REVENUE MEMORANDUM ORDER NO. 38-2010 issued on April 8, 2010 prescribes the policies and guidelines relative to the posting and publication of the list of top taxpayers for taxable year 2009.

The top 300 individual taxpayers and top 150 corporate taxpayers of Income Tax for taxable year 2009 shall be published for each of the Revenue District Office (RDO). In addition, the top 2,000 individual taxpayers and top 1,000 corporate taxpayers of Income Tax nationwide for taxable year 2009 shall be published.

The Income Tax that shall be determined for the purpose of establishing the top individual taxpayers shall be the Income Tax due reported in the Income Tax Returns (BIR Form 1700, BIR Form 1701 and BIR Form 2316) for calendar year 2009 filed with the BIR as of April 15, 2010. For the top corporate taxpayers, the Income Tax due reported in BIR Form 1702 filed with the BIR as of October 15, 2010 shall be determined. The taxable year 2009 shall refer to fiscal or calendar year period ending on a date falling in the period of June 30, 2009 to June 30, 2010.

The Revenue District Officer shall prepare the list of the top 300 individual taxpayers, which should include individuals listed in the alphalist of employees subject to Withholding Tax on wages, and the list of the top 150 corporate taxpayers registered in his particular jurisdiction. The list shall be submitted in electronic format to the Information System Operations Service (ISOS) not later than May 15, 2010, for the list of the top individual taxpayers, and not later than November 15, 2010, for the list of the top corporate taxpayers.

The ISOS shall then validate the lists submitted by the RDOs and prepare a list of the top 2,000 individual taxpayers and a list of the top 1,000 corporate taxpayers nationwide, which shall be submitted to the Commissioner of Internal Revenue not later than May 30, 2010 and November 30, 2010, respectively. The information contained in the 2 lists to be published shall be the names of the taxpayers arranged from the highest top taxpayer to the lowest top taxpayer, the amount of Income Tax due for taxable year 2009 and information on the average of the tax due from all these taxpayers.

The Commissioner shall authorize the posting and publication of all the RDO and nationwide lists or a format to be prescribed. The posting and publication can be done in the BIR website, newspaper, BIR offices and other locations to be prescribed by the Commissioner.