

**[BIR REVENUE MEMORANDUM ORDER NO. 9-
2014, February 06, 2014]**

**REQUESTS FOR RULINGS WITH THE LAW AND LEGISLATIVE
DIVISION**

This Order is issued to serve as guidelines in the processing of requests for rulings with the Law and Legislative Division.

Section 1. Tax Rulings. Tax rulings are official positions of the Bureau on inquiries of taxpayers, who request clarification on certain provisions of the National Internal Revenue Code (NIRC), other tax laws, or their implementing regulations, usually for the purpose of seeking tax exemptions. Rulings are based on particular facts and circumstances presented and are interpretations of the law at a specific point in time.

The Bureau also issues rulings to answer written questions of individuals and juridical entities regarding their status as taxpayers and the effects of their transactions for taxation purposes.

Section 2. No-Ruling Areas. Aside from matters declared as "No-Ruling Areas" in Revenue Bulletin No. 1-2003, as amended by Revenue Bulletin No. 2- 2003, non-compliance with any of the requirements under this Circular may prevent the Bureau from issuing an opinion on the request for ruling.

Moreover, the Bureau does not give tax planning advice and does not "approve" tax planning arrangements. Also, the Bureau will not resolve an issue through a ruling if the matter can be determined through another process (i.e. appeal).

Lastly, the Law and Legislative Division will not issue a ruling in response to a request in the following instances:

- a. the taxpayer has directed a similar inquiry to another office of the Bureau;
- b. the same issue involving the same taxpayer or a related taxpayer is pending in a case in litigation;
- c. the same issue involving the same taxpayer, is subject of a pending investigation, on-going audit, administrative protest, claim for refund or issuance of tax credit certificate, or collection proceeding.

Section 3. Hypothetical Questions under Revenue Bulletin No 1-2003. "Hypothetical Questions" also known as "what if?" questions, are queries involving theoretical, speculative, conjectured, conjectural, notional, suppositional, supposed, or assumed entities or transactions. A ruling will not be issued on alternative plans of proposed transactions or on supposed situations.

Section 4. Letter Requests for Ruling. A letter request is a sworn statement executed under oath by the individual taxpayer or by the authorized