

Senate bill sets \$80 Dubai crude as trigger to freeze fuel excise tax

A BILL calling for the automatic suspension of value-added tax (VAT) and excise taxes on fuel products has been refiled in the Senate, setting as a trigger event the Dubai crude oil benchmark exceeding \$80 per barrel.

The trigger for Dubai prices will be the Singapore Mean of Platts reference, which sets the benchmark for Asian fuel prices.

The bill, a reconciled version of Senate Bill (SB) 2320 and 2445 which were filed in the 18th Congress but remained pending in the Senate committee after that Congress ended, is among the 10 priority bills Senator Aquilino L. Pimentel III filed on Monday.

The senator did not include a provision in SB 2320 that allows the President, through an executive order (EO), to lower the rate or suspend the VAT tax on oil products during national emergencies or states of calamity for one year.

Senator Maria Imelda Josefa Remedios R. Marcos filed a separate bill allowing the suspension by EO, also on Monday.

The main targets for amendment contemplated in the bills are Sections 106, 107 and 148 of the National Internal Revenue Code of 1997.

A suspension of the excise tax on fuel products is unlikely under the new government, which was sworn in last week, Finance Secretary Benjamin E. Diokno has said.

He added that reversing such a suspension would be “very difficult.” President Ferdinand R. Marcos, Jr. has said that he will seek other options to address spiraling fuel costs, noting that a suspension of excise taxes will lower government drastically.

The Finance department has said that a suspension may result in as much as P131.4 billion in foregone revenue in 2022, the loss of which will potentially hinder the economic recovery.

Mr. Pimentel also proposed a measure abolishing the travel tax on Filipinos and nationals of the Association of Southeast Asian Nations (ASEAN) traveling to other ASEAN countries.

Meanwhile, Ms. Marcos listed among her priority bills measures calling for the emancipation of tenants, a New Omnibus Election Code, and a Young Farmers Challenge Act, the Pandemic Protection Act.

She also proposed a bill exempting migrant workers from paying PhilHealth premiums.

Senator Lorna Regina B. Legarda’s priorities included a measure supplying public school students at all levels with tablet computers.

Senate Bill 1 is known as the proposed One Tablet, One Student Act. A version was filed in the 18th Congress but had not got past committee level when that Congress ended.

She also proposed a Magna Carta for Public School Teachers, a Magna Carta for Private School Teachers, and a measure raising the salaries of public school teachers and personnel.

Senator Jose P. Estrada, Jr. listed among his priorities a measure amending the Labor Code to appoint the Secretary of Trade as vice-chairman of the National Wages and Productivity Commission. The amendment is intended to guide the commission on business and investment conditions before any wage action is undertaken.

He also refiled a bill transitioning informal workers into the formal economy and proposed a measure condoning penalties on household employers failing to pay social security benefits.

Senator Juan Edgardo M. Angara filed the proposed Exports and Investments Development Act, which seeks to develop higher-value and diversified export products.

Senator Emmanuel Joel J. Villanueva said his focus was on “job opportunities and job security” with a view towards reducing poverty, he said in a statement.

He proposed to institutionalize the National Employment Recovery Strategy as the blueprint for job creation, and the Security of Tenure Act for workers in the private sector. The latter was also filed by Senator Ana Theresia N. Hontiveros-Baraquel.

Ms. Hontiveros also filed the proposed Philippine Rise Marine Resource Reservation Act which declares a portion of the Philippine Rise (international name: Benham Rise) as a protected area, prohibiting the destruction of wildlife therein, and lays down a conservation and management regime.

Senator Manuel M. Lapid proposed measures calling for a monthly social pension for indigent persons with disabilities, the waiving of fees for professional examinations, and a requirement for tourism professionals to take a qualifying examination. — **Alyssa Nicole O. Tan**

LTFRB told to focus on ease of doing business, aiding drivers

PRESIDENT Ferdinand R. Marcos, Jr. has ordered the Land Transportation Franchising and Regulatory Board (LTFRB) to streamline permit processing and to ensure the prompt delivery of aid to transport workers, the agency’s new chairperson said.

“*Tatlo lamang ang utos sa ating ating Pangulo para sa ating ahensya: padaliin ang proseso dito sa LTFRB, siguraduhin ang agarang pagbibigay sa ating mga driver ng anumang tulong ibibigay sa kanila at isaalang-alang palagi ang kapakanan ng ating mananakay* (We have been given three directives: to streamline processes, to ensure aid is delivered to drivers, and to look after commuter welfare),” LTFRB Chairperson Cheloy Velicaria-Garafil said in a statement.

