



Tax in a Dot Hot and fresh!

Dear Valued Clients and Friends,

Reminder on submission of BIR Form 2316

Employers are reminded to submit to the Bureau of Internal Revenue (BIR) the duplicate copies of the Certificate of Compensation Payment/Tax Withheld (BIR Form 2316) of their employees who are qualified for substituted filing covering calendar year 2015. The deadline this year falls on a Sunday, 28 February. Taxpayers should have until Monday, 29 February 2016, to submit BIR Form 2316, but we advise taxpayers to check with their respective Revenue District Office (RDO) for the prescribed submission deadline.

Large taxpayers should scan and store the soft copies of BIR Form 2316 in PDF file format, alphabetically arranged in a DVD-R, while non-large taxpayers are required to submit the hard copy of BIR Form 2316. Non-large taxpayers, however, may opt to submit the scanned copies of BIR Form 2307 but once opted, they are no longer allowed to submit hard copies.

For non-large taxpayers submitting the hard copy of BIR Form 2316, most RDOs require the submission of one duplicate copy of the BIR Form 2316 and two copies of the printout of alphalist schedule as transmittal. Some RDOs, however, also require the submission of acknowledgment receipt ("DAT" file) confirming the receipt of the alphalist by the BIR.

In submitting BIR Form 2316, make sure that the alphalist schedule as transmittal letter is stamped "received" by the BIR as proof of compliance with the submission requirement.

In the case of large taxpayers, the DVD-R containing the soft copies of BIR Form 2316, together with notarized certification duly signed by the authorized representative of the taxpayer-employer, should be submitted to the RDO or concerned office under the Large Taxpayers Service that has jurisdiction over the taxpayer. For the format and technical specification of DVD-R, please see attached RMC 024-15.

Employers must ensure compliance with this requirement to avoid facing stiff penalties: A penalty of P1,000, not to exceed P25,000, will be levied against the employer for each BIR Form 2316 it fails to submit. Failure to submit BIR Form 2316 for two consecutive years will merit a penalty of P1,000 for each BIR Form 2316 not filed without any maximum threshold. In addition to the penalties, the employer shall, upon conviction, be ordered to pay a fine of not less than P10,000 and suffer imprisonment of not less than one year but not more than 10 years.

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