

CLARIFYING THE SANCTIONS FOR THE NON-SUBMISSION OF ALPHABETICAL LIST OF EMPLOYEES/PAYEES OF INCOME PAYMENTS

REVENUE MEMORANDUM CIRCULAR NO. 100-2017, January 15, 2018

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/3a45041add4b/>

Adopted: 18 December 2017

Date Filed: 15 January 2018

Section 57 and 79(A) of the Tax Code of 1997, as implemented by Revenue Regulations No. 2-98, as amended, require the withholding of taxes by the payor of income/employer (withholding agent) on certain income payments and on salaries and wages of employees, respectively. Such taxes withheld shall then be remitted by the withholding agent to the BIR by filing the monthly remittance returns (BIR Form 1601 E, 1601 F, 1601 C) and paying the corresponding tax due.

In addition to the filing of remittance returns and payment of the taxes withheld, withholding agents are likewise required, pursuant to Section 58(C) and 83 (B) of the same Code, to submit to the BIR an Annual information Return (BIR Form 1604E, 1604CF) together with the Alphabetical List of Payees/Employees. Such return is a no payment return. Instead, it contains, among others, the information regarding the monthly remittance of taxes withheld and the summary of payees from whom taxes were withheld and already remitted to the BIR during the taxable year.

With the filing of monthly remittance returns and payment of the taxes withheld, the requirement for the deductibility of expenses which have been subjected to withholding tax were already complied. Thus, failure to file the Alphabetical List of Payees/Employees or failure to re-submit the complete and corrected alphabetical list after the validation process conducted by the BIR shall not result to the non-deductibility of the expenses considering that the taxes corresponding thereto were already withheld and remitted.

However, considering that failure/non-filing of alphabetical list of payees/ employees or the failure to submit the complete or corrected one is a violation of the provisions of the Tax Code and existing issuances, a compromise penalty of One Thousand Pesos (P1,000.00) shall be imposed for each failure to make, file or submit the said information return which aggregate amount to be imposed for such failures during the calendar year shall not exceed Twenty Five Thousand Pesos (P25,000.00), pursuant to Revenue Memorandum Order No. 7-2015. Payment of the compromise penalty shall, in no way, relieve the withholding agent from the submission of the required Alphabetical List or the complete or corrected alphabetical list.

This Circular supersedes Revenue Memorandum Circular No. 5-2014, in so far as Item No. 15 is concerned, and all other issuances inconsistent herewith.

All concerned are hereby enjoined to give this Circular a wide publicity as possible.

(SGD) CAESAR R. DULAY

Commissioner of Internal Revenue

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.