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AN ORDINANCE ENACTING “THE INVESTMENT CODE OF THE CITY OF MUNTINLUPA”.

MUNTINLUPA CITY ORDINANCE NO. 15-131, August 02, 2015

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WHEREAS, in consonance with the globalization of economies and the advent of the ASEAN Integration, it is paramount to initiate requisite steps to ensure the City of Muntinlupa is well prepared for the Philippines' full integration into the global economy;

WHEREAS, the requisite objectives to improve competitiveness, secure a superior quality of life, achieve sustainable economic growth, rekindle cultural renascence, and institutionalize an efficient business environment, require initiatives focused on attracting foreign and local investments, businesses and visitors to the City of Muntinlupa;

WHEREAS, guided by the vision of the City of Muntinlupa as one of the leading investment hubs in the country, it is essential to draw potential investors using effective strategies and tools that offer incentives for businesses that establish operations and headquarters in the City;

WHEREAS, the City of Muntinlupa recognizes the strategic importance of collaboration with the private sector in the pursuit of its goals, and recognizes that this partnership can best be cultivated by creating conditions conducive to the growth and competitiveness of this sector;

WHEREAS, the partnership between the local government and the business sector needs to be enhanced and strengthened further by exploring avenues for collaboration which will also promote the qualities of the City of Muntinlupa as an investment destination;

WHEREAS, investors are more likely to locate their capital in destinations that offer an attractive combination of fiscal and non-fiscal incentives together with a strong business-friendly climate which is best enhanced by means

of good infrastructure, a fair judicial system, strong governance, attractive markets, and an educated citizenry, among others;

WHEREAS, to maximize the potential for inclusive growth and development, the City Government of Muntinlupa finds it necessary to craft a measure to rationalize incentives in order to attract investors into the City, particularly those identified as providing value-added benefits to the City and its people;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panlungsod of Muntinlupa in session assemble that:

ARTICLE I
GENERAL PROVISIONS
SECTION 1. Title. This ordinance shall be known as "The Investment Code of the City of Muntinlupa".

SECTION 2. Purpose. This ordinance seeks to provide the framework and reference in the formulation and implementation of investment policies and incentives to local and foreign investors who wish to establish and/or operate their respective businesses in the City of Muntinlupa.

SECTION 3. Policy Statement. it is hereby declared the policy of the City Government of Muntinlupa to exert and exhaust all efforts to promote the general welfare and improve the quality of life of its residents by developing and establishing itself as a major business and financial district. Towards this end, it shall come up with policies to:

Encourage domestic and foreign businesses to invest, establish business or conduct business operations in the City;

Foster a vibrant business environment that will be able to attract investor confidence and encourage the flow of investments into the City; and

Provide linkages and affiliations with domestic and foreign institutions and non-governmental organizations that would help maximize the economic potential of the city through the utilization of its labor and other resources.

SECTION 4. Scope of Application. This Code applies to all persons and juridical entities that shall invest, establish businesses or conduct business operations in the City.

SECTION 5. Rules of Interpretation. All controversies and differences arising from the implementation of this Code shall be resolved on the basis of the 1987 Philippine Constitution and existing laws, rules, regulations and jurisprudence. In the resolution of controversies arising under this Code where no legal provision or jurisprudence applies, resort may be had to the customs and traditions in the place where the controversies take place.

SECTION 6. Definition of Terms. For the purposes of this Code, the following definitions shall apply:

a) Amusement – shall mean places of entertainment and relaxation as enumerated in the investment priority areas in the City.

b) Board – shall refer to the Muntinlupa Investment Board (MIB) created under Article II, Section 1 of this Code.

c) Bona Fide Local Personnel or Worker – shall refer to those workers or personnel who are residents of the City of Muntinlupa for at least six (6) months and possess as proof of residency a Barangay Clearance from the Barangay where they reside.

