



HOUSE OF REPRESENTATIVES

H. No. 4820

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BY REPRESENTATIVES FUENTEBELLA, VILLAFUERTE, ARROYO (D.), ARNAIZ, AGGABAO, ALVAREZ (M.); ANGPING, BENITEZ, BULUT-BEGTANG, COJUANGCO (E.), COJUANGCO (K.), DE VENECIA, DUAVIT, DURANO, DY, ERIGUEL, ESCUDERO, FERRER (J.), GATCHALIAN, GOLEZ (A.), GO (A.C.), JAAFAR, JOSON, LACSON-NOEL, MARAÑON, MENDOZA (M.), PONCE-ENRILE, PRIMICIAS-AGABAS, RODRIGUEZ (I.), SAHIDULLA, SOCRATES, TEVES, VERGARA, YU, ACHARON, ANGARA, RIVERA, ORTEGA (F.), NOEL, MONTEJO AND TY, PER COMMITTEE REPORT NO. 1196

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AN ACT CREATING THE PROVINCE OF NUEVA CAMARINES

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* — This Act shall be known as the “Charter of the Province of Nueva Camarines”.

SEC. 2. *Province of Nueva Camarines.* — There is hereby created a new province from the present Province of Camarines Sur to be known as the Province of Nueva Camarines consisting of the City of Iriga and the municipalities of Baao, Balatan, Bato, Buhi, Bula, Caramoan, Garchitorea, Goa, Lagonoy, Nabua, Presentacion, Sagñay, San Jose, Siruma, Tigaon and Tinambac.

1           The territorial jurisdiction of the Province of Nueva Camarines shall be  
2 within the present metes and bounds of the City of Iriga and the municipalities  
3 that comprise the Province of Nueva Camarines.

4           The foregoing provision shall be without prejudice to the resolution by  
5 the appropriate agency or forum of existing boundary disputes or cases  
6 involving questions of territorial jurisdiction between the Province of Nueva  
7 Camarines and the adjoining local government units: *Provided*, That the  
8 territorial jurisdiction of the disputed area or areas shall remain with the local  
9 government unit, which has existing administrative supervision over said area  
10 or areas until final resolution of the case.

11           SEC. 3. *Capital Town and Seat of Government.* – The capital town  
12 and seat of government of the new Province of Nueva Camarines shall be the  
13 Municipality of Tigaon: *Provided*, That a satellite seat of government may be  
14 established preferably in the City of Iriga or in any municipality within the  
15 First Legislative District of Nueva Camarines as may be determined by the  
16 majority of the members of the sangguniang panlalawigan subject to the  
17 provision by the host local government unit of a disposable and alienable  
18 public land for the purpose.

19           SEC. 4. *Corporate Powers of the Province.* – The province constitutes  
20 a political body corporate and as such is endowed with the attributes of  
21 perpetual succession and possessed of the powers which pertain to a provincial  
22 corporation to be exercised in conformity with the provisions of this Charter.  
23 The province shall have the following corporate powers:

- 24           (a) To have a continuous succession in its corporate name;  
25           (b) To sue and be sued;  
26           (c) To have and use a corporate seal;  
27           (d) To acquire, hold and convey real or personal property;  
28           (e) To enter into contracts and/or agreements; and

1 (f) To exercise such other powers, prerogatives or authority subject to  
2 the limitations provided in this Act or other laws.

3 SEC. 5. *General Powers.* – The province shall have a common seal  
4 and may alter the same at its pleasure: *Provided*, That any change of corporate  
5 seal shall be registered with the Department of the Interior and Local  
6 Government (DILG). It shall exercise the powers to levy taxes; to close and  
7 open roads, streets, alleys, parks or squares; to take, purchase, receive, hold,  
8 lease, convey and dispose of real and personal property for the general  
9 interests of the province; to expropriate or condemn private property for public  
10 use; to contract and to be contracted with; to sue and be sued; to prosecute and  
11 defend to final judgment and execution suits wherein the province is involved  
12 or interested in and to exercise all the powers as are granted to corporations or  
13 as hereinafter granted.

