

This MAP Tax Bulletin for February 2022 was contributed by KPMG R. G. Manabat & Co.

COURT OF TAX APPEALS DECISIONS

IT HAS BEEN REPEATEDLY DECLARED BY THIS COURT THAT THE FAILURE TO SUBMIT DOCUMENTS IN THE ADMINISTRATIVE LEVEL IS NOT FATAL TO THE CASE IN THE JUDICIAL LEVEL, AS SUCH ARE LITIGATED DE NOVO AND DECIDED BASED ON WHAT HAS BEEN PRESENTED AND FORMALLY OFFERED BY THE PARTIES DURING THE TRIAL. The court is authorized to receive evidence, summon witnesses, and give both parties, the government and the taxpayer, opportunity to present and argue their sides, so that the true and correct amount of the tax to be collected, may be determined and decided. (*Commissioner of Internal Revenue, v. Vestas Services Philippines, Inc., CTA EB No. 2255, 25 January 2022*)

REVENUE REGULATIONS (RR)

1. RR No. 1-2022¹ - Extends the deadline for the filing of returns and payment of the corresponding taxes due thereon, including submission of required documents (position papers, replies, protests, documents and other similar letters and correspondences in relation to on-going BIR audit investigation), application for tax refund and issuance of Assessment Notices and Warrants of Dstraint and Levy for taxpayers within the jurisdiction of BIR Regional and District Offices classified under Alert Level 3 or higher.

The regulations extends for thirty (30) calendar days from their due dates the statutory deadlines for the following activities falling due during the period declared as Alert Level 3 or higher by the Inter Agency Task Force (IATF) for the month of January 2022:

- a. Submission and/or filing of the documents and/or returns, as well as the payment of the corresponding taxes thereon;
- b. Filing of position papers, replies, protests, documents and other similar letters and correspondences in relation to on-going BIR audit investigation;
- c. Filing of application for tax refund, including Value-Added Tax (VAT) refund, and processing of VAT refund claim; and

¹ Dated 20 January 2022, Issued on 27 January 2022

- d. Issuance and service of Assessment Notices, and Warrants of Dstraint and/or Levy, as well as Warrants of Garnishment, to enforce collection of deficiency taxes.

The extension applies to all taxpayers within the jurisdiction of the Revenue Regional (RR) and Revenue District Offices (RDO) of the BIR classified under Alert Level 3 or higher by the IATF.

If the extended due dates fall on a holiday or non-working day, the submission and/or filing contemplated herein shall be made on the next working day. The extension of the statutory deadlines set in the Regulations may be further extended by the Commissioner of Internal Revenue if the factual circumstances warrant for such an extension or as may be directed by the Secretary of Finance.

Affected taxpayers within the RRs and RDOs may file their returns and pay their corresponding taxes due thereon to the nearest Authorized Agent Banks (AABs) or to the BIR Revenue Collection Officer, notwithstanding the covered jurisdiction of the Revenue District Office. Taxpayers are encouraged to file online and pay through the following:

- 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 and taxpayer utilizing PCHC PayGate or PesoNet facility (depositors of RCBC, Robinsons Bank, Union Bank, BPI and PSBank);
- 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 Facility – for taxpayers who has an account with UBP or InstaPay using UPAY facility; and
- Mobile Payment of GCash, PayMaya and MyEG.

REVENUE MEMORANDUM ORDERS (RMO)

1. RMO No. 1-2022² - Prescribes the Revised Administrative Disciplinary Rules on Sexual Harassment Cases in the BIR.

This Order is issued to:

1. Implement the mandate of Section 4 of Republic Act of 7877 , otherwise known as an "Act declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment, and for other Purposes";
2. Implement Memorandum Circular (MC) No. 11 , s. 2021, promulgating CSC Resolution No. 2100064 dated January 20,2021, amending the Sexual Harassment Provisions in the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) pursuant to Republic Act (RA) No. 11313 (Safe Spaces Act)".
3. Promulgate appropriate rules and regulations in consultation with and jointly approved by the employees, through their duly designated representative, the Bureau of Internal Revenue Employees Association (BIREA), as mandated under Section 58 of Resolution No. 01-0940 dated May 21,2001 of the Civil Service Commission (CSC);

² Dated 10 January 2022, Issued on 10 January 2022

4. Provide information on the administrative offense of sexual harassment, and guidelines to effectively prevent or deter the commission of such offense; and
5. Prescribe the procedures for the investigation of sexual harassment cases and the administrative sanctions therefor.