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d) Capitalization – shall mean the total or initial investment in a business venture which may be in cash, securities, or property.

e) City – shall refer to the City of Muntinlupa which includes all areas within its territorial jurisdiction and boundaries as provided by law and its charter.

f) City Council – shall refer to the City Council of Muntinlupa. g) Code – shall refer to the Investment Code of the City of Muntinlupa.

h) Diversification – shall refer to the pouring of fresh investment by an existing enterprise to extend its business activities into growth areas and varied ventures and to engage in the production and distribution of a wider and different range of products and service.

i) Existing Enterprise – shall refer to those enterprises whose places of operation or production are presently located and are already engaged in a preferred/priority within the territorial jurisdiction and boundaries of the City.

j) Expansion – shall mean the Infusion of new capital by an Existing Enterprise to increase of its base of operations and to broaden the size and volume of its core business activities.

k) Investment Development Plan – shall mean an overall plan formulated by the Board and adopted by the City Council that includes and contains the analysis, synthesis and projections of data as defined under Article III, Section 13 of this Code.

l) New Investor – shall refer to those prospective business establishments that have not engaged in any business activity yet and are intanding to do business or establish headquarters, branches or places of operation or production in the City.

m) Preferred/Priority Investment Areas – shall mean the economic activities that the City of Muntinlupa has identified under the Code and those areas, which the Muntinlupa Investment Board may subsequently designate.

n) Registered Enterprise – shall refer to those enterprises registered in accordance with the provisions of the Code.

Article II
CREATION, COMPOSITION, POWERS AND DUTIES
OF THE MUNTINLUPA INVESTMENT BOARD
SECTION 7. Creation of the Muntinlupa Investment Board. To carry out the purposes of this ordinance, there is

hereby created a The City of Muntinlupa Board of investments, hereinafter referred to as the Board, which shall be organized within sixty (60) days after the approval of this ordinance.

SECTION 8. Objectives of the Board. The Board shall be guided by the following objectives:

1) To encourage local and foreign investors to establish business and livelihood activities that will provide employment and widen investment opportunities in the City;

2) To encourage domestic and foreign investors to establish joint ventures, share arrangements or linkages to initiate and sustain commercial and service projects meant to spur livelihood opportunities in the City;

3) To rationalize and simplify the systems and processes of investment accreditation and develop promotional strategies that will enhance the viability of the City as an investment destination; and

4) To assist in the forging of partnerships between domestic and foreign investors that would facilitate the transfer of technologies and skills, promote consumer interest and strengthen the economic potential of local residents and entrepreneurs.

SECTION 9. Composition of the Board. The Board shall be composed of the following:

1) CHAIRMAN – the Local Chief Executive

2) CO- CHAIRMAN – president of the Philippine 6hamber of Commerce and Industries;

3) Vice Chairman – the City Vice Mayor;

4) Nine (9) Members:

1. The Chairman of the Committee on Trade and Industry Sangguniang Panlungsod;

2. Head of the Business Permit and License Office (BPLO);

3. The City Treasurer;

4. The Head of the Zoning Office;

5. The Head of the City Engineer's Office;

6. The head of the City Planning Office;

7. The cluster head of the Education Committee of the City Department Heads;

8. The Head of the City Competitiveness Office;

9. The Philippine National Police (PNP) Head of the City of Muntinlupa;

The terms of office of the members of the Board shall be co-terminus with that of the appointing authority.

SECTION 10. There shall be not more than four (4) advisers who shall be appointed by the Mayor. They shall have no voting rights.

SECTION 11. Powers and Functions of the Board. The Board shall be responsible for the formulation of policies

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and guidelines, subject to the prior approval of the Sangguniang Panlungsod, to help create a favorable investment and business friendly environment in the City.

It shall meet at least once a month or as often as may be necessary. The presence of a majority of all the Members of the Board shall constitute a quorum for the conduct of its business. An approval of the majority of the Members present during a meeting shall be required for the adoption of policies, proposals, programs, projects, activities or decisions. The Board shall be vested with the following powers and functions:

1) Promulgate such rules and regulations as may be necessary to implement the intent and provisions of this Code, subject to the approval of the City Council;

2) Prepare annually, the Investment Development Plan of the City as provided under Article III, Section 13 of this Code;

3) Accept all applications and act upon them within 15 days from the time of receipt;

4) Evaluate, approve or disapprove the applications for registration to avail of investment incentives and issue certificates of registration to qualified applicants;

5) In coordination with the Office of the City Treasurer or with appropriate agencies of the national or city government, periodically check and verify, by inspection of the books, premises and business activity of the registered enterprise or applying for registration at any reasonable time of the day, during office hours ascertaining strict compliance with the provisions of this Code or when the Board deems it necessary in the effective exercise of its powers and duties;