14 SEC. 6. *Liability for Damages.* – The province and its officials shall  
15 not be exempt from liability for death or injury to persons or damage to  
16 property.

17 SEC. 7. *Legislative Districts.* – The Province of Nueva Camarines  
18 shall have two (2) legislative districts to commence in the next national and  
19 local elections after the effectivity of this Charter. Henceforth, the City of  
20 Iriga and the municipalities of Baao, Balatan, Bato, Buhi, Bula and Nabua  
21 shall comprise the First Legislative District while the municipalities of  
22 Caramoan, Garchitorena, Goa, Lagonoy, Presentacion, Sagflay, San Jose,  
23 Siruma, Tigaon and Tinambac shall comprise the Second Legislative District.

24 The Province of Camarines Sur shall retain the existing three (3)  
25 legislative districts without any change in its name and composition.

26 The incumbent Representatives of the present Province of Camarines  
27 Sur shall continue to represent their respective legislative districts until the  
28 expiration of their term of office.

## ARTICLE II

## PROVINCIAL OFFICIALS IN GENERAL

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3       SEC. 8. *Officials of the Provincial Government.* – (a) There shall be  
4 in the Province of Nueva Camarines: a provincial governor, a provincial vice  
5 governor, the regular members of the sangguniang panlalawigan, a secretary to  
6 the sangguniang panlalawigan, a provincial treasurer, a provincial assessor,  
7 a provincial accountant, a provincial budget officer, a provincial planning and  
8 development coordinator, a provincial engineer, a provincial health officer,  
9 a provincial civil registrar, a provincial administrator, a provincial legal  
10 officer, a provincial agriculturist, a provincial social welfare and development  
11 officer, a provincial environment and natural resources officer, a provincial  
12 veterinarian and a provincial general services officer.

13       (b) In addition thereto, the provincial governor may appoint a provincial  
14 cooperatives officer, a provincial architect, a provincial population officer and  
15 a provincial information officer.

16       (c) The sangguniang panlalawigan may:

17       (1) Maintain existing offices mentioned in subsections (a) and (b)  
18 hereof;

19       (2) Create such other offices as may be necessary to carry out the  
20 purposes of the provincial government; or

21       (3) Consolidate the functions of any office with those of another in the  
22 interest of efficiency and economy.

23       Unless otherwise provided herein, the heads of departments and offices  
24 shall be appointed by the provincial governor with the concurrence of a  
25 majority of the sangguniang panlalawigan members, subject to civil service  
26 law, rules and regulations. The sangguniang panlalawigan shall act on the  
27 appointment within fifteen (15) days from the day of its submission; otherwise,  
28 the same shall be deemed confirmed.



1 as often as may be deemed necessary as the general welfare of the inhabitants  
2 and the needs of the provincial government may require;

3 (iv) Appoint all officials and employees whose salaries and wages are  
4 wholly or mainly paid out of provincial funds and whose appointments are not  
5 otherwise provided for in this Act as well as those whose appointments may be  
6 authorized by law except those who are to be appointed by the provincial vice  
7 governor as provided in Section 11 hereof;

8 (v) Represent the province in all its business transactions and sign in its  
9 behalf all bonds, contracts and obligations, and such other documents upon  
10 authority of the sangguniang panlalawigan or pursuant to law or ordinance;

11 (vi) Carry out such emergency measures as may be necessary during  
12 and in the aftermath of man-made and natural disasters and calamities;

13 (vii) Determine the time, manner and place of payment of salaries or  
14 wages of the provincial officials and employees, in accordance with law or  
15 ordinance;

16 (viii) Allocate and assign office space to provincial and other officials  
17 and employees who, by law or ordinance, are entitled to such space in the  
18 provincial capitol and other buildings owned or leased by the provincial  
19 government;

20 (ix) Ensure that all executive officials and employees of the province  
21 faithfully discharge their duties and functions as provided by law and the Local  
22 Government Code of 1991, as amended, and cause to be instituted  
23 administrative or judicial proceedings against any official or employee of the  
24 province who may have committed an offense in the performance of official  
25 duties;

