



Client Bulletin No. 22 (Updates on COVID-19 related PH Issuances):
GCQ over Metro Manila Extended until June 30;
Tax Amnesty Extended until December 31

This is a briefing on the issuances as of June 16, 2020 on the following matters:

- A. [General Community Quarantine \(GCQ\) over Metro Manila is Extended until June 30](#)
- B. [Bureau of Internal Revenue \(BIR\) Extends Period to Avail of Tax Amnesty until December 31](#)
- C. [BIR Sets July 31 Deadline for Registration with the BIR of Online Sellers](#)

A. General Community Quarantine (GCQ) over Metro Manila is Extended until June 30

1. The period of the general community quarantine (GCQ) over Metro Manila, which was initially until June 15,¹ has been extended until June 30.² The President of the Philippines announced the extension of the GCQ period in the evening of June 15. Cebu City, which was under GCQ until June 15, has been placed under the strict Enhanced Community Quarantine (ECQ) from June 16 to June 30, 2020.³

The table below sets out the types of community quarantine imposed on various areas of the country pursuant to the President's June 16 announcement.

¹ See our bulletin no. 20 dated May 30, 2020 at <https://syciplawresources.com/2020/05/30/syciplaw-bulletin-20-metro-manila-under-gcq-from-june-1-courts-nationwide-resume-full-operations-on-june-1/>.

² See Duterte extends GCQ over Metro Manila, other areas until June 30 dated June 16, 2020; <https://newsinfo.inquirer.net/1292083/duterte-extends-gcq-over-metro-manila-other-areas-until-june-30>; last visited at 11:37 AM on June 16, 2020.

³ See Duterte extends GCQ over Metro Manila, other areas until June 30 dated June 16, 2020; <https://newsinfo.inquirer.net/1292083/duterte-extends-gcq-over-metro-manila-other-areas-until-june-30>; last visited at 11:37 AM on June 16, 2020.

The quarantine measures announced were based on Inter-Agency Task Force for the Management of Emerging Infectious Diseases Resolution No. 46-A available at <https://www.officialgazette.gov.ph/downloads/2020/06jun/20200615-IATF-RESOLUTION-NO-46-A.pdf>. As of the time of writing of this bulletin, a copy of the President's approval of the quarantine measures is not yet available at the official website of the Official Gazette (<https://www.officialgazette.gov.ph/>).

Type of Community Quarantine Imposed	Period	Areas Covered
Enhanced Community Quarantine (ECQ)	June 16 to June 30	Cebu City
Modified Enhanced Community Quarantine (MECQ)	June 16 to June 30	Talisay City (Cebu)
General Community Quarantine (GCQ)	June 16 to June 30	<ul style="list-style-type: none"> • Metro Manila • Region II: Cagayan, Isabela, Nueva Vizcaya, Quirino, Santiago City • Region III: Aurora, Bataan, Bulacan, Tarlac, Olongapo City • Region IV-A: Cavite, Laguna, Batangas, Rizal, Quezon • Region IV-B: Occidental Mindoro • Region VII: Cebu, Mandaue City, Lapu-Lapu City, Bohol, Negros Oriental, Siquijor • Region IX: Zamboanga City • Region XI: Davao City
Modified General Community Quarantine (MGCQ)	June 16 to June 30	All other areas in the Philippines not mentioned above

2. For information on the activities allowed based on the type of community quarantine imposed, please see the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines (“Omnibus Guidelines”) and the amendments to such guidelines. The issuances are listed below.

Title of IATF Issuance	Date of Issuance	Link to Full Text	Brief Description
Omnibus Guidelines in the Implementation of Community Quarantine in the Philippines	April 29, 2020	https://www.officialgazette.gov.ph/downloads/2020/05may/20200429-Omnibus-Guidelines-on-the-Implementation-of-Community-Quarantine-in-the-Philippines.pdf	Contains a list of establishments allowed to operate and the guidelines for areas under ECQ and GCQ