The detailed rules and procedures pertaining to the investigation of sexual harassment cases and the administrative sanctions therefor are outlines in the Revised Administrative Disciplinary Rules on Sexual Harassment Cases in the Bureau of Internal Revenue hereto attached as Annex "A" and made an integral part hereof.

2. RMO No. 2-2022³ - Amends portions of RMO No. 10-2021 relative to the prescribed Standard Success Indicators for the Regional Divisions.
3. RMO No. 3-2022⁴ - Creates the Alphanumeric Tax Code (ATC) for revenue source under RA No. 9505, otherwise known as the Personal Equity and Retirement Account (PERA) Act of 2008, to wit:

ATC	Description	Tax Rate	Legal Basis	BIR Form No.
WI730	Total income earned from the time of its opening to its withdrawal under the PERA Act of 2008	20%	RA No. 9505/ RR No. 6-2021	1601-FQ

4. RMO No. 4-2022⁵ - Modifies the Alphanumeric Tax Code (ATC) of selected revenue source under Republic Act (RA) No. 11534, otherwise known as the Corporate Recovery and Tax Incentives for Enterprise (CREATE) Act, to wit:

EXISTING (per ATC Handbook)					MODIFIED/ NEW
ATC	Description	Tax Rate	BIR Form No.	Legal Basis	Tax Rate
IC010	Domestic Corporation, in general July 01, 2020 onwards	30%			25% or 20%
IC030	Proprietary Educational Institutions July 01, 2020 to June 30, 2023 July 01, 2023 onwards	10%	1702Q/ 1702-RT/ 1702-MX	RA No. 11534 RR No. 5- 2021	1%
	Proprietary Educational Institutions whose gross income from unrelated trade, business or	30%			10%
					25% or 20%

³ Dated 02 December 2021, Issued on 14 January 2022

⁴ Dated 27 September 2021, Issued on 14 January 2022

⁵ Date 02 November 2021, Issued on 14 January 2022

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	other activity exceeds fifty percent (50%) of the total gross income from all sources July 01, 2020 onwards			
IC031	Non-Stock, Non-Profit Hospitals July 01, 2020 to June 30, 2023 July 01, 2023 onwards	10%		1% 10%
	Non-Stock, Non-Profit Hospitals whose gross income from unrelated trade, business or other activity exceeds fifty percent (50%) of the total gross income from all sources July 01, 2020 onwards	30%		25% or 20%
IC040	GOCC, Agencies & Instrumentalities July 01, 2020 onwards	30%		25% or 20%

EXISTING (per ATC Handbook)					MODIFIED/ NEW
ATC	Description	Tax Rate	BIR Form No.	Legal Basis	Tax Rate
IC041	1 National Government and LGUs July 01, 2020 onwards	30%	1702Q/ 1702-RT/ 1702-MX	RA No. 11534 RR No. 5- 2021	25% or 20%
IC020	Taxable Partnership July 01, 2020 onwards	30%			25% or 20%
IC055	Minimum Corporate Income Tax (MCIT) July 01, 2020 to June 30, 2023 July 01, 2023 onwards	2%			1% 2%
IC070	Resident Foreign Corporation, In General	30%			25%
IC190	Offshore Banking Units (OBU's) Foreign Currency Transaction not subjected to Final Tax	10%			25%
	Other Than Foreign Currency Transaction	30%			25%
IC101	Regional Operating Headquarters January 01, 2022	10%			25%
IC191	Foreign Currency Deposit Units (FCDUs)				

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Foreign Currency Transaction not subjected to Final Tax	10%			25%
Other Than Foreign Currency Transaction	30%			25%

5. RMO No. 5-2022⁶ - Establishes and implements the Online Citizen/Client Satisfaction Survey (CCSS) for other BIR critical services under the Online Survey Feedback System (Phase 2) Project.

