

FURTHER AMENDING THE FISCAL INCENTIVES ADMINISTERED BY THE BOARD OF INVESTMENTS.

PRESIDENTIAL DECREE NO. 1584, June 11, 1978

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WHEREAS, the incentives granted by the Board of Investments under Republic Act No. 5186, Republic Act No. 6135 and Presidential Decree No. 1159, as amended, are subject to certain limitations in period of availment as well as rates of tax exemptions prescribed therein, or imposed by other laws;

WHEREAS, there are meritorious cases of particular firms/specific industries contributing to the national economy and general welfare for which continuation of incentives beyond the prescribed availment period or higher rates of tax exemptions may be necessary; and

WHEREAS, some incentives may from time to time need to be altered or modified in order to make them more responsive to encourage investments in desirable business activities and to the needs of the economy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following:

SECTION 1. Section 15 of Republic Act No. 5186 is hereby amended by the addition of subsections "q" and "r", which shall read as follows:

"q. Recommend to the President in meritorious cases, the liberalization of incentives granted by the Board for particular firms or specific industries under Republic Act No. 5186, Republic Act No. 6135, and Presidential Decree No. 1159; the President may in the interest of national socio-economic development, general welfare and/or national security liberalize incentives for such particular firms or specific industries by: (1) extending the period of availment of incentives, which may be enjoyed only for a limited period; or (2) increasing the rates of tax exemptions prescribed for enterprises registered with the Board.

"r. Recommend to the President, who, in the interest of general welfare and development, may eliminate, reduce or suspend the enjoyment of any of the tax incentives administered by the Board of Investments provided that such reduction shall not affect firms previously registered or approved by the Board prior to such reduction."

SEC. 2. Section 3(c) of Republic Act No. 6135 is hereby amended to read as follows:

"Registered Export Trader shall mean any person, corporation or partnership or other entities organized and existing under Philippine laws (1) registered with the Board in accordance with this Act and (2) engaged or proposing to engage in the sale abroad of export products bought by it from one or more export producers."

SEC. 3. Export producers and export traders registered with the Board of Investments shall be automatically registered with the Philippine Export Council for the sales tax incentives granted to export transactions of producers and traders registered with that Council under Presidential Decree No. 1469.

SEC. 4. Any and all laws, decrees, rules and regulations or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SEC. 5. This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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