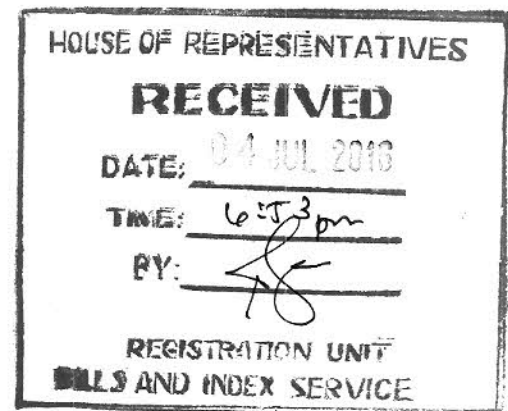


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**Seventeenth Congress**

First Regular Session

House Bill No. 1002



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**Introduced by Honorable Luis Jose Angel N. Campos**

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**EXPLANATORY NOTE**

Article II, Section 9 of the Constitution provides that “[t]he State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.”

Article II, Section 18 of the Constitution further provides that “[t]he State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.”

In 2013, the revenues generated by the country’s business process outsourcing (BPO) industry amounted to \$10 Billion which contributed largely to the Philippines’ 7.2% GDP. The success of the BPO industry is largely attributed to the high quality and dedicated services being provided by the Filipino workers in the industry, which has now reached around 586,000 people. In recognition of the contribution of Filipino workers in the BPO industry and to promote their welfare as mandated by the Constitution, this bill seeks to include night shift differential under Section 32 (B) (7) of the National Internal Revenue Code in order to have the said item of income expressly excluded in the computation of the gross income of the taxpayer.

By allowing workers to bring home the pay of the additional labor in full and free from taxation, the State would not only promote the welfare of the worker but would also indirectly boost growth in the economy through the rippling effect of a financially stronger Filipino workforce.

For the above given reasons the passage of this bill is earnestly sought.

  
**LUIS JOSE ANGEL N. CAMPOS, JR.**

Republic of the Philippines  
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**Introduced by: Rep. Luis Jose Angel N. Campos, Jr.**

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**AN ACT**  
**EXCLUDING NIGHT SHIFT DIFFERENTIAL PAY FROM THE**  
**COMPUTATION OF TAXABLE INCOME AMENDING FOR THE PURPOSE**  
**SECTION 32 (B) (7) OF REPUBLIC ACT NO. 8424 OTHERWISE KNOWN AS**  
**THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**SECTION 1.** Section 32 (B) (7) (e) of Republic Act No. 8424, otherwise known as the "National Internal Revenue Code of 1997", as amended is hereby further amended to read as follows:

- "Sec. 32. Gross Income.-  
"(A) *General Definition.* - x x x  
"(B) *Exclusions from Gross Income.* - x x x  
    "(1) x x x  
    "(2) x x x  
    "(3) x x x  
    "(4) x x x  
    "(5) x x x  
    "(6) x x x  
    "(7) *Miscellaneous items.* -  
        "(a) x x x  
        "(b) x x x  
        "(c) x x x  
        "(d) x x x  
        "(e) x x x

**"(F) NIGHT SHIFT DIFFERENTIAL -  
COMPENASTION DUE TO HOURS  
WORKED/PERFORMED BETWEEN 10  
O'CLOCK IN THE EVENING 6 O'CLOCK  
IN THE MORNING**

- "(G) [(f)] x x x  
"(H) [(g)] x x x.  
"(I) [(h)] x x x."**

**SEC. 2. *Implementing Rules and Regulations.*** - The Bureau of Internal Revenue (BIR), Department of Finance (DOF), and Department of Labor and Employment (DOLE) and Civil Service Commission (CSC) shall promulgate not later than (30) days upon the effectivity of this Act the necessary rules and regulations for its effective implementation.

**SEC. 3. *Repealing Clause.*** – All other laws, decrees, orders, issuances and rules and regulations or parts thereof inconsistent with this Act are hereby amended or repealed accordingly.

**SEC. 4. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication either in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,