ORDINANCE NO. 2020-110

AN ORDINANCE GRANTING BUSINESS TAX INCENTIVE TO THE TAXPAYER WITH THE HIGHEST BUSINESS TAXES PAID AND/OR TO LARGE BUSINESS TAXPAYERS WITH GROSS SALES/RECEIPTS AMOUNTING TO AT LEAST TWENTY-FIVE BILLION PESOS BASED ON THE ASSESSMENT FROM THE PRECEDING YEAR.

Sponsored by:
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Alexson V. Diaz-VIA ZOOM
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves-VIA ZOOM
Hon. Coun. Ivey Rhia A. Tadefa
Hon. Coun. Engr. Marissa C. Rongavilla-VIA ZOOM
Hon. Coun. Francis Ian T. Bagatsing- VIA ZOOM
Hon. Coun. Mark Lester M. Baes-VIA ZOOM
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr. -VIA ZOOM

WHEREAS, Section 192 of Republic Act No. 7160 otherwise known as the Local Government Code of 1991, aptly states and specifically provides that, “Section 192. AUTHORITY TO GRANT TAX EXEMPTION PRIVILEGES – Local Government Units may, through ordinance duly approved, grant exemption, incentives or reliefs under such terms and conditions they may deem necessary;”

WHEREAS, in granting of the business tax incentive, the City Government of Muntinlupa will maintain its status as a Business Friendly City. Further it will allow the City Government of Muntinlupa to be a premiere haven for investors;

WHEREAS, the City Government of Muntinlupa recognizes the major contribution of the private sector in the economic growth of the City of Muntinlupa;

WHEREAS, the City Government of Muntinlupa finds it necessary to provide incentives in order to attract investors into this jurisdiction, particularly those identified as large business taxpayers;

NOW THEREFORE BE IT ORDAINED, by the 9th Sangguniang Panlungsod ng Muntinlupa in session assembled that:
Ordinance No. 2020-110

SECTION 1. Title. This Ordinance shall be known and cited as the “Business Tax Incentive Ordinance of the City of Muntinlupa.”

SECTION 2. Purpose. This Ordinance seeks to recognize and incentivize the business sector for its invaluable contribution to the development and growth of the City of Muntinlupa.

SECTION 3. Scope of Application. This ordinance shall apply to all persons natural or juridical whether single or individual partnership or corporation, who is/are doing business within the jurisdiction of the City of Muntinlupa and not exempted by existing laws.

SECTION 4. Business Tax Incentive. A business tax incentive shall be given accordingly to the following taxpayers:

a) Fifteen percent (15%) will be deducted from the business tax due excluding regulatory fees, for the current year of the taxpayer with the highest business taxes paid based on the assessment from the preceding year.

b) Ten percent (10%) will be deducted from the business tax due, excluding regulatory fees, for the current year of large taxpayers with gross sales/receipts amounting to at least twenty-five billion pesos based on the assessment from the preceding year.

SECTION 5. Qualifications. The taxpayer reaching the abovementioned threshold must have complied with the requirement mandated under existing local and national laws, rules and regulations, including all the licenses, permits and certificates of registration from local and national licensing and accrediting agencies;

SECTION 6. Certificate of Business Tax Incentive. The taxpayer must comply with the documentary requirements provided for in the Implementing Rules and Regulations of this Ordinance. Upon submission of the required documents, the Business Permits and Licensing Office will evaluate the application and if the applicant is qualified, a Certificate of Business Tax Incentive will be issued thereafter.

SECTION 7. Non Application of Business Tax Incentive. Any business entity whether single or individual partnership or corporation who has a pending case in the courts of law or administrative office agency in relation to their business records or books of accounts, audited financial statements and other pertinent document shall not be entitled to the Local Business Tax Incentive provided under section four (4). Provided further, that the applicant has no existing local business tax protest and will not protest the assessment from which the Business Tax Incentive is based, including all the assessments from the previous years.

SECTION 8. Non-transferability of the Business Tax Incentive. In no case shall the right to incentives be transferred from one legal grantee to another.
Ordinance No. 2020-110

SECTION 9. Reportorial Duties. Qualified business taxpayers shall submit to the Business Permits and Licensing Office:

a) Report on the employment of bona fide Muntinlupa residents within thirty (30) calendar days from the date of grant of the incentive;

b) Quarterly report on its business operations, including its production or gross sales and receipts, within thirty (30) calendar days from each quarter; or

c) Audited Annual Financial Statements, within thirty (30) calendar days after its submission to the Bureau of Internal Revenue and the Securities and Exchange Commission;

SECTION 10. Separability Clause - In the event that any provision of this ordinance shall be held or declared invalid or unconstitutional the validity of the other provisions hereof shall not be affected thereby.

SECTION 11. Repealing Clause - Any provision of existing ordinances, executive order, or rules and regulations in consisted with the provision of this Ordinance is hereby repealed amended or modified accordingly.

SECTION 12. Effectivity - This ordinance shall take effect after compliance with the mandatory posting and publication requirements under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 27th day of July 2020, on its 55th Regular Session.

CONCURRED:

DISTRRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHA A. TABEFA
Member
DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(CABSENT)
COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. MATIERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA E. LAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: 04 AUG 2020

Norie/9th SP