

REVENUE REGULATIONS NO. 9-2000 issued November 22, 2000 identifies the persons liable for the Documentary Stamp Tax (DST) and the mode of payment/remittance of the said tax under certain conditions. The DST, in general, is a tax imposed against the person making, signing, issuing, accepting or transferring the document or facility evidencing the aforesaid transactions. Thus, in general, it may be imposed on the transaction itself or upon the document underlying such act. Any of the parties to the taxable transaction will be liable and responsible for the payment and remittance of the full amount of the tax due. However, whenever one of the parties to the taxable transaction is exempt from the DST, the other party who is not exempt shall be the one directly liable for the said tax.

If the tax-exempt party is one of the persons constituted as agent of the Commissioner for the collection of the tax, he shall be required to collect and remit the DST. Failure on his part to collect and remit the DST would make him personally liable for the tax and the penalties prescribed under Title X of the Tax Code.

The DST on the specified cases will be remitted as follows: 1) stamp tax on bonds, debentures, certificates of indebtedness, deposit substitute, or other similar instruments - to be remitted by the person who issued the instrument; 2) stamp tax on original issue of shares of stock in a corporation - to be remitted by the corporation which issued the share(s) of stock; and 3) stamp tax on jai-alai, horse race, lotto or other authorized number games - to be remitted by the proprietor or operators. Whenever one of the parties to the taxable document or transaction is included in any of the entities enumerated in the Regulations, such entities will be responsible for the remittance of the DST.

The "on-line electronic DST imprinting machine", unless expressly exempted by the Commissioner, will be used in the payment and remittance of the DST by the following class of taxpayers: a) bank, quasi-bank or non-bank financial intermediary, finance company, insurance, surety, fidelity, or annuity company; b) the Philippine Stock Exchange (in the case of shares of stock and other securities traded in the local stock exchange); c) shipping and airline companies; d) pre-need company (on sale of pre-need plans); and e) other industries as may be required by the Commissioner.