

OFFICE OF THE SANGGUNIANG PANLUNGSOD

Tel. Nos.: (075) 552-7105; (075) 551-2751

EXCERPT TAKEN FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON OCTOBER 13, 2006.

PRESENT: HON. ORLANDO "ANG PANDAY" R. GO - ACTING PRESIDING OFFICER
(City Councilor)

Hon. Michael Roy S. Boling	- Member
Hon. Rufina J. Gabriel	- -do-
Hon. Filemon R. Bacala, Jr.	- -do-
Hon. Cirilo B. Radoc, CPA, LI.B.	- -do-
Hon. Cesar C. Manzano, Ret. Col., PAF	- -do-
Hon. Constante R. Carasi, M.D.	- -do-
Hon. Mario P. Rabadon, LBP	- Ex-Officio Member
HON. VICE MAYOR TEOFILO G. HUMILDE, JR.	- On Official Business
Hon. Joselito O. Fontelera	- On Official Leave
Hon. Ma. Angela A. Braganza	- On Official Business
Hon. Carolyn D. Sison	- On Official Business
Hon. Margielou Orange D. Humilde, SKP	- On Official Business

ORDINANCE NO. 2006-11

AN ORDINANCE ENACTING THE ALAMINOS CITY INVESTMENT CODE OF 2006 AND FOR OTHER PURPOSES

Be it ordained by the Sangguniang Panlungsod, Alaminos City, that:

CHAPTER I

TITLE AND DECLARATION OF POLICY

SECTION 1. Title- This ordinance shall be known and cited as the "ALAMINOS CITY INVESTMENT CODE OF 2006".

SECTION 2. Declaration of Policy-

To enhance financial capability of the dynamic and peaceful City of Alaminos and establish global standard for excellence towards a progressive society under a strong community deserving of honor and dignity,

It is hereby declared the policy of the City to encourage new investment or expansions/diversification in agri-business, eco-tourism, tourism, warehouses, light manufacturing activities and other property development such as establishments of private industrial state.

The City of Alaminos welcomes and encourages domestic and foreign capital to establish enterprises that would utilize local labor and raw materials available in the City.

Finally, to promote and enhance strong private sector collaboration towards effective local development that shall make the City of Alaminos achieved local autonomy.

CHAPTER II

CREATION, COMPOSITION, MEETINGS, POWERS AND FUNCTIONS OF THE ALAMINOS CITY INVESTMENT BOARD.

SECTION 3. *The Alaminos City Investment Board*- There is hereby created the Alaminos City Investment Board (ICIB) to implement the provisions of the Code.

SECTION 4. Composition of The Board- The Board shall be composed of the following:

Chairperson..... City Mayor

Vice- Chairperson.... City Vice- Mayor

Members:

Chairperson, SP Committee on Rules

Chairperson, SP Committee on Trade, Commerce and Industry

Chairperson, SP Committee on Finance, Ways and Means

Chairperson, SP Committee on Public Works and Highways

City Planning and Development Coordinator

City Legal Officer

Regional Director, Department of Trade and Industry, Region I

Regional Director, NEDA Region I

Regional Director, DOT Region I

Representative from Local Real Estate Developers

President, Alaminos Tourism Council

President Cooperative Federation of Alaminos City

General Manager of Alaminos Water District

General Manager of Pangasinan Electric Cooperative I

Chairperson, Western Pangasinan Chamber of Commerce

President Hundred Islands Lions Club

President Hundred Islands Rotary Club

The membership of the Board may be increased by the Sangguniang Panlungsod through the recommendation of the Board as it deems necessary for effective implementation of the provisions of the Code. The Alaminos Investment Promotion Center, a unit that shall be created and attached to the City Planning and Development Office, shall serve as the Technical Secretariat of the Board.

SECTION 5. Meeting And Quorum Of The Board. The Board shall meet at least once every quarter or as often as may be necessary, on such a day as it may fall. The presence of at least a majority of its members shall constitute a quorum (1/2+1). The action of the Board is valid provided that there is a quorum.

