

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE

Quezon City

03 November 2008

REVENUE MEMORANDUM CIRCULAR NO. 72 - 2008

SUBJECT : Prescribes and Clarifies the Guidelines and Procedures in the Issuance of Taxpayer Identification Number (TIN) to Securities and Exchange Commission's (SEC) Registrants Pursuant to Memorandum of Agreement (MOA) Between the SEC and the BIR in the Implementation of the Electronic Exchange of Information Among Government Agencies, in Relation to the Implementation of Revenue Memorandum Order No. (RMO) 30-2005

TO : All Internal Revenue Officials and Employees and Others Concerned

Hereunder are clarifications in the form of basic questions and answers concerning the issuance of TIN to SEC registrants relative to the implementation of RMO No. 30-2005:

Q1: Who are to be issued pre-generated TIN?

A1: All newly formed corporations, partnerships, associations and other organizations subject to SEC registration, with no existing TIN are to be issued pre-generated TIN by SEC-Head Office, which must be indicated on the SEC Certificate of Registration. However, for corporations, partnerships, associations and other organizations registered at SEC-Extension Office, the concerned RDO shall issue system or pre-generated TIN to the same until SEC-Extension Office is capable of issuing pre-generated TIN.

Q2: In case where a corporation, partnership, association or other organization subject to SEC registration was issued a pre-generated TIN by SEC and such corporation and/or partnership immediately proceeds to the RDO, but the TIN has not yet been uploaded to the ITS database, how will the RDO manage such scenario?

- A2:** For computerized RDO, the pre-generated TIN issued by SEC shall be encoded to ITS Registration System.

For non-computerized RDO, the pre-generated TIN shall be encoded to stand alone Taxpayer Record Update (TRU) Encoding Program. Thereafter, the RDO shall submit the same for uploading to the System Operations Division (SOD), thru e-mail at tru-sod@bir.gov.ph with subject line “SEC registrants for uploading” on or before the 25th day of the month.

- Q3:** In REG-ITS, whenever an RDO cannot view/encode the registration details of the corporation, partnership, association and other organization subject to SEC registration, with the message “Record already exists” and/or “Unable to insert” and/or “Unable to capture” respectively, how will the RDO resolve such scenario?

- A3:** The RDO shall report it to its respective Helpdesk for escalation to and immediate resolution by ISDS. Upon resolution by ISDS, the Helpdesk shall instruct the RDO to either view or encode again to ITS.

- Q4:** If a corporation, partnership, association and other organization, with issued pre-generated TIN by SEC, was uploaded to a different RDO other than the RDO where the corporation and/or partnership should have been registered/uploaded, how will the RDO fix such problem?

- A4:** For computerized RDO, the RDO where the taxpayer’s TIN was incorrectly uploaded shall immediately transfer the registration of the taxpayer to its rightful RDO, upon discovery of the wrong upload or upon request of the taxpayer.

For non-computerized RDO, the RDO shall request the SOD – BIR National Office, to transfer the registration of the corporation and/or partnership.

In both cases, the provisions of RMO 40-2004 shall be followed for such transfer.

- Q5:** What will the RDO do in cases where the corporation, partnership, association and other organization subject to SEC registration, uses a different business address or trade name from the business address or trade name indicated in the issued SEC Registration Certificate?

- A5:** The RDO will require the taxpayer to immediately update its registered address or trade name thru BIR Form No. 1905 and submit required supporting documents for proper updating in the Registration System.

- Q6:** In case the RDO mistakenly issues another TIN for a corporation, partnership, association and other organization subject to SEC registration, with pre-generated TIN issued by SEC, which TIN shall be retained?

A6: If both TINs have no transactions yet, the pre-generated TIN issued by SEC shall be retained. But, if both TINs have transactions, the one with more transactions shall be retained.

Q7: What is the sanction/penalty for issuing multiple TINs?

The RDO, particularly the TSS personnel, shall be responsible for the mistakenly issued TIN, subject to the sanction/penalty provided under RMO 11-2000 regarding the issuance of multiple TINs, to wit:

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| for first offense | – | Reprimand |
| for second offense | – | Suspension for 30 days |

All revenue officials and employees are enjoined to give this Circular as wide a publicity as possible.

(Original Signed)
SIXTO S. ESQUIVIAS IV
Commissioner of Internal Revenue