

A-113
PROVINCIAL
ORDINANCE

FILE

Republic of the Philippines
PROVINCE OF BENGUET
La Trinidad
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

REGULAR MEETING August 26, 1996

- PRESENT:**
- HON. WASING D. SACLA, Provincial Vice Governor
Presiding Officer
 - HON. VICTORINA P. ALIPIT, Board Member
 - HON. JAMES M. MALAYA, Board Member
 - HON. FRANCISCO E. GOLINGAB, JR., Board Member
 - HON. BIAL A. PALAEZ, Board Member
 - HON. MARCIANO T. INSO, SR., Board Member
 - HON. SAMSON C. PARAN, Board Member
 - HON. AGOSTO P. SANTOS, Board Member
 - HON. DANIO L. BOLISLIS, Board Member
 - HON. FERNANDO M. ARITAO, Board Member
 - HON. JAIME A. GALASGAS, Board Member
 - HON. LIMSON A. OGAS, Liga ng mga Barangay Pres.,
Member
 - HON. DOMINGO B. BAY-AN, PCL President, Member
 - HON. REDENTOR P. EDOC, SKF President, Member

ABSENT: NONE

PROVINCIAL ORDINANCE NO. 96-23

ORDINANCE AMENDING THE PROVINCIAL REVENUE ORDINANCE NO. 1, s. 1993 AND INCORPORATING A PROVISION INCREASING PROVINCIAL REAL PROPERTY TAX RATES AT TWO AND ONE HALF 2.5% PERCENT ON CIVIL WORKS, EQUIPMENT, MACHINERY AND OTHER IMPROVEMENTS OF A REGISTERED MINI-HYDROELECTRIC POWER DEVELOPERS IN THE PROVINCE PURSUANT TO SECTION 10(4) OF REPUBLIC ACT 7156

EXPLANATORY NOTE

Quoted is Section 10 (4) of Republic Act No. 7156 "An Act Granting Incentive to Mini-Hydroelectric Power Developers and for other purposes" which reads;

- "4) Special Realty tax Rates on equipment and machinery - Any provision of the Real Property Tax Code or any other law to the contrary notwithstanding, real and other taxes on civil works, equipment, machinery and other improvements of a registered mini-hydroelectric power developer shall not exceed two and one half percent (2.5%) of their original costs"

This Special Realty Tax rates on equipment and machinery which is two and one half percent (2.5%) is higher than our provincial real property tax rates which is two percent (2%) by one half percent (.5%). To be able to formalize or legalize the collection of two and one half (2.5)% pursuant to RA 7160 as quoted above, there is need to amend our Provincial

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Revised Revenue Ordinance particularly on our present real property tax rate. An example is the HEDCOR, a licensed mini-hydroelectric power developer which is willing to pay the rate of two and one half (2.5%) percent but there is no legal basis. There is then the possibility of not being able to collect this income from realty properties. hence, there is urgent need to amend our present real property tax rate.

NOW THEREFORE, on motion of Hon. Bial A. Palaez, duly seconded, be it

ORDAINED, by the Sangguniang Panlalawigan assembled:

SECTION 1. Section 32, Article I, Chapter II of Provincial Ordinance No. 01, s. 1993 is hereby amended by inserting a sub-section to read as follows:


'Sec. 32. Imposition of Tax. There shall be levied an ad valorem tax of One (1%) percent on the assessed value on real property such as lands, buildings, machineries, and other improvements not specifically exempted under this ordinance.

Sec.32 A. Special Realty Tax Rates on Equipment and machinery. There shall be levied special tax of two and one half (2.5%) percent on the original costs on realty and other taxes on civil works, equipment, machinery and other improvements of a registered mini-hydro electric power developer. Of this two and one half (2.5%) percent, one and one half (1.5%) percent accrues to the basic tax which is one half (.5%) percent in addition to the basic one (1%) percent pursuant to what was imposed in section 32 as quoted above while the one (1%) percent likewise, accrues to the Special Education Fund as imposed in Section 34.'

SECTION 2. Any ordinance, resolution or orders not consistent with the provisions of this ordinance are hereby repealed, cancelled and/or revoked;

SECTION 3. This ordinance shall take effect Ten (10) days after the last date of its publication or posting whichever comes later.

APPROVED, "


VICTORINA P. ALIPIT
Board Member


JAMES M. MALAYA
Board Member


FRANCISCO E. GOLINGAB, JR.
Board Member


BIAL A. PALAEZ
Board Member


MARCIANO T. INSO, SR.
Board Member



SAMSON C. PARAN
Board Member


AGOSTO P. SANTOS
Board Member


DANILO L. BOLISLIS
Board Member


FERNANDO M. ARITAO
Board Member

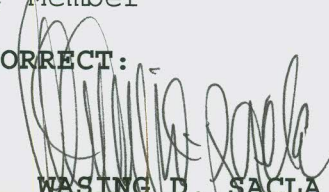

JAIME A. GALASGAS
Board Member


LIMSON A. OGAS
Liga ng mga Barangay President
Member



DOMINGO B. BAY-AN
PCL President, Member


REDENTOR P. EDOC
SKF President, Member

CERTIFIED CORRECT:


WASING D. SACLA
Provincial Vice Governor
Presiding Officer

ATTESTED:


NOEL S. SABOG
Sangguniang Panlalawigan
Secretary

APPROVED:


RAUL M. MOLINTAS
Provincial Governor

Date: 04 SEP 1996