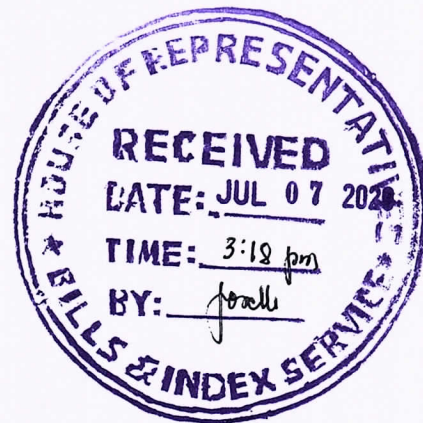




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7068



Introduced by Representative Ferdinand Martin G. Romualdez
Representative Yedda Marie K. Romualdez
Representative Wilter "Sharky" Wee Palma II

EXPLANATORY NOTE

This bill seeks to extend the period to avail of the estate tax amnesty under Republic Act (RA) No. 11213, otherwise known as the "*Tax Amnesty Act*."

Republic Act No. 11213 was approved by President Rodrigo Duterte on February 14, 2019. Under this law, the government provides the taxpayers a one-time opportunity to settle estate tax obligations through an estate tax amnesty program that gives reasonable tax relief to estates with outstanding estate tax liabilities. Taxpayers who avail of the estate tax amnesty enjoy immunity from the payment of estate taxes, civil, criminal, and administrative cases and penalties. Failure to avail of the estate tax amnesty means that previously suspended late estate tax penalties will be applicable, and the costs to transfer estates will be very costly. This is the reason why everyone who has outstanding estate tax liabilities as of December 31, 2017 is encouraged to take advantage of this excellent and rare opportunity offered by the government.

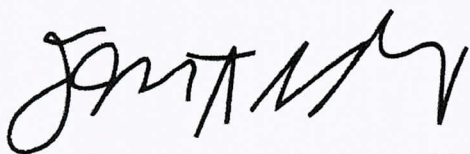
The estate tax amnesty covers the estate of decedents who died on or before December 31, 2017, with or without assessments duly issued therefor, whose estate taxes have remained unpaid or have accrued as of December 31, 2017. Under Section 6 of RA 11213, the executor or administrator of the estate, or if there is no executor or administrator appointed, the legal heirs, transferees or beneficiaries, who wish to avail of the estate tax amnesty shall do so within two years from the effectivity of the implementing rules and

regulations (IRR) of RA 11213. On May 29, 2019, then Secretary of Finance Carlos G. Dominguez, issued Revenue Regulations (RR) No. 6-2019, on the implementation of the provisions on estate tax amnesty under Title II of RA 11213, which was published in Malaya Business Insight on May 31, 2019. The law provides that anyone who wishes to avail of the amnesty shall, within two years from the effectivity of the IRR, file with the Revenue District Office of the Bureau of Internal Revenue which has jurisdiction over the last residence of the decedent, a sworn estate tax amnesty return.

It is just unfortunate that the Philippines is not spared from the ill effects of the COVID-19 pandemic, wherein many people lost their jobs and folded up their businesses. Most economic activities were stalled. The people lost precious period of time and possible sources of income in order to avail of this tax amnesty program of the government. This drawback may take some time to recover, and while the COVID-19 pandemic still persists, people will have extreme difficulty in paying their taxes much more in settling their estate tax dues even with this tax amnesty program.

Hence, this bill proposes to extend the availment period of the estate tax amnesty. The amendment to RA 11213 will enable those who want to take advantage of this program ample time to recoup their resources and get back on their feet so they can still apply and pay their estate tax dues. This will also provide economic relief for many Filipinos at this time of crisis.

In view of the foregoing, immediate approval of this bill is earnestly sought.



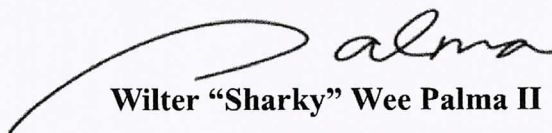
Ferdinand Martin G. Romualdez

1st District, Leyte



Yedda Marie K. Romualdez

Party List – Tingog Sinirangan



Wilter "Sharky" Wee Palma II

1st District, Zamboanga Sibugay



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HOUSE BILL NO. 7068

Introduced by Representative Ferdinand Martin G. Romualdez
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AN ACT
EXTENDING THE PERIOD OF AVAILMENT OF THE ESTATE TAX
AMNESTY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11213,
OTHERWISE KNOWN AS THE “TAX AMNESTY ACT”

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 6 of Republic Act No. 11213 is hereby amended to
read as follows:

“SEC. 6. *Availment of the Estate Tax Amnesty; When and Where*
to File and Pay. – The executor or administrator of the estate, or if there
is no executor or administrator appointed, the legal heirs, transferees or
beneficiaries, who wish to avail of the Estate Tax Amnesty shall within
[two (2)] **FOUR (4)** years from the effectivity of the Implementing
Rules and Regulations of this Act, file with the Revenue District Office

31 of the Bureau of Internal Revenue, which has jurisdiction over the last
32 residence of the decedent, a sworn Estate Tax Amnesty Return, in such
33 forms as may be prescribed in the Implementing Rules and Regulations.
34 The payment of the amnesty tax shall be made at the time the Return is
35 filed: *Provided*, That for nonresident decedents, the Estate Tax
36 Amnesty Return shall be filed and the corresponding amnesty tax be
37 paid at Revenue District Office No. 39, or any other Revenue District
38 Office which shall be indicated in the Implementing Rules and
39 Regulations:

40 *“Provided, further*, That if the estate involved has properties
41 which are still in the name of another decedent or donor, the present
42 holder, heirs, executors or administrators thereof shall only file one (1)
43 Estate Tax Amnesty Return and pay the corresponding estate amnesty
44 tax thereon based on the total net estate at the time of death of the last
45 decedent covering all accrued taxes under the National Internal
46 Revenue Code of 1997, as amended, arising from the transfer of such
47 estate from all prior decedents or donors through which the property or
48 properties comprising the estate shall pass:

49 *“Provided, furthermore*, That the appropriate Revenue District
50 Officer shall issue and endorse an acceptance payment form, in such

51 form as may be prescribed in the Implementing Rules and Regulations
52 of this Act for the authorized agent bank, or in the absence thereof, the
53 revenue collection agent or municipal treasurer concerned, to accept the
54 tax amnesty payment. Proof of settlement of the estate, whether judicial
55 or extrajudicial, shall likewise be attached to said Return in order to
56 verify the mode of transfer and the proper recipients:

57 “*Provided, finally,* That the availment of the Estate Tax Amnesty
58 and the issuance of the corresponding Acceptance Payment Form do
59 not imply any admission of criminal, civil or administrative liability on
60 the part of the availing estate.”

61 SEC. 2. ***Implementing Rules and Regulations.*** – Within sixty (60) days
62 from the effectivity of this Act, the Secretary of Finance shall, in coordination with
63 the Commissioner of Internal Revenue, issue the necessary rules and regulations for
64 the effective implementation of this Act.

65 SEC 3. ***Repealing Clause.*** –All laws orders, rules and regulations which are
66 inconsistent with the provisions this Act, are hereby repealed or amended
67 accordingly.

68 SEC. 4. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
69 publication in the *Official Gazette* or in a newspaper of general circulation.

70 Approved,