

# Capital Gains Tax Return

## (For Onerous Transfer of Shares of Stock Not Traded Through the Local Stock Exchange)

### CHECKLIST OF DOCUMENTARY REQUIREMENTS

Important:

1. Processing of transactions commence only upon submission of COMPLETE DOCUMENTS.
2. Mark “✓” for submitted documents and “X” for lacking documents.

#### Mandatory

- ☐ TIN of Seller/s and Buyer/s
- ☐ Notarized Deed of Absolute Sale/Document of Transfer but only photocopied documents shall be retained by BIR.
- ☐ Photocopy of stock certificate
- ☐ Proof of acquisition cost (i.e. Deed of Sale; FMV at the time of acquisition)
- ☐ Official Receipt/Deposit Slip and duly validated return as proof of payment
- ☐ Duly Notarized Special Power of Attorney (SPA) for the transacting party if the latter is not one of the parties to the Deed of Transfer
- ☐ Secretary's Certificate or Board Resolution, approving the sale/transfer of the shares of stocks and indicating the name and position of the authorized signatory to the Deed of Sale/Assignment, if the seller/transferor is a corporation

#### Additional Requirements, if applicable:

- ☐ For claiming expenses of sale - Proof of claimed deductions such as official receipt and/or invoices
- ☐ For shares of stocks not listed/not traded - Latest Audited Financial Statement of the issuing corporation with computation of the book value per share
- ☐ For shares of stocks listed/traded - Price index from the PSE/latest FMV published in the newspaper at the time of transaction
- ☐ For club shares - Price published in newspapers on the transaction date or nearest to the transaction date
- ☐ Special Power of Attorney (SPA), if the person transacting/processing the transfer is not a party to the transaction
- ☐ Certificate of Exemption/BIR Ruling issued by the Commissioner of Internal Revenue or his authorized representative, if tax exempt
- ☐ Such other documents as may be required by law/rulings/regulations/etc.

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Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Taxpayer

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

#### Acknowledgement of applicant:

I \_\_\_\_\_, of legal age, hereby acknowledge the identified lacking documentary requirement/s (marked with “X”) which I commit to submit within five (5) working days. I understand that my application will only be processed upon submission of complete document/s.

\_\_\_\_\_ Date: \_\_\_\_\_

Name of Taxpayer/Representative  
(Signature over printed name)

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**NOTE: The BIR shall dispose all pending applications with incomplete requirements after thirty (30) calendar days from receipt of application.**