SEC MEMORANDUM CIRCULAR NO. 17
Series of 2024

TO	:	**ALL CONCERNED**
SUBJECT	:	**EXTENSION OF ENHANCED COMPLIANCE INCENTIVE PLAN APPLICATIONS UNTIL 31 DECEMBER 2024**

WHEREAS, the Commission has launched the Enhanced Compliance Incentive Plan (ECIP) this year as one of the Commission's programs to encourage compliance of its regulated entities by submitting their updated reportorial requirements;

WHEREAS, an extension of ECIP applications is equally beneficial to the applicant-corporations and the Commission for it will allow the former more time to comply with the complete and correct set of requirements indicated in Section 3 of the Memorandum Circular No. 13, s. 2024 and provide the latter time to conclusively complete the list of corporations who will be declared under delinquent status through publication in a general circulation, pursuant to Section 129 of Republic Act No. 11232 or the Revised Corporation Code of the Philippines and update its database of active and inactive corporations;

WHEREAS, the Commission recognizes the challenge and length of time needed in providing the complete set of requirements, especially for suspended and revoked corporations who are required to submit corresponding supporting documentary requirements to their Petition to Lift Order of Suspension/Revocation;

WHEREAS, the Commission expects more non-compliant, suspended, and revoked corporations to avail of this opportunity to settle their fines and penalties at a lower cost;

NOW, THEREFORE, the Commission hereby resolves to **EXTEND** the deadline for ECIP applications **until 31 December 2024,** and reiterates the following guidelines:

SECTION 1. PROCEDURE. The Commission reminds the public of the following in relation to the ECIP application process:

A. ***Filing of ECIP Application***. The Commission shall continue to accept an Expression of Interest (EOI), a web-based application form integrated in the eFAST, to avail of the ECIP until **31 December 2024**.

B. ***Submission of Reportorial Requirements***. Non-compliant corporations and corporations whose Certificates of Incorporation have been suspended or revoked shall upload and submit their latest AFS and General Information Sheet (GIS) until **31 December 2024 via eFAST**. In addition to the AFS and GIS, corporations whose Certificates of Incorporation have been suspended or revoked shall also upload and submit their respective Petition to Lift Order (PLO) of Suspension/Revocation via eFAST.

   For corporations whose Certificates of Incorporation have been suspended or revoked, the following must also be submitted to the designated SEC emails depending on their respective jurisdictions in support of their Petitions to Lift Order of Suspension/Revocation:

   1. Directors' or Trustees' Certificate;
   2. Latest due AFS, and its attachments, as received by the SEC and Bureau of Internal Revenue (BIR);
   3. Latest due GIS, as received by the SEC;
   4. Copies of Certificate of Incorporation and latest Certificate of filing of Amended Articles or By-laws (if any) together with latest Articles of Incorporation and By-laws;
   5. Copy of registration of stock and transfer book or membership book;
   6. Secretary's Certificate of No Intra Corporate Controversy;
   7. Sworn Certification by the External Auditor;
   8. Proof of ongoing operation, such as but not limited to:

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- Audited Financial Statements;
- Income Tax Returns;
- Mayor's or Business Permits;
- Contracts;
- Receipts showing payment of Real Estate Tax;
- Certification/Recognitions/Annual Conventions; or
- Any similar/related documents.

9. Latest Mayor's/Business Permit;
10. BIR Certificate of Registration;
11. Certification from the Corporate Secretary that the Latest Financial Statement and Income Tax Return was received by the SEC and BIR, respectively; and
12. Compliance with SEC Memorandum Circular No. 28, Series of 2020.

C. ***Payment of ECIP Fees*****.** Settlement of ECIP fees shall only be through **Electronic System for Payment to SEC (eSPAYSEC).** After submission of the EOI, the eFAST will automatically generate a Payment Assessment Form ("PAF") amounting to Twenty Thousand Pesos (Php 20,000.00), in the case of non-compliant corporations.

On the other hand, suspended and revoked corporations are issued a PAF amounting to Three Thousand Sixty Pesos (Php 3,060.00) which corresponds to their petition fees. After the petition fee has been settled, a second PAF which represents the 50% of their total assessed fines and penalties shall be sent to their registered email address after their complete set of requirements have been duly evaluated. An electronic Official Receipt (eOR) is generated for each transaction in the eSPAYSEC.

D. ***Forfeiture of ECIP Fees****.* Should an applicant-corporation fail to submit the complete set of requirements within the prescribed period, as indicated in the preceding paragraphs, the ECIP fee of Php20,000.00 for non-compliant corporations and 50% of the total assessed penalties for suspended/revoked corporations, as well as the initial petition fee of Php3,060.00 applicable to suspended/revoked corporations, shall be forfeited.

This Circular shall take effect immediately upon completion of its publication in a newspaper of general circulation.

Done this 28 November 2024, Makati City, Philippines.

For the Commission:

EMILIO B. AQUINO
Chairperson