SECTION 6. Powers And Functions Of The Board-The primary function of the Board is to establish favorable and stable policies for business that encourages and support investors in the operation of their business activities consistent with the development plans of the City. Pursuant to this, the Board shall be vested with the following powers:

- a. To screen, review, evaluate, approve or disapprove application/investment plans of prospective local/foreign businessmen/entrepreneurs who would want to avail of the incentives provided by this Code.
- b. To closely monitor the performance of the approved local/foreign investments for a period of at least five (5) years.
- c. To recommend to the Mayor to enter into agreements/contracts with other government agencies or private organizations, that will provide any form of assistance and or cause to expedite transactions and procedures in putting-up a business in Alaminos City.
- d. To conduct hearing on issues concerning possible violations committed against any provisions of this Code and likewise, invoke the proper sanctions/penalties such as but not limited to reprimand, cancellation of license, withholding of benefits or incentives to all violators of any of the terms and conditions stipulated in this Code
- e. To recommend and assist the Office of the Mayor and various departments of the City Government in identifying areas as suitable investment hubs.

- f. To create technical working groups (TWGs), *ad-hoc* committees or task force to handle specific tasks as may be required by the Board such as but not limited to research/investigation/paralegal works, promotions and public relations work, Quadra media campaign, propaganda and gimmicks.
- g. To recommend to the Sangguniang Panlungsod, amendments, revisions, or modifications to the existing Investment Code, particularly incentives being given to investors.
- h. To promulgate the Implementing Rules and Regulations in the implementation of the Investment Code, subject to the approval of the Sangguniang Panlungsod.
- i. To commission an independent study group to conduct an economic and technical research, for the purpose of identifying priority investment areas and or activities to be promoted, as well as appropriate incentive and support measures, which should be extended to attract investors into these areas and/or activities.
- j. To adopt a short and medium-term investment promotion program which shall specify the list of priority investment areas and activities and corresponding incentives and support measures to be used to attract targeted investors;
- k. To designate the Alaminos City Investment Promotion Center (ACIPC) that shall serve as the technical secretariat of the Board for the implementation of the provision of this Code.
- l. To propose and recommend the necessary appropriations to the Alaminos City or Council or secure additional funding from other sources in order to support the operations of the Alaminos City Investment Promotion Center in the implementation of the provisions of the Code;
- m. To enlist the assistance of local government offices, national agencies and private sector organizations, as may be necessary, useful and incidental to the effective and efficient implementation of this ordinance:
- n. To establish trade and investment liaison offices in places to be determined by the Board as may be necessary to promote the City's business climate; and
- o. To perform such other powers and function as are necessary and incidental to the exercise and performance of the aforesaid functions.

SECTION 7. Powers And Functions Of The Chairman- The Chairman of the Board shall have the following powers and duties:

- a. To preside over the regular and special meetings of the Board;
- b. To render annual reports to the Alaminos City Government and such special reports as may be requested;
- c. To recommend to the Board such policies and measures he may deem necessary to carry out the objectives of the Code;
- d. To approve applications for the grant of fiscal incentives to qualified applicants in accordance with policies set by the Board; and
- e. Generally, to exercise such other powers and perform such other duties as may be authorized by the board, from time to time.

SECTION 8. Powers And Functions Of The Vice-Chairman- The Vice- Chairman of the Board shall have the following powers and duties:

- a. To preside over the regular and special meetings of the Board in the absence of the Chairman; and
- b. To perform other duties of the Chairman in the absence of the latter, and such other duties as may be assigned to him by the Board.

CHAPTER III

DEFINITION OF TERMS

SECTION 9. *Definition Of Terms-* For the purpose of these Rules and Regulations:

