

REQUIRED DOCUMENTS TO AVAIL OF TAX TREATY RATE

1. Ruling of the Philippine Bureau of Internal Revenue (the "BIR") approving the income earner's Tax Treaty Relief Application for the cash dividend; or

2. Photocopy of the income earner's Tax Treaty Relief Application for Dividend Income (BIR Form 0901-D) duly filed with the International Tax Affairs Division ("ITAD") of the BIR (copy attached) together with an undertaking from the income earner to indemnify the Company against all actions, claims, demands, liabilities, losses, damages, costs, charges and expenses of whatever nature which may result or which the Company may sustain, suffer or incur in connection with or arising from the application of the preferential tax treaty rate, and to promptly submit the BIR Ruling to the Company upon issuance by the BIR-ITAD.

The filed Tax Treaty Relief Application should include the following requirements:

a) Proof of Residency

Consularized certification issued by the tax authority of the country of the income earner to the effect that such income earner is a resident of such country for purposes of the tax treaty being invoked in the tax year concerned.

b) Articles of Incorporation (For income earner other than an individual)

Articles of Incorporation (or equivalent Fact of Establishment/ Creation/ Organization) of the income earner with the original copy of consularized certification from the issuing agency, office or authority that the copy of Articles of Incorporation (or equivalent Fact of Establishment/Creation /Organization) is a faithful reproduction or photocopy.

c) Special Power of Attorney authorizing a local representative to file tax treaty relief application, if applicable

Original copy of a consularized Special Power of Attorney (SPA) or a consularized written authorization duly executed by the income earner authorizing its local representative in the Philippines to file tax treaty relief application.

d) Certificate of Business Presence in the Philippines

For Corporation or Partnership - Certification from the Philippines Securities and Exchange Commission that the income recipient is/is not registered to engage in business in the Philippines
For Individual - Certification from the Department of Trade and Industry that the income earner is not registered to engage in business in the Philippines

e) Certificate of No Pending Case

Sworn statement providing information on whether the issue(s) or transaction involving directly or indirectly the same taxpayer(s) which is/are the subject of the request for ruling is/are under investigation; covered by an on-going audit, administrative protest, claim for refund or issuance of tax credit certificate, collection proceedings, or subject of a judicial appeal.