

[BIR REVENUE REGULATIONS NO. 10-2013, June 01, 2013]

AMENDING FURTHER PERTINENT PROVISIONS OF REVENUE REGULATIONS (RR) NO. 2-98, AS LAST AMENDED BY REVENUE REGULATIONS NO. 30- 2003, PROVIDING FOR THE INCLUSION OF REAL ESTATE SERVICE PRACTITIONERS (i.e. REAL ESTATE CONSULTANT, APPRAISER AND BROKER) WHO PASSED THE LICENSURE EXAMINATION GIVEN BY THE REAL ESTATE SERVICE UNDER THE PROFESSIONAL REGULATIONS COMMISSION AS DEFINED IN REPUBLIC ACT NO. 9646, "THE REAL ESTATE SERVICE ACT OF THE PHILIPPINES" AS AMONG THOSE PROFESSIONALS FALLING UNDER SECTION 2.57.2(A)(1) OF RR 2-98, AS AMENDED, AND RR 14-2002 AS REGARDS INCOME PAYMENTS TO CERTAIN BROKERS AND AGENTS

SECTION 1. SCOPE. – Pursuant to the provisions of Section 244, in relation to Section 57(B) of the Tax Code of 1997, these regulations are hereby promulgated to further amend portions of Revenue Regulations No. 2-98 as last amended by Revenue Regulations No. 30-2003, providing for the inclusion of Real Estate Service Practitioners who passed the licensure examination given by the Real Estate Service pursuant to RA 9646, "The Real Estate Service Act of the Philippines" as among those professionals falling under Section 2.57.2(A)(1) of Revenue Regulations No. 2-98, as amended, subject to the 10% or 15% creditable (expanded) withholding tax and to amend Section 2.57.2(G) of RR 14- 2002 to include real estate practitioners who did not pass or did not take up licensure examinations given by the Real Estate Service.

SECTION 2. Section 2.57.2(A)(1) of RR 2-98, as last amended by RR 30- 2003, is hereby further amended to read as follows:

"Section 2.57.2. Income payments subject to creditable withholding tax and rates prescribed thereon. - xxx xxx

(A) Professional fees, talent fees, etc., for services rendered by individuals. – On the gross professional, promotional and talent fees or any other form of remuneration for the services of the following individuals – Fifteen percent (15%), if the gross income for the current year exceeds P720,000; and Ten percent (10%), if otherwise:

(1) Those individually engaged in the practice of profession or callings: xxx designers, real estate service practitioners (RESPs), (i. e. real estate consultants, real estate appraisers and real estate brokers) requiring government licensure examination given by the Real Estate Service pursuant to Republic Act No. 9646 and all other profession requiring government licensure examination regulated by the Professional Regulations Commission, Supreme Court, etc. xxx"