- a. "**BOARD**" shall refer to the Alaminos City Investment Board created under the Alaminos City Investment Code.
- b. "**CAPITALIZATION**" shall mean the total project cost.
- c. "**CENTER**" shall mean the Alaminos City Investment Promotion Center, which is the unit that shall be created to act as the technical secretariat of the Board in the implementation of this Code.
- d. "**CITY**" shall mean the City of Alaminos covering all areas within its territorial jurisdictions provided for by law and its charter.
- e. "**CODE**" shall refer to the Alaminos City Investment Code of 2006
- f. "**EXISTING ESTABLISHMENTS/ENTERPRISES**" refer to those establishments/enterprises whose places of operation or production are presently located within the territorial jurisdiction of the City of Alaminos.
- g. "**LOCAL PERSONNEL/WORKER**" refers to those workers or personnel who are residents of Alaminos City for at least six (6) months wherein proof residency is the presentation of a Barangay Clearance from the barangays where he/she resides.
- h. "**NEW INVESTORS/ENTERPRISE**" refers to those who intend to venture into new project/s in the city with interests in establishing their place of operation or production within the territorial jurisdiction of Alaminos City.
- i. "**PREFERRED /PRIORITY AREAS OF INVESTMENT**" refer to the economic activities cited under Section 10 of this ordinance and those areas which the Board may subsequently recommend and approve by the Sangguniang Panlungsod.
- j. "**PROJECT STUDY**" refers to a Project Profile which present, among others highlights of the financial and the socio-economic impact of the project.
- k. "**REGISTERED ENTERPRISE**" refers to those enterprises/business registered in accordance with the provision of the Code.

CHAPTER IV

PREFERRED PRIORITY INVESTMENT AREAS/ ACTIVITIES AND APPROPRIATE INCENTIVES AND SUPPORT MEASURES

SECTION 10. *Preferred/Priority Investment Areas-* Incentives shall be provided to new and expanding enterprises in the following Preferred Priority Investment areas, to wit:

1. Agri-business Sectors such as but not limited to:
 - a. Vacuum, Dehydrated and Spray-dried Fruit Processing;
 - b. Canned Specialty Vegetables;
 - c. Extruded Snack Food;
 - d. Cut flower Production, Silk Production, Organic Fertilizer Production, Certified Seed Production, Corn/Feed mill.
2. Tourism Facilities such as but not limited to:
 - a. Mid-range Business Hotels;
 - b. Beach and Mountain Resort;
 - c. Theme Parks, Restaurants and Marina
3. Transshipments Facilities such as but not limited to:
 - a. Port Infrastructure;
 - b. Common Bonded Warehouses
4. Miscellaneous Light Manufacturing Activities such as but not limited to:
 - a. Garments;
 - b. Footwear;
 - c. Bulky House wares;
 - d. Toys
5. Property Development such as but not limited to;
 - a. Private Industrial Estates;
 - b. Commercial/Office Buildings;
 - c. Residential Area Development;
 - d. Convention Center Establishment
6. Branches of Foreign Banks
7. Telecommunications
8. Environmental Protection and Enhancement Projects
9. Establishment of Medical, Education, Training, and Sport Facilities
10. Establishment of IT-outsourcing service facilities for medical transcription, legal transcription, graphic designs, systems development and other IT allied services

SECTION 11. Determination Of Additional Investment Area- The Alaminos City Investment Promotion Center may recommend to the Board additional investment areas for inclusion in the list of priority investment areas, which upon due deliberation and approval, shall then be adopted for implementation under the Alaminos City Investment Code.

Basis for inclusion of investment areas are:

1. It must generate high levels of employment;
2. It must feature a high degree of value-added;
3. It must be in consonance with the City's plans and programs

4. It must create linkages with local industries and/or foreign industries
5. It must not have deleterious effect on the environment

SECTION 12. *Appropriate Incentives And Support Measures*- The Board, upon recommendation of the Center, shall identify additional incentives and support measures which it shall be extended to would-be investors, to promote priority investment areas and activities of the City.

SECTION 13. *Effectivity Of Appropriate Incentives And Support Measures*- The Center shall review the package of appropriate incentives and support measures and the investment areas or activities, every (2) years, and it shall recommend to the Board to remove such incentives and support measure when:

- a. it deems that sufficient investment in the area or activity have been attained and where continued extension of incentives or support measures for the expansion of said areas or activities may place the interest of the City and the public in adverse position.
- b. such area or activity in the City cannot attract investors within reasonable time and cost, which may result in unfavorable business climate.