Republic Act No. 11032, or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, requires government agencies to simplify procedures to reduce red tape and expedite all transactions.

Ms. Garafil, a lawyer and a former journalist, said the LTFRB “will listen, study, and work with everyone here and also our stakeholders on how we can better improve our services.”

“We will strive to find that balance and that win-win solution. *Maraming trabaho ang gagawin natin* (much work needs to be done) and the days will be long but I promise you I will make it easy and exciting for everyone,” she added.

Transportation Secretary Jaime J. Bautista told reporters in a televised CHANCE interview

that HIS department will prioritize road transport.

“*Yung transportasyon, napakalaking agency. But sa nakikita namin ngayon, ang bibigyan natin ng prayoridad ay ang road transport* (Transportation is a big agency, but right now we are inclined to prioritize road transport),” he said.

“*Nakikita ko na ang malaking problema ay nandito sa road transport* (It’s the segment of transportation that has big problems),” he added.

He said he will be reviewing the programs of the LTFRB to be in line with this goal.

“It’s about time that we act as fast as possible so that we can address the problems and issues of road transport,” he added.

He also noted that the Department of Transportation under

the Marcos administration aims to transform the transport industry and make it conform to global standards.

“We must focus on innovative ways of moving passengers and goods. Our mantra shall be accessible, affordable, comfortable and safe transport service throughout the country.”

“With critical transport issues mounting every day, we will be under close scrutiny (as to whether) we can provide immediate solutions. And LTFRB, among others, is at the frontlines of providing solutions.”

The LTFRB is currently fielding petitions from public utility vehicle operators and drivers for fare hikes due to the fuel crisis and the implementation of the jeepney modernization program. — **Arjay L. Balinbin**

DoT’s Frasco signals major push to highlight neglected destinations

TOURISM Secretary Ma. Esperanza Christina G. Frasco said her department will reach out to every corner of the country to ensure the promotion of destinations and attractions that have not received their due attention thus far.

The Department of Tourism (DoT) “(will) reach out to all of the regional offices, to all of our partners in the local government units in the 81 provinces, over 140 cities, and over 1,400 municipalities across the Philippines, (and) to extend to them the hand of collaboration from the DoT and to send across the message that we are here to help, we are here to help the industry arrive and recover,” Ms. Frasco said during a DoT flag ceremony on Monday at Makati City.

“We foresee a DoT that is not only focused on the crafting of national policy, but more importantly, to be in touch with the realities on the ground, (and) to give attention to sites, peoples, products that have not been necessarily given equal opportunity to be developed,” she added.

“This week, I will be starting my listening tour as the Secretary of the DoT to see for myself, and to hear the challenges faced by our regional offices and tourism stakeholders across Luzon, the Visayas, and Mindanao. The objective being to be (made aware of) the prevailing issues that need to be addressed and craft solutions that will ensure the full rehabilitation and recovery of the tourism industry,” Ms. Frasco said.

Ms. Frasco was recently re-elected as mayor of Liloan, Cebu. She is the daughter of Cebu Governor Gwendolyn F. Garcia.

According to a recent report issued by the DoT and the Philippine Statistics Authority, employment in the tourism industry rose 4.6% to about 4.9 million people in 2021, accounting for 11.1% of overall employment.

The report also found that trips by domestic tourists rose 38.16% to 37.28 million, while foreign tourist arrivals dropped by 88.95% to 163,879. — **Revin Mikhael D. Ochave**

Mines bureau, planetGOLD plan mercury-free processing center

THE Mines and Geosciences Bureau (MGB) and planetGOLD Philippines said they are collaborating to establish a Mercury Free Processing System (MFPS) in Paracale, Camarines Norte, targeted for use by small-scale miners.

Intended users are small-scale miners (SSMs) prospecting for gold in a 26.5-hectare Minahang Bayan site in Sitio Maning in the Paracale barangay of Casalugan.

“This is in response to the various requirements for the construction and installation of the MFPS facility such as the building permit, and one of the requirements for the building permit is the conduct of community consultation,” the MGB said in a statement.

MGB and planetGOLD, which focuses on artisanal miners, said they organized a presentation to members of the community on the harmful effects of mercury used in processing ore, and on the details of the proposed facility, including safety protocols on the use of chemicals and tailings management.

