SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 96-81

AN ORDINANCE EXEMPTING ALL LEGITIMATE COOPERATIVES, REGISTERED AND OPERATING WITHIN THE CITY OF MUNTINLUPA FROM ALL TAXES, FEES AND ANY DUES IMPOSED BY THE CITY GOVERNMENT.

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Sponsored by: Hon. Jo Jason T. Alcaraz
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WHEREAS, there are currently sixty-nine (69) legitimate cooperatives which are registered and operating within the city of Muntinlupa, and their number are still increasing;

WHEREAS, not all of these legitimate cooperatives have complied with the CDA and Bureau of Internal Revenue (BIR) requirement;

WHEREAS, the foregoing non-compliance was found out to be the result of their (Cooperatives) failure to secure business and/or Mayor’s Permit from the Local Government and the payment of the fees and dues, which is required by the concerned agency before and after registration of the subject document is allowed.

WHEREAS, we recognized the fact that the failure to comply with the aforementioned requirements was due to the financial incapacity of the affected Cooperatives who are still thriving, hence, could not afford the fees and impositions imposed by the City Government as a pre-requisite to the grant of business and/or Mayor’s Permit;

WHEREAS, Section 61 and 62, Art. V of R.A. 6938 provides that cooperatives shall not be subject to any Government taxes or fees imposed under the Internal Revenue laws and other tax laws;

WHEREAS, Section 133 (n) of R.A. 7160 clearly mandates that Local Government Units should not extend their taxing powers to cooperatives;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED by the Sangguniang Panglungsod of Muntinlupa that:

Section 01. Definition of Terms:

a) Legitimate Cooperatives - those cooperatives registered with the CDA and recognized by the City Government through the Sangguniang Panglungsod.

b) Taxes, fees and other impositions - all revenue measures and other financial burden imposed by the City Government on cooperatives which has a direct relation on their operations.

Section 02. Coverage. The provisions of this Ordinance shall cover all legitimate cooperatives which are registered and operating within the City of Muntinlupa.

Section 03. The Department of Extension Services of the City Government may recommend to the Sangguniang Panglungsod in the latter’s exercise of its powers under Sec. 1 (a) of this ordinance whether a particular applicant-cooperative may be recognized by the City Government or not.

Section 04. All legitimate cooperatives shall be exempted from all taxes, fees and impositions imposed by the City Government in connection with the operation of cooperative.

Section 05. In the event that a legitimate cooperative which deals with both members and non-members have exceeded its accumulated reserves plus undivided savings by more than 10 million (P10,000,000.00) as provided by Section 62, Article V of R.A. 6938, the exemption provided under this ordinance shall not apply.

Section 06. Amendment. Any amendment which extends or further increases the benefits enjoyed by the affected cooperatives under this ordinance shall take effect only upon approval by two-thirds (2/3) of the members of the Sangguniang Panglungsod of Muntinlupa.
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Section 7. Effectivity. This ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation in Muntinlupa City.

ADOPTED by the Sangguniang Panglungsod of Muntinlupa this 8th day of July, 1996 in the City of Muntinlupa on its 46th Regular Session.

CARRIED:

HON. MELCHOR R. TEVES
Councilor

HON. RAMEL R. ARCIAGA
Councilor

HON. ALDEN A. SAN PEDRO
Councilor

HON. JASON I. ALCARAZ
Councilor

HON. ROMAN E. NIEVES
Councilor

HON. PATRICIO I. BONAYO, JR.
Councilor

HON. VICTOR L. ULANDAY
Councilor

HON. REYNALDO A. ABAS, JR.
Councilor

HON. REY E. BULAY
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HON. ALEJANDRO L. MARTINEZ
Councilor

HON. PATRICIO I. BONAYO, JR.
Councilor

HON. REYNO R. JOAQUIN
Councilor

HON. ALLAN A. CAMILON
Sectoral Representative

President

Federation of Sangguniang Kabataan

ATTY. JAMIE R. FRESNEDIL
Vice Mayor/Presiding Officer

ATTESTED:

NECITO M. GUICO
Secretary

SANCGUNIANG PANLUNGSOD

APPROVED:

ATTY. IGNACIO R. BUNYE
Mayor

Date