CHAPTER IV

REGISTRATION OF ENTERPRISES

SECTION 14. *Qualifications Of A New Enterprise*- A New Enterprise which intends to avail of the incentives provided for in this Code, must meet the following qualifications;

1. The new business enterprise must have complied with all the requirements mandated under existing local and national laws and the Constitution by and through presentation of certificates of registration issued by either the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI), or Cooperative Development Authority (CDA), and other national government accrediting agencies, as the case may be;
2. The prospective investor's place of operation or production must be located within the territorial jurisdiction of Alaminos City;
3. The investment must be among the approved "*preferred/priority areas of investments*";
4. The investment must provide employment among bonafide residents of Alaminos City under Section 9 (g) hereof;
5. The new enterprise must have a capitalization of
 - a. At least One Million Pesos (P 1 million) but not more than Ten (10) Million Pesos in case of a small-scale enterprise;
 - b. Over Ten (10) Million Pesos but not more than Forty (40) Million Pesos in case of a medium-scale enterprise; and
 - c. More than Forty (40) Million Pesos, in case of a large scale industry.
6. The new enterprise must provide direct employment of:
 - a. Not less than Ten (10) Person, in case of a small scale enterprise;
 - b. At least Twenty (20) Persons, in case of a medium scale enterprise;

- c. At least One Hundred (100) persons in case of a large industry, unless under exceptional cases as may be determined by the Board.

SECTION 15. Qualifications Of An Existing Enterprise- Existing enterprise which is expanding and or/ diversifying, and intends to avail of the incentives under the Code must meet the following qualifications:

1. It must have complied with all the requirements mandated under existing local and national laws and the Constitution, by and through the presentation of certificates of registration issued by either the SEC, DTI, or CDA and other national government accrediting agencies, as the case may be;
2. The expansion or diversification must be among the approved "*preferred/priority areas of investments*";
3. The existing enterprise, whose place of operation or production is already located within the territorial jurisdiction of the City, shall undertake any of the following activities/projects:
 - a. Relocate its principal office from other places in the Philippines to Alaminos City;
 - b. Expand its existing production capacity or construct new buildings and civil works for the installation of new machinery and equipment or, improvements thereof which will result in an increase in production capacity or for diversification projects;
4. That the expansion/diversification shall require additional capitalization of:
 - a. At least One Million (P1 Million) but not more than Ten (P10) Million Pesos, in case of a small-scale enterprise;
 - b. Over Ten (10) Million Pesos but not more than Forty (40) Million Pesos, in case of a medium-scale enterprise, and
 - c. More than forty (P 40) Million Pesos, in case of a large -scale industry.
5. That the expansion/diversification shall provide an additional labor force(residents of the City) of:
 - a. Not less than Ten (10) Persons, in case of a small -scale enterprise;
 - b. At least Twenty (20) Persons, in case of a medium scale industry;
 - c. At least One Hundred (100) Persons, in case of a large scale industry unless under exceptional cases as may be determined by the Board.

SECTION 16. Application Requirements- Application must be filed with the Center which shall be recorded in a registration book and the date appearing therein and stamped on the application shall be considered the date of official acceptance.

a. Venue For Filing Applications

All applications shall be filed to the Board through the Alaminos City Investment Promotion Center.

b. Date Of Official Acceptance

Applications shall be filed with the Board through the Alaminos City Investment Promotion Center and recorded in a registration book; and the date appearing therein and stamped on the application shall be considered the date of official acceptance.

c. Processing time

Applications shall only be deemed officially accepted upon submission of complete requirements to the Center.

Application for incentives shall be acted by the Center within ten (10) working days from the official acceptance thereof and by the Chairman of the Board within an additional ten (10) working days. If and when the application is not acted upon within the stated period of a total of twenty (20) days, the application is deemed approved.

