REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
Quezon City

BUREAU OF INTERNAL REVENUE
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RECORDS MGT. DIVISION

June 11, 2021

REVENUE MEMORANDUM CIRCULAR NO. 76-2021

SUBJECT : Clarification on the Illustrative Examples in the Computation of Corporate Income Tax Under Section 3(B) and 3(D) of Revenue Regulations No. 5-2021

TO : All Revenue Officers and Employees and Others Concerned

Revenue Regulations (RR) No. 5-2021, which implemented the income tax provisions of Republic Act No. 11534 or the "*Corporate Recovery and Tax Incentives for Enterprises Act*" (CREATE Law), includes illustrative examples on how the income tax of corporation shall be computed. In the illustration under Section 3(B) and 3(D) of RR No. 5-2021 for proprietary educational institution and Regional Operating Headquarters (ROHQ), however, the income tax due and the gross income were inadvertently written to be in the amount of P1,000,000.00 and P558,500,000.00 instead of the correct amount of P100,000.00 and P58,500.000.00, respectively.

Hence, to avoid confusion, this Circular is being issued to clarify the aforesaid amounts, now correctly shown in the tables below:

"B. PROPRIETARY EDUCATIONAL INSTITUTIONS

xxx xxx xxx

	Related activities	Unrelated Activities	Total
Gross Receipts/Sales	10,000,000.00	8,000,000.00	18,000,000.00
Less: Cost of Service/Sales	2,000,000.00	3,000,000.00	5,000,000.00
Gross Income	8,000,000.00	5,000,000.00	13,000,000.00
Less: Allowable Deductions	1,000,000.00	2,000,000.00	3,000,000.00
NET TAXABLE INCOME	7,000,000.00	3,000,000.00	10,000,000.00
REGULAR RATE			1%
TAX DUE			**100,000.00**

xxx xxx xxx

D. REGIONAL OPERATING HEADQUARTERS

	TY 2020	TY 2021	TY 2022	TY 2023
Annual Income	75,000,000.00	120,000,000.00	130,000,000.00	75,000,000.00
Cost of Services	41,250,000.00	66,000,000.00	71,500,000.00	41,250,000.00
Gross Income	33,750,000.00	54,000,000.00	58,500,000.00	33,750,000.00

	TY 2020	TY 2021	TY 2022	TY 2023
Allowable Deductions	33,625,000.00	41,200,000.00	42,550,000.00	35,125,000.00
	125,000.00	12,800,000.00	15,950,000.00	(1,375,000.00)
Computation of Income Tax Due				
Net Taxable Income/Gross Income	125,000.00	12,800,000.00	15,950,000.00	(1,375,000.00)
Multiply by	10%	10%	25%	25%
Income Tax Due	12,500.00	1,280,000.00	3,987,500.00	0.00
MCIT:	N/A	N/A		
Gross Income			**58,500,000.00**	33,750,000.00
MCIT Rate			1%	1.5%*
MCIT			585,000.00	506,250.00
Income Tax Due			P 3,987,500.00	P 506,250.00

xxx xxx xxx"

This Circular likewise clarifies that the 1% income tax rate for proprietary educational institutions and the 1% Minimum Corporate Income Tax (MCIT) for ROHQ shall be imposed only for the period July 1, 2020 until June 30, 2023, and January 1, 2022 to June 30, 2023, respectively. Thus, beginning July 1, 2023, the income tax rate for proprietary educational institutions and the MCIT shall revert to ten percent (10%) and 2%, respectively.

All are enjoined to give this Circular a wide publicity as possible.

CAESAR R. DULAY
Commissioner of Internal Revenue

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