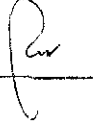


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SENATE
SB No. **2787**

RECEIVED BY: 

Introduced by Senator Panfilo M. Lacson

EXPLANATORY NOTE

Real property is the country's most important resource and biggest financial asset. A World Bank study indicated that 50% to 75% of the national wealth is contained in land, alone. Real property, therefore, has the largest potential contribution to national income for funding economic and social developments.

The principal source of local government units' income is derived from the taxes imposed on real properties. On the average, real property tax contributes about 25% of total tax revenues over the period 1995-2004.¹

Real property, however, contributes only a meager 6.6% to the gross national product (GNP) due primarily to the country's chaotic, ineffective and inequitable real property valuation system.

It is, therefore, of great importance to establish appraisal standards, methods and procedures for uniform and equitable property valuations in order to maximize revenue collections.

The passage of the proposed Real Property Valuation Reform Act is intended to resolve the following issues in the present valuation system, to wit:

1. At least 23 national government agencies (NGAs) and more than 1700 local government units (LGUs) use different systems and methodologies for different purposes, thus, resulting to the same property having multiple, confusing, unrealistic, or outdated values.
2. Lack of valuation standards, formal education and training for valuers resulting in incompetence and outdated techniques in the appraisal practice.
3. Undervaluation and overvaluation of real properties for tax purposes causing unnecessary delays and huge financial losses in the form of foregone government revenues and cost overruns.
4. Outdated real property values which no longer capture the true economic realities in the community where the property is situated. Valuations by the government do not truly capture and reflect the current, market-based property developments and economic conditions – overvaluation occurs when the government

¹ National Tax Research Center Study, "Bouyancy and Income Elasticity of Real Property Tax", January 31, 2007.

is acquiring real property, while undervaluation proliferates if the government is collecting taxes.

5. Local governments fail to revise regularly the SMVs, as required by Republic Act No. 7160, otherwise known as the Local Government Code of 1991 as basis for local real property taxation, due to political ambivalence and apprehension of political backlash. The SMVs are, thus, generally undervalued, and contributed to huge foregone revenues of the Local Government Units.

6. Distorted real property transactions database because real property sales transactions data are dispersed among various groups and individuals, namely the assessors, the Registry of Deeds, the BIR and the bank among others.

With the effectivity of the Real Estate Service Act or Republic Act No. 9646, which professionalizes the real estate service in the country, including local government assessors and national government appraisers, this bill adopts a bottom-up approach in institutionalizing reforms in the valuation sector of the country to adopt a market-based SMV, by maximizing the technical expertise of LGU assessors in using and adopting uniform and internationally-accepted valuation standards.

Concurrently, reorganizing and strengthening the Bureau of Local Government Finance (BLGF) is being proposed as a fundamental element to achieve the envisioned reforms. By starting at the local governments, the BLGF shall be the lead agency to review and approve the SMVs of all LGUs, thus, separating the technical function of valuation from the political function of taxation exercised by local elective officials. The BLGF shall oversee all real property valuation matters in the country, being in the best position to assume the responsibility within the existing bureaucracy.

Building an equitable, transparent, and impartial valuation system will stimulate a vibrant real estate sector, and foster private investors' confidence and the general public. The potential of real property to strengthen the fiscal affairs of the LGUs should be fully tapped to achieve more meaningful local fiscal autonomy and to improve the government's capacity to generate revenues and provide adequate public service delivery.

In view of the foregoing reasons, the approval of this bill is earnestly sought.

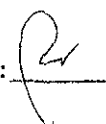

PANFILO M. LACSON
Senator



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SENATE

SB No. **2787**

RECEIVED BY: 

Introduced by: Senator Panfilo M. Lacson

AN ACT
INSTITUTING REFORMS IN REAL PROPERTY VALUATION IN THE
PHILIPPINES, REORGANIZING THE BUREAU OF LOCAL GOVERNMENT
FINANCE, AND APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SEC. 1. Short Title.— This Act shall be known as the "The Real Property Valuation Reform Act Of 2011."

