



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE

BUREAU OF INTERNAL REVENUE
RECORDS MGT. DIVISION

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REVENUE REGULATIONS NO. 4-2012

SUBJECT : Amending Revenue Regulations No. 13-2001, Regarding
Abatement or Cancellation of Internal Revenue Tax Liabilities
TO : All Internal Revenue Officers and Others Concerned.

SECTION 1. Scope. — Pursuant to the provisions of Section 244 of the National Internal Revenue Code (NIRC) of 1997, as amended, these Regulations are hereby promulgated to amend Revenue Regulations No. 13-2001.

SECTION 2. Amendment. — Section 2.6 of Revenue Regulations No. 13-2001 is hereby amended by deleting Section 2.6.1 thereof which provides that penalties and/or interest imposed on the taxpayer may be abated or cancelled on the ground of *one day late filing and remittance due to failure to beat the bank cut-off time*. Accordingly, Section 2.6 of Revenue Regulations No. 13-2001 shall now read as follows:

"SECTION 2. Instances When The Penalties And/Or Interest Imposed On The Taxpayer May Be Abated Or Cancelled On The Ground That The Imposition Thereof Is Unjust Or Excessive. —

x x x

2.6 Late payment of the tax under meritorious circumstances such as those provided hereunder:

2.6.1 Use of wrong tax form but correct amount of tax was remitted;

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2.6.2 Filing an amended return under meritorious circumstances, provided, however, that abatement shall cover only the penalties and not the interest;

2.6.3 Surcharge erroneously imposed;

2.6.4 Late filing of return due to unresolved issue on classification/valuation of real property (for capital gains tax cases, etc.);

2.6.5 Offsetting of taxes of the same kind, i.e., overpayment in one quarter/month is offset against underpayment in another quarter/month;

2.6.6 Automatic offsetting of overpayment of one kind of withholding tax against the underpayment in another kind;

2.6.7 Late remittance of withholding tax on compensation of expatriates for services rendered in the Philippines pending the issuance by the Securities and Exchange Commission of the license to the Philippine branch office or subsidiary, provided, however, that the abatement shall only cover the surcharge and the compromise penalty and not the interest;

2.6.8 Wrong use of Tax Credit Certificate (TCC) where Tax Debit Memo (TDM) was not properly applied for; and

2.6.9 Such other instances which the Commissioner may deem analogous to the enumeration above.

x x x"

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SECTION 3. Repealing Clause. — All rules and regulations or parts thereof inconsistent with the provisions of these Regulations are hereby repealed accordingly.

SECTION 4. Effectivity. — The provisions of these Regulations shall take effect after fifteen (15) days following publication in any newspaper of general circulation.



CESAR V. PURISIMA
Secretary of Finance

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Recommending Approval:



KIM S. JACINTO-HENARES
Commissioner of Internal Revenue

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