REVENUE MEMORANDUM CIRCULAR NO. 54-2018 issued on June 21, 2018 clarifies and reiterates the imposition of surcharge, interest and compromise penalty on the filing of an amended return, and the interest rate to be imposed in accordance with Section 249 (A) of the National Internal Revenue Code of 1997, as amended by Republic Act No. 10963 (TRAIN Law).

In an amendment of a return where an additional tax is due, 25% penalty and 12% interest shall be imposed per amended return based on the additional tax to be paid.

The compromise penalties, on the other hand, are only amounts suggested by the BIR in the settlement of criminal liability for violations committed by taxpayers, the payment of which are consensual in nature, and may not therefore be imposed or exacted on the taxpayer. Thus, in the event that a taxpayer refuses to pay the suggested compromise penalty, the violation shall be referred to the appropriate office for criminal action.