

PROCLAIMING A TAX AMNESTY ON UNDECLARED INCOME AND/OR WEALTH ACQUIRED IN THE YEAR 1972, SUBJECT TO CERTAIN CONDITIONS

PRESIDENTIAL DECREE NO. 157, March 16, 1973

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WHEREAS, it is the declared policy of the Government to afford tax evaders a chance to reform and become part of the New Society with a clean state;

WHEREAS, under Presidential Decree No. 23, as amended, the tax amnesty covers previously untaxed income and/or wealth acquired up to December 31, 1971, only; and

WHEREAS, for the period from January 1, 1972 up to the proclamation of Martial Law on September 21, 1972, some sectors in the community may have labored under the inertia of past practices and wrongdoings thereby leaving some of their incomes, wealth and other acquisitions unrecorded and/or unreported, rendering themselves liable to sanctions provided under our existing laws;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution of the Philippines as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, and in order to give erring taxpayers a real clean slate, do hereby decree:

- That all the immunities and benefits afforded taxpayers under Presidential Decree No. 23, as amended, shall likewise be extended to taxpayers with unrecorded or hidden income and/or wealth acquired during the year 1972, subject to the following conditions:

- a. Only those who have properly availed of Presidential Decree No. 23, as amended, may take advantage of the grant of amnesty under this Decree;
- b. In the case of taxpayers on the calendar year basis, an income tax return must be filed for the taxable year 1972, and in the case of taxpayers on the fiscal year basis, the return to be filed shall cover a period up to December 31, 1972 only. In both cases, the return must be filed on or before April 16, 1973;
- c. The tax to be paid, in the case of taxpayers on the calendar year basis, shall be the amount shown on the return filed or an amount equal to the income tax paid for the taxable year 1971 plus 40% thereof, whichever is higher;
- d. In the case of taxpayers on the fiscal year basis, the tax to be paid shall be the higher of the following two amounts:

- (1) The amount of tax shown on the return filed; or
- (2) An amount which is the sum of (a) an amount which bears the same ratio to the income tax paid for the immediately preceding fiscal year as the period covered by the return required herein to be filed bears to one entire fiscal year and (b) 40% of the amount determined in item (2) (a) of this sub-paragraph.

- The tax determined to be due and payable shall be paid in accordance with the following;

- a. If the amount is P5,000 or less, the tax shall be paid upon filing of the return but not later than April 16, 1973.

b. If the amount is over P5,000 the tax may be paid in two equal installments, in which case the first installment shall be paid upon filing of the return but not later than April 16, 1973, and the second installment shall be paid on or before July 15, 1973.

- The Secretary of Finance, upon the recommendation of the Commissioner of Internal Revenue, shall promulgate the rules and regulations to implement this Decree.

Done in the City of Manila, this 16th day of March, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES

Assistant Executive Secretary

In order to facilitate the implementation of this Presidential Decree No. 157, the Bureau of Internal Revenue issued the following:

BIR Guidelines for Taxpayers;

Revenue Regulations No. 3-73, dated March 19, 1973 — Rules and Regulations; and

Revenue Regulations No. 7-73, dated August 13, 1973, prescribing rules for filers of income tax.

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