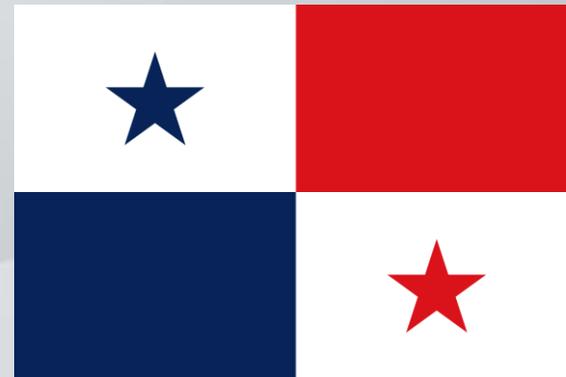


Directorate General of Revenue

Examples of Cash Seizures

Role of the Tax Administration



JUNE 2025

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Introduction

The Directorate General of Revenue has administrative and functional autonomy, in accordance with articles 1 and 5 of Cabinet Decree 109 of 7 May 1970, as amended by Law 33 of 2010.



Collections Department



Coercive Jurisdiction
Department

Delegation to seize:

1. Director General of Revenue

By Power granted by Cabinet Decree 109 of 7 May 1970, as amended by Law 33 of 2010.

Of a precautionary nature

- Tax evasion
- Coercive Jurisdiction

Following on from the previous film...

The Director General of Revenue, by virtue of the powers granted in Cabinet Decree No. 109 of 1970, in Article 16, and the officials delegated by him, are vested with coercive jurisdiction for the collection of debts payable to the National Treasury.

Cabinet Decree No. 109 of 1970

"The staff of the Directorate General of Revenue, in the exercise of the supervisory functions entrusted to it, shall have the powers and authority to ensure the real and true taxation of taxpayers.

Paragraph 1. In order to prevent the actions of the tax administration from proving illusory in their effects and to prevent the taxpayer from transposing, alienating, concealing, worsening, encumbering or dissipating, seizing or distraining, or exercising any other restrictive measure on his property, the Directorate General of Revenue may order, together with the notification or execution of the communication or the resolution containing the order for payment of a tax, the seizure, sequestration or other precautionary measures on all or any assets of the taxpayer when there is a risk for the collection of the respective credit or to guarantee the collection of the tax obligation.

The value of the assets thus seized may not exceed the amount owed, plus surcharges, interest and fines...".

Legal Basis

- **Cabinet Decree 109 of 7 May 1970, as amended by Law 33 of 2010.**
- **The Fiscal Code of the Republic**
Adopted by Law number 8 of 27 January 1956, which has been amended by various regulations.
- **The Tax Procedure Code,**
Adopted by Law 76 of 02019 and its amendments. It was put into effect as of 01 June 2024 by Law 401 of 5 October 2023.

Coercive Jurisdiction

Article 226. Oppositions to the executive collection procedure. Only the following incidents or exceptions may be filed against the resolution referred to in this Chapter, within the fifteen working days following the notification of the resolution initiating the enforcement collection procedure

Payment.

Payment arrangement in force.

Prescription or extinction of the debt.

Non-existence of the obligation, due to lack of law establishing the tax, error by the Tax Administration, legal exemption in force or similar.

Unexecuted decision pending at DGI, TAH or CSJ.

Article 229. Processing of the seizure.

If there is insufficient security for the debt, applicable surcharges and interest, seizure shall be declared on the debtor's assets in an amount sufficient to cover the amount of the tax debt. The seizure shall be made in the following order :

1. Cash or accounts held with financial institutions.
2. Receivables, bills, securities and rights realisable on the spot or in the short term.
3. Wages and salaries.
4. Immovable property, with the exception of those that cannot be seized as provided for in the following article.
5. Commercial or industrial establishments.
6. Precious metals, fine stones, jewellery; goldsmiths' and antiques.
7. Fruits and revenues of all kinds.
8. Movable property.
9. Long-term receivables, rights and available-for-sale securities.

Executive Resolution No. XYZ - 10/6/24

Taxpayer 'X', with RUC 123, owes the State the sum of **NINE HUNDRED TWO THO THOUSAND TWO HUNDRED EIGHT BALBOAS AND 11/100 (B/. 902,208.11)**, in concept of unpaid credits in favor of the State. That the Executing Judge, in exercise of the jurisdictional power vested in him in accordance with Ministerial Resolution No. 201-3147 of February 2015, by authority of the Law, resolves:

- a. **TO INITIATE** Executive Process for Coactive Collection against Taxpayer 'X', with RUC 123, up to the concurrence of the sum of **NINE HUNDRED TWO THO THOUSAND TWO HUNDRED EIGHT BALBOAS WITH 11/100 (B/. 902,208.11)** tax, plus interest and surcharges to the date of cancellation, plus an additional twenty percent (20%), corresponding to the Coactive Jurisdiction Trial and collection expenses.
- b. **TO ISSUE A PAYMENT ORDER**, in favour of the Directorate General of Revenues and order Taxpayer 'X' to pay the amount mentioned in the previous paragraph.

siguiente forma.

