

BIR MEDIA RELEASE

BIR Makati Region padlocks restaurant and its 4 branches



The “Oplan Kandado” Team of Revenue Region (RR) No. 8A-Makati City, led by Regional Investigation Division Chief, Atty. Zeus Gamaliel Mendoza and Asst. Division Chief, Atty. Jesse Alcaraz, temporarily closed a Chinese restaurant and its four (4) branches on June 29, 2023, for violating Section 115 of the National Internal Revenue Code (NIRC) of 1997, as amended.



The restaurant business operation of SHANZHEN HAIWEI FOOD CORP. (SHANZHEN), a registered corporation under Revenue District Office No. 47- East Makati, located at Salcedo One St. Legaspi Village, Barangay San Lorenzo, Makati City, was padlocked along with its four (4) branches, respectively located at 252 Sen. Gil Puyat Ave., Pio Del Pilar, Makati City; Ayala Malls Manila Bay, Barangay Tambo, Paranaque City; Unit L322 3/F One Bonifacio High Street, 28th St cor. 5th Ave. Bonifacio Global City, Taguig City; and Trade and Financial Tower 7th Ave. cor. 32nd St. Bonifacio Global City, Taguig City.

Results of the Regional Investigation Division’s surveillance conducted in February 2023 showed that the said establishment failed to register one of its branches, failed to issue registered receipts/invoices and understated its sales by more than thirty percent (30%), in clear violation of Section 115 of the NIRC of 1997, as amended.

Section 115(b) of the NIRC of 1997, as amended, as implemented through Revenue Memorandum Order (RMO) No. 3-2009, authorizes the BIR to suspend or close the business operations of a taxpayer for a period of not less than five (5) days for failure to: (1) register; (2) issue VAT official receipts or sales invoices; (3) file VAT returns; or (4) understatement of taxable sales/receipts by thirty percent (30%) or more of correct taxable sales or receipts for the taxable quarter.



Procedural due process was duly given to the said taxpayer by BIR Revenue Region (RR) No. 8A-Makati City, headed by Regional Director Florante R. Aninag, thru the issuance of a 48-Hour Notice to explain the violations, and another 5-day VAT Compliance Notice to rectify the tax payment, but said taxpayer failed to comply with the said notices.

The Closure Order was signed by Deputy Commissioner Maridur Rosario after the said establishments failed to comply with the requirements specified in the 5-Day VAT Compliance Notice under Section 115 of the NIRC of 1997, as amended. The closure was implemented under the supervision of Regional Director Florante Aninag of RR No. 8A-Makati City pursuant to the “Oplan Kandado” Program of the BIR under the current leadership of Commissioner Romeo D. Lumagui, Jr.