



Republic of the Philippines

CITY COUNCIL

Quezon City

15th City Council

36th Regular Session

ORDINANCE NO. SP 1149, S 2002

AN ORDINANCE GRANTING TAX RELIEF TO RETAILERS AND FRANCHISE HOLDERS DOING BUSINESS IN QUEZON CITY IN THE FORM OF ANNUAL DISCOUNTS FROM THE NEW TAX RATES PRESCRIBED UNDER ORDINANCE NO. SP- 1080, S- 2001, PURSUANT TO SECTION 192 OF THE LOCAL GOVERNMENT CODE OF 1991.

Introduced by Councilors BERNADETTE HERRERA-DY, VICTOR V. FERRER, JR., VINCENT P. CRISOLOGO, ELIZABETH A. DELARMENTE, JULIAN M.L. COSETENG, WENCEROM BENEDICT C. LAGUMBAY, JESUS MANUEL "Bong" C. SUNTAY, ANTONIO E. INTON, JR. JANET M. MALAYA, RESTITUTO B. MALAGEN and MARVIN C. RILLO.

WHEREAS, the passage of Ordinance No. SP-1080, S-2001, saw a "dramatic" albeit legal increase in business tax rates in Quezon City.

WHEREAS, in reaction thereto, some large taxpayer-retailers proposed that an "annual discount be granted on the taxes payable under the new rates;"

WHEREAS, the retailers and franchise holders, by reason of their huge annual gross sales/receipts and upon application of the progressive system of taxation, have felt the most impact of the increase.;

WHEREAS, Section 192 of the Local Government Code of 1991 authorizes local government units, thru duly approved ordinances, to grant tax exemptions, incentives or reliefs under such terms and conditions as they may deem necessary;

WHEREAS, in a letter dated April 11, 2002, several affected taxpayers, retails and holders of franchises, requested the Office of the City Mayor, the Vice Mayor and the Members of the Sangguniang Panlungsod for relief in the form of tax discount, from the immediate operation of Ordinance No. SP 1080, S-2001, and indicated therein their willingness to accede to Ordinance No. SP-1080, S-2001, but cited prevailing circumstances in support of their request for relief;

WHEREAS, in a letter dated May 7, 2002, the Office of the City Treasurer recommended the grant of tax discount as requested by the affected taxpayers, but with modifications as regards the rate;

WHEREAS, in a letter dated May 21, 2002, to the Chairman of the Committee of Ways and Means, Councilor Victor V. Ferrer, Jr., the Office of the City Mayor addresses the Sangguniang Panlungsod and made similar recommendation.

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED THAT:

SECTION 1. Certain taxpayers, particularly retailers and franchise holders, are hereby granted annual discounts in the taxes payable by them under the new rates prescribed in Ordinance No. SP-1080, S-2001.

SECTION 2. Retailers and franchise holders shall be entitled a tax discount at the following rates:

- a.) For the third (3rd) and fourth (4th) quarters of 2002, sixty percent (60%) of the difference between the new rates imposed pursuant to Ordinance No. SP-1080, S-2001, and the rates imposed pursuant to Ordinance No. SP-91, S-93;
- b.) For the taxable year 2003, forty percent (40%) of the difference between the new rates imposed pursuant to Ordinance No. SP-1080, S-2001, and the rates imposed pursuant to Ordinance No. SP-91, S-93;
- c.) For the taxable year 2004, twenty percent (20%) of the difference between the new rates imposed pursuant to Ordinance No. SP-1080, S-2001, and the rates imposed pursuant to Ordinance No. SP-91, S-93;
- d.) The tax discounts above-stated shall be granted whether the taxpayers named herein shall pay the city taxes in full or in quarterly basis within the time of payment provided under Section 20 of Ordinance No. SP-91, S-93; Provided, that for the succeeding years, no discount shall be granted but FULL PAYMENT must be made under the new rates.

SECTION 3. Should any part of this ordinance be declared invalid or unconstitutional for whatever reason by a competent Court the portions hereof not otherwise affected by the declaration shall remain effective and enforceable.

SECTION 4. This ordinance shall take effect after fifteen (15) days following the completion of its publication in a newspaper of general circulation.

ENACTED: June 11, 2002

(Sgd.) HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:

(Sgd.) EUGENIO V. JURILLA
City Council Secretary

APPROVED: June 20, 2002

(Sgd.) FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on June 11, 2002, was finally PASSED by the City Council under suspended rules on the same date.

(Sgd.) EUGENIO V. JURILLA
City Council Secretary