

ADVISORY ON PERA ACT

PAGE NOS.

**BIR REVENUE REGULATION
NO. 02-2022**

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**Prescribing the Additional Guidelines for
Implementing the Tax Provisions of the
PERA Act of 2008 Effectively Amending
Pertinent Provisions of RR No. 17-2011
and Revising the Provisions of RR No. 6-2021**

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**Prescribing the Additional Guidelines
for Implementing the Tax Provisions of the PERA Act of 2008**

SUBMISSION OF REPORTS BY PERA ADMINISTRATORS

Q1: What are the reports that shall be submitted by the PERA Administrators?

A1: The following are the reports* to be submitted by the PERA Administrators through the PERASys administered by the Bangko Sentral ng Pilipinas (BSP) and forwarded to the Bureau of Internal Revenue (BIR), for approval of the PERA Processing Office through the ePERA system:

	Name of report	Due date of submission
1	Quarterly Report on PERA Contributions	Not later than the fifteenth (15 th) day following the close of every quarter
2	Quarterly Report on PERA Distributions/ Early Withdrawals/ Terminations	Within sixty (60) days following the end of the quarter of the date of termination or withdrawal
3	Annual Report on PERA Contributions	Within sixty (60) days from the close of the calendar year
4	Quarterly Report on PERA Contributions/ Early Withdrawals/ Terminations	Within sixty (60) days from the close of the calendar year

* Prescribed format of the reports are attached as annexes to RR No. 2-2022

APPLICATION, ISSUANCE, AND UTILIZATION OF PERA-TCC

Q2: What is PERA-Tax Credit Certificate (PERA-TCC)?

A2: PERA-TCC refers to the document evidencing the amount of tax credit equivalent to five percent (5%) of the total amount qualified PERA contributions made in a year.

Q3: When should the application for PERA-TCC be filed?

A3: The application for PERA-TCC should be filed online thru the PERASys by the PERA Administrator within sixty (60) days from the close of the calendar year.

Q4: How is the PERA-TCC utilized?

A4: PERA-TCC can be utilized as follows:

Who may utilize	To what tax should it be utilized	How utilized
Qualified Employee	Used only for the payment of income tax liabilities	Submitted to the employer to apply in the annual year-end adjustments
Self-Employed Contributors	Used only for the payment of income tax liabilities	Surrendered and attached to the income tax return
Qualified Overseas Filipino Contributor	Used only for the payment of any internal revenue taxes	Surrendered and attached to the applicable tax return

REMITTANCE OF PENALTIES ON EARLY WITHDRAWAL OF PERA

Q5: When can a transaction be considered as an Early Withdrawal?

A5: Early Withdrawal is defined as the “withdrawal of PERA Assets, whether in full or in part, in such manner and at such time as to make the receipt of such PERA assets not a Qualified PERA Distribution.” [Section 2(d) of RR No. 17-2011]

Any premature termination shall be treated as an early withdrawal under Section 11 of RA No. 9505.

Q6: Is there a penalty for Early Withdrawal?

A6: Yes, the penalties to be paid are:

1. The five percent (5%) tax credit availed for the entire period of the PERA; and
2. The twenty percent (20%) flat rate based on the total income earned from the time of creation/opening up to the time of withdrawal.

The penalties shall be deducted by the PERA Administrator from the PERA account to be withdrawn and shall be remitted through online filing and payment facilities according to the provisions of a revenue issuance to be issued for this purpose.

Source:
Revenue Regulation No. 02-2022