

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
Quezon City

Date: November 4, 2002

REVENUE MEMORANDUM ORDER NO. 30-2002

SUBJECT: Authorizing the use of BIR Form No. 1928 -Application for Relief From Double Taxation (Gains from Sale or Transfer of Shares of Stock in Philippine Corporation) for processing of tax treaty relief applications involving gains from sale or transfer of shares of stocks in a Philippine corporation including gains from sale or transfer of unit of participation in a Philippine partnership.

TO : All Internal Revenue Officers and others concerned.

I. OBJECTIVE

This Order is issued to authorize the use of BIR Form No. 1928 - Application for Relief From Double Taxation (Gains from Sale or Transfer of Shares of Stock in Philippine Corporation) and the corresponding Certification detailing the relief granted as well as the tax consequences of transactions involving gains from sale or transfer of shares or stocks in a Philippine corporation including sale or transfer of unit of participation in a Philippine partnership.

II. COVERAGE

This Order covers exclusively applications for tax treaty relief on income derived or to be derived by the taxpayer under existing tax treaties particularly on gains from sale or transfer of shares of stock in Philippine corporation including sale or transfer of unit of participation in a Philippine partnership.

III. PAYMENT OF FEES

Pursuant to Executive Order No. 159, “**Directing All Departments, Bureaus, Offices, Units And Agencies Of The National Government, Including Government-Owned Or Controlled Corporations, To Revise Their Fees And Charges At Just And Reasonable Rates Sufficient To Recover At Least The Full Cost Of Services Rendered**” as amended by Executive Order No. 197, “**Directing All Departments, Bureaus, Commissions, Agencies,**

Offices And Instrumentalities Of The National Government, Including Government-Owned Or Controlled Corporations, To Increase Their Rates of Fees And Charges By Not Less Than 20 Percent,” the taxpayer shall pay the applicable processing and certification fee in the amount of P5,000.00 in the district having jurisdiction over the place of business of the Philippine corporation using BIR Form No. 0605, before filing the application for tax treaty relief with the International Tax Affairs Division. Proof of payment of the processing and certification fee must be submitted upon filing of application for tax treaty relief.

IV AUTHORIZED SIGNATORY

The Certification shall state the relief granted as well as the tax consequences, if any, involving gains from sale or transfer of the shares of stock in a Philippine corporation including gains from sale or transfer of unit of participation in a Philippine partnership, and shall be signed by the Assistant Commissioner for Legal Service or whoever shall hereafter be delegated to sign it.

V REPEALING CLAUSE

This Order modifies RMO No. 1-2000 dated November 25, 1999 and amends all other issuances and portions thereof inconsistent herewith.

V EFFECTIVITY

This Order takes effect immediately.

(Original Signed)
GUILLERMO L. PARAYNO, JR.
Commissioner of Internal Revenue