

REVENUE MEMORANDUM ORDER NO. 1-2024 issued on January 10, 2024 further amends Revenue Memorandum Order (RMO) No. 6-2023 prescribing the updated and consolidated policies, guidelines and procedures for BIR audit program.

Item III.A.1 of the same RMO was amended to include as one of the mandatory cases to be covered by electronic Letter of Authority (eLA) the audit/investigation of taxpayers who consistently (at least three (3) times in any given period) failed to pay/remit the corresponding taxes due reflected in the tax returns filed through Electronic Filing and Payment System (eFPS) or who later filed an amended tax returns reflecting a decrease/no tax due.

Item IV.C.6 of the same RMO, prescribing the time frame for the submission of report of investigation of cases covered by eLA, other than replacement eLA, is likewise amended, as follows:

Case Classification	No. of Days
Cases covered by eLAs other than replacement eLA	180 days for Regional cases/240 days for LT cases/ 120 days for OAS /90 days for LTVAU and VATAS from date of the eLA

Further, the counting of the number of days to complete audit, as prescribed in the same Item of the RMO, shall be suspended when the investigating Revenue Officer (RO) requested for the issuance of Subpoena Duces Tecum (SDT) or an Exchange of Information (EOI). The reckoning date for the suspension shall be on the date of receipt of request by the concerned office, and shall only be lifted when the reply has been forwarded to the requesting RO:

	Concerned BIR Office
Requests for issuance of SDT	Legal Division/Office of the Assistant Commissioner - Large Taxpayers Service
Requests for exchange of information provision for taxes covered by tax treaty	Exchange of Information Unit of the International Tax Affairs Division

To prevent the issuance of jeopardy assessments as well as to ensure that the Bureau is not deprived of its right to assess and collect the right amount of tax, the procedures in the issuance of SDT within two (2) working days from receipt of request as prescribed under Item No. III.3.5 of RMO No. 10-2013, as amended by RMO No. 8-2014, must be strictly observed by the concerned office to compel taxpayers to submit or present the required books, records and documents.

Item IV.G.2.b of RMO No. 6-2023, is likewise amended to read as follows:

"In case the taxpayer has transferred its business registration to another Revenue District Office (RDO), or the taxpayer has been enlisted/delisted as large taxpayer, the continuation of audit cases which has already started prior to transfer or its

enlistment/delisting as large taxpayer, shall be conducted by the old handling BIR Office.

In the same manner, all protests against deficiency tax assessment notices [e.g., Preliminary Assessment Notice (PAN), Formal Letter of Demand/Final Assessment Notice (FLD/FAN), and Final Decision on Disputed Assessment (FDDA)] issued against transferred or newly enlisted/delisted large taxpayers, shall be handled by the old concerned BIR Office that issued such notice until settlement/termination of the case. Unprotested tax assessments that matured into "delinquent accounts" shall be referred to the new concerned BIR Office where the taxpayer is registered.

Any collection therefrom shall be credited to the Office that conducted/concluded the audit upon notification to the Large Taxpayers Service (LTS) or Regional Office, as the case may be, for proper crediting by the Revenue Accounting Division.

Thereafter, all eLAs/TVNs regardless of the taxable year shall be issued by the new BIR Office having jurisdiction over the taxpayer's registration."