



Republika ng Pilipinas
Kagawaran ng Pananalapi
Kawanihan ng Rentas Internas

Application For Relief From Double Taxation

BIR Form No.

1928

October 2002

(Gains from Sale or Transfer of Shares of Stock in Philippine Corporation*)

Fill in all applicable spaces.

RP Tax Convention with _____

(Name of Contracting State)

Part I PAYMENT OF FEES

Processing and certification fees - AAB/BIR Official Receipt No. _____

Date: _____

Part II PARTIES

1 Seller: (Attach separate sheet with the required information if there are two or more sellers)

Name: _____ TIN: _____

Type of Entity: Corporation Partnership Individual Other: _____
(specify)

Is seller the Head Office or a Branch: Head Office Branch (if Branch, state country where Branch is registered) _____

Address: _____

Business Phone No.: _____ Fax No.: _____ e-mail Address: _____

Date of Issuance of SEC Certification of Non-Registration of Corporation/Partnership: _____
(attach original copy)

Country of Incorporation / Residence: _____

2 Buyer:

Name: _____ TIN: _____

Address: _____

Business Phone No.: _____ Fax No.: _____ e-mail Address: _____

3 Agent in the Philippines of: Seller Buyer Both

Name: _____ TIN: _____

Address: _____

Business Phone No.: _____ Fax No.: _____ e-mail Address: _____

Part III DETAILS OF TRANSACTION

Philippine Corporation whose shares of stock are subject of sale/transfer:

S.E.C. Certificate No. _____ Date Issued: _____

Date of sale/transfer _____

Total number of unit of participation/shares sold/transferred _____

 Shares of stock Traded in the Stock Exchange Par Value Per Share (for Par shares) _____

 Shares of stock Not Traded in the Stock Exchange Issue Value per Share (for No-Par shares) _____

 Unit in Partnership

Real Property Interest (RPI), if applicable, of the Philippine Corporation as appearing in its latest audited financial statement on the date of sale/transfer of shares of stock/unit of participation. (Use formula below)

Real Property Interest (RPI) =
$$\frac{\text{Interest on properties enumerated in Sec. 3 of RR 4-86 (as reflected in Part V)}}{\text{Entire assets in terms of value}}$$

Percentage of RPI = _____ %

*Sale or transfer of shares of stock in Philippine Corporation includes sale or transfer of unit of participation in a Philippine Partnership.

Specify legal justification of request for relief citing the Article and tax treaty applicable, including precedent rulings issued on similar transaction:

Indicate if the herein transaction is subject of:

- Issue/s or transactions involving the same taxpayer which is the subject of an investigation, ongoing audit, administrative protest, claim for refund or issuance of tax credit certificate,
- Industry issues. These are issues as determined by the Management Committee from time to time as such, which may not be the subject of a protest raised by a related party or unrelated taxpayer, so long as it involves the same issue.

Part IV DOCUMENTARY REQUIREMENTS

Documents	Date Submitted:
1. Letter providing information on transactions covered by treaty provisions and requested tax treaty treatment for such transactions, and legal justification.	
2. Original copy of proof of residence of income recipient such as a certification by the tax authority of its country or a copy of its Articles of Incorporation duly certified by the Securities and Exchange Commission (or its equivalent) / Philippine	
3. Original copy of certification from the Securities & Exchange Commission that the income recipient is / is not registered to engage in business in the Philippines.	
4. Original copy of Special Power of Attorney duly executed by the income recipient / authorizing withholding agent / representative in the Philippines to file claim for tax treaty relief or certification by the withholding agent / representative that he is the	
5. Documents pertaining to the acquisition/transfer of shares by the applicant .	
6. Duly notarized certificate of Corporate Secretary of the Phil. corporation whose shares of stock were sold showing the number & value of the shares of the seller and the latter's percentage ownership of the corporation as of the date of sale and	
7. Comparative Schedule of Property, Plant & Equipment of Philippine Corporation using the prescribed format in Part V.	
8. Certified copy of Audited Financial Statements of the Phil. corporation as of the date of sale. If unavailable, the most recent financial statements adjusted up to the	
9. Other additional documents as may be deemed necessary for the processing of this	

Part V COMPARATIVE SCHEDULE OF PROPERTY, PLANT & EQUIPMENT* (PPE)

Particular	Acquisition Cost	Previous Year		Current Year			Transaction Date		
		Accumulated Depreciation	Book Value	Depreciation Expense	Total Accumulated Depreciation	Book Value	Depreciation Expense	Total Accumulated Depreciation	Book Value
PPE1	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx
PPE2	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx
PPE3	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx
Totals	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx

* The details of Property, Plant & Equipment shown must be in accordance with Revenue Regulations No. 4-86.

Part VI PERJURY DECLARATION

Under penalties of perjury, I/we, the undersigned, declare that I/we examined this application, including the accompanying documents, and to the best of my/our personal knowledge, belief, and information, the facts presented in support of the requested certification are hereby true, correct and

Name and Position of

Seller/Buyer/Agent of Seller and/or

Signature

Note: Refer to Revenue Memorandum Order No. 30-2002 dated November 4, 2002