The Online CCSS Form shall be the exclusive online instrument (survey questionnaire) used in conducting the CCSS in all concerned BIR offices. The online survey for Phase 2 of the Online Survey Feedback System shall cover all other external services as provided under the 2021 Citizen's Charter of the BIR.

All taxpayers/clients shall be advised of the requirement that the online survey must be accomplished before the release of the document/transaction that was required/requested. An employee/Officer of the Day shall be designated to assist the taxpayer (if necessary) in accomplishing the Online Survey Questionnaire.

The releasing officer/employee shall be instructed to request taxpayer/clients of the requirement that the online survey be accomplished before the release of the document/transaction that was required/requested, and that they may access the link for the survey using the designated PC or scan the Quick Response (QR) code using their mobile phones.

All taxpayer responses archived in the MS Forms facility shall be accessible only to authorized officers and staff of the Research Statistics Division.

6. RMO No. 6-2022⁷ - Prescribes the guidelines and procedures on the creation, modification and dropping of Alphanumeric Tax Code (ATC).

The following policies and procedures shall be observed in the creation, modification and/or dropping of ATCs:

1. The concerned office shall officially communicate its request for the creation, modification and/or dropping of ATC(s) to the Assistant Commissioner (ACIR), Client Support Service (CSS), Attention: The Chief, Taxpayers Service Programs and Monitoring Division, together with the appropriate supporting documents, to effect the creation/changes on the corresponding BIR Forms.
2. The type of request shall be presented using the prescribed format.
3. The CSS shall then endorse the said request to the ACIR, planning and Management Service, Attention: The Chief, Research and Statistics Division (RSD), for appropriate action.
4. The RSD shall prepare the required Revenue Memorandum Order (RMO) for approval of the Commissioner of Internal Revenue.

⁶ Dated 16 November 2021, Issued on 14 January 2022

⁷ Dated 13 January 2022, Issued on 14 January 2022

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7. RMO No. 7-2022⁸ - Prescribes the policies and guidelines in the creation and management of official social media accounts of the BIR.

The following shall be the primary social media accounts of the BIR:

- Facebook (FB) page <https://facebook.com/birgovph>
- YouTube <https://youtube.com/birgovph>
- Twitter <https://twitter.com/birgovph>

Regional and district offices shall be allowed to create and manage their respective official Facebook page, YouTube page and Twitter account.

8. RMO No. 8-2022⁹ - Prescribes the adoption and use of the BIR Project Management Manual. This Order is issued to prescribe the adoption and use of the BIR Project Management Manual, which contains some of the generally-recognized and accepted concepts, principles, processes, and tools in effective project management.

The Manual, which was produced by the Project Management and Implementation Service (PMIS), shall be used as a reference document in the management of projects in the BIR, particularly in defining project concepts and terms, use of various tools, forms and templates, and adherence to prescribed procedures and guidelines.

Revenue officials, employees and others concerned who are designated as project leaders and implementers shall be guided by this Manual in managing their respective project activities.

9. RMO No. 9-2022¹⁰ - Prescribes the policies and procedures on the use of Video Conference Hearing as alternative mode to face-to-face formal investigation/hearing for administrative cases, amendment to RMO 19-2011.