d. Filing Fee

That the following **non-refundable filing shall be paid as follows:**

- P 1,000.00 - for enterprise with a capitalization of at least one Million Pesos (P 1-Million) up to Five Million Pesos (P 5-Million);
- P 2, 500.00 - for enterprise with a capitalization of more than Five Million Pesos (P 5-Million) up to Ten Million Pesos (P 10- Million);
- P 10,000.00 - for enterprise with a capitalization of more than Ten Million Pesos (P 10 Million) up to Forty Million Pesos (P 40 Million);
- P 25,000.00 - for enterprise with a capitalization of more than Forty Million Pesos (P 40-Million) up to One Hundred Million Pesos (P 100-Million);
- P 50,000.00 - for enterprises with a capitalization of more than (P 100- Million) up to One Hundred Million Pesos up to One Billion Pesos (P 1- Billion); and
- P 100,000.00 - for enterprise with a capitalization of more than One Billion Pesos (P 1-Billion);

e. Required Documents For Registration

For Single Proprietorship

1. Three (3) copies of completed application form, the form of which can be secured from the Center;
2. A copy of the project study of the proposed investment indicating the financial and socio-economic impact of the project;
3. A certified true copy of its Certificate of Business Name Registration from the Department of Trade and Industry.

For Partnership And Corporation

1. Three (3) copies of completed application form, the form of which can be secured from the Center;
2. A copy of the project study of the proposed investment indicating the financial and socio-economic impact of the project;
3. A copy of the company's Articles of Partnership/Incorporation and BY-Laws as approved by the Securities and Exchange Commission;
4. Authority from the Board of Directors, as the case may be, to file the application.

For Cooperatives

1. Three (3) copies of completed application form, the form of which can be secured from the Center;
2. A copy of the project of the proposed investment indicating the financial and socio-economic impact of the project.
3. A copy of the Certificate of Registration from the Cooperative Development Authority;
4. Authority from the Board of Directors to file the application.
5. A certified true copy of its Certificate of Registration with SEC, DTI, or CDA or the accrediting agencies, as the case may be.

SECTION 17. Registration And Approval Procedures

a. Registration Procedure

1. Applications shall be submitted to the Center together with the required documents;
2. The applicants pays the following non- refundable filing fee as defined under Section 17 d
3. Once all required documents are submitted, the project will be evaluated by the Center;
4. If found not qualified, the Center informs the applicants;
5. If found qualified, the Center forwards the application to the Chairman of the Board for approval;
6. Once approved by the Chairman, the Center informs the applicants in writing and delivers the Certificate of Registration;
7. The Center then informs all concerned agencies and entities of such approval for their information, guidance, and appropriate action.

b. Certificate of Registration

A registered enterprise under the Code shall be issued a Certificate of Registration with the signature of the Chairman of the Board and/ or such other officer as the Board may empower and designate for the purpose. The Certificate shall be on such form and style as the Board may determine and shall state, among other matters, the following:

1. The name of the Registered Enterprise;
2. The preferred/priority area of investment in which the registered enterprise will engage in;
3. The other terms and conditions to be observed by the registered enterprise by virtue of its registration.

CHAPTER VI

RIGHTS AND PRIVILEGES OF REGISTERED ENTERPRISES

SECTION 18. Rights And Privileges Guaranteed By The Alaminos City Government- All enterprises registered under the Code are entitled to the rights and guarantees provided by law and the Constitution, and as such, the City Government thru the Board shall:

- a. Provide concise and comprehensive information to prospective investor on the economic priorities of the City Government, including target investment areas and the general conditions applicable to incoming direct private investments;
- b. Communicate investment evaluation criteria and procedures through various publications to enhance transparency in the process of granting local government incentives;
- c. Take the fullest possible account of the need of the investors for stability growth and profit on their operations, in the formulation and modification of policies and ordinances that effect investments;
- d. Not interfere or modify arrangements with the investors after the details the implementation of an investment project has been approved and accepted, and the ownership and management structure of the enterprise has been established unless the law provides otherwise;
- e. Avoid undue distortion of competition between or among enterprises operating within its territorial jurisdiction, whether domestic or foreign, without granting any Special exemptions or incentives aimed at encouraging vestments in the identified targets areas;
- f. In accordance with the law and where no local personnel or workers qualified or capable and available, allow the employment of qualified foreign personnel where there is a necessary, for the efficient operation of enterprise or technology transfer; and
- g. Resolve all doubts concerning the benefits and incentives granted under the ordinances enacted for the purpose of encouraging investments, in favor of the investor.

CHAPTER VII

THE ALAMINOS CITY INVESTMENT PROMOTION CENTER

SECTION 19. *Alaminos City Investment Promotion Center* - There shall be created an office known as the Alaminos City Investment Promotion Center, which shall be staffed by one (1) Economist IV, one (1) Economist III, one (1) Economist II, one (1) Economist I, and one (1) Economic Researcher.