26 (x) Examine the books, records and other documents of all offices,  
27 officials, agents or employees of the province and, in aid of his executive  
28 powers and authority, require all national officials and employees stationed in

1 the province to make available such books, records and other documents in  
2 their custody, except those classified by law as confidential;

3 (xi) Furnish copies of executive orders issued to the Office of the  
4 President within seventy-two (72) hours after their issuance;

5 (xii) Visit component cities and municipalities of the province at least  
6 once every six (6) months to deepen understanding of problems and  
7 conditions, listen and give appropriate counsel to local officials and  
8 inhabitants, inform the officials and inhabitants of component cities and  
9 municipalities of general laws and ordinances which especially concerns them,  
10 and otherwise conduct visits and inspections to ensure that the governance of  
11 the province will improve the quality of life of the inhabitants;

12 (xiii) Act on leave applications of officials and employees appointed  
13 and the commutation of the monetary value of their leave credits in accordance  
14 with law;

15 (xiv) Authorize official trips of provincial officials and employees  
16 outside of the province for a period not exceeding thirty (30) days;

17 (xv) Call upon any national official or employee stationed in or  
18 assigned to the province for advice on matters affecting the province and to  
19 make recommendations thereon; coordinate with the official or employee in  
20 the formulation and implementation of plans, programs and projects; and,  
21 when appropriate, initiate an administrative or judicial action against a national  
22 government official or employee who may have committed an offense in the  
23 performance of duties while stationed in or assigned to the province;

24 (xvi) Authorize payment for medical care, necessary transportation,  
25 subsistence, hospital or medical fees of provincial officials and employees who  
26 are injured while in the performance of their official duties and functions,  
27 subject to the availability of funds;

1 (xvii) Represent the province in inter-provincial or regional sports  
2 councils or committees, and coordinate the efforts of component cities and  
3 municipalities in the regional or national palaro or sports development  
4 activities;

5 (xviii) Conduct an annual palarong panlalawigan, which shall feature  
6 traditional sports and disciplines included in national and international games,  
7 in coordination with the Department of Education (DepED); and

8 (xix) Submit to the Office of the President the following reports: an  
9 annual report containing a summary of all matters pertinent to the management,  
10 administration and development of the province and all information and  
11 development of the province and all information and data relative to its  
12 political, social and economic conditions; and supplemental reports when  
13 unexpected events and situations arise at any given time during the year,  
14 particularly when man-made and natural disasters or calamities affect the  
15 general welfare of the province, region or country;

16 (2) Enforce all laws and ordinances relative to the governance of the  
17 province and the exercise of the appropriate corporate powers provided for in  
18 Section 22 of the Local Government Code of 1991, as amended; implement all  
19 approved policies, programs, projects, services and activities of the province  
20 and, in addition to the foregoing, shall:

21 (i) Ensure that the acts of the component cities and municipalities of  
22 the province and of their officials and employees are within the scope of their  
23 prescribed powers, duties and functions;

24 (ii) Call conventions, conferences, seminars or meetings of elective and  
25 appointive officials of the province and its component cities and  
26 municipalities, including national officials and employees stationed in or  
27 assigned to the province, at such time and place and on such subject as may be



1 deemed important for the promotion of the general welfare of the province and  
2 its inhabitants;

3 (iii) Issue such executive orders for the faithful and appropriate  
4 enforcement and execution of laws and ordinances;

5 (iv) Be entitled to carry the necessary firearm within the territorial  
6 jurisdiction of the province;

7 (v) In coordination with the mayors of component cities and  
8 municipalities and the National Police Commission, formulate the peace and  
9 order plan of the province and, upon its approval, implement the same in  
10 accordance with Republic Act No. 6975; and

11 (vi) Call upon the appropriate national law enforcement agencies to  
12 suppress disorder, riot, lawless violence, rebellion or sedition or to apprehend  
13 violators of the law when public interest so requires and the police forces of  
14 the component city and municipality where the disorder or violation is  
15 happening are inadequate to cope with the situation or the violators;