To ensure the continuity in the adjudication process of administrative cases, taking into account the restraint on the movement and travel of revenue personnel, the health risks posed by Covid-19, and local travel restrictions during the different community quarantine status imposed in the different cities and provinces by the National Government, the provisions in the guidelines set forth by the Supreme Court in A.M. No. 20-12-01-SC (Re: Proposed Guidelines on the conduct of videoconferencing), as practicable in administrative due process, shall be adopted as an alternative mode to in-court proceedings, in the conduct of formal investigation of administrative cases under the BIR Revised Rules of Procedure in the Investigation/Hearing of Administrative Cases implemented by Revenue Memorandum Order (RMO) No. 19-2011.

1. It should be noted that in-court proceeding is still the primary mode in hearing administrative cases.
2. Administrative due process rights of the respondent are deemed observed when his/her appearance and/or testimony are done remotely through video conferencing under the said guidelines with his/her consent.

⁸ Dated 01 October 2021, Issued 18 January 2022

⁹ Dated 15 December 2021, Issued on 20 January 2022

¹⁰ Dated 21 January 2022, Issued on 21 January 2022

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3. The conduct of videoconferencing shall closely resemble in-court hearings, with remote locations viewed as extensions of the court room for administrative cases. The dignity and solemnity required in an in-court hearing, as well as the rules, and practices on proper court decorum, shall be strictly observed. Perjury laws shall apply.
4. Confidentiality of attorney-client communications shall always be preserved. The parties to the administrative case participating in a videoconference hearing shall be provided with private means of communication whenever necessary.
5. The 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) of the civil service commission shall continue to be observed, and the Rules of Court supplementarily.
6. Considering that the proceedings in administrative cases is classified as sensitive personal information under the Data Privacy Act of 2012, there is no public access to videoconference hearings. Only the authorized personnel shall be allowed to participate in the administrative hearing/s.
7. The proceedings through videoconferencing shall be recorded by the host, Personnel Adjudication Division. It shall form part of the records of the case, appending thereto relevant electronic documents taken up or issued during the hearing.

Formal investigation/hearing via video conference shall only use the officially provided Zoom or Microsoft Teams application, to host such hearings or any such application as authorized by the BIR Information Systems Group. The Hearing Officers shall utilize the official e-mail accounts or authorized BIR web mails.

For purposes of conducting the hearing via video conference, the following requirements should be prepared by the parties:

- 1) Official Personal Computer / Laptop with the installed application
- 2) Installed Peripheral (web camera)
- 3) Headset with microphone
- 4) Provision of stable internet connection

The assigned government prosecutor from the Internal Investigation Division (IID) shall coordinate with the PAD on the schedule of hearing and submit the list of witnesses and their respective contact details including email addresses to PAD for this purpose.

Using the official outlook accounts, the Hearing Officer shall send the parties to the Administrative Case emails:

- a. Informing them of the availability of holding hearings via videoconference;
- b. Attach a copy of this Guidelines for Hearings Via Video Conference; and
- c. Asking them to coordinate with the PAD for scheduling of the case.

If the respondent will be represented by legal counsel, the respondent should provide the contact details and email address of such counsel.

Hearings will be held via the conferencing tool of Microsoft 365, specifically Microsoft Teams and Proof of receipt of the notification emails shall be properly recorded.

1. The assigned Hearing Officer, as host, shall ensure that the following shall all be present before starting any hearing via video conference:
 - a. Government prosecutor (IID Investigating Officer)
 - b. Respondent or his/her legal counsel
 - c. Witnesses of the parties
2. The formal investigation / hearing shall be hosted from the Hearing Room at the NTC Building, Ground Floor, BIR National Office, Quezon City.
3. If the witnesses of the government prosecutor are offsite or are in the Regional/District Office, they shall make proper arrangements for the video conference, and the government prosecutor shall ensure that said witness/es to be presented is/are prepared for the video conference hearing.
4. As far as is practical, the above-mentioned persons, shall be visible to all participants at any time during the proceeding, except when a witness is excluded by the Hearing Officer.
5. Hearings held via video conference shall follow the formal investigation procedures laid in the 2017 RACCS and RMO 19-2011.
6. The dignity and solemnity of court proceedings shall be observed at all times. All participants shall be in appropriate attire.
7. When presenting witnesses, the parties may be required to adjust the camera to show full view of the witnesses' surroundings in order to prevent any occurrence of coaching.
8. Proceedings may be suspended by the Hearing Officer if there are technical issues that prove difficult to quickly resolve. The reason/s for such suspension shall be properly recorded. The Hearing Officer shall notify parties of the resumption or next scheduled hearing.
9. At the start of the hearing, the Hearing Officer shall take note of the appearance of the parties. If, after being apprised of the right to counsel, the respondent appears without the aid of a counsel, he/she shall be deemed to have waived the right thereto and this shall be made on record.

