



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-182

39th Regular Session

ORDINANCE NO. SP- 3213, S-2023

AN ORDINANCE PROVIDING FOR INCENTIVES ON DONATIONS MADE BY PRIVATE ENTITIES SUPPORTIVE OF PRIORITY PROGRAMS OF THE QUEZON CITY GOVERNMENT

Introduced by Councilor WENCEROM BENEDICT C. LAGUMBAY

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Julian Marcus D. Trono

WHEREAS, Quezon City is in need of materials, equipment, supplies, services, and other resources for purposes of fully implementing its priority development programs in order to uplift the livelihood and standard of living of the residents of the City;

WHEREAS, there are opportunities for the public and private sectors to collaborate in order to provide basic social services and at the same time, keep the business climate of the City favorable;

WHEREAS, among the dire consequences of the on-going health crisis is the difficulty of business establishments to pay taxes to the detriment of our tax collection efforts;

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SECTION 2. DEFINITION OF TERMS. – For purposes of this Ordinance, the following terms shall be defined as follows:

- a) *“Priority Development Program” shall mean any project, endeavor, undertaking, activities or concern, occupying a degree of primordial and upfront significance and relevance to the general welfare as determined by the Executive branch of the LGU.*
- b) *“Private Entity/Private Donor” shall mean any individual or juridical entity, either a resident or non-resident of Quezon City, licensed to engage in trade or practice his/her profession within our jurisdiction, who/which voluntarily donates his/her business assets/services in support of any of the priority programs of the Quezon City Government.*
- c) *“Donated Asset” shall mean any private property of a business entity useful or significant to the priority program/s of the Quezon City Government such as, but not limited to, company vehicles, computers, goods, supplies, tools, equipment and the like, which may be brand new or already used but not yet fully depreciated.*
- d) *“Donated Services” shall mean any business activity in the form of action or doing work, such as but not limited to medical, health, programming services and the like, useful to any priority programs of the Quezon City Government.*
- e) *“Tax Credit Certificate” shall mean a document, issued by the City Treasurer’s Office, which can be used by the recipient private donor for purposes of business taxes.*

SECTION 3. Any private entity who shall make a donation of assets and/or services for any priority program of the Quezon City Government may be issued a “Tax Credit Certificate” which the private donor may choose to apply to his/her business taxes due or outstanding, in the following manner at the discretion and subject to the approval of the City Treasurer:

- 3.1 Brand new assets or services to be valued at the rate of no more than 90% of the prevailing market price.

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- 3.2 *Used assets in good working condition and not more than three (3) years old, to be valued at the rate of no more than 90% of its depreciated remaining worth.*

SECTION 4. The amount of tax credit cannot cover more than 50% of an outstanding tax liability except for business establishments with pending retirement applications at the time of the adoption of this Ordinance.

SECTION 5. LIMITATIONS. – The tax credit mentioned above shall be applicable only to outstanding business tax (inclusive of surcharges and penalties, if already in arrears) as of the current year in which the tax credit is granted, or for the immediately subsequent year, if current year taxes have already been fully paid. Any excess tax credit for the current year may be carried-over and applied only to the immediately following year.

SECTION 6. "TAX CREDIT CERTIFICATES" NOT A MATTER OF RIGHT. – A Tax Credit Certificate is a recognition or commendation which is not demandable as a matter of right and is not a routine or mechanical act vis-a-vis the donation.

SECTION 7. AUTHORITY OF THE CITY TREASURER. – The issuance of "Tax Credit Certificates" shall pertain to the sound discretion and judgment of the City Treasurer in the light of relevant circumstances in line with the City's priority programs and in accordance with reasonable accounting and appraisal methods, including, but not limited to, the Manufacturer's Recommended Selling Price (MRSP), price indexes of the Department of Trade and Industry (DTI) and/or Department of Budget and Management (DBM).

SECTION 8. IMPLEMENTING RULES AND REGULATIONS. – Within sixty (60) days from the effectivity of this Ordinance, the Quezon City Treasurer's Office shall formulate, after thorough consultation with the stakeholders, the implementing rules and regulations and guidelines of this Ordinance.

SECTION 9. SEPARABILITY CLAUSE. – Should any provision of this Ordinance be subsequently declared as unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.

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SECTION 10. EFFECTIVITY CLAUSE. – This Ordinance shall take effect after publication in full for three (3) consecutive days in a newspaper of local circulation as provided under Section 188 of the Local Government Code of 1991.

ENACTED: August 22, 2023.



GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)


APPROVED: SEP 14 2023



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 22, 2023 and was PASSED on Third/Final Reading on August 29, 2023.



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

