at Php2,450 per share)