

BIR Form No. 2106 - WC

GUIDELINES AND INSTRUCTIONS

WHO ARE COVERED

1. Individuals (Including Estates and Trusts);
2. Corporations subject to tax under the provisions of the National Internal Revenue Code of 1997; and
3. Taxpayers enjoying preferential tax treatment under special laws such as but not limited to enterprises registered in accordance with RA 7227, RA 7916 or E.O. 226.

EXCEPTIONS:

1. Those covered by a Preliminary Assessment Notice (PAN), or by a Final Assessment Notice (FAN), or by a Collection Letter issued on or before July 31, 2001;
2. Persons under investigation as a result of verified information filed by a Tax Informer under Section 282 of the Tax Code, as amended, duly processed and recorded in the BIR Official Registry Book on or before July 31, 2001;
3. Tax fraud cases already filed and pending in Court for adjudication; and
4. Those with unpaid tax liability as reflected in the books of accounts/records or financial statements and tax return of the covered year unless they first pay the same prior to availment, or at the same time as the date of availment i.e., DST payable, withholding tax payable and unpaid individual's second installment on income tax.

WHERE TO FILE AND PAY

1. **For Non-large taxpayers.**- The VAP-applicant taxpayer shall file the prescribed application and payment forms, in triplicate copies, and pay the corresponding VAP amount, together with the unpaid basic tax/unpaid balance, to the Accredited Agent Bank (AAB) within the revenue district where such applicant-taxpayer is required to register. In the absence of any AAB, filing and payment should be made to the authorized Revenue Collection Officer/Deputized Municipal Treasurer of the Revenue District Office where the applicant-taxpayer is required to register and/or file the return.
2. **For Large Taxpayers.** – VAP applicant-taxpayers, classified as large taxpayers by the Bureau, shall file the prescribed application and payment forms, in triplicate copies, and pay the VAP amount, together with the unpaid basic tax/unpaid balance to the AAB located at the BIR National Office Building. In case of taxpayers under the jurisdiction of the Large Taxpayers District Office (LTDO), filing and payment shall be made with the AABs of the LTDO.

BIR OFFICE TO PROCESS VAP APPLICATIONS AND ATTACHMENTS

1. **For VAP applications on covered years where returns have been filed.** – The VAP application and VAP payment forms, together with the required attachments, shall be filed with the Technical Working Group (TWG) of the Regional Office having jurisdiction over the place where the VAP - applicant taxpayer is required to register. However, if the

taxpayer availing of VAP is registered in a Revenue District Office (RDO) located outside the province where the Regional Office is situated, such VAP application may be filed with the said RDO, which in turn shall transmit the same, after pre-processing, to the Regional Office for final processing.

In case of large taxpayers, including those under the jurisdiction of LTDO, such applications shall be filed with the Large Taxpayers Service (LTS) at the National Office of the Bureau of Internal Revenue.

2. **For VAP applications on covered years where no returns have been filed.** – The VAP application and VAP payment forms shall be filed and submitted to the Technical Working Group (TWG) of the Regional Office, or RDO (for districts located outside the province of the regional office) or Large Taxpayers Service, whichever office has jurisdiction over the applicant taxpayer, for processing and evaluation. Upon evaluation, these Offices shall forward the documents and their recommendations to the TWG of the Assessment Service (National Office), which will forward the same to the MANCOM for approval or disapproval, after further review and evaluation.

Once the VAP application is approved, a Certificate of Qualification shall be issued. If application is disapproved, a Notice of Disqualification shall be issued.

ATTACHMENTS:

1. Fully accomplished withholding tax return on compensation together with duly audited Financial Statements/Account Information Form for the taxable period covered by VAP availment, in case no returns have been filed;
2. Copies of the withholding tax returns on compensation originally filed, together with duly filed audited Financial Statements/audited Account Information Form for the taxable period covered by VAP availment, in case returns have been previously filed;
3. A detailed schedule under oath of all the liabilities, including tax liabilities enumerated by tax type, in case the duly filed audited Financial Statement/Account Information Form does not reflect the specific nature of liability, including tax liability;
4. Proof of payment of tax liabilities reflected in the books/records and/or financial statements paid after the close of the covered period (VAP year), if any; and
5. Photocopy of duly validated VAP Payment Form and the corresponding AAB Official Receipt or Revenue Official Receipt issued by the concerned RCO/DMT, whichever is applicable, as proof of payment.

NOTE :

The Alphanumeric Tax Code (ATC) to be used in Item No. 6 of BIR Form No. 0607 (VAP Payment Form) shall be MC 032.