



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-33 S. 2023

AN ORDINANCE REGULATING THE EXEMPTION OF COOPERATIVES IN BATANGAS CITY FROM PAYMENT OF APPLICABLE TAXES, FEES, AND CHARGES AND PROVIDING GUIDELINES THEREOF

SPONSOR : SP MEMBER ISIDRA "CHED" M. ATIENZA
Chairman, Committee on Agriculture and Cooperatives

WHEREAS, Article 2 of Republic Act 9520 otherwise known as the "Philippine Cooperative Code of 2008" provided that, it is the declared policy of the State to foster the creation and growth of cooperatives as a practical vehicle for promoting self-reliance and harnessing people power towards the attainment of economic development and social justice. The State shall encourage the private sector to undertake the actual formation and organization of cooperatives and shall create an atmosphere that is conducive to the growth and development of these cooperatives;

WHEREAS, Section 133(n) - Common Limitation on the Taxing Powers of Local Government Units, of Republic Act 7160 otherwise known as the Local Government Code provided that the exercise of the taxing powers of provinces, cities, and barangay shall not extend to the levy of taxes, fees or charges on Countryside and Barangay Business Enterprises and cooperatives duly registered under Republic Act 6810 and 6938 otherwise known as the "Cooperatives Code of the Philippines";

WHEREAS, Department of Finance - Bureau of Local Government Finance Memorandum Circular No. 31-2009 dated October 7, 2009, with subject Exemption of Cooperatives from Payment of Local Taxes fees enjoining the regional directors for local government finance to disseminate the contents of this circular to all provincial, city and City Treasurers within their respective jurisdiction for their information and guidance;

WHEREAS, Department of Interior and Local Government Memorandum Circular No. 2010-120 dated October 20, 2010, with subject exemption of duly registered cooperatives from payment of applicable taxes, fees directed all local chief executive to strictly effect the implementation of the exemption;

WHEREAS, the City Government of Batangas recognizes and grants the exemption from payment of local taxes of cooperatives transacting business with both members and non-members by paragraph (d) no. (3) of Memorandum Circular No. 001-2020 of the Department of Finance - Bureau of Local Government Finance stating that all cooperatives duly registered with the Cooperative Development

HON. NELSON J. CHAVEZ
HON. ARMANDO C. BAZARTE
HON. QIVIER L. MACATANGAY
HON. NESTOR E. DIMACUHA
HON. ANDREA JOSEF. MACARAIG
HON. CARLOS EMMANUEL A. BUTED
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO
HON. ANGELITO DONDON A. DIMACUHA
HON. MICHAEL C. VILLENA
HON. JOSEFINO A. RAMBADA, JR.
HON. ISIDRA M. ATIENZA
HON. ZESTER CARLO M. HERNANDEZ
HON. JOSE JOAQUIN LUIS F. TOLENTINO



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

Continuation of Ordinance No. 22-33 S. 2023

AN ORDINANCE REGULATING THE EXEMPTION OF COOPERATIVES IN BATANGAS CITY FROM PAYMENT OF APPLICABLE TAXES, FEES, AND CHARGES AND PROVIDING GUIDELINES THEREOF

Authority, regardless of the number of accumulated reserves and undivided net savings shall be exempted from local taxes and taxes on transactions with banks and insurance companies;

WHEREAS, on November 14, 2023, a committee hearing was called and held between the Sangguniang Panlungsod Members and its Committee on Agriculture and Cooperatives and the representation from the Batangas City Cooperative Development Council and resource persons from relevant City Government Offices due to the concern of enacting an ordinance granting exemption to all cooperatives in Batangas City from the payment of local taxes on cooperative's sales and business transactions to both members and non-members of the cooperatives;

WHEREAS, the Committee during the hearing, as reflected on the findings and recommendations stated in its committee report, had already come up with a solution, solely embodied in this Ordinance;

NOW THEREFORE, be it ordained, as it is hereby ordained by the Sangguniang Panlungsod ng Batangas in session assembled, that:

SECTION 1. TITLE. - This Ordinance shall be known as "**AN ORDINANCE REGULATING THE EXEMPTION OF COOPERATIVES FROM PAYMENT OF APPLICABLE TAXES, FEES, AND CHARGES**".

SECTION 2. SCOPE. - This Ordinance shall govern the assessment and collection of taxes, permit fees, charges, and other impositions to cooperatives within the territorial jurisdiction of this City.

SECTION 3. GENERAL PROVISIONS. - All legitimate cooperatives except those mentioned in Section 4 shall be exempted from all taxes imposed by the City Government in connection with the operation of the cooperatives, for both members and non-members.

SECTION 4. SPECIAL PROVISION. - Only duly registered cooperatives of Batangas City or within its territorial jurisdiction are governed by this Ordinance. Failure of any cooperative to present pertinent documents as proof of registry from the Cooperative Development Authority is tantamount to non-exemption of any applicable taxes, fees.