The Center shall be attached as a regular division in the Office of the City Planning and Development Coordinator.

SECTION 20. *Powers and Duties of Alaminos City Investment Promotion Center.* The Center shall act as the Technical Secretariat of the Board, and shall implement its policies and guidelines and shall specifically perform the following duties:

- a. Accept, process, and evaluate applications for registration for availment of local incentives, and submit recommendations to the Board for final action.
- b. Provide the necessary support services to investors as guaranteed under the Code;
- c. Establish and maintain networking relations with other offices and agencies whenever appropriate and necessary.
- d. Collate, analyze and compile pertinent data and information, and conduct studies concerning areas that have been or may be declared as preferred/priority areas of investments" by the Board;
- e. Recommend to the Board any modifications/amendments to existing litigation and procedures on local investments;

- f. Prepare agenda for meetings of the Board, and submit for the latter's consideration and approval of the policies and measures which are deemed necessary to carry out the provisions of the Code;
- g. Submit Annual Reports to the Board about the activities relative to the implementation of the Code within sixty (60) days after close of each calendar year; and
- h. Perform such other functions that are necessary and incidental for effective implementation of this Code.

SECTION 21. *Technical Functions Of The Center*-The Technical and Support Services Staff shall have the corresponding functions:

1. *Investor Assistance And Servicing*- Assist prospective Investors by providing assistance, among others;
 - a. One-stop documentation services (facilitating business permits, licenses, incentive availment);
 - b. Investment Counseling; and
 - c. Brokering and Business matching
2. *Investment And Trade Promotion And Generation*- Handle promotional activities that will directly influence infusion of investments and influx or trade and tourism, such as:
 - a. Trade and investment missions;
 - b. Investment for seminars;
 - c. Direct investment marketing;
 - d. Trade fairs and exhibits;
 - e. Investment briefings/orientation;
 - f. Setting -up of a showroom/exhibitional area; and
 - g. Promo collateral preparation and dissemination.
3. *Information Managements And Development*- In the area of information and development shall;
 - a. Handle data generation, processing and packaging;
 - b. Handle data storage and retrieval;
 - c. Support direct investor servicing through operation of an on- time information assistance desk;
 - d. Review existing incentives and prepare recommendation and/or policy papers for its improvement; and
 - e. Prepare projects profiles, pre-investment studies, viability and feasibility industry profiles and situationer.

SECTION 22. *Reporting*- The City Planning and Development Coordinator shall Report to the Board matters affecting plan, programs and performance of the Center.

CHAPTER VIII

INCENTIVES TO REGISTERED ENTERPRISE

SECTION 23. Incentives To Registered Enterprises- In addition to the Incentives provided by the City Government and the National government as well, an enterprise registered Under the Code shall be fully exempted from the payment of:

1. Building Permit fees and other fees and charges;
2. Mayor's permit fees, business sales taxes, other fees and charges within three (3) years from the start of commercial operations;
3. Exemption from the basic real property tax due the City, excluding the Barangay share for a period of two (2) years from the start of commercial operations.

CHAPTER IX

APPROPRIATIONS

SECTION 24. Appropriations- To defray the expenses for personal services (P.S), monthly operating and overhead expenses (MOOE) and Capital /Equipment Outlay necessary for the implementation of the provision of this Ordinance, funds shall be sourced-out thru the General Fund and/from the 20% Annual Development Fund

CHAPTER X

MISCELLANEOUS PROVISIONS

SECTION 25. Visitorial Power Of The Board Or Center- The Board, the Center, or any duly authorized member thereof, is hereby empowered and authorized to conduct an ocular inspection of the premises of the registered enterprise, including the records and their books during office hours, for verification whether there is strict compliance with the provisions of the Code.

SECTION 26. Submission Of Reports And Other Documents. Every registered enterprise shall, for each preferred/priority area of investments, submit to the Board the following reports and/or documents within time herein prescribed.