Estado de Cuenta - 10/05/2024

Costos / Gastos	Periodo	Impuestos	Interés	Multa	Recargo	Total
Antes	2020	116,468.76	22,928.40	0.00	10,002.93	149,400.09
Después	2021	237,140.45	36,010.73	0.00	23,714.04	296,865.22
Después	2022	288,698.07	18,220.52	0.00	28,869.82	335,788.41
Elementario	2020	19,073.63	1,055.42	0.00	0.00	20,129.05
Elementario	2021	34,080.63	5,936.98	0.00	3,408.06	43,425.67
Elementario	2022	34,362.20	2,920.86	0.00	3,436.22	40,719.28
Aviso de ración	2009	295.50	11.97	0.00	29.55	337.02
Aviso de ración	2012	6,302.15	255.24	0.00	630.22	7,187.61
Aviso de ración	2013	27,684.45	1,121.22	0.00	2,768.45	31,574.12
Aviso de ración	2014	38,606.04	1,563.54	0.00	3,860.60	44,030.18
Aviso de ración	2015	39,496.23	1,599.60	0.00	3,949.62	45,045.45
Aviso de ración	2022	60,000.00	6,313.11	0.00	6,000.00	72,313.11
Multa ITBM	201912	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202001	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202002	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202003	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202004	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202005	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202006	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202007	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202008	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202009	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202010	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202011	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202012	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202101	0.00	0.00	10.00	0.00	10.00
Multa ITBM	202102	0.00	0.00	10.00	0.00	10.00

317-Multa ITBM	202103	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202104	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202105	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202106	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202107	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202108	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202109	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202110	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202111	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202112	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202201	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202202	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202203	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202204	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202205	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202206	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202207	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202208	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202209	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202210	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202211	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202212	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202301	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202302	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202303	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202304	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202305	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202306	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202307	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202308	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202309	0.00	0.00	10.00	0.00	10.00
317-Multa ITBM	202310	0.00	0.00	10.00	0.00	10.00
729-Multa Informe Compra	202107	0.00	0.00	1,000.00	0.00	1,000.00
729-Multa Informe Compra	202108	0.00	0.00	1,000.00	0.00	1,000.00
729-Multa Informe Compra	202112	0.00	0.00	1,000.00	0.00	1,000.00
Totales:		902,208.11	97,937.59	3,470.00	86,669.51	1,090,285.21

c. **ORDER** precautionary measures on movable and immovable property, savings accounts, current accounts, fixed term, deposits, safety deposit boxes and any other monies and rights registered in the name of the person who is the subject of these proceedings.

d. **TO ORDER** the corresponding public and private institutions to comply with what has been ordered.

Article 234. Guarantee or payment agreement for tax obligations.

At any time, before the auction of the goods has been verified or there being no bidder to whom the auction may be awarded, the executed party may pay the debt or guarantee the total amount of the process by any of the legal means to enter into a direct arrangement with the Directorate General of Revenue and adopt a system of payment in instalments to be agreed upon by the parties. The conditions of such a payment arrangement shall be provided for by regulation of the Tax Administration. **In the event of non-compliance with the payment arrangement or with the cause that kept the process at a standstill, the process shall continue and the bail or the auction shall be enforced.**





Taxpayer 'X' went to the DGI to arrange a payment arrangement, indicating that he was pending a collection procedure to make a payment. Time passed, but he never made the payment.

Seizure Order No. ABC (10/6/24)

That within the Coactive Collection Process instituted against Taxpayer 'X' with RUC 123, a payment order was issued for the sum of **ONE MILLION NINETY THOUSAND TWO HUNDRED EIGHTY-FIVE BALBOAS AND 21/100 (B/. 1,090,285. 21)**, in concept of income tax, complementary, operation notice, VAT fine, Purchase Report Fine, all in normal account, plus interests and surcharges to the date of its cancellation, plus the additional twenty percent (20%), corresponding to the Coactive Jurisdiction Judgment and the collection expenses.

RESOLVED. TO DECREE the Seizure of the movable and immovable property, savings and current bank accounts, time deposits, safety deposit boxes and any other rights registered in the name of Taxpayer 'X' with RUC 123, **ONE MILLION NINETY THOUSAND TWO HUNDRED EIGHTY-FIVE BALBOAS AND 21/100 (B/. 1,090,285.21)**.





21/5/2025:

General Directorate of Revenues, collected **ONE MILLION NINETY THOUSAND TWO HUNDRED EIGHTY-FIVE BALBOAS AND 21/100 (B/. 1,090,285.21)**.

Administrative Tax Court

Article 219. Challenges to the decisions of the executing judge.

The Administrative Tax Court shall hear, in sole instance, the third parties, incidents, exceptions and nullities that are filed in these proceedings, and shall be responsible for substantiating and resolving them. In no case shall such proceedings suspend the continuity of the process, but the resolution decreeing the auction or delivery of the seized assets shall not be issued until such proceedings have been previously decided and duly executed.



TRIBUNAL
ADMINISTRATIVO
TRIBUTARIO

Third parties

Article 232. Third parties. When a third party seeks the lifting of the seizure on the grounds that the seized property or rights belong to him, or when a third party considers that he is entitled to be reimbursed for his claim in preference to the Treasury, he shall file a third party claim before the Administrative Tax Court through the procedure of third party exclusion of ownership, as provided for in this Article.

This is without prejudice to the possibility of continuing the said procedure on the rest of the assets or rights of the foreclosed party that are subject to seizure until the debt is satisfied, in which case the seizure on the assets that are the object of the claim shall be rendered ineffective. **The third party who is the owner of the seized property may file a third party exclusion of ownership before the administrative tax judge at any time before the auction of the property begins.**



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MINISTERIO DE
ECONOMÍA Y FINANZAS
DIRECCIÓN GENERAL DE
INGRESOS