HON. NELSON
L. CHAVEZ

HON. ARMANDO C.
L. MARTI

HON. JULY VERZ.
MACAYANGAY

HON. VESTOR E.
DIMACUHA

HON. ANDREA LOISE F.
MACARAIG

HON. KARLOS
EMMANUELA A. BUTED

HON. HAMILTON G.
BLANCO

HON. ALYSSA RENEE
A. CRUZ

HON. MARCUS
MANUEL D. CASTILLO

HON. ANGELITO
DONDON A. DIMACUHA

HON. MICHAEL C.
VILLENIA

HON. LORENZO A.
GAMBOA, JR.

HON. BIDRA M. ATIENZA

HON. ESTER CARLO M.
HERNANDEZ

HON. JOSE JONASH
LUIS F. TOLENTINO



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

Continuation of Ordinance No. 22-33 S. 2023

AN ORDINANCE REGULATING THE EXEMPTION OF COOPERATIVES IN BATANGAS CITY FROM PAYMENT OF APPLICABLE TAXES, FEES, AND CHARGES AND PROVIDING GUIDELINES THEREOF

4.1 Failure of any cooperative to present and submit a copy of its annual income tax return and/or audited financial statement with the stamp received from the Cooperative Development Authority is ground for non-exemption of any applicable taxes, fees.

4.2 Further, on the date of renewal of the Mayor's Permit, the cooperative, through its authorized representative, shall file an affidavit of undertaking stating that document will be submitted to the office of the City Treasurer on or before May 15 of each calendar year and failure to comply would mean of revocation of its Mayor's Permit and full payment of all applicable taxes, fees.

SECTION 5. REPEALING CLAUSE. - All ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE. - If for any reason any section or provision of this Ordinance shall be held unconstitutional or invalid, the other sections or provisions hereof which shall not be affected thereby, shall continue to be in full force and effect.

SECTION 7. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately after compliance with the posting and publication requirements set forth under the 1991 Local Government Code.

ENACTED by the Sangguniang Panlungsod on this 28th day of November, 2023.

HON. NELSON J. CHAVEZ

HON. ARMANDO C. VAZARTE

HON. OLIVER J. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACAWAIG

HON. CARLOS EMMANUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. JOSEFINO A. GAMBORA, JR.

HON. ISIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE RONALD LUIS F. TOLENTINO



Republic of the Philippines
BATANGAS CITY
Office of the Sangguniang Panlungsod
 Tel. No. 722-0304

Continuation of Ordinance No. 22-33 S. 2023

AN ORDINANCE REGULATING THE EXEMPTION OF COOPERATIVES IN BATANGAS CITY FROM PAYMENT OF APPLICABLE TAXES, FEES, AND CHARGES AND PROVIDING GUIDELINES THEREOF

ATTY. OLIVA D. TELEGATOS
 Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
 Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
 City Mayor

Date Approved: DEC 15 2023

HON. NELSON
 J. CHAVEZ

HON. RUYANDO C.
 LAZARTE

HON. OMYER
 MACATANGAY

HON. NESTOR E.
 DIMACUHA

HON. ANDREA LOUISE F.
 MACAWAIG

HON. KARLOS
 EMMANJUUEL A. BUTED

HON. HAMILTON G.
 BLANCO

HON. MARCUS
 MANUEL D. CASTILLO

HON. ANGELITO
 DONDON A. DIMACUHA

HON. MICHAEL C.
 VILLENA

HON. LORENZO A.
 GAMBQA, JR.

HON. ISIDRA M.
 ATIENZA

HON. ZESTER CARLO M.
 HERNANDEZ

HON. JOSE WASH
 LUIS F. TOLENTINO

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON NOVEMBER 28, 2023 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Alyssa Renee A. Cruz	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Nestor E. Dimacuha,	"
Hon. Oliver Z. Macatangay,	"
Hon. Nelson J. Chavez,	"
Hon. Jose Jonash Luis F. Tolentino,	"
Hon. Zester Carlo M. Hernandez,	"
Hon. Isidra "Ched" M. Atienza,	"
Hon. Lorenzo A. Gamboa, Jr.,	"
Hon. Michael C. Villena,	"
Hon. Angelito Dondon A. Dimacuha,	Liga ng mga Barangay President
Hon. Andrea Loise F. Macaraig, (On Leave)	Sangguniang Panlungsod Member
Hon. Armando C. Lazarte, (On Leave)	"
Hon. Marcus Manuel D. Castillo, (O.B.)	SK Pederasyon President

"On motion of SP Member Atienza seconded by SP Member Gamboa, the following Resolution was Adopted:

RESOLUTION NO. 22-472 S. 2023

APPROVING ON SECOND AND FINAL READING THE ORDINANCE REGULATING
TAX EXEMPTION OF COOPERATIVES IN BATANGAS CITY

RESOLVED, to approve on Second and Final Reading the Ordinance Regulating the Exemption of Cooperatives in Batangas City from Payment of Applicable Taxes, Fees and Charges and Providing Guidelines Thereof.