6) Conduct hearings on issues concerning violations committed against any provisions of this Code;

7) After due notice, cancel or suspend the enjoyment of incentives benefits of any registered enterprise and/or require refund of incentives enjoyed by such enterprise including interests and monetary penalties, for (a) failure to maintain the qualifications required by this Code for registration with the Board or (b) for violation of any provisions of this Code, of the rules and regulations issued under this Code, of the terms and conditions of registration, or of laws for the protection of labor or of the consuming public;

8) Enter into agreements with other agencies of government for the simplification and facilitation of systems and procedures involved in the promotion of investments, operation of registered enterprises and other activities necessary for the effective implementation of this Code;

9) To coordinate with the Muntinlupa Tripartite Industrial Peace Council in addressing labor or industrial disputes without resorting to any judicial or quasi-judicial body or agency for the resolution of differences and

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disagreements;

10) Create such necessary committees or special bodies to address the promotional, financial, technical and other aspects of this Code;

11) Adopt a short, medium and long term investment promotion program that shall specify and amplify the list of priority investment areas and activities and their corresponding incentives and support measures to attract targeted investors;

12) Propose and recommend to the City Council, amendments to existing ordinances concerning taxes, local investments, appropriations and such other necessary and related concerns;

13) Secure additional funding from other sources to support its operations;

14) Enlist the assistance of local government offices, national agencies, private sector as well as nongovernment/people's organizations, and other stakeholders as may be necessary and useful to the effective implementation of this Code;

15) Provide toe necessary support services to investors such as but not limited to services to facilitate applications and/or renewal of registration, permits and licenses and to provide such necessary local information and data that investors may require;

16) Assign trade and investment liaison officers and establish multi-sectoral linkage or network systems in places to be determined by the Board as may be needed to promote the City's investment and business environment;

17) Coordinate with the Office of the City Administrator, City Zoning Administrator, City Planning and Development Office and other local agencies and departments on matters affecting the plans, programs and performance of the Board; and

18) Perform such other powers and functions as are necessary and incidental to the performance of its functions.

SECTION 12. Powers and Duties of the Chairman. The Chairman of the Board shall have the following powers and duties:

a) Preside over all meetings of the Board;

b) Ensure that applications for registration are acted upon expeditiously;

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c) Render annual reports to the City Council;

d) Generally, to exercise such powers and perform such other duties to cany out the objective of this Code.

SECTION 13. Powers and Duties of the Vlce-Chairman. The Vice-Chairman of the Board shall have the following powers and duties:

a) Preside over the meetings of the Board in the absence of the Chairman; and

b) Perform other duties of the Chainnan in the absence of the latter, and such other duties as may be assigned to him by the Board.

ARTICLE III
THE INVESTMENT DEVELOPMENT PLAN OF THE CITY OF MUNTINLUPA
SECTION 14. The Investment Development Plan of the City of Muntinlupa. This is an overall plan formulated by the Board and adopted by the City Council that includes and contains the analysis, synthesis and projections of data on:

a) The specific areas of economic activity to be declared as investment priority areas wherein investments are to be encouraged and the corresponding products, commodities or services to be grown, processed, manufactured or performed pursuant thereto for the domestic or export market;

b) The City's investment trends in the last five (5) years prior to the enactment of this Code and projected investment trends in the next three (3) to five (5) years;

c) The specific public works projects that need to be undertaken by the City in connection with these investments;

d) The respective roles of the private sector and the local government in bringing additional capabilities into existence;

Such other Information, analyses, data, guidelines or criteria as the Board may deem appropriate.

SECTION 15. Approval of the investment Development Plan. The plan prepared by the Board shall be reviewed by the Local Finance Committee members, together with the Chairman and members of the concerned committees of the Sangguniang Panlungsod. The reviewed plan shall be forwarded to the Sanguniang Panlungsod for enactment into an Ordinance upon the approval of the City Mayor.

