

[BIR REVENUE REGULATIONS NO. 8-2004, May 19, 2004]

REVENUE REGULATIONS IMPLEMENTING SECTIONS 7 (C), 204 (A) AND 290 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997 ON COMPROMISE SETTLEMENT OF INTERNAL REVENUE TAX LIABILITIES SUPERSEDING REVENUE REGULATIONS NOS. 7-2001 AND 30-2002

SECTION 1. Scope and Objectives - Pursuant to Section 44 of the National Internal Revenue Code of 1997 (Code), these Regulations are hereby promulgated for the purpose of implementing Sections 7 (c), 204 (A) and 290 of the same Code, superseding Revenue Regulations (RR) Nos. 7-2001 and 30-2002 and giving an authority to the Commissioner of Internal Revenue to compromise the payment of internal revenue tax liabilities of certain taxpayers with outstanding receivable accounts and disputed assessments with the Bureau of Internal Revenue and the Courts.

SECTION 2. Basis for Acceptance of Compromise Settlement - Sec. 3 of Revenue Regulations No. 30-2002 is hereby amended to read as follows:

"SEC. 3. BASIS FOR ACCEPTANCE OF COMPROMISE SETTLEMENT - The Commissioner may compromise the payment of any internal revenue tax on the following grounds:

1. Doubtful validity of the assessment - X X X

- a. X X X
- b. X X X
- c. X X X
- d. X X X

- e. X X X
- f. X X X
- g. X X X

h. The assessment was issued within the prescriptive period for assessment as extended by the taxpayer's execution of Waiver of the Statute of Limitations the validity or authenticity of which is being questioned or at issue and there is strong reason to believe and evidence to prove that it is not authentic; or

i. The assessment is based on an issue where a court of competent jurisdiction made an adverse decision