“This facility is an alternative to the traditional amalgamation process employed by the artisanal and small-scale gold mining (ASGM) sector in the province. Through this facility, planetGOLD Philippines hopes to reduce the devastating effects of traditional ASGM practices which destroy the environment and introduce adverse health impacts,” it added. — **Luisa Maria Jacinta C. Jocsou**

OPINION

On tax compliance and digitalization

With the change of government, we should certainly expect changes; for taxpayers, new tax policies, programs, and rules are also anticipated. Some taxpayers are excited, others skeptical, a few may be worried. But whatever emotions we have right now, we will not go wrong if we know how to comply with the rules and fulfill our obligations.

“Give to Caesar what is Caesar’s, and to God what is God’s.” This was what Jesus told the Pharisees after being asked whether it is lawful to pay taxes to Caesar or not. Scholars have written that this episode from the Bible commands people to respect authority and to pay the correct taxes the government demands of them.

As the government will not be able to function without the taxes paid to it, it is incumbent upon taxpayers to pay the correct taxes. The funds are needed for infrastructure, education, and relief from crises, among others.

We might have heard the argument, “Why would we pay the correct taxes if others are not doing so?” Or perhaps, “If we pay taxes, the money will just be wasted or be put into the pockets of unscrupulous individuals.” While there may be truth to these statements, being affected by such negative thoughts does not help in any way, as we ourselves have our own obligations. Paying the correct taxes is a duty that is legal, moral, and perhaps, even spiritual.

It has also been said that the Philippines has numerous and more complex tax laws than those of other countries. Sometimes, we even hear foreigners weigh in on how our tax laws are too stringent, difficult, and complicated. Unfortunately, there is no sub-

stitute but to really gain ample knowledge about Philippine tax laws.

Clearly, our compliance with tax rules must be sustained, particularly now. We are living in a tech savvy era. This was further heightened by the impact of the COVID-19 pandemic that restricted movement, and which has consequently led the people to resort to technology to connect with one another and to do most of their work.

The BIR is likewise continuing to go digital to cope with the changing times. At the beginning of this year, the BIR’s Priority Programs and Projects included a Digital Economy Policy, which seeks to gear tax rules and regulations to better capture the digital economy. Included also in the priorities were the reconfiguration of the filing system/facility, and the enhancement of taxpayer services through a Taxpayer Registration Database Management System, among others.

Just last week, the BIR issued Revenue Regulations (RR) No. 08-2022, prescribing policies and guidelines on the use of the electronic invoicing/receipting system (EIS). This regulation required the following to use EIS: (a) taxpayers engaged in the export of goods and services; (b) taxpayers engaged in electronic commerce (e-commerce); (c) and taxpayers under the Large Taxpayers Service.

RR No. 08-2022 directs certain taxpayers to comply with: (a) issuance of e-Receipts/e-Invoices to their customers/buyers, in lieu of manual receipts/invoices; (b) registration of their Computerized Accounting System (CAS) generating e-receipts/e-invoices and/or Cash Register Machines (CRM)/Point-of-Sales Systems and Certification of Sales Data Transmission System; and (c) transmission of the sales data covered by the e-receipts/e-

invoices using their Sales Data Transmission System into the EIS of the BIR.

Moving forward, some are anticipating that additional guidelines related to CAS may also be forthcoming. Others believe, that perhaps, the e-mail platform will be the more frequent mode of communication and submission of applications with the BIR (e.g., filing of applications for BIR ruling, filing of replies/protest letters in tax assessments, or filing of tax refund applications). Moreover, the guidelines and extent of the use of electronic signatures might also be further expanded. These anticipated changes are mere surmises, and we will have to watch out for the issuances by the current BIR administration.

While we are in the present digital era and given the ever-evolving landscape of Philippine taxation, taxpayers must be able to adapt to change. We have to keep abreast of the tax developments, read and understand the issuances of the BIR and the decisions rendered by the courts on tax cases that are released from time to time, and attend tax training seminars for updates; particularly now that more changes are anticipated as tax administration is passed on to a new set of leaders.

Let’s Talk Tax is a weekly newspaper column of P&A Grant Thornton that aims to keep the public informed of various developments in taxation. This article is not intended to be a substitute for competent professional advice.

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PAPERLESS BILLING SYSTEM

The Philippine Telegraph & Telephone Corporation (PT&T) hereby adopts and implements the Paperless Billing System (“PBS”) in accordance with the following terms and conditions and subject to the rules and regulations issued by the National Telecommunications Commission (NTC) and other applicable government agencies.

The PBS shall allow PT&T’s subscribers to receive electronic statements of account (“E-SOA”) at no additional costs, whether through the subscriber’s registered email address or other authorized online platforms.

