

## **SPEECH OF ATTY. PRISCILLA B. VALER**

**First and foremost, on behalf of the Tax Management Association of the Philippines, I would like to express my deep and sincere gratitude to the Hon. Justice Manahan for gracing our induction ceremonies and for her inspiring keynote speech. Your Honor, TMAP cannot thank you enough for accepting our invitation on very short notice.**

**Honored guests from the Department of Finance, the Bureau of Internal Revenue, the professional and business organizations and the foreign chambers,**

**My partners and colleagues from Romulo, Mabanta Buenaventura Sayoc De Los Angeles,**

**Ladies and Gentlemen, Good Afternoon.**

**If TMAP keeps statistics like they do in sports, I am probably the holder of the record for the longest uninterrupted stint as a Director before becoming a President.**

**The year I was first elected to the Board now escapes my memory. I am guessing it must be some 20 odd years ago. Since joining the Board, I have had the honor of serving TMAP in many different capacities.**

**According to the Book of Ecclesiastes, “there is a given time for everything and a time for every happening under heaven.” I would like to believe that 2021 is the appointed time for me to lead TMAP.**

**I start and will most likely end my term during the COVID-19 pandemic. I am sure that like me, most of you feel regret that**

we are not able to have our usual meetings over sumptuous lunches. We all miss the special camaraderie that comes with actually, instead of just virtually, being in each other's company.

However, I would say that serving TMAP in the middle of the pandemic is also a blessing. The pandemic forced us to step out of our own comfort zones and gave us the impetus to step back, assess our personal situations and the state of affairs of the society we live in. The pandemic challenges us to aspire to be better, to improve the way we are accustomed to do things, and to embrace the new normal with a renewed sense of purpose.

In TMAP, I propose that we continue to set our sights on further improving the Philippine tax system, not only to hasten the recovery of the economy after the pandemic but also to attain sustained growth and development for future generations.

With this as backdrop, I unveil our 2021 theme – “Upholding taxpayer rights, Promoting compliance, Fueling recovery”.

Before I go into TMAP's plans and programs for 2021, allow me first to describe my vision, if you will, of an ideal tax system.

I dream of a tax system where:

1. Tax rules are fair, clear and easy to understand.
2. Taxpayers abide by the rules and dutifully pay their taxes.

3. And, the tax administrator, in gratitude for the taxes that sustains the government, holds the rights of taxpayers sacred and treats the taxpayers like the valued customers that they are.

The theory is simple: if the government's power to collect taxes is balanced with the taxpayers' rights, compliant taxpayers will not be made to pay more than the amount required by law and they will be left alone to grow their businesses, thereby fueling the economy and its recovery.

To bring us closer to the ideal tax system, some fine tuning of the current setup is required. While the present tax system has built-in checks that are intended to uphold taxpayer rights, I am sure many of you present here have your own stories to tell about instances where the collection of taxes was marred with abuses and arbitrariness. It is unfortunate that remedies afforded taxpayers in reversing abuses and the overreaching manner of collecting taxes are expensive and slow. This not only undermines taxpayers' rights, it is counterproductive and a huge waste of taxpayers' time and resources.

TMAP will promote an approach to tax administration that is **COLLABORATIVE** rather than adversarial, where government's right to collect taxes is balanced with the taxpayer's right to due process. I believe that with the judicious implementation of tax laws and regulations, the economy and the creative forces of free enterprise will organically flourish.

**To achieve that vision, we, your Officers and Directors, prepared the following plan of action for 2021:**

**For our major advocacies – we plan to:**

- 1. Support the enactment of the Taxpayer Bill of Rights or Senate Bill 1163 with enhanced provisions such as:**
  - a. Requiring prior notice and public hearing for validity of Revenue Regulations and other issuances with similar force and effect;**
  - b. Prohibiting tax assessments based on raw data derived solely from matching of information that effectively shifts the audit function to the taxpayer and to the courts;**
  - c. Defining and providing implications of a grossly erroneous tax assessment;**
  - d. Providing guidelines and limitations for judicial appeals of decisions rendered in favor of taxpayers, with due regard to the right of the taxpayer to speedy disposition of cases;**
  - e. Declaring as ministerial the issuance of tax credit certificates pursuant to writs of execution and providing a mandatory period for processing;**
  - f. Applying the Rules of Court in the service of notices to taxpayers with reglementary period to respond; and**
  - g. Providing effective and speedy remedy to set aside Warrants of Distrainment and Levy and Warrants of Garnishment.**
  
- 2. To complement the Taxpayer Bill of Rights, we will advocate amendments to the Rules of Procedure of the Court**

of Tax Appeals to make judicial remedies more accessible to taxpayers and responsive to their needs. For example, we will suggest:

- a. to revisit the bond requirement for suspension of collection of tax bearing in mind that the amount of the assessment is not determined by the party required to post the bond;
- b. to consider rules of procedure that will allow a prior determination of the legality of the assessment to avoid costly and long-drawn trial on the merits; and
- c. to consider physical appearance at mediation hearings voluntary.

TMAP acknowledges that taxes are the lifeblood of the nation and the government's primary means of fulfilling its mandate of promoting the general welfare. Thus, the second part of our theme is "Promoting Compliance" which is directed at the taxpayer.

To this end, TMAP will assist the Department of Trade and Industry in tax information campaigns for SMEs to guide them in complying with their tax reporting and payment obligations. TMAP will also partner with other professional organizations to hold tax clinics for those who cannot afford tax consultants.

TMAP will participate in drafting of Revenue Regulations for the highly-anticipated CREATE law and give inputs to ensure that the rules are clear and easy to understand and, more importantly, consistent with the legislative intent.

To promote the professional development of TMAP members, we will continue to hold webinars on relevant topics and provide timely tax updates.

I realize that the plans I have laid out, especially our advocacies, are rather ambitious. To be honest, now and then, I entertain doubts if we can accomplish all the objectives I have set. But as your President, I **DARE TO DREAM BIG** and I invite you all to dream with me.

To accomplish our theme, we are targeting to increase our membership by at least 50% this year and to more actively collaborate with other business and professional organizations for our common concerns in order to enhance our reach.

Most important of all, on behalf of the Officers and Directors, I request you - the members, to actively participate in the activities of TMAP; and you - our distinguished past presidents, to help out in our advocacies. I know the collective task before us is not easy, but I guarantee it will be worth it.

As the old saying goes, “We should do our best and ask God to do the rest.” On this note, let me end my speech with the Serenity Prayer attributed to the American theologian Reinhold Niebuhr.

*O God and Heavenly Father, Grant to us the grace to accept with serenity the things we cannot change, the courage to change the things we can and the wisdom to know the difference.*

**Thank you and a pleasant afternoon.**