- a. Amendments of Articles of Incorporation or By-Laws, Article of Partnership of Cooperation, within thirty (30) calendar days from the date of submission of the said date of submission of the amendments with Securities and Exchange Commission or Cooperative Development Authority .
- b. Change of Directors within thirty (30) calendar days from the change;
- c. Report on alien officers or employees within thirty (30) days calendar days from the date of registration from the appointment their aliens/replacement. Provided, that such aliens are registered as such with the Bureau of Immigration and Deportation (BID) and with the Department of Labor and Employment (DOLE);
- d. Report on employment of the bonafide Alaminos City residents within thirty (30) calendar days from the date of registration or from the appointment their replacement;
- e. Quarterly report on the enterprise's business operations, including in the production or gross sales receipts, within thirty (30) calendar days from the end of each quarter;

- f. Audited Annual Financial Statements, within thirty (30) calendar days after its submission to the Bureau of Internal Revenue (BIR) ; and
- g. Report on total local incentives availed of under the Code.

CHAPTER XI

FINAL PROVISIONS

SECTION 27. Sanctions For Non- Submission Of Reportorial Requirements – For late submission of the reportorial requirements, every registered enterprise shall for each preferred / priority of investment area of investment, be fined in accordance with the following schedule

- a. 1st violation – P 5.00 per day every violation
- b. 2nd violation – P 10.00 per day every violation
- c. 3rd violation and subsequent violations – P 20.00 per day violation

SECTION 28. Penal Clause – Any violation of the provisions of this Code, existing laws, ordinances, rules and regulations, shall be ground for the cancellation or revocation of the registration of the business and the withdrawal of all the incentives granted under the Code.

The Certificate of Registration of Business Enterprise, as provided in the Code and these Rules, may be cancelled or revoked due to the following:

- a. Violation of the Provisions of the Code and these Rules;
- b. Violation of existing local and national laws, ordinances, rules and regulations;
- c. Failure to commence actual project development within one (1) year from approval of registration.

Cancellation or revocation of the certificate of registration shall mean the withdrawal of all the incentives granted under the Code; and all fees and charges previously exempted shall become due and demandable.

Upon the recommendation of the Center, the Chairman of the Board may cancel or revoke the Certificate of Registration of the concerned business enterprise through a formal written notice to that effect, and shall become effective on the 16th day from the receipt thereof.

SECTION 29. Approval – The applicant adversely affected by any decision may, within fifteen (15) days from the receipt of such decision, appeal the same to the Board, whose decision shall be final and executory.

SECTION 30. Implementing Rules And Regulations – The City Mayor, upon the recommendation of the Board, shall formulate Implementing Rules and Regulations necessary for the efficient and effective implementation of any and all provisions of this Code.

SECTION 31. Separability Clause – The provisions of these Rules are hereby declared to be separable, and in the event that one or more of the provisions hereof are held illegal or unconstitutional, the validity of the other provisions shall not be affected thereby.

SECTION 32. Repealing Clause – Ordinances, Executive Orders and other local legislation inconsistent with this Ordinance are hereby modified or repealed accordingly.

SECTION 33. Effectivity – This Ordinance shall take effect immediately upon approval.

UNANIMOUSLY ADOPTED.....

Sponsored by : HON. CIRILO B. RADO, CPA, LL.B.
Co-sponsored by : HON. MICHAEL ROY S. BOLING

I HEREBY CERTIFY to the correctness of the foregoing ordinance which consist some fourteen(14) pages including this page.

ORLANDO "ANG PANDAY" R. GO
(City Councilor)
Acting Presiding Officer

388

MICHAEL ROY S. BOLING
Member

RUFINA J. GABRIEL
Member

FILEMON R. BACALA, JR.
Member
CIRILO B. RADOC, CPA, L.L.B.
Member
CESAR C. MANZANO, Ret. Col., PAF
Member
CONSTANTE R. CARASI, M.D.
Member
MARIO P. RABADON, LBP
Ex-Officio Member

ATTESTED:

VIRGILIO O. MONTEMAYOR
Secretary

NOTED:

TEOFILO G. HUMILDE, JR.
City Vice Mayor/
SP Presiding Officer

APPROVED:

HERNANDO A. BRAGANZA
City Mayor