16 (3) Initiate and maximize the generation of resources and revenues, and  
17 apply the same to the implementation of development plans, program  
18 objectives and priorities as provided for under Section 18 of the Local  
19 Government Code of 1991, as amended, particularly those resources and  
20 revenues programmed for agro-industrial development and countrywide  
21 growth and progress and, relative thereto, shall:

22 (i) Require each head of an office or department to prepare and submit  
23 an estimate of appropriations for the ensuing calendar year, in accordance with  
24 the budget preparation process under Title V, Book II of the Local  
25 Government Code of 1991, as amended;

26 (ii) Prepare and submit to the sangguniang panlalawigan for approval  
27 the executive and supplemental budgets of the province for the ensuing

1 calendar year in the manner provided for under Title V, Book II of the Local  
2 Government Code of 1991, as amended;

3 (iii) Ensure that all taxes and other revenues of the province are  
4 collected, and that provincial funds are applied to the payment of expenses and  
5 the settlement of obligations of the province, in accordance with law or  
6 ordinance;

7 (iv) Issue licenses and permits and suspend or revoke the same for any  
8 violation of the conditions upon which said licenses or permits had been  
9 issued, pursuant to law or ordinance;

10 (v) Adopt adequate measures to safeguard and conserve land, mineral,  
11 marine, forest and other resources of the province, in coordination with the  
12 mayors of component cities and municipalities;

13 (vi) Provide efficient and effective property and supply management in  
14 the province; and protect the funds, credits, rights and other properties of the  
15 province; and

16 (vii) Institute or cause to be instituted administrative or judicial  
17 proceedings for violations of ordinances in the collection of taxes, fees or  
18 charges, and for the recovery of funds and property, and cause the province to  
19 be defended against all suits to ensure that its interests, resources and rights  
20 shall be adequately protected;

21 (4) Ensure the delivery of basic services and the provision of adequate  
22 facilities as provided for under Section 17 of the Local Government Code of  
23 1991, as amended, and, in addition thereto, shall:

24 (i) Ensure that the construction and repair of roads and highways  
25 funded by the national government shall be, as far as practicable, carried out in  
26 a spatially contiguous manner and in coordination with the construction and  
27 repair of the roads and bridges of the province and of its component cities and  
28 municipalities; and

1 (ii) Coordinate the implementation of technical services by national  
2 offices for the province and its component cities and municipalities, including  
3 public works and infrastructure programs of the provincial government and its  
4 component cities and municipalities; and

5 (5) Exercise such other powers and perform such other duties and  
6 functions as may be prescribed by law or ordinance.

7 (c) The provincial governor shall receive a minimum monthly  
8 compensation corresponding to Salary Grade Thirty (30) as prescribed under  
9 Republic Act No. 6758, as amended, and the implementing guidelines issued  
10 pursuant thereto.

11 SEC. 11. *The Provincial Vice Governor.* – (a) The provincial vice  
12 governor shall:

13 (1) Be the presiding officer of the sangguniang panlalawigan and sign  
14 all warrants drawn on the provincial treasury for all expenditures appropriated  
15 for the operation of the sangguniang panlalawigan;

16 (2) Subject to civil service law, rules and regulations, appoint all  
17 officials and employees including the secretary of the sangguniang  
18 panlalawigan and such employees of the individual members of the  
19 sangguniang panlalawigan, except those whose manner of appointment is  
20 specifically provided for under existing laws;

21 (3) Assume the office of the provincial governor for the unexpired term  
22 of the latter in the event of permanent vacancy as provided for in Section 44,  
23 Book I of the Local Government Code 1991, as amended;

24 (4) Exercise the powers and perform the duties and functions of the  
25 provincial governor in case of temporary vacancy as provided for in Section  
26 46, Book I of the Local Government Code of 1991, as amended; and

27 (5) Exercise such other powers and perform such other duties and  
28 functions as may be prescribed by law or ordinance.

1 (b) The provincial vice governor shall receive a monthly compensation  
2 corresponding to Salary Grade Twenty-eight (28) as prescribed under Republic  
3 Act No. 6758, as amended, and the implementing guidelines issued pursuant  
4 thereto.

