REVENUE MEMORANDUM CIRCULAR NO. 41-2018 issued on May 24, 2018 clarifies the policies on the issuance of Taxpayer Identification Number (TIN) for corporations relative to its corporate term under Section 11 of the Corporation Code of the Philippines.

A corporation or partnership whose corporate life has been granted an extension by the Securities and Exchange Commission (SEC) prior to the expiration of its corporate life and those that have been issued a second or new SEC Certificate of Registration (SEC COR) to correct the typographical errors in its first SEC COR, shall not be issued a new TIN. It is, however, mandated that the said taxpayer shall update its registration record with the BIR by submitting BIR Form No. 1905, together with a copy of the newly-issued SEC COR and Amended Articles of Incorporation bearing the same name as a proof of its corporate life extension.

A corporation or partnership whose registration with SEC has been revoked or its corporate life has expired shall cease to exist as a juridical entity to do business. Expired corporations are those with corporate terms that have lapsed without being renewed or extended.

While SEC allows the re-registration of expired corporation using the same corporate name as reflected in the SEC COR, such corporation is a new corporation bearing a new SEC Registration Number and new pre-generated TIN as confirmation that the same is a separate and distinct entity from the expired corporation.

The pre-generated TIN issued thru SEC to the newly-registered corporation using the name of the expired corporation shall be confirmed by the BIR using BIR Form No. 1903, for the issuance of BIR Certificate of Registration and application for Authority to Print principal/supplementary invoices/receipts, simultaneous with the application for cancellation of the old TIN of the expired corporation, following existing procedures.

The TIN of corporation or partnership which ceased to exist as a juridical entity due to the expiration of its corporate life shall be used by the said corporation in the process of liquidation/winding-up its business and shall be cancelled upon the issuance of clearance by the BIR.

In case the expired corporation is classified as a Large Taxpayer (LT), such registration status shall be carried over by the newly-registered corporation that assumed the business name and operations of the expired corporation. Hence, registration will have to be made with the LT Division where the old corporation is registered.

In the merger of corporations, the surviving corporation shall retain its TIN while the TIN of the merged corporation shall be cancelled. In the consolidation of corporations, a new TIN shall be issued to the new corporation and the TINs of the consolidated corporations shall be cancelled.