Existing subscribers may opt to receive an E-SOA in lieu of paper bills by registering to the PBS. PT&T shall notify its existing subscribers of the implementation of the PBS through any one of the following means:
a. Voice calls from PT&T representatives;
b. SMS from PT&T representatives;
c. Mail to subscriber’s registered address; or
d. E-mail to subscriber’s registered e-mail address.

New residential subscribers shall automatically be enrolled in the PBS and they may opt to receive paper bills at any time during the term of the Subscription Agreement. New corporate subscribers may opt to receive an E-SOA in lieu of or in addition to paper bills at any time during the term of the Subscription Agreement.

- Procedure for Registration.
 - Existing subscribers may register to the PBS by accomplishing the *E-bill Registration Form* on the PT&T Website.
 - The subscriber is required to provide one (1) current and valid email address (“Designated Email Address”).
 - For existing corporate subscribers, the Designated Email Address should be a company e-mail address.
 - A back-up or secondary email address may also be provided by the subscriber.
 - Only the subscribers or their authorized representatives shall be allowed to process their enrollment to the PBS.
 - Upon registration, the subscriber shall receive a system-generated message on its Designated Email Address which shall contain instructions for confirming the Designated Email Address provided by the subscriber.
 - After confirmation, the registration shall be subject to the verification and approval of PT&T. A subscriber shall be notified within one (1) business day through the Designated Email Address once its registration to the PBS has been approved or if the registration has been denied. The grounds for denial of registration shall be stated in the notice.
- Effectivity of Registration. Registration to the PBS shall become effective upon approval of PT&T. Existing subscribers will receive their E-SOA on the second billing period from the date of approval of the registration and paper bills will no longer be delivered by PT&T.
- Use of E-SOA.
 - PT&T shall send the E-SOA to the Designated Email Address of the Subscriber within 5 working days after every billing cutoff. A billing notification will be sent via sms after the E-SOA is sent to the Designated Email Address.
 - E-SOAs shall be password protected to ensure the security of the subscriber’s account and information. Once accessed by the subscriber, the E-SOA may be downloaded and printed by the subscriber at any time.
 - The subscriber shall be responsible for monitoring its receipt of the E-SOAs.
 - Subscriber shall promptly inform PT&T should it fail to receive or access the E-SOA. PT&T shall not be liable for loss or damage arising from subscriber’s failure to receive the E-SOA or failure to access the Designated Email Address.
- Presumption of Receipt
 - The subscriber is presumed to have received the E-SOA unless the subscriber notifies PT&T of the non-receipt thereof within five (5) days from the scheduled delivery of the E-SOA.
 - Non-receipt of the E-SOA shall not suspend the running of the prescribed period to pay if the subscriber does not notify PT&T of such non-receipt within the 5-day period. The subscriber is obliged to pay the amount due on or before the due date. In case of delivery failure, PT&T will resend the E-SOA to the subscriber’s designated secondary email address, if any.
 - The Designated Email Address shall be deemed authorized to receive the E-SOA and other notices which PT&T may send regarding the subscriber’s billing and payment, unless the subscriber notifies PT&T of any change therein in accordance with the procedure indicated in this policy.
- Change of Designated Email Address
 - Subscribers may request to change their Designated Email Address by sending an email to crm@ptt.com.ph or by calling the PT&T customer service hotline. Only subscribers or their duly authorized representatives may process the change of the Designated Email Address.
 - The request shall be subject to the verification and approval of PT&T.
 - Subscribers shall be notified within one (1) business day if the request for change has been approved or denied. The grounds for denial of the request shall be stated in the notice.
 - Changes shall take effect on the second billing period from the date of approval of the request.
- Request to Receive Paper Bills
 - Subscribers may, at no additional costs, choose to receive both paper bills and E-SOA or paper bills only by filling out the E-Form on the PT&T website.
 - Requests shall be subject to the verification and approval of PT&T. Only requests from the subscriber or its authorized representative shall be processed by PT&T.
 - Subscribers shall be notified within one (1) business day if the request has been approved or denied.
 - The Subscriber shall receive paper bills on the second billing period from the date of PT&T’s approval of the request.
- Accurate and Complete Information
 - It is the subscriber’s responsibility to ensure that all information it provided in the E-Forms are accurate and complete.
 - Any dispute regarding the subscriber’s registration to the PBS and discrepancies in the E-SOA shall be resolved in accordance with PT&T’s procedure on dispute resolution.
- Amendments
 - PT&T may modify these Terms at any time, and such modifications shall be effective immediately upon posting of the modified Terms at the PT&T official website.
 - The subscriber is advised to regularly check PT&T’s website to become aware of any modifications or amendments to the PBS.