Article I
Declaration Of Policy And Objectives,
And Definition Of Terms

SEC. 2. Declaration of Policy and Objectives.— It is the policy of the State to promote the development and maintenance of a just, equitable, impartial, and nationally consistent real property valuation based on internationally accepted valuation standards, concepts, principles, and practices. Towards this end, the State shall:

- (a) Promote the fiscal autonomy of local governments to provide basic services to their constituency by enhancing their capacity to generate local revenues from real property;
- (b) Establish and maintain valuation standards to govern the valuation of real property in the country;
- (c) Adopt market value as the single real property valuation base for the assessment of all real property related taxes in the country, and for valuing or appraising real property for various transactions by all government agencies;
- (d) Separate the function of valuing or appraising of real properties from the functions of tax policy and administering the taxes due thereon;
- (e) Support the development and professionalization of the valuation/appraisal practice in the country pursuant to Republic Act No. 9646;
- (f) Provide a comprehensive and up-to-date electronic database of all real property transactions;
- (g) Support the development of a "body of knowledge" on valuation by continuing research and monitoring of new developments in the valuation discipline for upgrading the country's valuation and keeping it abreast with global developments; and

- (h) Ensure transparency in real property transactions to protect the public and develop confidence in the work of appraisers and assessors.

SEC. 3. *Definition of Terms.*— As used in this Act, the following terms mean:

- (a) Appraiser – also known as valuer; refers to a person who conducts valuation/appraisal; specifically, one who possesses the necessary qualifications, ability, and experience to execute or direct the valuation/appraisal of real property.
- (b) Assessor – refers to an official in the local government unit, who is a licensed appraiser, who performs appraisal and assessment of real properties, including plant, machinery and equipment, essentially for taxation and other purposes. This definition also includes assistant assessors.
- (c) Building – refers to a man-made structure permanently attached to land for residential, commercial, industrial, recreational or other purposes.
- (d) Improvements – is a valuable addition made to a property or an amelioration in its condition, amounting to more than a mere repair or replacement of parts involving capital expenditures and labor, which is intended to enhance its value, beauty or utility or to adapt it for new or further purposes.
- (e) Land – refers to one of the major factors of production consisting sometimes of a material economic good, which is supplied by nature without the aid of man. Land may include not only the earth surface, both land and water, but also anything that is attached to the earth's surface. Thus, all natural resources in their original state, such as mineral deposits, wildlife, timber, and fish, are land within the technical meaning of the term; so also are sources of energy, outside of man himself, such as water, coal deposits, and the natural fertility of the soil.
- (f) Machinery – embraces machines, equipment, mechanical contrivances, instruments, appliances or apparatus which may or may not be attached, permanently or temporarily, to the real property. It includes the physical facilities for production, the installations and appurtenant service facilities, those which are mobile, self-powered or self-propelled and those not permanently attached to the real property which are actually, directly and exclusively used to meet the needs of the particular industry, business or activity and which by their very nature and purpose are designed for, or necessary to its manufacturing, mining, logging, commercial, industrial or agricultural purposes.
- (g) Market Value – refers to the estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction (a transaction between independent, unrelated parties involving no irregularity) after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion;
- (h) Private appraisal sector – refers to licensed non-governmental real estate service practitioners who have been active in the practice of real estate appraisal for the last five (5) years.
- (i) Real Estate – refers to the land and all those items which are attached to the land. It is the physical, tangible entity, together with all the additions or improvements on, above or below the ground.
- (j) Real Property – refers to all the rights, interests, and benefits related to the ownership of real estate, plant, machinery, and equipment;
- (k) Schedule of Market Values or SMV – refers to a table of market values of real properties within a local government unit prepared by assessors pursuant to existing laws, rules and regulations.

- (l) Special Purpose Property – refers to a property which is designed, constructed and developed for a specific use or purpose. By its very nature, this type of property is rarely offered for sale in the open market except as part of a going concern. Because of the special design and function, conversion of special purpose properties to other types of development or application is generally not economically feasible.
- (m) Valuation/Appraisal – refers to the systematic and analytic determination and recording of property facts, circumstances, investments, and investigation of other relevant data resulting in a supportable estimate and opinion of value or a professional conclusion based upon supporting data, logical analysis and judgment as of a specific date and for a specific purpose.

Article II

Strengthening The Bureau Of Local Government Finance

Chapter 1

BLGF Central Operations

SEC. 4. *Role of the Bureau of Local Government Finance.*— The Bureau of Local Government Finance (BLGF) shall lead and manage the implementation of the provisions of this Act. In addition to the existing mandate of the BLGF, the Bureau shall have the following powers and functions:

- (a) Develop, adopt, and maintain valuation standards consistent with generally accepted valuation standards, regulations and specifications for real property appraisal used for tax and other purposes, and ensure compliance therewith by local government units and other concerned parties;
- (b) Review for compliance with the real property valuation policies and standards and approve the Schedule of Market Values (SMVs) prepared by the provincial assessors together with municipal assessors, and city assessors, including the municipal assessor of Metro Manila, for tax and other purposes;
- (c) Provide technical assistance on real property appraisal matters to government agencies and instrumentalities, and coordinate or conduct the valuation/appraisal of special purpose properties, when requested;
- (d) Provide leadership and policy directions to local government units on real property valuation/appraisal for taxation and other purposes, including the development and maintenance of valuation standards, the regulation of valuation/appraisal activities and other related matters, and the promotion of valuation/appraisal training and seminars;
- (e) Maintain a roster of licensed local government appraisers and assessors;
- (f) Develop and maintain a comprehensive and up-to-date electronic database of real property transactions and prices of materials for buildings, machinery, and other structures;
- (g) Conduct continuing study and research on valuation, and maintain an information base on current global and country trends and developments in real property valuation/appraisal;
- (h) Determine, fix, and collect reasonable amounts to be charged as administration fees, fines, and penalties relative to the implementation of this Act; and
- (i) Perform such other functions as are necessary, proper, and incidental to implement the provisions of this Act.

SEC. 5. *Establishment of the Real Property Valuation Service.*– To achieve the policy and objectives declared in this Act, there shall be established the Real Property Valuation Service, hereinafter referred to as the RPVS, within the Bureau of Local Government Finance, which shall perform the functions pertaining to Sec. 4 hereof.

SEC. 6. *Responsibilities of the BLGF Executive Director.* – The BLGF Executive Director shall be responsible for the efficient and effective performance of the responsibilities set forth in this Act and for the overall internal management and governance of the RPVS. For this purpose, the BLGF Executive Director shall:

- (a) Develop and implement policies, plans, programs, and operating standards for the attainment of the objectives of this Act;
- (b) Provide policy directions and leadership in all aspects of valuation/appraisal and their implementation in the regional offices;
- (c) Approve, upon review by the RPVS, the Schedule of Market Values (SMVs) prepared by the provincial assessors together with municipal assessors, and city assessors, including the municipal assessor of Metro Manila, for tax and other purposes
- (d) Advise and assist other government agencies on matters pertaining to real property valuation/appraisal; and
- (e) Perform such other functions as may be provided by law, or required in pursuance of this Act.

SEC. 7. *Consultations with Concerned Agencies and Sectors.*– (a) A Central Consultative Committee shall be created, chaired by the BLGF Executive Director and composed of a representative each from the:

- 1. Bureau of Internal Revenue (BIR);
 - 2. Department of Environment and Natural Resources (DENR);
 - 3. Bangko Sentral ng Pilipinas (BSP);
 - 4. National organization of government assessors;
 - 5. Private appraisal sector; and
 - 6. Union of Local Authorities of the Philippines (ULAP);
- (b) The member-representatives from the BIR, DENR, and BSP must be performing valuation-related functions. The national organization of government assessors, the private sector, and the ULAP shall be represented by their respective heads of organization.
- (c) The Chairperson and members of the Committee shall not receive additional salary for the performance of their functions, but they shall be entitled to *honoraria*, pursuant to existing laws and regulations.
- (d) The Committee shall meet at the initiation of the Chairperson at least once every semester, and shall have as many meetings as the Chairperson may deem necessary for the adoption of valuation standards.

SEC. 8. *Functions of the Central Consultative Committee.* – The Central Consultative Committee shall serve as the consultation forum on matters pertaining to the setting, adoption and maintenance of the valuation standards.

Chapter 2

BLGF Regional Operations

SEC. 9. *Role of the BLGF Regional Offices.* – The BLGF Regional Offices, through the Regional Director, shall have the responsibility on all matters relating to valuation/appraisal and the SMVs in the region, such as:

- (a) Implement the provisions of this Act and related policies, plans, programs, rules and regulations on real property valuation or appraisal of local government units in the region;
- (b) Review and endorse to the BLGF Executive Director the approval of the proposed SMVs prepared by the provincial assessors together with the municipal assessors, and city assessors within the region;
- (c) Provide economical, efficient, and effective service relating to the implementation of the provisions of this Act in the region;
- (d) Coordinate and consult with regional offices of other government departments, bureaus, and agencies within the region dealing with real property valuation/appraisal;
- (e) Provide leadership and policy direction in the area of real property valuation/appraisal to local government units in the region;
- (f) Adopt and maintain a comprehensive and up-to-date regional electronic database of all regional real property-related transactions, and have custody of all transaction records submitted by local government assessors; and
- (g) Perform other functions as may be assigned by the BLGF Executive Director.

SEC. 10. *The Regional Consultative Committee.* – (a) There shall be a Regional Consultative Committee chaired by the BLGF Regional Director, and composed of a representative each from:

- 1) Bureau of Internal Revenue - Regional Office;
 - 2) Department of Environment and Natural Resources -Regional Office;
 - 3) Regional organization of government assessors;
 - 4) Private appraisal sector within the region; and
 - 5) Bankers association within the region.
- (b) The members of the Regional Consultative Committee must be performing valuation/appraisal related functions. Representatives from the regional organization of government assessors, private appraisal sector, and banking association within the region shall be represented by the head of their respective organization.
- (c) The Committee shall meet at the initiation of the BLGF Regional Director at least once every quarter, and shall have as many meetings as the BLGF Regional Director may deem necessary for the performance of its functions.

SEC. 11. *Functions of the Regional Consultative Committee.* – The Regional Consultative Committee shall serve as a consultation forum in the region for discussion on developments in the local real property market; concerns of taxpayers, civil society, and other stakeholders; outcome of Compliance Reporting in the region; level of complaints and appeals; local government unit training in the region; appraiser and assessor concerns in general; and other matters as may be determined by the Committee.

Article III

Valuation/Appraisal Of Real Properties

Chapter 1

Valuation Standards and Market Values

SEC. 12. *Development of Valuation Standards.*— Notwithstanding the provisions of existing laws to the contrary, the BLGF, shall develop, adopt, maintain and implement uniform valuation standards which shall be used by all appraisers and assessors in the local government units and other concerned parties in appraising or valuing lands, buildings, machinery and other real properties for taxation and other purposes. The valuation standards shall conform with the generally accepted valuation principles and internationally accepted standards.

SEC. 13. *Valuation/Appraisal of Real Property.* – For valuation purposes, all real properties, whether taxable or exempt, shall be valued or appraised at the market value prevailing in the locality where the property is situated, in conformity with the valuation standards adopted under this Act. The BLGF shall promulgate the rules and regulations for the valuation/appraisal of real property pursuant to the provisions of this Act. It shall provide leadership in ensuring rationalized valuation of real properties transcending political boundaries.

For real properties intended for low-cost or socialized housing and other programs of the government imbued with social policy objectives, the provisions of existing pertinent laws shall be applied after determination of the prevailing market value of these properties in accordance with internationally accepted valuation standards adopted under this Act.

SEC. 14. *Preparation of Schedule of Market Values.*—Provincial assessors together with municipal assessors, and city assessors, including the municipal assessor in Metro Manila, shall prepare the SMVs for the different classes of real property situated within their respective local government units, pursuant to the valuation standards, rules, regulations and other specifications set by the DOF and the BLGF. The said SMVs shall be submitted by the assessor concerned, copy furnished the provincial governor or the city mayor, as the case may be, and the concerned *Sanggunian*, to the BLGF Regional Office for review and compliance with other requirements not later than the thirty-first (31st) day of October of the immediately preceding calendar year the general revision of real property assessments shall be undertaken. The said SMVs shall be reviewed by the BLGF Regional Office within thirty (30) days upon receipt thereof, and shall then be submitted by the same to the BLGF Central Office. The BLGF Executive Director, after review by the RPVS, shall approve the SMV within sixty (60) days upon receipt of the same; otherwise, said schedule shall be deemed approved.

The approved SMV shall be transmitted to the concerned assessor who shall confer with the local chief executive regarding the said approved SMV. Likewise, the concerned assessor shall submit to the local chief executive a tax impact report of the new SMV as against the existing assessment levels and tax rates, and shall provide the *Sanggunian*, through the Chairman of the Committee on Ways and Means, a copy of such report. The local chief executive shall transmit the approved SMV together with the tax impact report within fifteen (15) days from receipt of the same to the *Sanggunian* for the enactment of an Ordinance setting the appropriate assessment levels and tax rates. The concerned *Sanggunian* shall enact such Ordinance, upon conduct of public hearings and proper consultation, within sixty (60) days from receipt thereof; otherwise, the existing Ordinance on assessment levels and tax rates shall remain in force and effect.

Upon the enactment by the *Sanggunian* of an Ordinance for the assessment levels and tax rates, the local chief executive shall act within ten (10) days, in the case of cities, and the municipality in Metro Manila, or within fifteen (15) days, in the case of provinces, to approve the same. Failure of the concerned local chief executive to act on the Ordinance within the prescribed period shall render the same approved.

The approved Ordinance together with the SMV shall be published by the concerned local government unit in a newspaper of local circulation once a week for two consecutive

weeks: *Provided, however,* That in provinces, cities and municipalities where there are no newspapers of local circulation, the same shall be posted in the provincial capitol, city or municipal hall and in two (2) other conspicuous public places therein. A list of LGUs whose SMVs have been approved shall be posted in the BLGF official website.

SEC. 15. *Use of Schedule of Market Values.* – The SMV as approved by the BLGF shall be used for the general revision of real property assessments in local government units, as basis for the determination of real property related taxes imposed by national government agencies, and as benchmark for real property appraisal for other purposes. For purposes of computing any internal revenue tax, the BIR Commissioner shall adopt the SMV or the actual price in consideration as stated in real property transaction documents, whichever is higher.

Notwithstanding the provisions of existing laws to the contrary, the SMV shall cease as basis for the determination of national and local real property related taxes after five (5) years from the effectivity of its enacting Ordinance.

SEC. 16. *Revision of Schedule of Market Values.* – The BLGF shall formulate the program for the regular revision of SMVs. All provincial assessors together with the municipal assessors, and city assessors, including the municipal assessor in Metro Manila, shall undertake a revision of their respective SMVs within two (2) years from the effectivity of this Act. Thereafter, they shall undertake a general revision of SMVs and property assessments not earlier than three (3) years from the date of last revision, but not later than five (5) years.

In case of any significant change in the market where the property is located after the said SMVs have been approved and prior to its next revision, or where correction of errors and inequalities in any SMV is deemed necessary, the provincial assessors together with the municipal assessors, and city assessors, including the municipal assessor in Metro Manila, may recommend to the BLGF Executive Director revisions to their existing SMV. Such revision/s shall be subject to review and approval by the BLGF Executive Director within ninety days (90) from the date of receipt thereof.

SEC. 17. *Conduct of Capacity Building Interventions.* – For the effective implementation of this Act, the BLGF shall develop and conduct the necessary trainings for all local assessors and other local officials/staff on the preparation of SMV in accordance with internationally accepted valuation standards, concepts, principles and practices; conduct of SMV impact studies; preparation of compliance reports, and other subject areas to ensure the effective implementation of this Act.

Chapter 2

Development and Maintenance of Real Property Database

SEC. 18. *Development of Real Property Database.* – The BLGF shall develop and maintain an up-to-date electronic database of the sale, exchange, lease, mortgage, donation and all other real property transactions in the country and on the cost of construction or renovation of buildings and other structures, and on prices of machinery. For this purpose, the BLGF is hereby authorized to require the mandatory submission of necessary documents from the concerned officials or employees of national government offices or instrumentalities, local government units, and the private sector. The updated database shall be made available to the local government units, national government agencies, and the private sector as well.

SEC. 19. *Duty of Register of Deeds to Supply Assessors of Real Property Transactions Data.* – The Register of Deeds shall prepare and submit to the provincial and city assessors,

including the municipal assessor in Metro Manila, an abstract of his/her registry every three (3) months and copies of all contracts selling, transferring or otherwise converting, leasing, or mortgaging real property registered by him/her every end of the month. The abstract shall include brief but sufficient description of the real properties entered therein, their present owners, and the dates of their most recent transfer or alienation accompanied by copies of corresponding deeds of sale, donation, or partition or other forms of alienation.

SEC. 20. *Duty of Official Issuing Building Permits or Certificates of Registration of Machinery to Transmit Copy to the Assessor.*— Any public official or employee who may now or hereafter be required by law or regulation to issue to any person a permit for the construction, addition, repair, or renovation of a building, or permanent improvement on land, or a certificate of registration for any machinery, including machines, mechanical contrivances, and apparatus attached or affixed on land or to another real property, shall transmit a copy of such permit or certification within thirty (30) days of its issuance, to the assessor of the province, city or municipality where the property is situated.

SEC. 21. *Duty of Geodetic Engineers to Furnish Copy of Plans to Assessor.*— It shall be the duty of all geodetic engineers, public or private, to furnish free of charge, the assessor of the province, city or municipality where the land is located, a copy of the blue or white print of each of all approved original subdivision plans or maps of surveys, duly signed by a Senior Geodetic Engineer, executed by them every end of the month from receipt of such approved plans from the Land Management Bureau (LMB), the Land Registration Authority (LRA), or the Housing and Land Use Regulatory Board (HLURB), as the case may be.

SEC. 22. *Duty of Assessors to Transmit Documents to the BLGF.* — It shall be the duty of the assessors to transmit to the concerned BLGF Regional Office all real property transactions data from the Register of Deeds, official issuing building permit and geodetic engineers within one (1) month after the receipt of such data. The BLGF's Regional Office shall record, process and make a summary report of the real property data, and submit the same to the BLGF Central office within one (1) month from receipt of such data.

Chapter 3

Appointment and Qualifications of Assessors

SEC. 23. *Appointment of Assessors.* — Notwithstanding the provisions of existing laws to the contrary, appointments of provincial, city, and municipal assessors and assistant assessors shall be in accordance with the following guidelines:

- (a) In the case of provincial and assistant provincial assessors and city and assistant city assessors, appointee shall be chosen from the list of at least three (3) ranking eligible nominees suitable and qualified for appointment within the region;
- (b) In the case of municipal and assistant municipal assessors, appointee shall be chosen from the list of at least three (3) ranking eligible nominees suitable and qualified for appointment within the province; and
- (c) In the case of city and assistant city assessors and municipal and assistant municipal assessors for Metro Manila, appointee shall be chosen from the list of at least three (3) ranking eligible nominees suitable and qualified for appointment within the Metro Manila.

The assessors shall be under the technical supervision of the BLGF, primarily through a system of compliance reporting and provision for education and training for capacity building.

SEC. 24. *Qualifications of Local Government Assessors.*— No person shall be appointed assessor or assistant assessor unless such person is a citizen of the Philippines, a resident of the region for a provincial or city assessor/assistant assessor and of the province for a municipal assessor/assistant assessor, a registered and licensed appraiser, of good moral character, and must have an experience in real property valuation or assessment work or in any suitable field for at least five (5) years in the case of the provincial or city assessor and three (3) years in the case of the municipal assessor.

Article IV Penal Provisions

SEC. 25. *Failure to Comply with the Required Submission of Documents.*— Any government official or employee who fails without justifiable reason to provide or furnish data or information required pursuant to Sections 18, 19, 20, 21, and 22 of this Act shall be punished by a maximum fine equivalent to the official's or employee's six (6) months basic salary or suspension from service for a period not exceeding one (1) year, or both, at the discretion of the competent authority.

SEC. 26. *Failure to Comply with the Valuation Standards.* — An assessor who, for unjustifiable reasons, fails to comply with the valuation standards developed and adopted pursuant to this Act, or deliberately concealed any deviations or departures from such standards in the valuation/appraisal of real property, shall be punished by a maximum fine equivalent to the official's or employee's six (6) months basic salary, and suspension from the government service.

SEC. 27. *Failure to Prepare Schedule of Market Values.* — An assessor who, for unjustifiable reasons, intentionally or deliberately refuses or fails to prepare the SMVs within the period set forth in this Act shall be meted the maximum fine equivalent to the official's or employee's six (6) months basic salary, or by suspension from government service for not more than one (1) year, or both, at the discretion of the competent authority.

SEC. 28. *Violations of Other Provisions.*— Any person, whether natural or juridical, who violates any provision of this Act other than those punishable under Sections 25, 26, and 27 hereof shall, when warranted, be dealt with under applicable existing laws.

SEC. 29. *Taxpayers' Remedies in Case of Erroneous Assessments of Real Properties.* — The provisions of Sections 226 (Local Board of Assessment Appeals) and 229 (Action by the Local Board of Assessment Appeals) of Republic Act No. 7160, otherwise known as The Local Government Code of 1991 shall apply in all cases of appeals as remedies for the taxpayers in the assessment of their properties.

Article V Transitory Provisions

SEC. 30. *Transitory Guidelines.* — (a) Local government units which are in the process of revising their SMVs, upon the effectivity of this Act, shall continue with such revisions in accordance with Section 16 of this Act: *Provided, That* proper notification and coordination with the BLGF shall be undertaken.

(b) In case the SMV is not yet available or revised, the BIR Commissioner shall adopt the existing SMV, zonal values or the actual price in consideration as stated in real property transaction documents, whichever is higher, for purposes of computing any internal revenue tax.

SEC. 31. *Saving Clause.* – The zonal values as determined by the BIR and approved by the Secretary of Finance for internal revenue tax purposes and the SMVs prepared by the provincial assessors together with the municipal assessors, and city assessors, including the municipal assessors of Metro Manila, that have been approved by their respective *Sanggunians* for real property taxation purposes shall continue to be in force and effect until repealed, superseded, modified, revised, set aside, or replaced by the values provided under the new SMVs as approved in accordance with Section 16 of this Act, which shall be within two (2) years upon the effectivity of this Act.

Article VI

Funding Requirements

SEC. 32. *Budgetary Requirements for Revision of Schedule of Market Values.* – Each local *Sanggunian* shall appropriate the necessary funds either from locally generated revenues, the Internal Revenue Allotment (IRA), or other possible sources every fiscal year. The accumulated amount so appropriated shall be known as the Real Property Tax Administration Fund (RPTAF) which shall be used to ensure the proper implementation of the regular revisions of the SMVs and general revision of property assessments, and the administration of real property taxes in all local government units.

SEC. 33. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the BLGF. Thereafter, such sum for the continuing operations and the proper implementation of this Act shall be included in the annual General Appropriations Act.

Article VII

Miscellaneous Provisions

SEC. 34. *Implementing Rules and Regulations (IRR).*– Within six (6) months after the effectivity of this Act, the DOF, upon conducting consultations with concerned parties, shall issue the IRR for the effective implementation of this Act.

SEC. 35. *Suppletory Application of Existing Laws.* – The provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and other laws consistent with this Act shall have suppletory effect.

SEC. 36. *Repealing Clause.* –(a) Section 6(E) of Republic Act No. 8424, otherwise known as the National Internal Revenue Code (NIRC), as amended, and Sections 199(l), 201, 209(a), 212, 214, 219, 224(a), 472(a) par 1, and 473(a) par 1 of Republic Act No. 7160, otherwise known as the Local Government Code (LGC) of the Philippines, are hereby repealed;

(b) Sections 19, 135(a), 138, 198(a)(g)(h)(l), 202, 218par1(b), 220, 443(d), 444(b)(1)(v), 454(d), 455(b)(1)(v), 463(d), and 465(b)(1)(v), 472(b)(8) of the LGC, and Section 88(B) of the NIRC are hereby modified accordingly;

(c) All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed, superseded or modified accordingly.

SEC. 37. *Separability Clause.* – Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof, as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 38. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,