#### 5 ARTICLE IV

#### 6 THE SANGGUNIANG PANLALAWIGAN

7 SEC. 12. *Composition.* – (a) The sangguniang panlalawigan, the  
8 legislative body of the province, shall be composed of the provincial vice  
9 governor as presiding officer, the regular sangguniang panlalawigan members,  
10 the president of the provincial chapter of the liga ng mga barangay, the  
11 president of the panlalawigan na pederasyon ng mga sangguniang kabataan, the  
12 president of the provincial federation of sanggunian members of municipalities  
13 and the sectoral representatives, as members: *Provided, That for purposes of*  
14 *representation in the sangguniang panlalawigan, three (3) regular members*  
15 *shall be elected from each district in the Province of Nueva Camarines as*  
16 *apportioned under Section 7 of this Charter as well as in the remaining*  
17 *Province of Camarines Sur: Provided, further, That only three (3) sangguniang*  
18 *panlalawigan members shall be elected in each district in the next regular*  
19 *elections after the effectivity of this Act: Provided, finally, That when the*  
20 *financial condition of the Province of Nueva Camarines improves as certified*  
21 *by the provincial treasurer, the sangguniang panlalawigan shall, by a majority*  
22 *vote of its members constituting a quorum, pass a resolution increasing its*  
23 *composition by not more than one (1) member in the succeeding election until*  
24 *the remaining vacancies have been filled up. The Commission on Elections*  
25 *shall issue the necessary rules and regulations to implement this provision upon*  
26 *submission of the appropriate resolution by the sangguniang panlalawigan not*  
27 *later than one hundred twenty (120) days before the national elections.*

1 (b) In addition thereto, there shall be three (3) sectoral representatives  
2 who shall come from the following sectors: one (1) from the women sector;  
3 and, as shall be determined by the sanggunian concerned within ninety (90)  
4 days prior to the holding of the local elections; one (1) from the agricultural or  
5 industrial workers sector; and one (1) from the other sectors, including the  
6 urban poor, indigenou cultural communities or persons with disability.

7 (c) The regular members of the sangguniang panlalawigan and the  
8 sectoral representatives shall be elected in the manner provided for by law, and  
9 shall receive a monthly compensation corresponding to Salary Grade Twenty-  
10 seven (27) as prescribed under Republic Act No. 6758, as amended, and the  
11 implementing guidelines issued pursuant thereto.

12 SEC. 13. *Powers, Duties, Functions and Compensation.* – (a) The  
13 sangguniang panlalawigan, as the legislative body of the province, shall enact  
14 ordinances, approve resolutions and appropriate funds for the general welfare  
15 of the province and its inhabitants pursuant to Section 16 of the Local  
16 Government Code of 1991, as amended, and in the proper exercise of the  
17 corporate powers of the province as provided for under Section 22 of the Local  
18 Government Code of 1991, as amended, and shall:

19 (1) Approve all ordinances and pass resolutions necessary for an  
20 efficient and effective provincial government and, in this connection, shall:

21 (i) Review all ordinances approved by the sanggunians of component  
22 cities and municipalities and executive orders issued by the mayors of said  
23 component units to determine whether these are within the scope of the  
24 prescribed powers of the sanggunian and of the mayor;

25 (ii) Maintain peace and order by enacting measures to prevent and  
26 suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose  
27 penalties for the violation of said ordinances;

1 (iii) Approve ordinances imposing a fine not exceeding Five thousand  
2 pesos (P5,000.00) or imprisonment not exceeding one (1) year, or both, at the  
3 discretion of the court, for the violation of a provincial ordinance;

4 (iv) Adopt measures to protect the inhabitants of the province from the  
5 harmful effects of man-made and natural disasters or calamities, and to provide  
6 relief services and assistance for victims during and in the aftermath of said  
7 disasters and calamities and in their return to productive livelihood following  
8 said events;