The Hearing Officer, as host, shall hold a dry run or preliminary call to which the parties will have no access before the actual hearing in order to prepare his/her videoconferencing tools and address any initial technical issues that may occur. The representative from the NMTSD shall be present during this call. The NMTSD is tasked to distribute instructional materials to PAD Hearing officers, preferably on-line demonstration or presentation on how to use the video conference for hearings. Hearing officers of PAD are advised to familiarize themselves of the video conference procedures using Microsoft Teams and enlist the support of NMTSD in the conduct of demonstrations.

The proceedings of the hearings shall be recorded by the Hearing officer using the Teams application. The Hearing officer shall store and file these video recordings and the same shall form part of the records of the case. Unauthorized recording of the proceeding by any party may be considered a breach of violation of under Data privacy Act, and shall be dealt with accordingly. In the absence of stenographer, the Hearing officer shall make a summary of the proceedings pursuant to section B, Rule VI of RMO 19-2011 and the same shall form part of

the records of the case. The case records shall indicate the hearings that were conducted via video conference.

REVENUE MEMORANDUM CIRCULARS (RMC)

1. RMC No. 1-2022¹¹ - Notifies the loss of twenty (20) pieces of unissued BIR Form No. 1931 – TIN Card.
2. RMC No. 2-2022¹² - Publishing the Full Text of Letter from the Department of Health (DOH) Endorsing Updates to the List of VAT-Exempt COVID-19 Medicines Under Republic Act (R.A.) No. 11534.
3. RMC No. 3-2022¹³ - Clarifies the preparation of assessment notices for compromise penalty.

This Circular is hereby issued to clarify the proper procedure in the preparation of assessment notices for compromise penalty(ies) pursuant to the provisions under Revenue Memorandum Order No. 7-2015 with regards to compromise penalties and Revenue Regulations No. 12-99, as amended by RR No. 18-2013, in the issuance of a deficiency tax assessment.

Compromise penalties are amounts collected in lieu of criminal prosecution for violation committed by the taxpayer, where payment is based on a compromise agreement validity entered into between the taxpayer and the Commissioner of Internal Revenue.

Item No. III.4 of the aforesaid RMO laid down that:

*"Although all amounts of compromise penalties incident to violations shall be itemized in the assessment notice and/or demand letter, **the same should not form part of assessment notice that reflects deficiency basic tax, surcharge and interest but should appear in a separate assessment notice/demand letter as the amount suggested to the taxpayer to pay in lieu of criminal prosecution.**" (emphasis supplied)*

Notwithstanding the foregoing, it has been observed that there are times when the assessment notice for deficiency basic tax(es) and civil penalties also includes the compromise penalty(ies).

Hence, for uniformity in the preparation of assessment notices, the prescribed formats under RR No. 18-2013 such as Preliminary Assessment Notice (PAN) and Formal Letter of Demand shall now be composed of Part I and Part II, where Part I shall pertain to deficiency basic tax(es) and civil penalties, while Part II shall pertain to the assessed compromise penalty(ies) relative to violations uncovered during the conduct of audit. Part II of the applicable notices are hereby

¹¹ Dated 21 December 2021, Issued on 04 January 2022

¹² Dated 24 December 2021, Issued on 10 January 2022

¹³ Dated 01 December 2021, Issued on 14 January 2022

prescribed hereof as Annexes A and B, with sample item of violations to the Tax Code, as amended:

- Annex A - Preliminary Assessment Notice (Part II)
- Annex B.1 - Formal Letter of Demand (Part II)
- Annex B.2 - Final Assessment Notice

Likewise, preparation of the BIR Form No. 0605 - Payment Form for the settlement/payment of the deficiency basic tax and civil penalties in "Part I" of the assessment notices and BIR Form No. 0605 for compromise penalty(ies) in Part II (Annexes C) shall be done separately.