SECTION 16. Coverage of Preferred/Priority Areas of Investment. Incentives shall be provided to new, expansion and diversification projects in the following investment areas:

a) Headquarters, Branches or Regional Offices of Commercial Establishments, including but not limited to:

1) Banks

2) Insurance Companies

3) Investment Entities

4) Financing/Lending Firms

5) Brokerage

6) Airlines

7) Publishing Houses

b) Telecommunications and Information Technology, including but not limited to:

1)
Customer call, administration and development centers

2)
IT Servers

3)
IT Enabled

4)
IT Parks

5) Telemarketing Firms

6) E-commerce Facilities

7) E-marketplace Software Development

c) Service-Oriented Establishments, including but not limited to:

1) Professional Services

2) Food Preparation & Catering

3) Gardening & Landscaping

4) Personal Care & Hygiene

5) Physical Fitness/Sports Training

6) Health Spas

7) Beauty Salons

8) Film Productions

9) Freight and Courier Services

Pioneering Enterprises

d) Education including but not limited to:

1) Universities/Institutions of Higher Learning

2) Vocational & Technical Schools

3) Skills and Talent Enhancements Units Transport Enterprises

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e) Infrastructure and Services, including but not limited to:

1) Public Utilities

2) Public Markets

f) Tourism and Hospitality-Oriented Facilities, including but not limited to:

1) Five Star Hotels

2) Mid-range Business Hotels

3) Cultural and Historical Centers

4) Theme and Recreational Paries

5) Conference Centers

6) Apartelles/Condotels

7) Motels

8) Eco-Tourism Centers

9) Restaurants/Coffee Shops

10) Cocktail Lounges

g) Property Development, including but not limited to:

1) Commercial/Office Buildings

2) Residential Area/Housing Development

3) Conventional Center Establishment

h) Retirement Facilities, including but not limited to:

1) Convalescent Homes

2) Senior Care Giving Centers

3) Pensioners' Parks

i) Alternative Dispute Resolution Facilities, including but not limited to:

1) Corporate Conflict Management Havens

2) Mini Trials Facilities

3) Arbitration and Mediation Panels

4) Negotiation Assistance Centers

j) Retail and Consumer Productivities, including but not limited to:

1) Shopping Centers/Malls

2) Department Stores

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3) Grocery Stores

4) Discount/Specialty Stores

5) Catalog Stores

6) Wholesale Clubs

7) Factory Outlets

8) Novelty Gifts and Hardware

9) Souvenirs and Christmas Decorations

k) Environmental Protection and Enhancement Projects, including but not limited to:

1) Pollution Abatement and Mitigation

2) Ecological Facilities

3) Water Treatment

4) Water Waste Management

5) Solid Waste Disposal

l) Health Care and Medical Providers, Including but not limited to:

1) Hospitals and Clinics

2) Health Centers/Out-Patient Facilities

3) Paramedic Centers

SECTION 17. Determination of Additional Investment Areas. The Board may upon due deliberation and approval, recommend to the Sangguniang Panlungsod, additional investment areas that it may deem necessary to be included in the priority investment areas under the Investment Development Plan of the City of Muntinlupa.

The bases for inclusion of a particular business or investment into the list of Preferred/ Priority Investment Areas as provided under the preceding section are:

1) It must generate high levels of employment;

2) It must have a high degree of value-added features;

3) It must create substantial linkages with local industries and business;

4) It must not be detrimental to the health and safety of the public; and

5) It must not have damaging effects on the environment.

SECTION 18. Deletion of a Preferred/Priority Investment Area. The Board may remove an area or activity from the list of Preferred/Priority Areas for Investments based on the following:

a) The investment area or activity cannot attract investors within a reasonable time and cost;

b) The investment area or activity may lead to the substantial erosion of the City's business environment;

c) The investment area or activity may pose a serious threat to tfie health, welfare and safety of the residents of

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the City;

d) The continued extension of fiscal incentives or support measures for the specific area or activity is no longer in the overall economic interest of the City; and

e) Adequate investments in the area or activity have been reached.

ARTICLE IV
REGISTRATION OF INVESTMENTS
SECTION 19. Qualifications of New Investors. New investors who intend to avail of the incentives provided in this Code must meet the following qualifications:

a) The investment must be among the approved "Preferred/Priority Investment Area" as provided in this Code.

b) The new investor's place of operation must be located within the territorial jurisdiction or boundaries of the City.

c) The new investor must have complied with all the requirements mandated under the Philippine Constitution, existing statutes, local ordinances, rules and policies of the government.

d) The new investor shall be duly registered with the appropriate government departments and bureaus and shall be able to present certificates of registration issued by the Securities and Exchange Commission (SEC), the Department of Trade and Industry (DTI), The Board of Investments (BOI) or the Cooperative Development Authority (CDA) and other national government accrediting agencies.

e) The investment must provide employment among bona fide residents and local personnel and workers of the City;

f) The new investor must have total assets inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, and with value falling under the following categories:

1) Php 3,000,001.00 - Php 15,000,000.00 for small-scale enterprise.

