

**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)**
First Regular Session)



23 MAY 10 P2:19

SENATE
S.B. No. 2174

RECEIVED BY:

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
EXTENDING THE PERIOD OF AVAILMENT OF THE ESTATE TAX
AMNESTY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
11213, AS AMENDED, OTHERWISE KNOWN AS THE "TAX AMNESTY
ACT"

EXPLANATORY NOTE

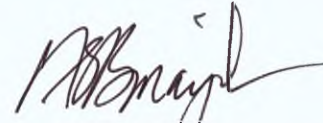
Republic Act (RA) No. 11213, otherwise known as the "Tax Amnesty Act", was enacted to enhance revenue administration and collection in our country, and make the country's tax system more equitable by simplifying tax compliance requirements. The law offered taxpayers an opportunity to settle their tax obligations and provided reliefs to estates with outstanding tax estate liabilities. Under Section 4 of the said law, estate tax amnesty covers the estate of the decedents who died on or before December 31, 2017, with or without assessments duly issued, and whose estate taxes have remained unpaid or have accrued as of December 31, 2017.

If all conditions of the law have been complied with, Section 5 of RA 11213 provides the taxpayers privileges and immunity from the payment of estate taxes, as well as increments and additions thereto, and from all appurtenant civil, criminal, and administrative cases and penalties under the National Internal Revenue Code of 1997.

RA 11213 primarily provided a two-year period for the taxpayers to avail of the amnesty, which period was supposed to end on June 15, 2021. However, due to the COVID-19 pandemic, RA 11213 was amended by Republic Act 11569, otherwise known as "An Act Extending the Estate Tax Amnesty and For Other Purposes, Amending Section 6 of Republic Act No. 11213, Otherwise Known as the "Tax Amnesty Act", to extend the estate tax amnesty period from June 15, 2021 until June 14, 2023.

While the country is heading towards its recovery from the devastating impacts of the COVID-19 pandemic, many taxpayers are still struggling and facing financial difficulties and have not yet totally recovered. For this purpose, to help alleviate the burden of the those who are greatly affected, there is a need to further extend the period of the estate tax amnesty for another two (2) years.

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

A handwritten signature in black ink, appearing to read 'ML Binay', with a stylized flourish at the end.

MARIA LOURDES NANCY S. BINAY

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1 **AN ACT EXTENDING THE PERIOD OF AVAILMENT OF THE ESTATE TAX**
2 **AMNESTY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11213, AS**
3 **AMENDED, OTHERWISE KNOWN AS THE "TAX AMNESTY ACT"**
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in*
6 *Congress assembled:*
7

8 SECTION 1. Section 6 of Republic Act No. 11213, as amended by Republic Act
9 No. 11569 is hereby further amended to read as follows:
10

11 "Section 6. Availment of the Estate Tax Amnesty; When and Where to File and
12 Pay. -
13

14 The executor or administrator of the estate, or if there is no executor or
15 administrator appointed, the legal heirs, transferees or beneficiaries, who wish
16 to avail of the Estate Tax Amnesty shall, within [~~June 15, 2021~~] **JUNE 15,**
17 **2023** until [~~June 24, 2023~~] **JUNE 14, 2025**, file with the Revenue District
18 Office of the Bureau of Internal Revenue, which has jurisdiction over the last
19 residence of the decedent, a sworn Estate Tax Amnesty Return, in such forms
20 as may be prescribed in the Implementing Rules and Regulations. The payment
21 of the amnesty tax shall be made at the time the Return is filed: Provided, That
22 for nonresident decedents, the Estate Tax Amnesty Return shall be filed and
23 the corresponding amnesty tax be paid at Revenue District Office No. 39, or
24 any other Revenue District Office which shall be indicated in the Implementing
25 Rules and Regulations;
26

27 "Provided, further, That the appropriate Revenue District Office shall issue and
28 endorse an acceptance payment form, in such form as may be prescribed in
29 the Implementing Rules and Regulations of this Act for the authorized agent

1 bank, or in the absence thereof, the revenue collection agent or municipal
2 treasurer concerned, to accept the tax amnesty payment;

3
4 "Provided, finally, That the availment of the Estate Tax Amnesty and the
5 issuance of the corresponding Acceptance Payment Form do not imply any
6 admission of criminal, civil or administrative liability on the part of the availing
7 estate."
8

9 SECTION 2. Within sixty (60) days from the effectivity of this Act, the Secretary
10 of Finance shall, in coordination with the Commissioner of Internal Revenue, issue the
11 necessary rules and regulations for the effective implementation of this Act.
12

13 SECTION 3. Repealing Clause. – All laws, acts, decrees, executive orders,
14 issuances, and rules and regulations or parts thereof which are contrary to and
15 inconsistent with this Act are hereby repealed, amended, or modified accordingly.
16

17 SECTION 4. Effectivity. – This Act shall take effect immediately following its
18 publication in the Official Gazette or in at least two (2) newspapers of general
19 circulation.
20

21 Approved,