

# [ PRESIDENTIAL DECREE NO. 852, December 19, 1975 ]

## AMENDING PRESIDENTIAL DECREE NO. 551

**WHEREAS**, there is a need to equalize the cost of fuel among those which are generating electric power for residential, commercial and individual uses and those manufacturing "city gas";

**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:

**SECTION 1.** Any provision of law or local ordinance to the contrary notwithstanding, the franchise tax payable by all grantees of franchises to generate, distribute and sell electric current for light, heat and power and for the manufacture, distribution and sale of city gas shall be two percent (2%) of their gross receipts received from the sale of electric current and from transactions incident to the generation, distribution and sale of electric current and of manufactured city gas.

Such franchise tax shall be payable to the Commissioner of Internal Revenue or his duly authorized representative on or before the twentieth day of the month following the end of each calendar quarter or month as may be provided in the respective franchise or pertinent municipal regulation and shall, any provision of the Local Tax Code or any other law to the contrary notwithstanding, be in lieu of all taxes and assessments of whatever nature imposed by any national or local authority on earnings, receipts, income and privilege of generation, distribution and sale of electric current and of manufactured city gas.

**SEC. 2.** Tariff Heading No. 27.09 of Sec. 104 of the Tariff and Customs Code, as amended, is hereby further amended as follows:

Tariff Heading No.	Description of Articles	Rate of Duty
27.09	Petroleum oils and oils obtained from bituminous minerals, crude.	
a.	for use as fuel oils for the generation of electric power and for the manufacture of "city gas"	Ad Val. 10%
b.	Others	Ad. Val. 20%

**SEC. 3.** Sec. 106 of the Tariff and Customs Code, as amended, is further amended by inserting a new paragraph "b" and relettering sub-paragraphs (b), (c), and (d), thereof to (c), (d), and (e), respectively, the new paragraph (b) of the said Sec. 106 to read as follows: