



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

RESOLUTION NO. 15-247

A RESOLUTION ENDORSING TO THE INFORMATION TECHNOLOGY-PHILIPPINE ECONOMIC ZONE AUTHORITY (IT-PEZA) THE APPLICATION OF ALABANG COMMERCIAL CORPORATION (ACC) FOR THE DECLARATION OF ALABANG TOWN CENTER (ATC) BPO1 AS INFORMATION TECHNOLOGY CENTER (IT CENTER) TO BE KNOWN AS "ALABANG TOWN CENTER (ATC) BPO1" LOCATED AT MADRIGAL AVENUE, BARANGAY AYALA ALABANG, MUNTINLUPA CITY AND PROVIDING FOR THE LOCATORS HEREIN THE BENEFITS UNDER R.A. 7916, OTHERWISE KNOWN AS THE SPECIAL ECONOMIC ZONE ACT OF 1995.

- Sponsored by:
- Hon. Coun. Rafael T. Sevilla
 - Hon. Coun. Atty. Raul R. Corro
 - Hon. Coun. Atty. Patricio L. Boncayao, Jr.
 - Hon. Coun. Bal Niefes
 - Hon. Coun. Stephanie G. Teves
 - Hon. Coun. Louisito A. Arciaga
 - Hon. Coun. Ringo A. Teves
 - Hon. Coun. Alexander Diaz
 - Hon. Coun. Ma. Dhesiree G. Arevalo
 - Hon. Coun. Luvi P. Constantino
 - Hon. Coun. Engr. Neptali S. Santiago
 - Hon. Coun. Elmer S. Espeleta
 - Hon. Coun. Vergel C. Ulanday
 - Hon. Coun. Robert A. Abas
 - Hon. Coun. Robert P. Baes
 - Hon. Coun. Celso C. Dioko

WHEREAS, Section 3(10) Rule IV of the Implementing Rules and Regulations of R.A. 7916, otherwise known as Special Economic Zone Act of 1995 provides that, "one of the documents required is the endorsement from the Sangguniang Panlungsod for the development of the proposed economic zone" xxx;

WHEREAS, after the enactment of the Local Government Code of 1991, Republic Act No. 7916, otherwise known as the "Special Economic Zone Act of 1995" and its amendatory of Republic Act 8748, were passed by the Congress of the Philippines, which laws granted preferential tax treatment to PEZA-registered enterprises;

WHEREAS, under PEZA Board Resolution No. 00-411 dated December 29, 2000, prescribing for the guidelines of the registration of Information Technology Enterprises and the Establishment and Operation of IT Parks/Buildings, it is stated in letter A No. VI, that one of the requirement for PEZA consideration and issuance of a Presidential Proclamation is the endorsement by the City Council;



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WHEREAS, all PEZA Registered Enterprises shall pay the tax at the rate of two percent (2%) based on Gross Income earned;

WHEREAS, if the locator company is pioneering automatic six (6) years Income Tax Holiday (ITH);

WHEREAS, if the locator company is a non-pioneering meaning if the technology using on their activity is totally new in the Philippines then under the EO-226 or the Omnibus Investment Code they are qualified for Income Tax Holiday for maximum four years;

WHEREAS, on July 2, 2015, the Hon. City Mayor Atty. Jaime R. Fresnedi, endorsed the request of the Alabang Commercial Corporation on its application the **ALABANG TOWN CENTER (ATC) BPO1** located at Madrigal Avenue, Barangay Ayala Alabang, Muntinlupa City as Information Technology Center (ITC) registered zone;

WHEREAS, the IT project which will be situated on the property located Madrigal Avenue, Barangay Ayala Alabang, Muntinlupa City, which will stand on a total area of 17,400 square meters of leasable office space and 1,500 square meters retail space;

WHEREAS, *Alabang Commercial Corporation (ACC)* being the owner of **ALABANG TOWN CENTER (ATC) BPO1** shall not be entitled to any incentive and is committed to pay its regular taxes to the City Government of Muntinlupa;

WHEREAS, the passage of this resolution, for whatever causes or reasons, shall not cause the reduction of taxes it has to pay to the City Government of Muntinlupa and shall not cause additional incentives;

WHEREAS, only **IT Locators** registered at **PEZA** will avail of incentives and tax exemption in an IT Certified Zone;

WHEREAS, the **IT Locators** will pay *perpetual* the five percent (5%) Gross Income Tax (GIP), 2% of which will go to the *City Government of Muntinlupa* and 3% will go to *Bureau of Internal Revenue (BIR)*;

WHEREAS, the *Alabang Commercial Corporation (ACC)*, shall comply with the PEZA laws and Rules and Regulations used as well as the payment of the taxes and fees required by the City Ordinance;

WHEREAS, in the event that the area intended as PEZA Zone is no longer used for such purpose, the same shall be reported to the City of Muntinlupa, BPLO and any business that will use/occupy it shall not benefit the law governing PEZA;



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NOW THEREFORE, BE IT RESOLVED, AS IT HEREBY RESOLVED, by the 7th Sangguniang Panlungsod of Muntinlupa, to endorse to the Information Technology-Philippine Economic Zone Authority (IT- PEZA) the application **Alabang Commercial Corporation (ACC)** for the declaration of **ALABANG TOWN CENTER (ATC) BPO1** as Information Technology (IT) to be known as **"ALABANG TOWN CENTER (ATC) BPO1"** and providing for the locators herein the benefits under R.A. 7916, otherwise known as the Special Economic Zone Act of 1995.

RESOLVED, FURTHER, that Alabang Commercial Corporations shall not be exempt from payment of **Realty Tax on land, buildings and improvements and should pay corresponding building permits on renovations, on improvements and regulatory fees and business tax as a Lessor.**

RESOLVED FURTHERMORE, that the **non-PEZA** registered activities located inside these building shall remain under the jurisdiction of the City Government of Muntinlupa and shall be subject to corresponding taxes for business permits and other regulations. For proper monitoring of these activities inside the building, **Alabang Commercial Corporation (ACC)** shall furnish the Office of the **City Treasurer of the City Government of Muntinlupa** with certified true copies of the **Contract of Lease** and **PEZA Registration** of the **Lessee/Locator.**

ENACTED, by the 7th **Sangguniang Panlungsod of Muntinlupa** this 13th day of July, 2015, on its 87th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. RAUL R. CORRO
 Member

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
 Member

COUN. BAL NIEFES
 Member

COUN. STEPHANIE G. TEVES
 Member

COUN. LOUISITO A. ARCIAGA
 Member

COUN. RINGO A. TEVES
 Member

COUN. ALEXANDER B. DIAZ
 Member



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DISTRICT II:

COUN. MA. DHESIREE G. AREVALO
Member

COUN. LUVI P. CONSTANTINO
Member
COUN. ENGR. NEPTALI S. SANTIAGO
Member
COUN. ELMER S. ESPELETA
Member
COUN. RAFAEL T. SEVILLA
Member
COUN. VERGEL C. ULANDAY
Member
COUN. ROBERT A. ABAS
Member
COUN. ROBERT P. BAES
Member
COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

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

CECILIA C. LAZARTE
Secretary

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: JUL 20 2015

Norie/7th SP