

Republic of the Philippines
Congress of the Philippines
Metro Manila
Fourteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.

[REPUBLIC ACT NO. 10143]

AN ACT ESTABLISHING THE PHILIPPINE TAX ACADEMY,
DEFINING ITS POWERS AND FUNCTIONS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I

TITLE, DECLARATION AND POLICY OBJECTIVES

SECTION 1. *Short Title.* — This Act shall be known as the "Philippine Tax Academy Act".

SEC. 2. *Declaration of Policy.* — It is the policy of the State to train, mold, enhance and develop capabilities of tax collectors and administrators to help improve their tax collection efficiency and to become competent and effective public servants for the national interest. The State also recognizes the vital role of taxpayers' information and education to facilitate compliance

with tax laws and regulations and improve revenue generation efforts. For this purpose, the State recognizes the need to create a specialized institution that will provide the appropriate education, training skills, and values to tax collectors and administrators and will disseminate tax laws, regulations, guidelines and relevant information to the public.

ARTICLE II

ESTABLISHING A PHILIPPINE TAX ACADEMY

SEC. 3. *Creation of the Philippine Tax Academy.* – To carry out the policy under Section 2 hereof, there is hereby created a corporate body to be known as the "Philippine Tax Academy" which shall have the attribute of perpetual succession and possessed of the powers of corporations, to be exercised in conformity with the provisions of this Act.

SEC. 4. *Purpose.* – The Philippine Tax Academy shall serve as a learning institution for tax collectors and administrators of the government and selected applicants from the private sector. It shall handle all the trainings, continuing education programs and other courses for all the officials and personnel of the Bureau of Internal Revenue (BIR), the Bureau of Customs (BOC) and the Bureau of Local Government Finance (BLGF). It shall develop and implement a curriculum which includes those pertaining to: (a) the technical aspects of tax collection, administration and compliance; and (b) the career orientation and development for civil servants. It shall conduct lectures, seminars, workshops and other training programs designed to mold, develop, and enhance the skills and knowledge, moral fitness, efficiency and capability of tax collectors and administrators. It shall also perform such other functions and duties as may be necessary in carrying out its mandate.

All existing officials and personnel of the BIR, the BOC and the BLGF shall be required to undergo the re-tooling and enhancement seminars and training programs to be conducted by the Philippine Tax Academy. All applicants to the said bureaus shall also be required to pass the basic courses before they can be hired whether on contractual or permanent status.

SEC. 5. *Corporate Powers.* – The Philippine Tax Academy shall, in carrying out the purposes for which it was created, have the following powers:

(a) To adopt, alter and use a corporate seal;

(b) To take and hold by bequest, devise, gift, purchase or lease, either absolutely or in trust for any of its purposes, any property, real or personal, without limitation as to amount or value; to convey such property and to invest and reinvest any principal, and deal with and expend the income and principal of the Philippine Tax Academy in such manner as will best promote its objectives;

(c) To collect, receive and maintain a fund or funds, by subscription or otherwise, and to apply the income and principal thereof to the promotion of its aims and purposes hereinbefore set out;

(d) To contract any obligation, or enter into any agreement necessary or incidental to the proper management of its corporate powers; and

(e) In general, to carry on any activity and to have and exercise all of the powers conferred by the laws upon private or government-owned or -controlled corporations; and to do any and all of the acts and things herein set forth to the same extent as juridical persons could do, and in any part of the world, as principal, factor, agent or otherwise, alone or in syndicate or otherwise in conjunction with any person, entity, partnership, association or corporation, domestic or foreign.

SEC. 6. *Location and Facilities.* – The Philippine Tax Academy shall be located in such place or places as the Department of Finance (DOF) may determine. It shall have facilities for instructive learning and workshops, housing/lodging and other facilities to accommodate faculty, staff, personnel and trainees.

SEC. 7. *Governing Board.* – (a) The Philippine Tax Academy shall have a governing board to be known as the Board of Trustees, composed of the following:

- (1) Representative from the DOF – *ex officio* Chairperson;
- (2) Representative from the BIR – *ex officio* Vice Chairperson;
- (3) Representative from the BOC – *ex officio* Vice Chairperson;
- (4) Executive Director of the BLGF -- member; and
- (5) Three (3) representatives from the academe with at least five (5) years of teaching experience from a reputable school.

(b) The representatives from the DOF, the BIR and the BOC shall be appointed by the President of the Philippines from the nominees of the Secretary of Finance.

(c) The representatives coming from the academe shall be appointed from the nominees of the state universities and/or accredited private educational institutions, chosen on the basis of years of experience, integrity, probity and proven expertise in the field of taxation, public finance, public administration and have taught in a reputable school for the same number of years.

