

[BIR REVENUE MEMORANDUM ORDER NO. 50-2000, October 19, 2000]

PROVIDING THE POLICIES AND PROCEDURES IN THE POSTING OF NOTICE FOR THE ISSUANCE OF SALES/COMMERCIAL INVOICE AND/OR OFFICIAL RECEIPTS BY PERSONS REQUIRED BY LAW AND PROVIDING THE PENALTIES FOR NON-COMPLIANCE THEREOF UNDER REVENUE REGULATIONS 4-2000

I. Objectives

This Revenue Memorandum is issued:

1. To improve revenue collection through the strict implementation of the provisions of the National Internal Revenue Code of 1997 on the issuance of sales/commercial invoice and/or official receipt by persons required by law or regulations to issue the same.
2. To instill in the minds of the taxpaying public the obligation of the seller to issue sales/commercial invoice and/or official receipt on sales transactions with or without demand from buyer of goods or services.
3. To further educate and inform the taxpayers of their rights and obligation.

II. Policies and Guidelines

The following guidelines and policies are to be observed and strictly followed by all concerned:

1. The official "Notice to the Public" is hereby prescribed to be issued to all registered taxpayers, whether head office or branch including mobile stores, required by law to issue sales/commercial invoices and/or official receipts which shall be conspicuously posted and/ or exhibited in plain view on a prominent place where the taxpayer's place of business is conducted.
2. All taxpayers registered prior to this Order shall be issued the "Notice" by the respective offices.
3. All new registrants shall be issued "Notice" upon issuance of the Certificate of Registration.
4. The Revenue Regional Director, Assistant Commissioners of Large Taxpayers Service and Excise Taxpayers Service shall monitor every taxpayer within their jurisdiction to ensure that the "Notice" is properly posted as required under 11.1 of this Order.

5. The Taxpayer Service Program and Monitoring Division (TSPMD) shall be responsible for the allocation of the "Notice" based on the number of registrants submitted by concerned offices.

6. The General Services Division (GSD) shall be in charge of the over all supply and distribution of this "Notice" to all concerned offices based on the actual number of taxpayers engaged in business as reported to TSPMD.

7. In case of transfer or change of registered address of the taxpayer, the "Notice" shall be surrendered for cancellation and a new "Notice" shall be issued by concerned offices.

8. A fine of P1,000 or imprisonment of not more than six (6) months, or both, pursuant to the provisions of Section 275 of the National Internal Revenue Code (NIRC) of 1997 shall be imposed upon each establishment found violating this Order.

III. Procedures:

A. Regional Data Center and ISOS Data Center shall:

1. Generate a master list of business registrants by RDO, Large Taxpayers and Excise Taxpayers containing the following information:

a) Taxpayer Identification Number

b) Name of Taxpayer

c) Address

2. Submit the master list to the Revenue District Offices, Large Taxpayers Assessment Division and Excise Taxpayers Operations Division, as the case maybe, within fifteen (15) days from date of effectivity of this Order for validation of actual registrants as basis for requisition.

3. Furnish the TSPMD a copy of this master list for allocation purposes.

B. Revenue District Office shall:

1. Requisition "Notice" from GSD based on the validated master list including a reasonable allowance to cover new registrants.

2. Divide the District Office into number of zones depending on the number of taxpayers, number of personnel to do the work and the area covered. Create teams within the District and assign each team to a tax zone.

3. Assign control number consecutively using the following format: Year, RDO No. Sequential No. (e.g. 00-040-0001) and fill up the necessary details on the "Notice" (e.i. Name of Establishment, TIN, RDO No., and RDO's telephone number) in permanent black ink.

4. Deliver to existing registrants the "Notice" together with the letter (Annex A) and cause the posting of the "Notice" in their business establishments within one (1)

month from date of effectivity of this Order. Have the taxpayer receive the "Notice" by signing the acknowledgment portion of the letter.

5. Conduct door-to-door post verification by Revenue Officer of all business establishments covered within one month from the date of posting of the "Notice" to determine business taxpayer's compliance with the provisions of this Order. The Revenue Officer in charge of the Zone shall prepare and submit a monthly accomplishment report on the result of the posting and verification to the RDO of every 10th day of the following month.

6. Impose the fine of P1,000 to taxpayers found violating the provisions of RR 4-2000 either by:

a) Failing or neglecting to post the "Notice to the Public" required herein; and/or

b) Deliberately removing the said Notice.

7. Submit consolidated monthly report on the result of the posting and door-to-door verification using the attached format marked "Annex C" to TSPMD on or before the 15th day of the following month, copy furnished the Regional Director.

8. Include Revenue Regulations 4-2000 and the penalties imposed in violation thereof as one of the topics for discussion during the conduct of taxpayers' briefing to new registrants as required under RMO 82-99.

9. Issue "Notice" to all new registrants together with the Certificate of Registration.

C. The Large Taxpayers Assessment Division shall:

1. Requisition "Notice" from GSD based on the validated master list.

2. Assign control number consecutively using the following format: Year, RDO No. Sequential No. (e.g. 00-040-0001) and fill up the necessary details on the "Notice" (e.i. Name of Establishment, TIN, RDO No., and RDO's telephone number) in permanent black ink.

3. Deliver to Head Offices of their registered taxpayers within their area of jurisdiction the "Notice" together with the latter (Annex A) and cause the posting of the "Notice" in their business establishments within one (1) month from date of effectivity of this Order. Have the taxpayer receive the "Notice" by signing the acknowledgment portion of the letter.

4. Conduct door-to-door post verification by Revenue Officer of all business establishments covered within one month from date of posting of the "Notice" to determine business taxpayer's compliance with the provisions of this Order. The Revenue Officer assigned shall prepare and submit a monthly accomplishment report on the result of the posting and verification to the Chief, Large Taxpayers Assessment Division every 10th day of the following month until all existing registrants are covered.

5. Impose the fine of P1,000 to taxpayers found violating the provision of RR 4-2000 either by: