REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE

Quezon City

Sec 101(A)(2) of the Tax Code of 1997
BIR Ruling No. 175-11 BIR Ruling No. 387-11 BIR Ruling No. 300-11
#326-2016 6-29-2016

GENERAL SERVICES DEPARTMENT
Interim Fixed Assets Management and Control Division
Local Government of Quezon City
Elliptical Road, Diliman, Quezon City

Attention: **ROLANDO P. MONTIEL**
City Government Department Head III
Official Property Custodian

Gentlemen:

This refers to your letter dated July 10, 2014 requesting exemption from the payments of Donors tax and Documentary Stamp Tax for real property donated by Roberto Apo in favor of Quezon City Government.

Documents submitted disclosed that Roberto Apo is the registered owner of a parcel of land (road lot) with an area of thirty two square meters (32 sq.m.) and identified as Lot 960-D-4-B-1-D of the subdn. plan Psd-00-049353, being a portion of Lot 960-D-4-B-1 (LRC) Psd-120821, LRC Rec. No. 5975 covered by Transfer Certificate of Title (TCT) No. issued by the Registry of Deeds for the Quezon City situated in Barangay Tandang Sora, Quezon City; that on February 3, 2014, a Deed of Donation and Acceptance was executed by Roberto Apo, through his duly appointed Attorney-in-Fact, Rosalyn V. Apo, donating the subject property (Road Lot) to the Quezon City Government. In compliance with the provisions of Presidential Decree (PD) Nos. 957 and 1216; and that the donation was accepted by the donee as represented by City Mayor Herbert M. Bautista.

In reply, please be informed that under Section 101(A) (2) of the Tax Code of 1997, as amended, gifts made to or for the use of the National Government or any entity created by any of its agencies which is not conducted for profit, or to any political subdivision of the Government are exempt from donor's tax.

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Considering that the above donation was made by the registered owner, Robert Apo, in favor of Quezon City Government, a political subdivision of the Government, it is exempt from donor's tax. (BIR Ruling No. 175-11 dated May 27, 2011)

Moreover, the Deed of Donation is not subject to documentary stamp tax. However, the acknowledgment on said deed is subject to the documentary stamp tax of P15.00 imposed under Section 188 of the Tax Code of 1997, as amended. (BIR Ruling No. 387-11 dated October 18, 2011 and BIR Ruling No. 300-11 dated May 12, 2011)

This ruling is being issued on the basis of the foregoing facts as represented. However, if upon investigation it will be disclosed that the facts are different, then this ruling shall be considered null and void.

Very truly yours,

KIM S. JACINTO-HENARES
Commissioner of Internal Revenue

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JUN 24 2016