

100V-10
EMB
E150

Republika ng Pilipinas
PAMBANSANG PANGASIWAAN NG PATUBIG
(National Irrigation Administration)
Lungsod ng Quezon

MC No. 38, s. 1980

MEMORANDUM CIRCULAR

TO : THE ASSISTANT ADMINISTRATORS, HEADS OF DEPARTMENTS, REGIONAL IRRIGATION DIRECTORS, PROJECT/OPERATIONS MANAGERS, PROJECT/PROVINCIAL IRRIGATION ENGINEERS, IRRIGATION SUPERINTENDENTS, OFFICER-IN-CHARGE OF OFFICES, AND ALL OTHERS CONCERNED
National Irrigation Administration

SUBJECT: Compliance with the Provisions of Presidential Decree No. 464, As Amended, Otherwise Known as the Real Property Tax Code.

For your information, guidance, and compliance, quoted hereunder are the pertinent provisions of PD No. 464, as amended by PD No. 1383 and PD No. 1621, otherwise known as the Real Property Tax Code, requiring the filing of sworn statements declaring the true current and fair market value of all real properties, previously declared or undeclared, taxable or exempt, with the local assessor beginning with the period from January 1 to June 30, 1980 and every three (3) years thereafter; and within sixty (60) days after the acquisition of real property or upon completion or occupancy of newly constructed or renovated building or other structure:

"Sec. 6. Declaration of Real Property by Owner or Administrator. - It shall be the duty of all persons, natural or juridical, owning or administering real property, including the improvement herein, within a city or municipality, or their duly authorized representative, to prepare, or cause to be prepared, and file with the provincial or city assessor, a sworn statement declaring the true value of their property, whether previously declared or undeclared, taxable or exempt, which shall be the current and fair market value of the property, as determined by the declarant. x x x x x The sworn declaration of real property herein referred to shall be filed with the assessor concerned once every three years during the period from January first to June thirtieth commencing with the calendar year 1980, x x x x."

"Sec. 6-A. It shall also be the duty of any person or his authorized representative acquiring at any time real property in any municipality or city or making any improvement on real property, to prepare, or cause to be prepared, and file with the provincial, city or municipal assessor a sworn statement declaring the true value of subject property within sixty (60) days after acquisition of such property, or upon completion or occupancy of the improvement, whichever date comes earlier."

Sec. 3 (n) defines market value "as the highest price estimated in terms of money which the property will buy if exposed for sale in the open market allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used." It is also referred to as "the price at which a willing seller would sell and a willing buyer would buy, neither being under abnormal pressure."

Sec. 3 (k) defines improvement as "a valuable addition made to property or an amelioration in its condition, amounting to more than mere repairs or replacement of waste, costing labor or capital and intended to enhance its value, beauty or utility or to adapt it for new or further purposes."

In compliance with the aforesaid Presidential Decree, it is hereby directed that all heads of NIA field offices shall cause the preparation and filing of the required sworn statements declaring the true current and fair market value of all NIA real properties and improvements therein under their respective jurisdictions with the local assessor where the property is situated within the prescribed periods under Sections 6 and 6-A, above.

To ensure fair and realistic valuations of all NIA real properties and the improvements therein, it is advised that the assistance of the local assessor or his staff be requested for the purpose of adopting a uniform property appraisal prevailing in the locality where the property is situated based on schedules and standards prepared for the province or city which were derived from available data on sales, costs, income relative to each piece of property and on account of property appreciation as a result of reclassification, major change of its actual use or any great and sudden inflation of real property values.

Particular attention is invited to Section 40(a) of PD No. 464, as amended, exempting from the payment of real property tax those owned by the Republic of the Philippines or any of its political subdivisions and any government-owned corporation. All Declarations of Real Property (Tax Declarations) issued by the provincial, city or municipal assessor in the name of the NIA must therefore invariably bear the word "EXEMPT" from the payment of real property tax so that the same property shall be dropped from the assessment rolls of taxable properties.

For the purpose of up-dating the on-going compilation of the present worth of all real properties acquired by the NIA, the Owner's Copy of the sworn statement filed with the assessor, duly stamped "Receive" with the date filing, be submitted by the heads of NIA field offices to the Administrator, Attention Corporate Treasurer, within thirty (30) days after filing, thru their respective Regional Irrigation Director or Project/Operations Manager.

Strict compliance is hereby enjoined.

(SGD.) FIORELLO R. ESTUAR
Administrator

April 8, 1980