REPUBLIC OF THE PHILIPPINES
Court of Tax Appeals
QUEZON CITY

Second Division

NATIONAL MUSEUM OF THE PHILIPPINES Herein represented by its Director-General, **JEREMY BARNS,** Petitioner, -versus- **COMMISSIONER OF INTERNAL REVENUE,** Respondent.	**CTA CASE NO. 11946** Members: **RINGPIS-LIBAN,** *Chairperson,* **MODESTO-SAN PEDRO,** *and* **FERRER-FLORES,** *JJ.* Promulgated: JUL 04 2025

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RESOLUTION

Before the Court is a *Verified Appeal (with Prayer for Exemption of Payment of Appeal Filing Fees)* ("Appeal"), filed on May 26, 2025, praying that this Court (1) waive filing fees; and (2) reverse and set aside respondent's Decision, which upheld the assessment for alleged deficiency taxes for financial year 2015 against petitioner.

This Court lacks jurisdiction over the case.

Under *Presidential Decree* ("*PD*") *No. 242*, as incorporated into the *Revised Administrative Code*, controversies arising from the interpretation of statutes, contracts, or agreements, among or between government agencies, must be administratively settled:

> Section 1. Provisions of law to the contrary notwithstanding, all disputes, claims and controversies solely between or among the departments, bureaus, offices, agencies and instrumentalities of the National Government, including constitutional offices or agencies, arising from the interpretation and application of statutes, contracts or agreements, shall henceforth be administratively settled or adjudicated as provided hereinafter: Provided, That this shall not apply to cases already pending in court at the time of the effectivity of this decree.

The applicability of this provision to government entities that dispute assessments made against them by the Bureau of Internal Revenue ("BIR") was conclusively established by the Supreme Court in *Power Sector Assets and Liabilities Management Corporation v. Commissioner of Internal*

Revenue[1] and affirmed in cases such as *Department of Energy v. Court of Tax Appeals*.[2] In both cases, the High Court found that though the Court of Tax Appeals ("CTA") generally has jurisdiction over decisions of the Commissioner of Internal Revenue on assailed assessments, the CTA cannot assume authority over intra-governmental disputes, following *PD No. 242*. Such disputes must instead be brought before the Department of Justice, the Office of the Solicitor General, or the Office of Government Corporate Counsel, as the case may be.

Petitioner is a trust of the government and is classified as a national government agency, as stated in *Section 5(a) of Republic Act No. 11333*:

> Section 5. The National Museum as a Trust of the Government. -To ensure its independence and autonomy, the National Museum shall be uniquely considered as a trust of the government, attached solely for budgetary coordination and related purposes to the Department of Education.
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> As a trust of the government, the National Museum shall:
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> (a) *Continue to be classified as a National Government Agency*, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;
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> . . . .
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> (Italics supplied.)

Considering that respondent is the commissioner of the BIR, a government bureau, the case at bar is an intra-governmental dispute. This Court consequently lacks jurisdiction over the case, and the Appeal must be dismissed.

ACCORDINGLY, the instant *Verified Appeal (with Prayer for Exemption of Payment of Appeal Filing Fees)*, filed on May 26, 2025, is hereby **DISMISSED** for lack of jurisdiction.

SO ORDERED.

MA. BELEN M. RINGPIS-LIBAN
Associate Justice

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[1] G.R. No. 198146, August 8, 2017.
[2] G.R. No. 260912, August 17, 2022.

MARIA ROWENA MODESTO-SAN PEDRO
Associate Justice

CORAZON G. FERRER-FLORES
Associate Justice