2) Php 15,000,001.00 - Php 100,000,000.00 for medium-scale

3) Enterprise Above Php 100,000,000.00 for large-scale industry

The new investor must employ:

10 – 99 workers for small-scale enterprise.

100 – 199 workers for medium-scale enterprise.

200 or more workers for large-scale industry under exceptional instances as may be determined by the Board.

SECTION 20. Qualifications of Existing Enterprises. Any existing enterprise that is expanding and/ or diversifying and intends to avail of the incentives under this Code must meet the following qualifications:

1) It must have complied with the requirements mandated under existing local and national laws, rules and regulations, including all the licenses, permits and certificates of registration from local and national licensing and accrediting agencies;

2) It must have a place of operation or production already situated within the territorial jurisdiction of the City;

3) Its expansion and/or diversification must be among the approved "Preferred/Priority Areas of Investments";

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4) It undertakes any of the following activities or projects:

5) Relocate its principal office or headquarters from other cities, municipalities and provinces in the Philippines or in other parts of the world to The City of Muntinlupa; or

6) Expand its existing production capacity or construct new buildings and other civil works for the installation of new equipment, furnishing or improvements that will result in an increase in productivity or business activities.

SECTION 21. Requirements for Application for Incentives. New investors and existing enterprises that intend to avail of the fiscal incentives under this Code must file their applications with the Board. Their applications shall be officially recorded in a registration book with the date of receipt stamped on the face of the application.

They shall be required to pay the necessary filing fees as prescribed by the Board and submit the following requirements:

1) Five (5) copies of the completed application form provided by the Board;

2) A copy of a Business Plan or Project/Feasibility Study of the proposed investment indicating the financial and socio-economic impact of the project;

3) A certified true copy of its Certificate of Business Name Registration from the Department of Trade and Industry (DTI) for single proprietorship; or Securities and Exchange Commission (SEC) with company's Articles of Partnership/Incorporation or By-Laws for Partnerships and Corporations;

4) A Certification from the City Treasurer that the applicant enterprise has no outstanding obligations or unpaid debts and taxes with the City;

5) Authority of Resolution from the partners or the Board of Directors, as the case may be, to file the application;

6) Latest Audited Annual Financial Statement with the Bureau of Internal Revenue (BIR) stamp acknowledging the letters receipt of the document;

7) A Certificate of Registration from appropriate government agencies, if currently enjoying incentives under national laws; and

8) Proof of Compliance of the germane provisions of the Code as to capitalization, employment generation, nature of investment and project or business location.

SECTION 22. Processing Time. An application for incentives shall be considered officially accepted upon submission of the complete requirements to the Board which shall, within fifteen (15) days from the official receipt thereof, act upon said application provided, that all inquiries in connection with said application have been adequately satisfied.

SECTION 23. Certificate of Registration. A registered enterprise under the Code shall be issued a Certificate of Registration with the signature of the Chairman of the Board and/or such other officer as the Board may empower and designate for the purpose. The Certificate shall be in such form and style as the Board may determine and shall state, among others, the following:

a) Name of registered enterprise;

b) Preferred/Priority area of investment in which the registered enterprise will engage in; and

c) Terms and conditions to be observed by the registered enterprise by virtue of its registration.

ARTICLE V

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RESPONSIBILITIES OF THE CITY GOVERNMENT OF MUNTINLUPA

SECTION 24. Responsibilities of the City Government of Muntinlupa. All enterprises registered under this Code are entitled to the rights, privileges and guarantees provided by law and the Constitution, and as such, the City Government of Muntinlupa through the Board shall:

a) Establish and enhance government to business relations and transparency in decision-making in the City through the use of information and communication technology, such as the Internet, Databases, GIS Mapping and Electronic Publications;

b) Improve and facilitate the conduct of transactions of business enterprises with the City Government through the computerization of its systems and procedures, use of the internet and other forms of modem technology;

c) Provide comprehensive information to investors on the economic priorities of the City Government, including target investment areas and the general conditions applicable to incoming direct private investments;

