



Republic of the Philippines
Region IX
Province of Zamboanga del Sur
Municipality of Ramon Magsaysay
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OFFICE OF THE SANGGUNIAN SECRETARY

EXCERPT FROM THE MINUTES OF THE **SPECIAL SESSION** OF THE 6th SANGGUNIAN BAYAN OF RAMON MAGSAYSAY, ZAMBOANGA DEL SUR, HELD AT THE SANGGUNIAN SESSION HALL, ON **SEPTEMBER 15, 2008.**

Officers/Members:		Present:	Absent:	Remarks
Hon. LEONILLO D. BORINAGA, SR., MD	Vice Mayor, Presiding	✓		
Hon. VERGINITA A. GONZALES	SB Member	✓		
Hon. MARGIE ARCITE-MACHON	SB Member		x	On maternity leave
Hon. DIOSDADO D. SUMAYLO, DDM	SB Member	✓		
Hon. CANDIDO S. ONIOT	SB Member	✓		
Hon. DEMETRIO M. BERAL	SB Member	✓		
Hon. PETRONILO M. MINA	SB Member	✓		
Hon. ALFONSO G. DONAIRE, JR.	SB Member	✓		
Hon. ZOSIMO P. CORONEL	SB Member	✓		
Hon. NESTOR H. BAHIAN	ABC President		x	
Hon. JOHN BERNAN C. JAVIER	SKF President		x	

MUNICIPAL ORDINANCE NO. 04-2008

AN ORDINANCE ENACTING THE RAMON MAGSAYSAY, ZAMBOANGA DEL SUR INVESTMENT INCENTIVE CODE OF 2008, AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Sangguniang Bayan of Ramon Magsaysay, Zamboanga del Sur, that:

SECTION 1. This ordinance shall be known as the revised Local Investment Incentive Ordinance of the Municipality of Ramon Magsaysay.

SECTION 2. DECLARATION OF POLICY: To hasten economic breakthroughs and development of Ramon Magsaysay, Zamboanga del Sur in accordance with the municipal master development plan, national development plan, regional economic zone project, and the Zamboanga del Sur Economic Zone, it is hereby declared to be the policy of the municipal to effect, promote and welcome new investment or expansion diversification from local and foreign investors in any economic activities which will provide employment opportunities, equitable distribution of income and wealth and a moral, just, habitable, clear, cooperative, secure and prosperous Ramon Magsaysay. The Municipality of Ramon Magsaysay, Zamboanga del Sur welcomes and encourages domestic and foreign capitalists to establish enterprises that would utilize substantial amount of labor and raw materials. It is further declared to be the policy of the Municipality of Ramon Magsaysay to promote the establishment and operation of non-governmental organization to serve as active partners in achieving autonomy.

SECTION 3. All participants under this ordinance must comply with the requirements of all existing application laws.

SECTION 4. Any person, partnership, corporation, association and cooperative whose application has been accepted and granted certificate of registration/exemption under the pertinent provisions of this ordinance must comply at least 80% Filipino working force and resident of the Municipality of Ramon Magsaysay.

SECTION 5. For the purpose of giving effect to this ordinance, a Local Investment Board (LIB) is hereby created with the following composition, powers and functions:

a. Local Investment Board (LIB) shall compose of the following:

Chairman-----

-----Mayor

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1st Vice Chairman -----Vice-Mayor
 2nd Vice Chairman-----President of the business association of the locality.

Members:

- Representative from DTI
- Chairman, Committee on Trade & Industry
- President of Bankers or Lending Association
- SB Member elected by majority
- Chairman or duly elected representative of PEC
- Representative of a duly accredited non-governmental organization

b. POWERS AND FUNCTIONS of the Local Investment Board.

1. To secure, evaluate, accept, approve or reject applicants who wants to avail of this investment and privileges and to issue certificate of exemption.

2. The Chairman, or any of the members of the board can call for a meeting to formulate rules and guidelines to insure compliance with the provision of this ordinance. The board shall meet as often as necessary but shall not be less than once a month.

3. All applications submitted to the Local Investment Board shall be acted upon within 30 days upon receipt hereof.

4. In order to give more effect to the Local Investment Program under this ordinance, the Local Investment Board is hereby empowered to conduct trade mission both local and foreign for the purpose of investing investors as well as providing necessary information and dissemination drive to parties willing to avail of the investment incentive program under this ordinance. Provided, however, that in the case of foreign, trade mission, the approval of the sanggunian must be secured.

5. The Local Investment Board is hereby empowered to identify, acquire and develop industrial estates and business parks and other investment areas in Ramon Magsaysay in accordance with the approved investment priorities of the municipality.

