



REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD

Lungsod Ng Mandaluyong

ORDINANCE NO. 192, S-1998

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

EXPLANATORY NOTE

WHEREAS, it is the policy of the State, under Section of Executive Order No. 96, that - The Local Government Unit shall contribute to the development of Cooperatives in their respective area in accordance with the state policies on cooperatives prescribed in R.A. 6938 and R.A. 6939;

WHEREAS, there are currently ninety-six (96) legitimate cooperatives which are registered with Cooperative Development Authority and operating within the City of Mandaluyong and their number are still increasing;

WHEREAS, Section 61 and 62, Article V of the Republic Act 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 Republic Act 7160, otherwise known as the Local Government Code of 1991, clearly mandates the Local Government Units not to extend their taxing powers to cooperatives;

WHEREAS, Revenue Memorandum Circular No. 48-91, Department of Finance C.D.A. Joint Circular No. 1-90 C.D.A. Memorandum Circular No. 93-005 are administrative circulars that have been issued regarding the exemption of cooperatives from local business taxes, fees and charges;

WHEREAS, for a clear and better understanding of the coverage, it is imperative to make a definition of terms as follows:

SECTION 1. DEFINITION OF TERMS:

- a. LEGITIMATE COOPERATIVES. Those cooperatives registered with the C.D.A. and are operating within this City.
- b. TAXES, FEES AND OTHER IMPOSITION. All revenue measure and other financial burden imposed by the City Government on cooperatives which has a direct relation on their operations.

SECTION 2. COVERAGE. The provisions of this Ordinance shall cover all legitimate cooperatives which are registered and operating within the City of Mandaluyong.

SECTION 3. All legitimate cooperatives shall upon the approval of this Ordinance be exempted from the payment of all taxes, fees, charges and impositions of whatever kind and nature. (As provided by Republic Act 6938 and Republic Act 7160)

SECTION 4. In the event that a legitimate cooperative which deals with both members and non-members have exceeded its accumulated reserves and undivided savings by more than TEN MILLION PESOS (P10,000,000.00), the exemption provided under this Ordinance shall not apply, as stated in Section 62, Article V of R.A. 6938.

SECTION 5. REPEALING CLAUSE. All Ordinances, Resolutions, City Government Administrative Issuance, Rules and Regulations or parts thereof inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 6. PENAL CLAUSE.


- a. Any and all offices involved in the collection of taxes, fees and any dues shall strictly adhere to the provision of this Ordinance.
- b. The provision of Section 124 of R.A. 6938 is hereby considered incorporated in this Ordinance and its observance is strictly enjoined.

SECTION 7. EFFECTIVITY. This Ordinance shall take effect upon its approval.


NOW, THEREFORE, be it ordained, the Sangguniang Panlungsod that all legitimate cooperatives registered and operating within the City of Mandaluyong be exempted from all taxes, fees and any dues imposed by the City Government.

ENACTED, on this 20th day of October 1998 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


ADVENTOR R. DELOS SANTOS
Acting Sanggunian Secretary

ATTESTED:


CESAR C. BARTOLOME
City Councilor
Acting Presiding Officer

APPROVED:


BENJAMIN C. ABALOS, JR.
City Mayor

Date: OCT 29 1998