d) Communicate investment evaluation criteria and procedures through various publications to enhance transparency in the process of granting local government incentives;

e) Take into consideration the concerns of investors for stability, growth and profits on their operations in the formulation and modification of policies and legislation that affect investment opportunities;

f) Not interfere or alter arrangements with investors after the details of the implementation of an investment project has been approved and accepted, and the ownership and management structure of the enterprise has been established, unless the law provides otherwise;

g) Help resolve business and investment disputes in a swift and cost-effective manner without undergoing a court trial by establishing a local government-supervised corporate conflict management team to assist the party-disputants;

h) Avoid undue distortion of competition between and/or among enterprises operating within its territorial jurisdiction, whether domestic of foreign, when granting any special exemptions or incentives aimed at encouraging investments in the identified target areas;

i) Allow the employment of qualified foreign personnel when necessary, for the efficient operation of the enterprise or for technology transfer in accordance with the law and where no local personnel or worker is qualified or capable and available;

j) Establish a one-stop documentation and service lounge that will provide an efficient and comfortable venue to facilitate business permits, licenses, and incentive availment, as well as investment counseling, brokering and business matching; and

k) Resolve all doubts concerning the benefits and incentives granted under this Code and other ordinances enacted for the purpose of encouraging investment, in favor of the investor.

ARTICLE VI

INCENTIVES TO REGISTERED ENTERPRISES

SECTION 25. Incentives to Registered Enterprises. In addition to the incentives provided by the national government under existing laws, rules and regulations, an enterprise registered under this Code shall be fully exempt from the payment of the following local taxes, fees and charges which exemptions shall take effect only during the next calendar year for a period not exceeding twelve (12) months as allowed by the Implementing Rules and Regulations of the Local Government Code of 1991:

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1) Mayor's Permit Fees;

2) Business Sales Taxes;

3) Building Permit Fees;

4) Basic Real Property Tax due the City, excluding the barangay share;

5) Tax on Transfer of Real Property Ownership;

6) Franchise Tax; and

7) Amusement Tax

SECTION 26. Incentives to Existing Enterprises. Exemptions, privileges and incentives granted to existing enterprises shall apply only to additional capitalization meant for expansion and/or diversification and shall not apply to previous investments.

SECTION 27. Non-Transferability of Incentives. In no case shall rights to incentives be transferred from one legal grantee to another.

SECTION 28. Restrictions and Expirations. Upon approval of the application for the incentives granted to the applicant, the project must be implemented within six (6) months, otherwise, the incentives and other benefits and other benefits under this code will be revoked and nullified.

ARTICLE VII
IMPLEMENTING MECHANISMS
SECTION 29. Appropriation. The funds necessary for the initial implementation of this Code shall be charged to any unexpended amount from the development or general fund of the City. Thereafter, funds necessary for the implementation of this act shall be made part of the annual appropriation of the City.

SECTION 30. Implementing Office. The City Mayor may utilize any existing department or office of the City Government or create a new office, to assist the Board and perform the following functions:

a) Serve as the Secretariat to the Board;

b) Assist the Board in receiving, processing and approving investment registration applications and in the administration of incentives as provided for under this Code and offier existing laws, rules and regulations;

c) Conduct appropriate and relevant studies, gather and analyze pertinent facts and figures, and inform the Board on international, national and local issues affecting the dynamics of investments;

d) Implement the annual investment promotions and development plan;

e) Spearhead the production, publication and dissemination of investment promotions collaterals and whenever needed, conduct briefing to investors and other interested parties;

f) Establish and maintain a databank and library of literature on investments and such other related fields;

g) Assist investors in the satisfaction and completion of all requirements demanded of them by this Code and other existing laws, rules and regulations; and

h) Represent the City Government in trade and investments meetings, conferences, fora, conventions and other similar gatherings in both domestic and foreign venues whenever so directed by the Board; and perform such other functions as may be directed by the Board.

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ARTICLE VIII
MISCELLANEOUS PROVISIONS

SECTION 31. Reportorlal Duties. Registered enterprises shall submit to the Board the following reports and/or documents within the prescribed time:

1) Report on the total availed local incentives under this Code, within twelve (12) months from the date of the commencement of operation in the City;

2) Report on the employment of bona fide Muntinlupa residents within thirty (30) calendar days from the date of registration or from the appointment of their replacements;

3) Report on alien officers or employees, within thirty (30) calendar days from the date of registration or from the appointment of their alien replacements: Provided, that such aliens are registered as such with the Bureau of Immigration (BI) and with the Department of Labor and Employment (DOLE) and have the necessary employment authorizations of work permits from the appropriate agencies of government.