SECTION 6. Local Investment Program shall apply only to a new business which will establish and start its operation after the approval of this ordinance and shall enjoy privileges granted by this program for a period as maybe determined on the basis of the amount of investment put up by the investors under the following brackets:

<u>AMOUNT OF INVESTMENT</u>		<u>PERIOD OF EXEMPTION</u>
5,000,000.00	- 15,000,000.00	3 years
15,000,000.00	- 30,000,000.00	5 years
30,000,000.00	- 50,000,000.00	8 years
50,000,000.00	- and above	10 years

SECTION 7. Only participating members who have invested an amount of more than P50,000,000.00, Philippine Currency can be granted an extension period of another 3 years upon recommendation of the Local Investment Board and subject to approval of the Sangguniang Bayan.

Section 8. TAX HOLIDAY INCENTIVES. All qualified and accepted applicants to this Investment Incentive Program shall enjoy the following Tax exemption privileges for a period stated in Section 6 hereof.

a. Exemption from payment of all kinds of taxes imposed by the municipality under tax or revenue ordinances.

b. Exemption from payment of all licenses and permit fees. However, all participants to this incentive program are still required to secure Mayor's permit necessary to operate their business, provided, this issuance thereof is ministerial.

c. Exemption from inspection and examination of books of accounts and other pertinent records of business when allowed by the board.

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SECTION 9. COVERAGE. Business enterprises applicants are the following type of nature of business shall be given priority to this investment incentive program.

1. Labor Generating Enterprises
2. Milling
3. Enterprises to be established in less developed area of this Municipality as maybe determined by the zoning and the Land Use Ordinance.
4. Manufacturing enterprises using raw materials available locally.
 5. Manufacturing or processing plants
 6. General Merchandizing or consumer oriented enterprises
 7. Tourism oriented enterprises
 8. Service oriented enterprises
 9. Pioneering enterprises

SECTION 10. REGISTRATION. Upon approval/acceptance, the applicant to this Local Investment Program, shall be required to pay an annual registration fee to the Municipal Treasurer in accordance with the rate prescribe below, after which the Board shall issue a certificate of registration, along with the certificate of exemption to the business concerned as member/participants duly stating incentives and privileges granted under the provision of this ordinance.

AMOUNT OF INVESTMENT

ANNUAL REGISTRATION

5,000,000.00-15,000,000.00	P14,000.00
15,000,000.00-30,000,000.00	20,000.00
30,000,000.00-50,000,000.00	25,000.00
50,000,000.00 AND ABOVE	30,000.00

SECTION 11. All participating members who are granted the incentive privileges shall remit their annual registration fee in full to the Municipal Treasurer on or before January 31 of each Calendar Year.

SECTION 12. EXEMPTION. This investment incentive program shall not apply to financing or banking institution which are governed by the Central Banking Act and under the supervision of the Central Bank of the Philippines.

SECTION 13. The incentives and privileges granted to the registered members of this Local Investment Incentive Ordinance are non-transferable except in the event of death, permanent in capacity of a participating member where the incentives and privileges shall be transferred to the heirs or descendant in accordance with the law of succession.

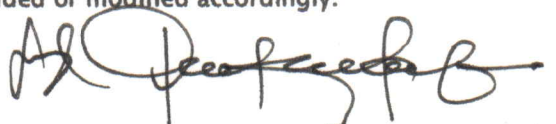
SECTION 14. ANNUAL INSPECTION. The Local Investment Board (LIB) shall conduct a annual inspection in the participating firms on their progress either by itself or by requesting a local government agency to conduct the same, such inspection shall be limited to the total gross sales/ receipts, compliance to the minimum wage lawn, or to the provisions of this ordinance and the privileges granted in the certificate or registration/exemption.

SECTION 15. REPORTING. At the end of each Calendar Year but not later than March 31, all registered members to this program shall submit copies of duly audited financial statements to the investment board, Sangguniang Bayan of Ramon Magsaysay, Municipal Treasurer and the Office of the Mayor for record purposes.

SECTION 16. PENAL CLAUSE. Any violation of the provision of this ordinance, existing laws, rules and regulations, shall be ground for cancellation or revocation of the registration of the business and the withdrawal of all incentives granted under this code.

SECTION 17. SEPARABILITY CLAUSE. Any provision of this ordinance which shall be declared illegal or unconstitutional shall not affect the validity of other provisions.

SECTION 18. REPEALING CLAUSE. All ordinances, executive orders and rules and regulations inconsistent or conflict with the provisions of this code are hereby repealed, amended or modified accordingly.

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SECTION 19. EFFECTIVITY. This ordinance shall take effect after compliance of the required publication and posting. Thereafter the Local Investment Board (LIB) shall send copies of this ordinance to all major business groups in the municipality, to the office of the President of Business Association in the locality, DTI Board of Investment, business group of neighboring municipalities and to all prospective investors in our countries.

CERTIFIED CORRECT:

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TESSIE R. TAGA-AN
Secretary to the Sanggunian

ATTESTED:


Hon. LEONILO D. BORINAGA, SR., MD.
Municipal Vice Mayor/Presiding Officer

APPROVED:


Hon. PACIFICO B. BULAHAN, JR.
Municipal Mayor