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 22-472 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 28, 2023.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

Singit - Nov. 28, 2023



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Admin: 043 726 6903 Secretariat: 043 726 7195

COMMITTEE REPORT

COMMITTEE ON AGRICULTURE AND COOPERATIVES

DATE : November 14, 2023
TO : THE HONORABLE VICE MAYOR AND PRESIDING OFFICER ATTY. ALYSSA RENE E. CRUZ AND THE HONORABLE SANGGUNIANG PANLUNGSOD MEMBERS
FROM : COMMITTEE ON AGRICULTURE AND COOPERATIVES
SUBJECT : COMMITTEE HEARING OF THE COMMITTEE ON AGRICULTURE AND COOPERATIVES REGARDING THE RESOLUTION PUT FORTH BY THE BATANGAS CITY COOPERATIVE DEVELOPMENT COUNCIL (BCCDC) FOR CONSIDERATION AND ADOPTION

BACKGROUND

The stated subject was referred to the undersigned Committee. The Committee Hearing was called on November 14, 2023, at 1:00 pm at the Sampaguita Farm, Brgy. Sampaga, Batangas City.

Present during the hearing were the following:

Hon. Alyssa Renee A. Cruz	SP/Vice Mayor
Hon. Ched M. Atienza	SP/Committee Chairperson (Agriculture and Cooperative)
Hon. Armando C. Lazarte	SP/Committee Member
Hon. Zester Carlo M. Hernandez	SP/Committee Member
Hon. Michael C. Villena	SP/Committee Member
Hon. Nelson J. Chavez	SP/Committee Member
Hon. Andrea Loise F. Macaraig	SP Member
Hon. Jose Jonash Luis F. Tolentino	SP Member
Hon. Hamilton G. Blanco	SP Member
Hon. Karlos Emmanjuel A. Buted	SP Member
Hon. Nestor E. Dimacuha	SP Member
Hon. Angelito Dondon A. Dimacuha	SP ABC President



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Admin: 043 726 6903 Secretariat: 043 726 7195

Hon. Marjorie A. Manalo

Ms. Maria A. Antenor

Mr. Bon Ian Dela Roca

Mr. Edgardo R. Dimaano

Mr. Cesar P. Marasigan

Ms. Marites E. Ramirez

Ms. Ruby B. Olaso

Ms. Maricris M. Ebreo

Mr. Aristotle J. Atienza

Ms. Grace S. Faraon

Ms. Sherryl A. Hernandez

Mr. Pedrito B. Aloria

Ms. Michelle Yvanna Dinglasan

Mr. Alex P. Factolerin

Engr. Roselyn G. Berberabe

Dr. Loyola Bagui

Ms. Myra Eborá

Dr. Angelito Bagui

Ms. Flora Alvarez

Mr. Mark Paul Ramos

Mr. Arturo M. Alido

Ms. Herminia B. Colis

SK Federation President

BAFEMPCO, Board of Director

BCPC

BAFEMCO/BCCDC, Chairperson

BANAPRA, Chairperson

SIMCO

TMPC

Ilijan Coop, General Manager

SCTSC, Chairperson

SMASC, Manager

San Jose Sico Landfill MPC, Manager

PMPC, BOD

CAO

CAO

City Planning and Development
Office

City Veterinary Office

BCCDC, Secretary | Malalim MPC,
Chairperson

Cooperative Union of Batangas, SIDC,
Chairperson

City Agriculture Office

BHCMPC, Auditor

Coops for Christ-Batangas MPC

SIMCOOP, Chairperson

FINDINGS:

The Chairperson and Members of the Committee and the Members of the Sangguniang Panlungsod identified matters, as follows:

1. By virtue of the Philippine Cooperative Code of 2008, R.A. 9520, and the Local Government Code of 1991, the Sangguniang Panlungsod in coordination to the Local Chief



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Admin: 043 726 6903 Secretariat: 043 726 7195

Executive, deems that it is necessary to enact an ordinance granting exemption on the payment of local taxes on cooperatives' sales and business transactions to both members and non-members of the cooperative.

2. As to the implication of granting local tax exemption in the fiscal condition of the City, greater economic returns are expected to be gained by the local government as the cooperative operations in the city flourishes.

RECOMMENDATION:

In view of the foregoing, the Committee recommends the following:

1. That the Whereases and title of attached proposed ordinance be approved for First Reading.
2. That the attached proposed ordinance be endorsed for Second, Third and Final Reading.
3. Adoption of this Committee Report



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Admin: 043 726 6903 Secretariat: 043 726 7195

COMMITTEE ON AGRICULTURE AND COOPERATIVES


HON. CHED M. ATIENZA

Chairperson, Committee on Agriculture and Cooperatives


HON. NELSON J. CHAVEZ
Member


HON. ZESTER CARLO M. HERNANDEZ
Member

HON. ARMANDO C. LAZARTE
Member


HON. MICHAEL C. VILLENA
Member