

**[REVENUE REGULATIONS NO. 19-2002, OCTOBER
11, 2002, October 11, 2002]**

**AMENDING REVENUE REGULATIONS NO. 3-2002 AND FURTHER
AMENDING SECTION 2.83 OF REVENUE REGULATIONS NO. 2-98
AS AMENDED, RELATIVE TO SUBSTITUTED FILING OF INCOME
TAX RETURN OF EMPLOYEES RECEIVING PURELY
COMPENSATION INCOME FROM ONLY ONE EMPLOYER FOR ONE
TAXABLE YEAR WHOSE TAX DUE IS EQUAL TO TAX WITHHELD
AND INDIVIDUAL-PAYEES WHOSE COMPENSATION INCOME IS
SUBJECT TO FINAL WITHHOLDING TAX**

SECTION 1. Scope. — Pursuant to the provisions of Section 244 in relation to Section 51(A)(2)(b) of the National Internal Revenue Code of 1997, these Regulations are hereby promulgated to further amend pertinent provisions of Revenue Regulations No. 2-98, as amended by Revenue Regulations No. 3-2002.

SECTION 2. Amendment. — Section 2.83.1 of Revenue Regulations No. 2-98, as amended by Section 2 of Revenue Regulations No. 3-2002, is hereby further amended to read as follows:

"Section 2.83.1. Certificate of Compensation Payment/Tax Withheld (BIR Form No. 2316). — In general, every employer or other person who is required to deduct and withhold the tax on compensation including fringe benefits given to rank and file employees, shall furnish every employee from whose compensation taxes have been withheld the Certificate of Compensation Payment/Tax Withheld (BIR Form No. 2316), on or before January 31 of the succeeding calendar year, or if the employment is terminated before the close of such calendar year, on the day on which the last payment of compensation is made. Failure to furnish the same shall be a ground for the mandatory audit of payor's income tax liabilities (including withholding tax) upon verified complaint of the payee.

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The Certificate of Compensation Payment/Tax Withheld (BIR Form No. 2316) shall contain a certification to the effect that the employer's filing of BIR Form No. 1604-CF shall be considered as a substituted filing of the employee's income tax return to the extent that the amount of compensation and tax withheld appearing in BIR Form No. 1604-CF as filed with BIR is consistent with the corresponding amounts indicated in BIR Form No. 2316. It shall be signed by both the employee and employer attesting to the fact that the information stated therein has been verified and is true and correct to the best of their knowledge. However, the withholding agents/employers are required to retain copies