



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PO97-27

100th Regular Session

ORDINANCE NO. SP- 551 , S-97

AN ORDINANCE AMENDING ARTICLE 15 OF CHAPTER FOUR OF CITY ORDINANCE NO. SP-91, SERIES OF 1992, OTHERWISE KNOWN AS "THE QUEZON CITY REVENUE CODE OF 1993".

Introduced by Councilors FRANZ S. PUMAREN, JOSEPH PETER S. SISON, CONNIE S. ANGELES, MOISES S. SAMSON and ALBERTO M. GALARPE.

Sponsored by Councilors Emilio G. Tamayo, Godofredo T. Liban II, Marciano P. Medalla, Jorge L. Banal and Almario E. Francisco.

WHEREAS, sub-paragraph 2 of Section 2 of Article 458 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Panlungsod shall enact ordinances, xxx levying taxes, fees and charges, prescribing rates thereof for general and specific purposes xxx;

WHEREAS, the power to levy taxes includes the power to grant lower tax rates;

WHEREAS, the current rate of 30% on gross receipts from admission fees, has been burdensome for proprietors, lessors, theater operators, cinemas, concert halls, circuses, boxing stadia and other places of amusements;

WHEREAS, as a result of the burdensome rate, proprietors, lessors, theater operators, cinemas, concert halls, circuses, boxing stadia and other places of amusement are encouraged to carry their income generating activities in other cities where the rates are much lower;

WHEREAS, not only do they carry these activities elsewhere, but they are also encouraged to apply for amusement tax exemptions;

WHEREAS, there being only a limited class entitled to amusement tax exemptions, said proprietors, lessors, theater operators, cinemas, concert halls, circuses, boxing stadia and other places of amusement are further encouraged to circumvent the law in order to fit within the exemptable entities;

WHEREAS, some proprietors, lessors, theater operators, cinemas, concert halls, circuses, boxing stadia and other places of amusement even go as far as refusing to pay the amusement tax completely;

WHEREAS, either one of the practices aforementioned has resulted and will continue to result in revenue loss for the Quezon City government since taxation is the source wherein the City derives its funding for its projects;

NOW, THEREFORE,

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

SECTION 1. Sections 39, 39-A and 40 of Article 15 of Ordinance No. SP-91, S-92, otherwise known as the Quezon City Revenue Code, are hereby amended to read, as follows:

"SECTION 39. Imposition of Tax - There shall be collected from the proprietors, lessors, operators of theaters, cinemas, concert halls, circuses, boxing stadia and other places of amusement, a tax at the rate of thirty percent (30%) of the gross receipts from admission fees.

SECTION 39-A. Proprietors, lessors, operators of theaters, cinemas, concert halls, circuses, boxing stadia, and other places of amusement shall pay a tax at the rate of 10% regardless of the sponsoring entity as long as they are one time show only whenever the show's sponsoring entity is a corporation, partnership or association which has a valid charitable institution as beneficiary; Provided, that, Original Pilipino Music (OPM) concerts sponsored and/or performed by OPM members shall be entitled to an 8% tax rate for every concert thereof; PROVIDED, that the said income generating activity is not held more than twice a year by the sponsoring entity in the course of its business whose taxes shall be governed by the next preceding article and for this purpose, the following definitions shall govern:

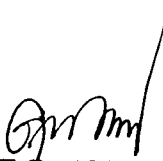
- a. sponsoring entity - the corporation, association or partnership holding, producing or financing the show whose admission tickets are being imposed amusement tax
- b. income generating activity - shall refer to the show being held whose admission tickets are being imposed amusement taxes
- c. valid charitable institutions - those authorized by the Office of the Mayor as institutions deserving government assistance and support;

PROVIDED, FURTHER, that all tax discounts and exemptions granted in a month shall be referred to the City Council for its ratification and notice.

SECTION 40. Exemptions - The holding of operas, cultural concerts, dramas, recitals, painting and art exhibitions, flower shows, musical programs, literary and oratorical presentations except pop, rock or similar entertainment concerts, school and sports activities shall be exempt from the payment of the tax herein imposed. Such exemption shall be granted by the City Council pursuant to the provisions of Book II and Section 458 of RA 7160 otherwise known as the Local Government Code of 1991 on the grant of tax exemptions and in special cases by the City Mayor subject to the guidelines issued by the Department of Finance.”

SECTION 2. This Ordinance shall take effect upon its approval.

ENACTED: July 22, 1997.


CONNIE S. ANGELES
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Secretary

APPROVED: _____

ISAMAEL A. MATHAY, JR.
City Mayor