4) Quarterly report on its business operations, including its production or gross sales and receipts, within thirty (30) calendar days from the end of each quarter;

5) Audited Annual Financial Statements, within thirty (30) calendar days after its submission to the Bureau of Internal Revenue (BIR);

6) Amendments of the Articles of Incorporation or By-Laws, Articles of Partnership, Joint Revenue Agreement, or Articles of Cooperation, within thirty (30) calendar days from the date of submission of the amendments to the Securities and Exchange Commission (SEC) or the Cooperative Development Authority (CDA).

7) Changes or replacements in the enterprises'board of directors, within thirty (30) calendar days from the change or replacement.

SECTION 32. Fines for Delayed Submission of Reports. Every registered enterprise shall be meted fines as prescribed by the Board for the late or non-compliance of reportorial requirements as prescribed in the preceding section.

a) 1st violation – P100 per day of late submission

b) 2nd violation – P300 per day of late submission

c) 3rd violation – P500 per day of late submission

d) Subsequent violations – P1,000 per day of late submission

ARTICLE IX
FINAL PROVISIONS

SECTION 33. Penal Clause. Any violation of the provisions of this Code and other existing laws, rules and regulations committed by any registered enterprise shall be a ground for the cancellation or revocation of its Certificate of Registration.

The cancellation or revocation of the Certificate of Registration shall result in the withdrawal of all the incentives granted under this Code and all the taxes, fees, and charges previously exempted from the start of its business operation shall become due and demandable within a period to be prescribed by the Board.

Any serious violation of the Code shall be penalized with a fine of not less than P10,000.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both at the discretion of the Court. In case the

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serious violation is committed by a partnership, corporation, association, or cooperative, the Manager or President or Chief Executive Officer, as the case may be, shall be held criminally liable for the serious violations of the Code.

SECTION 34. Appeal. The registered enterprise adversely affected by any decision of the Board may, within fifteen (15) days from receiving the decision, submit an appeal to the Board. The Board's decision on the appeal shall be final and executory.

SECTION 35. Separability Clause. If any part or provision of this Code is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall remain valid and continue to remain in force and effect.

SECTION 36. Repealing Clause. All ordinances, rules and regulations, or parts thereof, in conflict or inconsistent with any of the provisions of this Code, are hereby amended or repealed accordingly.

SECTION 37. Effectivity Clause. This Code shall take effect upon approval and compliance with the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the New Local Government Code.

ENACTED, by the 7th SanguniangPanlungsod of Muntinlupa this 27th day of July 2015, on its 89th Regular Session. CONCURRED:

DISTRICT 1:

(Sgd.) COUN. ATTY. RAUL R. CORRO
Member

(Sgd.) COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

(Sgd.) COUN. BAL NIEFES
Member (Sgd.) COUN. STEPHANIE G. TEVES
Member

(Sgd.) COUN. LOUISITO A. ARCIAGA
Member

DISTRICT II:

(Sgd.) COUN. MA. DHESIREE G. AREVALO
Member (Sgd.) COUN. ELMER S. ESPELETA
Member

(Sgd.) COUN. ENGR. NEPTALI S. SANTIAGO
Member

(Sgd.) COUN. RAFAEL T. SEVILLA
Member (Sgd.) COUN. VERGEL C. ULANDAY
Member

(Sgd.) COUN. ROBERT A. ABAS
Member (Sgd.) COUN. ROBERT P. BAES
Member

ABSENT:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD.
Member

COUN. LUVI P. CONSTANTINO
Member COUN. RINGO A. TEVES
Member

COUN. ALEXANDER B. DIAZ
Member

COUN. CELSO C. DIOKO
President
Sectoral Representative
Association of Barangay Chairman

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

(Sgd.) CECILIA C. LAZARTE
Secretary

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ATTESTED:

(Sgd.) ARTEMIO A. SIMUDAC
City Vice-Mayor/Presiding Officer

APPROVED:

(Sgd.) ATTY. JAME R. FRESNEDI
City Mayor

Date : AUG 02 2015

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