

AN ACT AMENDING SECTION TWO OF REPUBLIC ACT TWENTY-TWO HUNDRED SIXTY-FOUR, OTHERWISE KNOWN AS THE AUTONOMY ACT OF NINETEEN FIFTY-NINE.

REPUBLIC ACT NO. 4497, June 19, 1965

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section two of Republic Act Numbered Twenty-two hundred sixty-four is amended to read as follows:

"SEC. 2. Taxation.—Any provision of law to the contrary notwithstanding, all chartered cities, municipalities and municipal districts shall have authority to impose municipal license taxes or fees upon persons engaged in any occupation or business, or exercising privileges in chartered cities, municipalities or municipal districts by requiring them to secure licenses at rates fixed by the municipal board or city council of the city, the municipal council of the municipality, or the municipal district council of the municipal district; to collect fees and charges for service rendered by the city, municipality or municipal district; to regulate and impose reasonable fees for services rendered in connection with any business, profession or occupation being conducted within the city, municipality or municipal district and otherwise to levy for public purposes, just and uniform taxes, licenses or fees: Provided, That municipalities and municipal districts shall, in no case, impose any percentage tax on sales or other taxes in any form based thereon nor impose taxes on articles subject to specific tax, except gasoline, under the provisions of the National Internal Revenue Code: Provided, however, That no city, municipality or municipal district may levy or impose any of the following:

"(a) Residence tax;

"(b) Documentary stamp tax;

"(c) Taxes on the business of persons engaged in the printing and publication of any newspaper, magazine, review or bulletin appearing at regular intervals and having fixed prices for subscription and sale, and which is not published primarily for the purpose of publishing advertisements;

"(d) Taxes on persons operating waterworks, irrigation and other public utilities except electric light, heat and power;

"(e) Taxes on forest products and forest concessions;

"(f) Taxes on estates, inheritances, gifts, legacies, and other acquisitions mortis causa;

"(g) Taxes on income of any kind whatsoever;

"(h) Taxes or fees for the registration of motor vehicles and for the issuance of all kinds of licenses or permits for the driving thereof;

"(i) Customs duties registration, wharfage on wharves owned by the national government, tonnage, and all other kinds of customs fees, charges and dues;

"(j) Taxes of any kind on banks, insurance companies, and persons paying franchise tax;

"(k) Taxes on premiums paid by owners of property who obtain insurance directly with foreign insurance companies; and

"(l) Taxes, fees or levies, of any kind, which in effect impose a burden on exports of Philippine finished, manufactured or processed products and products of Philippine cottage industries.

"A tax ordinance shall go into effect on the fifteenth day after its passage, unless the ordinance shall provide otherwise: Provided, however, That the Secretary of Finance shall have authority to suspend the effectivity of any ordinance within one hundred and twenty days after its passage, if, in his opinion, the tax or fee therein levied or imposed is unjust, excessive, oppressive, or confiscatory, and when the said secretary exercises this authority the effectivity of such ordinance shall be suspended.

"In such event the municipal board or city council in the case of cities and the municipal council or municipal district council in the case of municipalities and municipal districts may appeal the decision of the Secretary of Finance to the court during the pendency of which case the tax levied shall be considered as paid under protest."

SEC. 2. All laws and parts of laws, executive orders, administrative orders, ordinances, rules or regulations, inconsistent with any provision of this Act are hereby repealed and/or modified accordingly.

SEC. 3. This Act shall take effect upon its approval.

Approved, June 19, 1965.

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