

**[BIR REVENUE REGULATION NO. 6-94, February
15, 1994]**

**AMENDMENTS TO REVENUE REGULATIONS NO. 6-85,
OTHERWISE KNOWN AS THE EXPANDED WITHHOLDING TAX
REGULATIONS**

Amendments to Revenue Regulations No. 6-85, otherwise known as the Expanded Withholding Tax Regulations.

Pursuant to the provisions of Section 245, in relation to Section 50(b), both of the National Internal Revenue Code, these regulations, amending paragraph (j) of Section 1 of Revenue Regulations No. 6-85, and adding four paragraphs thereto are hereby promulgated.

SECTION 1. Section 1 of Revenue Regulations No. 6-85, as amended, is hereby further amended to read as follows:

"Sec. 1. Income payments subject to creditable withholding tax and rates prescribed thereon. Except as herein otherwise provided, there shall be withheld a creditable income tax at the rates herein specified for each class of payee from the following items of income payments to persons residing in the Philippines.

"(j) Gross selling price or total amount of consideration or its equivalent paid to the seller/owner for the sale, exchange or transfer of —

"(i) real property, other than capital assets, by an individual, estate, trust, trust fund or pension fund or real property, whether capital or ordinary asset, by a corporation, who is registered with and certified to as engaged in low cost housing projects by the Housing and Urban Development Coordinating Council (HUDCC)/Housing and Land Use Regulatory Board (HLURB), where the consideration for the sale of the lot or house and lot per transaction does not exceed P500,000.00 — two and one—half percent (2.5%);

"(ii) real property, other than capital assets, by an individual, estate, trust, trust fund, or pension fund or real property, whether capital or ordinary asset by a corporation who is habitually engaged in real estate business, certified as such by the Chamber of Real Estate and Builders Association, Inc. (CREBA), or National Real Estate Association (NREA), and/or who is registered with HUDCC/HLURB — five percent (5%);

"(iii) real property, other than capital assets, by an individual, estate, trust, trust fund or pension fund or real property, whether capital or ordinary asset, by a corporation who is not habitually engaged in real estate business — seven and one—half percent (7.5%).