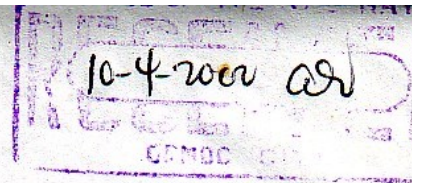


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE NINTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON OCTOBER 03, 2002

PRESENT:

Hon. Celso P. Adolfo,	Vice Mayor & Presiding Officer
Hon. Ruviniou E. Mendola,	City Councilor, Assist. Maj. Floor Leader
Hon. Demosthenes F. Tugonon,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Rafael C. Omega, Jr.	City Councilor
Hon. Fernando P. Parrilla,	City Councilor
Hon. Gregorio A. Yrastorza, Jr.	City Councilor, Assist. Minority Floor Leader
Hon. Jovencio A. Laurente,	City Councilor
Hon. Fe. S. Lladoc,	City Councilor
Hon. Porferia Ma. Codilla,	Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc effective	
June 28, 2001 in lieu of Hon. Fernando P. Parrilla	who resigned.
Hon. Cheryl L. Alfaro,	Ex-Officio City Councilor,
	SK Federation President

ABSENT:

Hon. Nepomuceno P. Aparis I,	(Sick Leave), City Councilor,
	Majority Floor Leader
Hon. Jose S. Serafica,	(Forced Leave), City Councilor,
	Minority Floor Leader

EXPLANATORY NOTE

The Sangguniang Panlungsod duly enacted Ordinance No. 79, otherwise known as "THE ORMOC CITY INVESTMENT INCENTIVES CODE OF 2000" last 23 March 2000;

Chapter III, Section 4 of Ordinance No. 79 created the Ormoc City Investment Incentives Board to implement the provisions of the Code;

Chapter III, Section 7 of Ordinance No. 79 conferred the Ormoc City Investment Incentives Board powers and functions to establish a favorable and stable policy on business climate which will encourage and support private sector investment and in the operation of business activities consistent with the development needs of Ormoc City;

The Ormoc City Investment Incentives Board found the recommendations for amendment of certain provisions of Ordinance No. 79 reasonable, noteworthy, and practical;

WHEREFORE, on motion of City Councilor Fe S. Lladoc, Chairman, Committee on Trade and Commerce, jointly seconded by City Councilors Jovencio A. Laurente & Gregorio A. Yrastorza, Jr.; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass and enact:



ORDINANCE NO. 096

AN ORDINANCE AMENDING CHAPTER III, SECTIONS 5 (1), (9), AND (10), 6 AND 7 (a), (b), (h), (i), AND (k), CHAPTER IV, SECTIONS 9 (b), (d), 10 (1, 2, 3, 4), (c), (d), (e), AND 11, CHAPTER VI, SECTION 15 (a), (b) OF ORDINANCE 79, OTHERWISE KNOWN AS "THE ORMOC CITY INVESTMENT INCENTIVES CODE OF 2000".

BE IT ORDAINED, by the 9th SANGGUNIANG PANLUNGSOD ng ORMOC, in REGULAR SESSION assembled, That:

SECTION 1. Chapter III, Section 5 (1), (9) and (10) of Ormoc City Investment Incentive Board are hereby amended to read as follows:

"5. (1) CHAIRMAN.....ORMOC CITY MAYOR

X X X

(9) Department of Trade & Industry Regional Director

(10) Department of Trade & Industry Provincial Director

6. X X X X

X X X

A special meeting may be called by the Chairman of the Board or upon request of at least two (2) Members of the Board, subject to the provisions of the preceding paragraph.

7. X X X X

(a) To recommend for approval to the Sangguniang Panlungsod the Governing Rules and Regulations implementing the provision of this code.

(b) To commission economic and technical research for the purpose of identifying priority investment areas and/or activities to be promoted as well as appropriate incentives and support measures which should be extended to new investors, attract new investors into these areas and/or activities in conjunctions with paragraph (h) hereof.

(h) Effectivity of Appropriate Incentives and Support Measures. The Board shall review the package of appropriate incentive and support measures every two (2) years, provided that the Board may remove an area or activity from the list, at any point, when it deems that sufficient investments in the areas or activity have been attained and where continued extension of incentive or support measures for the expansion of said area or activity may place the interest of the City and the public in adverse position. The Board may also remove an investment in such area or activity from the list where it is convinced that investments therein cannot be generated within reasonable time and cost, or may result in unfavorable business climate.



- (i) To recommend the prosecution of any violation of any existing laws and ordinances by registered enterprises relative to the conduct of their business.

X X X

- (k) To reclassify the amount of investments categorization e.g. cottage, small, medium or large enterprises, taking into account the value of peso or the inflation rate. The reclassification may be over and above, separate and distinct, from the classification of amount of investments prepared by the Central Bank of the Philippines or any government instrumentalities.

SECTION II. CHAPTER IV, Section (9), (b), (d) and (10) (1, 2, 3, 4), (c), (d), (e) of Qualification/Registration of Enterprises, are hereby amended to read as follows:

- 9.(b) That the expansion/diversification must be for activities mentioned in Section 2 of the Code or in other preferred areas if Investments or Investment Priority (IPP) as may thereafter be declared by the Board.

- (d) That the expansion/diversification must have attained at least 85% utilization of its production capacity.

X X X

Provided that the determination of the classification of an enterprises shall be based on the total project cost as stated in the investor's study submitted to and validated, reviewed and approved by the Board.

10. X X X X

1. Cottage Industry.....	P. 500.00
2. Small-Scale Enterprises.....	3,000.00
3. Medium-Scale Enterprises.....	4,500.00
4. Large-Scale Enterprises.....	6,000.00

- (c) A copy of its Certificate of Registration and its Articles of Incorporation and By-Laws as approved by the Securities and Exchange Commission (SEC), Cooperative Development Authority (CDA), Department of Trade and Industry (DTI), and the Board of Investment, (BOI) as the case may be.

- (d) A resolution of the applicant's Board of Directors, in the case of Partnership, Corporation, Association or Cooperative, authorizing the filing of application.

- (e) The application and other supporting documents must be under oath by the applicant.

11. All participating Enterprises/Investors which are qualified to avail of the incentives provided under this Code shall pay a registration fee to be determined by the Board. Such registration fee may be adjusted by the Board as it deem necessary as to reflect the prevailing economic condition of the City.



SECTION III. CHAPTER VI, SECTION 15 (a), (b) of Incentive to Registered Enterprises, are hereby amended to read as follows:

15. X X X

- (a) Cottage Industry ..... Five (5) years  
(b) Small-Scale Enterprises ..... Six (6) years

SECTION IV. This Ordinance shall take effect immediately.

RESOLVED, FURTHER, to furnish copies of this Ordinance, one each, to Honorable City Mayor Carmelo J. Locsin, the City Administrator, the City Legal Officer, the City Treasurer, the City Planning & Development Coordinator, the City Accountant, the City Budget Officer, the City Auditor and other Offices concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

OSCAR LASAM  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

CELSO P. ADOLFO  
Vice Mayor & Presiding Officer

APPROVED:

CARMELO J. LOCSIN  
City Mayor

10/10/02  
(Date)