

[**PRESIDENTIAL DECREE NO. 76, December 06, 1972**]

REQUIRING ALL PERSONS, NATURAL OR JURIDICAL, OWNING OR ADMINISTERING REAL PROPERTY, INCLUDING THE IMPROVEMENTS THEREON, TO FILE A SWORN STATEMENT OF THE TRUE VALUE OF SUCH PROPERTY.

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, and knowing —

That, values of real property and improvements therein are usually underdeclared obviously for the purpose of evading payment of higher and correct taxes due the Government;

That, although real property and the improvements therein are undervalued for purposes of taxation, these real property are sold to the Government when needed for public purposes, such as the construction of roads and other infrastructures, at their market value which are usually ten (10) to twenty (20) times more than the value declared by the owners for purposes of taxation; and —

In order to effect the desired changes and reforms in the social, economic and political structure of the country, which is the main objective of the New Society, hereby decree and order that:

1. It shall be the duty of all persons, natural or juridical, owning or administering real property, including the improvements therein, within a city, municipality or municipal district, or their duly authorized representative, to prepare, or cause to be prepared, and file with the provincial or city assessor not later than June 30, 1973, 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.

The "current and fair market value" shall be understood to mean the "price at which a willing seller would sell and a willing buyer would buy neither being under abnormal pressure."

For purposes of just compensation in cases of private property acquired by the Government for public use, the basis shall be the current and fair market value declared by the owner or administrator, or such market value as determined by the assessor, whichever is lower.

Under this Decree, the assessed valuation which shall be the basis for the payment of real property tax beginning with the calendar year 1974 shall be fifty per centum of the current and fair market value, as determined by the assessor, in the case of commercial, industrial or mineral lands; forty per centum in the case of agricultural lands; and thirty per centum in the case of lands for purely residential purposes.

All improvements, including machineries, shall be assessed independently of lands and their assessments shall be maintained at their current levels, but in no case shall such levels be lower than the assessment levels for lands hereinabove prescribed nor more than eighty per centum of current and fair market value, except for purely residential houses used as residence of the owners thereof the assessment levels of which are hereby fixed as follows:

<i>Assessment Level</i>	<i>Current and Fair Market Value</i>
15%	P30,000.00 or less
20%	30,001.00 to P50,000.00
25%	50,001.00 to 75,000.00
35%	75,001.00 to 100,000.00
45%	100,001.00 to 150,000.00
55%	150,001.00 to 250,000.00
65%	250,001.00 to 350,000.00
75%	350,001.00 to 500,000.00
80% over	500,000.00 to

2. Every five years hereafter, revision of real property assessment shall be undertaken by provincial and city assessor, and no increase in the current assessment level, as determined by the assessor, at any one time shall be more than ten per centum of the assessment levels mentioned in the foregoing paragraphs: Provided, That the limitation herein fixed on the frequency of assessment revision and increase in assessment levels shall not apply if the nature of the real estate has been changed from rural to urban or from residential to commercial and industrial site: And provided, further, That the assessment level of real property shall not exceed eighty per centum of current and fair market value, except upon prior approval of the Secretary of Finance.
3. When real property is found in any city, municipality or municipal district, the owner or administrator of which failed to file the sworn statement required under this Decree on or before June 30, 1973, the provincial or city assessor shall himself declare the property in the name of the defaulting owner, if known, or against an unknown owner, as the case may be, and shall assess the property for taxation in accordance with the provisions of this Decree.

No oath shall be required of a declaration thus made by the provincial or city assessor.
4. When the entire assessed valuation of real property in any one municipality or municipal district belonging to a single owner is not in excess of five hundred pesos, the tax thereon shall not be collected though in any event the property shall be valued for the purposes of assessment and record shall be kept thereof.
5. All existing tax declarations as of December 31, 1973 shall be superseded by the corresponding new tax declarations issued under this Decree. Collections,