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Omnibus Guidelines in the Implementation of Community Quarantine in the Philippines	May 15, 2020	https://www.officialgazette.gov.ph/downloads/2020/05may/20200515-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf	<p>- Amends the Omnibus Guidelines to include establishments allowed to operate and guidelines for areas under MECQ and modified General Community Quarantine (MGCQ)</p> <p>- Includes provisions on grace period on loans falling due within ECQ and MECQ, and on residential rents and commercial rents of “micro-, small, and medium enterprises (MSMEs) and sectors not permitted to operate” during ECQ, MECQ, and GCQ</p>
Omnibus Guidelines in the Implementation of Community Quarantine in the Philippines	May 22, 2020	https://www.officialgazette.gov.ph/downloads/2020/05may/20200522-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf	Modifies the Omnibus Guidelines by specifying the operational capacities of establishments allowed to operate during ECQ and MGCQ
Omnibus Guidelines in the Implementation of Community Quarantine in the Philippines with Amendments as of June 03, 2020 ⁴	June 3, 2020	https://www.officialgazette.gov.ph/downloads/2020/06jun/20200603-omnibus-guidelines-on-the-implementation-of-community-quarantine-in-the-philippines.pdf	Incorporates the changes in IATF Resolution Nos. 41 (which allows barbershops and salons to resume operations during GCQ) and 43 (which allows restaurants to accept dine-in customers during MGCQ) ⁵

⁴ This was prepared by the IATF Secretariat for general reference and notes that the “[l]ast signed Omnibus Guidelines [was] published on 22 May 2020.”

⁵ Please also see DTI Memorandum Circular No. 20-33 dated June 8, 2020 (available at https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/090620_MC2033.pdf) for a summary in table format of the list of establishments allowed to operate during ECQ, MECQ, GCQ, and MGCQ and their respective operational capacities.

3. In relation to the grace period on residential and commercial lease rentals, the Department of Trade and Industry (DTI) has issued *Memorandum Circular No. 20-31 (Amendment to the Supplemental Guidelines on the Concession on Residential Rents and Commercial Rents)*⁶ dated June 4, 2020 to clarify that the 30-day grace period on residential rents and commercial rents of MSMEs and sectors prohibited from operating during the ECQ, MECQ, and GCQ is still applicable.

This circular amends DTI *Memorandum Circular No. 20-29 (Supplemental Guidelines on the Concessions on Residential Rents and Commercial Rents)*⁷ which provides that the residential lessees who may avail of the grace period are limited to those “who have lost their income during any of the community quarantines, or whose employer/s or business/es were not allowed to operate.” DTI *Memorandum Circular No. 20-31* removes this provision.

DTI *Memorandum Circular No. 20-31* also provides that the grace period is reckoned “from the last due date or from the lifting of the ECQ, MECQ, and GCQ, whichever is longer.” This amends DTI *Memorandum Circular No. 20-29* which states that the grace period is reckoned “from the lifting of the covered community quarantine or from the date that the tenant is allowed to resume employment or business operation, whichever comes first,” and “regardless of whether or not the lessee opts to go back to work or resume business operation.”

The DTI has also released guidelines which –

- (a) allow barbershops and salons to resume operations during GCQ and MGCQ (see DTI Guidelines to Follow on Minimum Health Protocols for Barbershops & Salons (https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/290520_Guidelines_Barbershop_Salons.pdf) and IATF Resolution No. 41 (<https://www.officialgazette.gov.ph/downloads/2020/05may/20200529-IATF-RESOLUTION-NO-41.pdf>)), and
- (b) allow dine-in services at food establishments during GCQ and MGCQ (see DTI Guidelines on Minimum Health Protocol for Dine-in Restaurants and Fast Food Establishments (https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/310520_Guidelines_Dine-In_Restaurants_Fastfoods.pdf) and IATF Resolution No. 45 (<https://www.officialgazette.gov.ph/downloads/2020/06jun/20200610-IATF-RESOLUTION-NO-45.pdf>)).

⁶ DTI Memorandum Circular No. 20-31 dated June 4, 2020; https://dtiwebfiles.s3-ap-southeast-1.amazonaws.com/COVID19Resources/COVID-19+Advisories/060620_MC2031.pdf; last visited at 8:46 PM on June 13, 2020.

⁷ Please see our bulletin no. 21 dated June 6, 2020 at <https://syciplawresources.com/2020/06/06/syciplaw-bulletin-21-more-businesses-entitled-to-a-grace-period-on-lease-rentals-new-bir-guidelines-for-june-14-tax-payments/>.

B. Bureau of Internal Revenue (BIR) Extends Period to Avail of Tax Amnesty until December 31

The BIR has issued *Revenue Memorandum Circular (RMC) No. 61-2020 (Further Extension of Deadline on Availment of Tax Amnesty on Delinquencies Under Revenue Regulations (RR) No. 4-2019⁸ as Amended by RR No. 5-2020⁹ in Relation with Revenue Memorandum Circular (RMC) No. 33-2020¹⁰ dated March 24, 2020, RMC No. 38-2020¹¹ dated April 7, 2020 and RR No. 11-2020¹² dated April 29, 2020) dated June 9, 2020¹³ to extend the deadline “to avail of the tax amnesty on delinquencies” from June 22, 2020 to December 31, 2020.¹⁴*

C. BIR Sets July 31 Deadline for Registration with the BIR of Online Sellers

1. The BIR has issued *RMC No. 60-2020 (Obligations of Persons Conducting Business Transactions Through Any Forms of Electronic Media, and Notice to Unregistered Businesses)* dated June 1, 2020¹⁵ advising “all persons doing business and earning income in any manner or form, [e]specially those who are into digital transactions through the use of any electronic platforms and media, and other digital means,” including “partner sellers/merchants, payment gateways, delivery channels, internet service providers, and other facilitators” to “ensure that their businesses are registered” in accordance with Section 236 of the Tax Code and that “they are tax compliant.”

⁸ RR No. 4-2019 dated April 5, 2019 at https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%20RR%202019/RR%20No.%204-2019.pdf.

⁹ RR No. 5-2019 dated March 16, 2020 at https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%20RR%202020/RR%205-2020_copy.pdf.

¹⁰ RMC No. 33-2020 dated March 24, 2020 at https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2033-2020.pdf.

¹¹ RMC No. 38-2020 dated April 7, 2020 at https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2038-2020.pdf.

¹² RR No. 11-2020 dated April 29, 2020 at https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%20RR%202020/Revenue%20Regulations%20No%2011-2020.pdf.

¹³ RMC No. 61-2020 dated June 9, 2020; https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2061-2020.pdf?platform=hootsuite; last accessed at 1:33 PM on June 16, 2020.

¹⁴ See also our bulletin no. 8 dated April 18, 2020 at <https://syciplawresources.com/2020/04/18/sshq-covid-bulletin8/>.

¹⁵ RMC No. 60-2020 dated June 1, 2020; https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2060-2020.pdf; last accessed at 1:54 PM on June 14, 2020.

Please also see RMC No. 55-2013 (Reiterating Taxpayers' Obligations in Relation to Online Business Transactions) dated August 5, 2013 (https://www.bir.gov.ph/images/bir_files/old_files/pdf/73941RMC%20No%2055-2013.pdf).

We understand that RMC No. 60-2020 was not issued by the BIR in relation to the COVID-19 pandemic. We included RMC No. 60-2020 in this bulletin as a general update.

2. Under the RMC, persons may “register their business activity and/or update their registration status” without penalty for late registration on or before July 31, 2020. Likewise, no penalty will be imposed on persons who “declare their past transactions subject to pertinent taxes and pay the taxes due thereon” on or before the same date.

The registration guidelines are set out in Annex A of the RMC.¹⁶

3. The RMC also advises the “newly-registered business entities” and “existing registrants” to comply with their obligations under the Tax Code and other applicable tax revenue issuances, such as the issuance of invoices or receipts, keeping of books of accounts and records of business transactions, withholding of taxes, the filing of returns, and payment of taxes on time.

Other COVID-19 related bulletins

The links to our earlier bulletins can be found at the SyCipLaw information hub, <https://syciplawresources.com/>.

Please note that there are other COVID-19 related government issuances which are not covered by our bulletins. For more information about other regulations, please contact your account partner or sshg@syciplaw.com or info@syciplaw.com.

This bulletin contains a summary of the legal issuances discussed above. It was prepared by SyCip Salazar Hernandez & Gatmaitan (SyCipLaw) to update its clients about recent legal developments.

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¹⁶ Annex A of RMC No. 60-2020 dated June 1, 2020; https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2060-2020.pdf; last accessed at 1:55 PM on June 14, 2020.

Please check the official version of the issuances discussed in this bulletin. There may be other relevant legal issuances not mentioned in this bulletin, or there may be amendments or supplements to the legal issuances discussed here which are published after the circulation of this bulletin.

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