4. RMC No. 4-2022¹⁴ - Clarifies specific provisions in RMO No. 23-2021 regarding guidelines and procedures on Digital/Online Learning in the BIR.
5. RMC No. 5-2022¹⁵ - Publishes the letter from the Food and Drug Administration endorsing updates to the List of VAT-Exempt Products under RA Nos. 10963 and 11534.

This Circular updates and supplements Revenue Memorandum Circular No. 81-2021, which published the consolidated list of VAT-exempt products and has become the controlling list insofar as the VAT exemption of items under Sections 109(1)(AA) and 109(1)(BB)(ii) of the Tax Code of 1997, as amended, is concerned.

6. RMC No. 6-2022¹⁶ - Clarifies the Documentary Stamp Tax imposed under Section 175 of the 1997 Tax Code, as amended, on transfer of shares of stocks.

The Documentary Stamp Tax (DST) is levied on the exercise by a person of certain privileges conferred by law for the creation, revision, or termination of specific legal relationships through execution of specific instruments. It is in the nature of an Excise Tax.

Thus, the following transfers of shares of stock shall also be subject to DST under Section 175 of the 1997 Tax Code, as amended:

- a. Transfer pursuant to a Deed of Donation;
- b. Transfer pursuant to a Will of the Decedent as approved by the probate court in a Judicial Settlement of Estate; and
- c. Generally, transfer of shares of stock from the decedent's estate to the heirs thru intestate succession (without a Will) is not subject to DST under Section 175 of the 1997 Tax Code, as amended, as ownership of such shares is transferred to the heirs via succession by operation of law. However, it would be different if, in case of a Judicial Settlement of Estate as approved by the probate court or an Extra Judicial Settlement of Estate (both without a Will), the heir/s specifically waive/s or renounce/s his or her share over the inheritance (i.e., shares of stocks left by the decedent), then, in such a situation, the renounced/waived shares of stock to be transferred to another heir/s shall also be subject

¹⁴ Dated 21 December 2021, Issued on 14 January 2022

¹⁵ Dated 15 October 2021, Issued on 17 January 2022

¹⁶ Dated 23 November 2021, Issued on 18 January 2022

to DST pursuant to Section 175 of the 1997 Tax Code, as amended. In this case, the rules set forth in Revenue Memorandum Circular No. 94-2021 apply.

7. RMC No. 7-2022¹⁷ - Circularizes the Consolidated Price of Sugar at Millsite for the Month of September 2021.
8. RMC No. 8-2022¹⁸ - Circularizes the Consolidated Price of Sugar at Millsite for the Month of October 2021.
9. RMC No. 9-2022¹⁹ - Circularizes the Consolidated Price of Sugar at Millsite for the Month of November 2021.
10. RMC No. 10-2022²⁰ - Publishes the CY 2022 BIR Priority Programs and Projects
11. RMC No. 11-2022²¹ - Circularizes RA No. 11595, titled “An Act Amending Republic Act No. 8762, Otherwise Known as the ‘Retail Trade Liberalization Act of 2000’, by Lowering the Required Paid-Up Capital for Foreign Retail Enterprises, and for Other Purposes”.
12. RMC No. 12-2022²² - Circularizes RA No. 11598, titled “An Act Authorizing the Department of Agriculture to Provide for Direct Cash Assistance to Farmers who are Tilling Two (2) Hectares and Below of Rice Land Until 2024, and Use for the Purpose the Annual Tariff Revenues in Excess of Ten Billion Pesos (P10B) of the Rice Competitiveness Enhancement Fund Created Under Republic Act No. 11203, entitled "An Act Liberalizing the Importation, Exportation and Trading of Rice, Lifting for the Purpose the Quantitative Import Restriction on Rice, and for Other Purposes””.
13. RMC No. 13-2022²³ - Circularizes RA No. 11635, titled “An Act Amending Section 27(B) of the National Internal Revenue Code of 1997, as Amended, and for Other Purposes”.

