

**REVENUE REGULATIONS NO. 9-2022** issued on June 30, 2022 prescribes the policies and guidelines for the admissibility of sales documents in electronic format in relation to the implementation of Sections 237 (issuance of receipts or sales or commercial invoices) and 237-A (Electronic Sales Reporting System) of the National Internal Revenue Code (NIRC) of 1997, as amended by Republic Act (RA) No. 10963, (Tax Reform for Acceleration and Inclusion or TRAIN Law).

The policies and guidelines set forth in these Regulations shall cover the following taxpayer groups:

- Taxpayers engaged in the export of goods and services;
- Taxpayers engaged in electronic commerce (e-commerce); and
- Taxpayers under the Large Taxpayers Service.

These Regulations shall also cover taxpayers that are not included in the above group of taxpayers but have been authorized by the BIR to issue electronic sales invoices (SIs)/Official Receipts (ORs) through the web-based facility of the Electronic Invoicing/Receipting and Sales Reporting System (EIS).

At the time of tax audit or investigation or verification of the taxpayer, pursuant to Section 5(A) of the Tax Code, as amended, the sales and purchases data that will be generated and verified through the EIS, in lieu of the hard copies, are admissible, provided, these comply with the information/data requirements under existing revenue issuances and the minimum information required under Section 113 of the same Tax Code. The requirement for the prominently stamping of the term “zero-rated sales” on the face of the receipt or invoices is no longer necessary inasmuch as a separate reporting to EIS is required for each sales classification, particularly VATable, zero-rated and exempt.

Taxpayers duly-authorized to use the EIS, whether through the web-based format or through Application Programming Interface (API) transmission of sales data, shall not be required to submit printed copies of invoices or receipts issued for their sales.

Printed Invoices/Receipts for purchases from suppliers using the web-based issuance in the EIS, or through Sales Data Transmission System, will no longer be required to be submitted. However, only purchases data that are validated in the EIS shall be allowed for purposes of claiming input VAT under Section 110 of the Tax Code, as amended, or for claiming deductible expenses for purposes of Income Tax under Section 34(A)(1)(b) of the same Tax Code. Receipts and invoices presented or claimed by the buyer as purchases that are not reported in the EIS by the supplier shall be construed as unreported sales and shall be subject to further investigation.

The original form or digital copies, whichever is applicable, must be retained in accordance with Sections 235 and 237 of the Tax Code, as amended, in order for the taxpayer to provide the same upon demand for verification and validation of the sales and purchases data generated through the EIS or submitted electronic forms of invoices or receipts.

Subject to approval of the Commissioner of Internal Revenue or his authorized representative, taxpayers may be required to present or submit hard copies of the receipts or invoices or allowed access to the computerized system under the following instances:

- a. Missing or vague details in the invoices or receipts that were transmitted to the EIS, which the investigating Revenue Officer needs further clarification;
- b. Information in the invoices and receipts that are not included in the data required to be transmitted to the EIS;
- c. Validation of export sales data during verification of VAT refund claims for unutilized input VAT attributable to zero-rated sales by taxpayer-claimants under Section 112(A) of the Tax Code, as amended.
- d. Taxpayer is under tax fraud investigation;
- e. Skipped or missing series in the invoices or receipts issued; and/or

f. Other instances as may be determined by the Commissioner of Internal Revenue.

In this regard, the volume of the sales documents required to be submitted or presented may be a representative sample of the total sales or purchases as may be determined by the Revenue Officer of the Bureau of Internal Revenue (BIR).

Revenue Officers are not precluded from accessing the respective CAS or POS/CRM machines of the taxpayer under the EIS to validate whether the sales data transmitted to the EIS matches the sales recorded in their electronic systems as required under Revenue Regulations (RR) No. 9-2009.

Refusal of the taxpayer to allow the Revenue Officers assigned to access the CAS pursuant to Section 7 of RR No. 9-2009 shall give authority to the Revenue Officers to employ alternative means in the verification of the records of the taxpayer or may result in possible disallowances or assessments. Pursuant to Section 12 of the same RR, any violation of the provisions of RR No. 9-2009 may result in prosecution of the taxpayer by the BIR. Upon conviction, the taxpayer shall be held liable for the penalties provided under Section 255 of the NIRC, in addition to any other penalties otherwise payable. This may also result in the revocation of the Acknowledgement Certificate or Permit to Use CAS of the taxpayer, upon recommendation of the Revenue Officer.

Sales and purchases not covered by these Regulations shall be in compliance with the existing policies and procedures for the manual verification of sales and purchases.