

**[ REPUBLIC ACT NO. 9640, May 21, 2009 ]**

**AN ACT AMENDING SECTION 140 (A) OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS "THE LOCAL GOVERNMENT CODE OF 1991"**

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

SECTION 1. Section 140 of Republic Act No. 7160, otherwise known as "The Local Government Code of 1991", is hereby amended to read as follows:

"SEC. 140. Amusement Tax. (a) The province may levy an amusement tax to be collected from the proprietors, lessees, or operators of theaters, cinemas, concert halls, circuses, boxing stadia, and other places of amusement at a rate of not more than ten percent (10%) of the gross receipts from admission fees.

"(b) In the case of theaters or cinemas, the tax shall first be deducted and withheld by their proprietors, lessees, or operators and paid to the provincial treasurer before the gross receipts are divided between said proprietors, lessees, or operators and the distributors of the cinematographic films.

"(c) The holding of operas, concerts, dramas, recitals, painting and art exhibitions, flower shows, musical programs, literary and oratorical presentations, except pop, rock, or similar concerts shall be exempt from the payment of the tax herein imposed.

"(d) The sangguniang panlalawigan may prescribe the time, manner, terms and conditions for the payment of tax. In case of fraud or failure to pay the tax, the sangguniang panlalawigan may impose such surcharges, interests and penalties as it may deem appropriate.

"(e) The proceeds from the amusement tax shall be shared equally by the province and the municipality where such amusement places are located."

SEC. 2. Repealing Clause. — All laws, executive orders, presidential decrees, ordinances, rules and regulations or parts thereof which are consistent with any of the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. Effectivity Clause. — This Act shall take effect (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.