

REVENUE MEMORANDUM ORDER NO. 26-2023 issued on July 19, 2023 prescribes the policies, guidelines and procedures in the processing of request for corporate information, including beneficial ownership information, with the Securities and Exchange Commission (SEC).

The Data Sharing Agreement (DSA) allows the BIR to obtain information on corporations and other registered/licensed entities, including beneficial ownership information. The following information may be requested from the SEC:

- a. complete name of incorporators, stockholders, directors, trustees, members, officers of a SEC-registered corporation, including their specific residential address, date of birth, nationality, Taxpayer Identification Number (TIN), and percentage of ownership;
- b. beneficial owners of SEC-registered corporations;
- c. partners in a partnership; and
- d. information on other persons licensed by the SEC

To implement the mandates of the DSA, the Deputy Commissioner for Information Systems Group, the duly designated Data Protection Officer (DPO) of the BIR shall act through the Chief of the International Tax Affairs Division (ITAD), as her alternate DPO.

The BIR shall develop a web-based application for the purpose of receiving requests for corporate information from BIR offices, and storing, transmitting, and accessing the information and documents provided by the SEC. While the said web-based application is not yet in place, the requesting office shall send its request for assistance to the official email address created for this purpose, i.e. **boinfo_itad@bir.gov.ph**. All requests for corporate information shall be addressed to the DPO, for the attention of the alternate DPO and coursed through the ITAD. The letter shall follow the prescribed format (**Annex A** of the Order).

In turn, the alternate DPO shall assign a reference number, which will be used to track the said request, and thoroughly evaluate if said request is sufficient in form and in substance. If found to be complete and in order, he/she shall prepare a letter-request addressed to the SEC. The letter-request shall follow the prescribed format (**Annex B** of the Order) and shall likewise be sent to the SEC using the same email facility.

The official email address shall be managed exclusively by the alternate DPO and any other person authorized to act as such pursuant to a Revenue Delegation Authority Order. It shall not only be used when sending requests to the SEC but also when receiving information/documents from the said government agency and transmitting the same to the requesting office.

All personal data obtained pursuant to this DSA shall be used, processed, disclosed, and transferred following the policies and guidelines for personal data protection and security prescribed under Revenue Memorandum Order No. 1-2020 or the Data Privacy Manual of the BIR, in compliance with the Data Privacy Act (DPA) of 2012 and its implementing rules and regulations.

Files and documents containing personal data shall be encrypted and transferred preferably via a secure email facility or via the cloud storage associated with the official email address. Access to the uploaded files shall only be given to the head of the requesting office and any other person authorized by the head of office and whose name has been indicated in the request-letter. Other revenue employees shall only be given access to the uploaded files upon receipt by the alternate DPO of an authorization letter duly signed by the head of the requesting office.

Personal data stored in paper files or any physical media shall be transmitted only through registered mail or, where appropriate, authorized parcel post service. As much as possible, facsimile technology shall not be used in transmitting documents containing personal data.

The data sharing between the BIR and the SEC shall be carried out in accordance with the provisions of the relevant DSA. Any information obtained pursuant to this DSA shall be treated with utmost confidentiality pursuant to DPA of 2012 and Section 270 of the Tax Code and shall be used only for the purpose(s) stated in the letter-request in accordance with the objectives set forth in item II of the Order.