9 (v) Enact ordinances intended to prevent, suppress and impose  
10 appropriate penalties for habitual drunkenness in public places, vagrancy,  
11 mendicancy, prostitution, establishment and maintenance of houses of ill  
12 repute, gambling and other prohibited games of chance, fraudulent devices and  
13 ways to obtain money or property, drug addiction, maintenance of drug dens,  
14 drug pushing, juvenile delinquency, the printing, distribution or exhibition of  
15 obscene or pornographic materials or publications and such other activities  
16 inimical to the welfare and morals of the inhabitants of the province;

17 (vi) Protect the environment and impose appropriate penalties for acts  
18 which endanger the environment, such as dynamite fishing and other forms of  
19 destructive fishing, illegal logging and smuggling of logs, smuggling of natural  
20 resources products and of endangered species of flora and fauna,  
21 slash-and-burn farming and such other activities which result in pollution,  
22 acceleration of eutrophication of rivers and lakes, or of ecological imbalance;

23 (vii) Subject to the provisions of the Local Government Code of 1991,  
24 as amended, and other pertinent laws, determine the powers and duties of  
25 officials and employees of the province;

26 (viii) Determine the positions and salaries, wages, allowances and  
27 other emoluments and benefits of officials and employees paid wholly or  
28 mainly from provincial funds and provide for expenditures necessary for the

1 proper conduct of programs, projects, services and activities of the provincial  
2 government;

3 (ix) Authorize the payment of compensation to a qualified person not  
4 in the government service who fills up a temporary vacancy or grant  
5 honorarium to any qualified official or employee designated to fill a temporary  
6 vacancy in a concurrent capacity at the rate authorized by law;

7 (x) Provide mechanism and the appropriate funds therefore to ensure  
8 the safety and protection of all provincial government properties, public  
9 documents or records such as those relating to property inventory, land  
10 ownership, records of births, marriages, deaths, assessments, taxation,  
11 accounts, business permits and such other records and documents of public  
12 interest in the offices and departments of the provincial government;

13 (xi) When the finances of the provincial government allow, provide for  
14 additional allowances and other benefits to judges, prosecutors, public  
15 elementary and high school teachers, and other national government officials  
16 stationed in or assigned to the province;

17 (xii) Provide legal assistance to provincial and municipal officials,  
18 including the members of the provincial police who, in the performance of  
19 their official duties or on the occasion thereof, have to initiate judicial  
20 proceedings or defend themselves against legal actions. The sangguniang  
21 panlalawigan may authorize the provincial governor to engage the services of  
22 private counsel for this purpose; and

23 (xiii) Provide for group insurance or additional insurance coverage for  
24 all officials, including members of barangay tanod brigades and other service  
25 units, with public or private insurance companies, when the finances of the  
26 provincial government allow said coverage;

27 (2) Generate and maximize the use of resources and revenues for the  
28 development plans, program objectives and priorities of the province as

1 provided for under Section 18 of the Local Government Code of 1991, as  
2 amended, with particular attention to agro-industrial development and  
3 countrywide growth and progress and, relative thereto, shall:

4 (i) Enact the annual and supplemental appropriations of the provincial  
5 government and appropriate funds for specific programs, projects, services and  
6 activities of the province, or for other purposes not contrary to law, in order to  
7 promote the general welfare of the province and its inhabitants;

8 (ii) Subject to the provisions of Book II of the Local Government Code  
9 of 1991, as amended, and applicable laws and, upon the majority vote of all the  
10 members of the sangguniang panlalawigan, enact ordinances levying taxes,  
11 fees and charges, prescribing the rates thereof for general and specific purposes  
12 and granting tax exemptions, incentives or reliefs;

13 (iii) Subject to the provisions of Book II of the Local Government  
14 Code of 1991, as amended, and applicable laws and, upon the majority vote of  
15 all the members of the sangguniang panlalawigan, authorize the provincial  
16 governor to negotiate and contract loans and other forms of indebtedness;

17 (iv) Subject to the provisions of Book II of the Local Government  
18 Code of 1991, as amended, and applicable laws and, upon the majority vote of  
19 all the members of the sangguniang panlalawigan, enact ordinances authorizing  
20 the floating of bonds or other instruments of indebtedness for the purpose of  
21 raising funds to finance development projects;