(d) The members of the Board of Trustees shall serve for a term of three (3) years. In case of vacancy in the Board, the person so appointed or designated shall serve only for the unexpired term.

(e) The members of the Board of Trustees shall serve without compensation for the performance of their functions, but they shall be entitled to reasonable honoraria, allowance or per diem pursuant to existing laws and regulations.

SEC. 8. *Institutes.* – The Philippine Tax Academy shall have separate learning institutes each for the BIR, the BOC and the BLGF, respectively.

SEC. 9. *The Executive Officers.* – The Executive Officials of the Academy shall be composed of a President and three (3) Chancellors and Vice Chancellors to administer the institutes for

the BIR, the BOC and the BLGF, respectively, all to be appointed by the Secretary of Finance for a term of three (3) years without prejudice to subsequent reappointment.

SEC. 10. *The Corps of Professional Instructors.* — The Philippine Tax Academy shall be staffed by a Corps of Professional Instructors with sufficient knowledge, education, training and actual experience in taxation, public finance and revenue administration, among others. An instructor shall be appointed by the Board of Trustees, upon nomination of any member. The requirements and restrictions of the Civil Service Law, laws, rules and regulations on position classification and salary standardization shall be observed in the appointment of the instructors of the Academy. For the purpose of filling up the staffing requirements for the Corps of Professional Instructors, officers, employees or personnel of the BIR, the BOC, and the BLGF may be transferred to and from the Academy and their respective institutions.

SEC. 11. *Staff Appointments.* — Any provision of law to the contrary notwithstanding, appointments to the administrative or research staff of the Philippine Tax Academy may be on a full-time or part-time basis, and shall be covered by the requirements and restrictions of the Civil Service Law, laws, rules and regulations on position classification and salary standardization. For the purpose of filling up the staffing requirements, officers, employees or personnel of the BIR, the BOC, and the BLGF may be transferred to and from the Academy and their respective institutions.

SEC. 12. *Authority to Enter into Agreements.* — The Philippine Tax Academy may enter into consortium agreements and joint venture agreements with the University of the Philippines, public and private universities and training institutions for the development and implementation of the curriculum, programs for orientation, career development and continuing education in tax collection, auditing, administration and compliance.

SEC. 13. *Income, Legacies, Gifts, Donations, Foreign Aids and Grants.* — All income, legacies, gifts, donations, foreign aids and grants for the benefit of the Philippine Tax Academy or for its operation, administration, support or maintenance shall be exempt from all forms of taxes, fees, assessments and other charges of the government, its agencies, instrumentalities, branches and subdivisions.

All legacies, gifts and donations to the Philippine Tax Academy established under this Act shall constitute a special fund to be known as the Tax Academy Fund. This fund shall be administered, appropriated and disbursed by the Board of Trustees of the Philippine Tax Academy exclusively for the purposes of this Act.

SEC. 14. Auditing. - The books of accounts of the Philippine Tax Academy shall be subject to the periodic audit of the Commission on Audit.

SEC. 15. Annual Report. - The Philippine Tax Academy shall render to the President, the Secretary of Finance and the Committee on Ways and Means of both Houses of Congress, an annual report of its activities, accomplishments and recommendations.

ARTICLE III

MISCELLANEOUS PROVISIONS

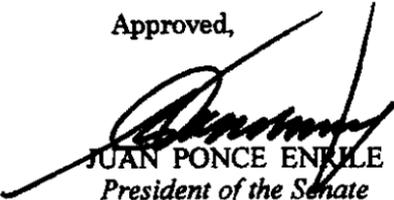
SEC. 16. Implementing Rules and Regulations. - The Secretary of Finance, in coordination with the Commissioner of the BIR, Commissioner of the BOC, and the Executive Director of the BLGF, in consultation with representatives from the academe, shall issue the implementing rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 17. Separability Clause. - If, for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

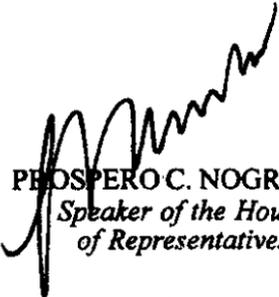
SEC. 18. Repealing Clause. - All laws, decrees, orders, rules and regulations, policies, programs or parts thereof that are inconsistent with any of the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,



JUAN PONCE ENRILE
President of the Senate



PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on February 1, 2010 and June 4, 2010, respectively.



EMMA LIRIO-BEYES
Secretary of the Senate



MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*

Approved:

GLORIA MACAPAGAL-ARROYO
President of the Philippines

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JUL 31 2010

Lapsed into law ~~and~~
without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution.