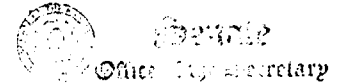


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



20 APR 16 A9:13

SENATE
S. B. No. 1429

RECEIVED _____

Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
GRANTING FULL TAX BENEFITS TO DONATIONS PROVIDED DURING A
STATE OF CALAMITY, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 20 provides that "*the State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.*"

The country has been at the epicenter of many calamities in the past decade, the most devastating being the damage caused by the super typhoon *Yolanda* and, recently, the eruption of the *Taal* Volcano and the on-going COVID-19 pandemic. Throughout these ordeals, the private sector has stepped up to assist government through donations and fundraising initiatives, often despite their own physical and financial losses. However, this generosity has been punished with the additional paying of donor's tax.

In recognition of the help extended by the private sector during the COVID-19 pandemic, a provision on Republic Act No. 11469 or the "*Bayanihan to Heal as One Act*" grants full tax benefits to the private sector – companies and individuals alike – that have donated to the government, non-government organizations (NGOs), hospitals and other medical facilities in the battle against COVID-19.

This bill seeks to extend the same benefits to the "good samaritans" in the country, determined to tirelessly and selflessly donate their funds, skills, products and other resources to their fellow Filipinos in times of calamity, often in spite of physical and financial losses they themselves endured.

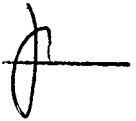


IMEE R. MARCOS

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STATE OF CALAMITY, AND FOR OTHER PURPOSES

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

1 **Section 1. *Applicability.*** – This Act shall be applicable to any person, natural or
2 juridical, who donates to the government, Department of Health (DOH)-accredited
3 hospitals, Local Government Unit (LGU) hospitals and other medical facilities and
4 health clinics, only during a state of calamity.

5 **SEC. 2. *State of Calamity.*** – A state of calamity shall be understood as a
6 condition involving mass casualty and/or major damages to property, disruption of
7 means of livelihoods, roads and normal way of life of people in the affected areas as
8 a result of the occurrence of natural or human-induced hazard. *Provided, That* there
9 must first be a declaration from the President that there is a state of calamity in a local
10 government unit or in the country.

11 **SEC. 3. *Full Tax Benefits.*** - For purposes of this Act, full tax benefits shall
12 pertain to the following:

13 **(a) *Donor's Tax Exemption.*** – Any person who makes a donation during a state
14 of calamity shall be exempted from paying donor's tax.

1 **(b) Income Tax Deduction.** – Any donation, or its monetary equivalent, made
2 during a state of calamity shall be fully deductible for income tax purposes.

3 **SEC. 4. Retroactive Application.** – This Act shall have retroactive effect, starting
4 from January 2020 and onwards.

5 **SEC. 5. Separability Clause.** - If for any reason any provision of this Act is
6 declared unconstitutional or invalid, such parts or portions not affected thereby shall
7 remain in full force and effect.

8 **SEC. 6. Repealing Clause.** - All laws, executive orders, presidential decrees,
9 presidential proclamations, letters of instruction, rules and regulations or parts thereof
10 which are inconsistent with the provisions of this Act are hereby repealed or modified
11 accordingly.

12 **SEC. 7. Effectivity.** - This Act shall take effect fifteen (15) days following
13 completion of its publication in at least two (2) newspapers of general circulation.

Approved,