REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE

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REVENUE MEMORANDUM ORDER NO. 11-2020

SUBJECT : Amending Certain Provisions of Revenue Memorandum Order (RMO) No. 28-2017 – Prescribing the Guidelines and Procedures in the Implementation of Republic Act No. 9505, Otherwise Known as the Personal Equity and Retirement Account (PERA) Act of 2008, dated July 21, 2016

TO : All Revenue Officials and Employees Concerned

I. BACKGROUND

Revenue Memorandum Order (RMO) No. 42-2016, as amended by RMO No. 28-2017, prescribed the form of Certificate of Entitlement (COE) to 5% Tax Credit for Employee-Contributor (BIR Form 2339) who has qualified contributions under the Personal Equity Retirement Account (PERA). The COE will be released to the PERA Administrators which will in turn transmit such certificate to the employer for purposes of automatically adjusting the withholding tax on employees' compensation income.

II. OBJECTIVE

The current design of COE to 5% Tax Credit for Employee-Contributor (BIR Form 2339) form that will be issued per employer contains a list of ALL employees with qualified PERA contributions and their tax incentives. However, in compliance with the Republic Act No. 10173 otherwise known as the Data Privacy Act of 2012, this Order is being issued to further amend the Certificate of Entitlement to 5% Tax Credit for Employee-Contributor. Consequently, the COE will be released to the PERA Administrators which will in turn transmit such certificate to:

(1) Employee- without qualified employer's contribution and
(2) Employer- for employees with qualified employer's contribution for purposes of automatically adjusting the withholding tax on employees' compensation income.

III. AMENDMENT

BIR Form No. 2339 is hereby amended into two separate forms are attached:

a.) *Annex E-1(a) for Employee without Qualified Employer's Contribution* and
b.) Annex E-1(b) for Employee with Qualified Employer's Contribution

IV. REPEALING CLAUSE

All revenue issuances and/or portions thereof that are inconsistent herewith are hereby repealed, amended or modified accordingly.

V. EFFECTIVITY

This Order shall take effect immediately.

CAESAR R. DULAY
Commissioner of Internal Revenue

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Annex E-1 (a)

Republic of the Philippines
Department of Finance
Bureau of Internal Revenue

Certificate of Entitlement
to 5% Tax Credit for Employee-Contributor

BIR Form No.
2339
July 2016

Enter all required information in CAPITAL LETTERS using in black ink. Mark all applicable boxes with an "X". This Certificate must be filed with the BIR.

Part I - PERA Administrator's Registered Name

1 For the Year | 2 Taxpayer Identification Number (TIN) | 3 RDO Code | 4 Certificate of Accreditation No.

5 PERA Administrator's Registered Name

6 Contact Number | 7 Email Address

Part II - Employee's Registered Name

8 Taxpayer Identification Number (TIN) | 9 RDO Code

10 Employee's Name (Last Name, First Name, Middle Name)

11 Address (indicate complete registered address)

11A ZIP Code | 12 Date of Birth (Month, Day, Year) | 13 Contact Number

14 Email Address

Part III - Amount of Qualified PERA Contributions

Aggregate Amount of Qualified PERA Contributions	5% Tax Credit

This Certification will serve as an authority for claiming the Tax Credit

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Annex E-1 (b)

Republic of the Philippines
Department of Finance
Bureau of Internal Revenue

Certificate of Entitlement
to 5% Tax Credit for Employee-Contributor

BIR Form No.
2339
July 2016

Enter all required information in CAPITAL LETTERS using [illegible]

Part I - [illegible]

1 For the Year | 2 Taxpayer Identification Number (TIN) | RDO Code | 4 Certificate of Accreditation No.

5 PERA Administrator's Registered Name

6 Contact Number | 7 Email Address

Part II - [illegible]

8 Taxpayer Identification Number (TIN) | 9 RDO Code

10 Employer's Name (Last Name, First Name, Middle Name for individual, Registered Name for [illegible])

11 Registered Address (include complete registered address)

11A ZIP Code

12 Date of Birth/Date of Organization | 13 Contact Number | 14 [illegible]

15 Email Address

Part III - [illegible]

16 Taxpayer Identification Number (TIN) | 17 RDO Code

18 Employee's Name (Last Name, First Name, Middle Name for individual)

19 Address (indicate complete registered address)

19A ZIP Code | 20 Date of Birth (MM/DD/YYYY) | 21 Contact Number

22 Email Address

Part IV - [illegible]

Aggregate Amount of Qualified PERA [illegible]

This Certification will serve as an authority for the [illegible] compensation income.

[illegible]

Authorized Representative