The said Section is further amended to read as follows:

“(B) Hospitals which are nonprofit and proprietary educational institutions shall pay a tax of ten percent (10%) on their taxable income except those covered by Subsection (D) hereof: *Provided*, That beginning July 1, 2020 until June 30, 2023, the tax rate herein imposed shall be one percent (1%): *Provided, further*, That if the gross income from unrelated trade, business or other activity exceeds fifty percent (50%) of the total gross income derived by such educational institutions or hospitals from all sources, the tax prescribed in Subsection (A) hereof shall be imposed on the entire taxable income. For purposes of this Subsection, the term ‘unrelated trade, business or other activity’ means any

¹⁷ Dated 5 November 2021, Issued on 19 January 2022

¹⁸ Dated 25 November 2021, Issued on 19 January 2022

¹⁹ Dated 13 January 2022, Issued on 19 January 2022

²⁰ Dated 13 January 2022, Issued on 20 January 2022

²¹ Dated 24 January 2022, Issued on 24 January 2022

²² Dated 24 January 2022, Issued on 24 January 2022

²³ Dated 24 January 2022, Issued on 24 January 2022

trade, business or other activity, the conduct of which is not substantially related to the exercise or performance by such educational institution, or hospital of its primary purpose or function. ‘Proprietary educational institution’ means any private school maintained and administered by private individuals or groups with an issued permit to operate from the Department of Education (DepEd), or the Commission on Higher Education (CHED), or the Technical Education and Skills Development Authority (TESDA), as the case may be, in accordance with existing laws and regulations.”

14. RMC No. 14-2022²⁴ - Publishes the Revised People’s FOI Manual of the BIR, Updated List of FOI Receiving Offices and Officers and FOI Request Process Flowchart.
15. RMC No. 15-2022²⁵ - Publishes the revised BIR One-Page FOI Manual.
16. RMC No. 16-2022²⁶ - Clarifies the scope and coverage of the extension of deadlines granted pursuant to Revenue Regulations No. 1-2022.

Specifically, the RMC stresses that the extension shall apply to the submission of all required documents, including but not limited to inventory lists, and all returns, whether tax returns or information returns, including alphalists, among others, and registration of books of accounts.

On the extension of filing of VAT refund claims under Section 2, item 3 of RR No. 1-2022, the RMC clarifies that the extension of thirty (30) days also applies even if the applicant is a registered taxpayer in the area declared as Alert Level 1 or 2 provided that the venue of the filing thereof is in the area declared as Alert Level 3 or higher.

The extension likewise applies to the processing period prescribed for VAT refund processing.

Finally, the RMC clarified that the extension of deadlines covering all the items in Section 2 of RR No. 01-2022 applies to all taxpayers within the jurisdiction not only of the Revenue Regional (RRs) and Revenue District Offices (RDOs) but also of the Large Taxpayers Services (LTS) Offices of the BIR classified under Alert Level 3 or higher by the IATF for the month of January 2022.

17. RMC No. 17-2022²⁷ - Publishes the full text of letter from the DOH endorsing updates to the List of VAT-Exempt COVID-19 Medicines under RA No. 11534.

END

²⁴ Dated 27 January 2022, Issued on 25 January 2022

²⁵ Dated 27 January 2022, Issued on 27 January 2022

²⁶ Dated 31 January 2022, Issued on 31 January 2022

²⁷ Dated 20 January 2022, Issued on 31 January 2022