22 (v) Appropriate funds for the construction and maintenance or the  
23 rental of buildings for the use of the province and, upon the majority vote of all  
24 the members of the sangguniang panlalawigan, authorize the provincial  
25 governor to lease to private parties such public buildings held in a proprietary  
26 capacity, subject to existing laws, rules and regulations;

27 (vi) Prescribe reasonable limits and restraints on the use of property  
28 within the jurisdiction of the province;



1 (vii) Review the comprehensive land-use plans and zoning ordinances  
2 of component cities and municipalities and adopt a comprehensive provincial  
3 land-use plan, subject to existing laws;

4 (viii) Reclassify lands within the jurisdiction of the province, subject to  
5 the pertinent provisions of the Local Government Code of 1991, as amended;

6 (ix) Adopt measures to enhance the full implementation of the national  
7 agrarian reform program in coordination with the Department of Agrarian  
8 Reform (DAR);

9 (x) Enact integrated zoning ordinances in consonance with the  
10 approved comprehensive provincial land-use plan, subject to existing laws,  
11 rules and regulations; establish fire limits or zones, particularly in populous  
12 centers; and regulate the construction, repair or modification of buildings  
13 within said fire limits or zones in accordance with the provisions of the Fire  
14 Code of the Philippines;

15 (xi) Subject to national law, process and approve subdivision plans for  
16 residential, commercial or industrial purposes and other development purposes,  
17 and to collect processing fees and other charges, the proceeds of which shall  
18 accrue entirely to the province: *Provided, however,*<sup>2</sup> That where approval of a  
19 national agency or office is required by law, said approval shall not be  
20 withheld for more than thirty (30) days from receipt of the application. Failure  
21 to act on the application within the period stated above shall be deemed as  
22 approved thereof;

23 (xii) Subject to the provisions of Book II of the Local Government  
24 Code of 1991, as amended, grant the exclusive privilege of constructing fish  
25 corrals or fish pens, or the taking or catching of bangus fry, prawn fry or  
26 kawag-kawag, or fry of any species of fish within the provincial waters;

27 (xiii) With the concurrence of at least two thirds (2/3) of all the  
28 members of the sangguniang panlalawigan, grant tax exemptions, incentives or

1 reliefs to entities engaged in community growth-inducing industries, subject to  
2 the provisions of the Local Government Code of 1991, as amended;

3 (xiv) Grant loans or provide grants to other local government units or  
4 to national, provincial and municipal charitable, benevolent or educational  
5 institutions operated and maintained within the province;

6 (xv) Regulate the numbering of residential, commercial and other  
7 buildings; and

8 (xvi) Regulate the inspection, weighing and measuring of articles of  
9 commerce;

10 (3) Subject to the provisions of the Local Government Code of 1991, as  
11 amended, grant franchises, approve the issuance of permits or licenses, or  
12 enact ordinances levying taxes, fees and charges upon such conditions and for  
13 such purposes intended to promote the general welfare of the inhabitants of the  
14 province and, pursuant to the legislative authority, shall:

15 (i) Fix and impose reasonable fees and charges for all services  
16 rendered by the provincial government to private persons or entities;

17 (ii) Regulate and fix license fees for any business or practice of  
18 profession within the province and the conditions under which the license for  
19 the said business or practice of profession may be revoked and enact  
20 ordinances levying taxes thereon;

21 (iii) Provide for and set the terms and conditions under which public  
22 utilities owned by the province shall be operated by the provincial government  
23 and prescribe the conditions under which the same may be leased to private  
24 persons or entities, preferably cooperatives;

25 (iv) Regulate the display of and fix the license fees for signs,  
26 signboards or billboards at the place or places where the profession or business  
27 advertised thereby is, in whole or in part, conducted;

1 (v) Any law to the contrary notwithstanding, authorize and license the  
2 establishment, operation and maintenance of cockpits, and regulate  
3 cockfighting and commercial breeding of gamecocks. The existing rights  
4 should not be prejudiced;

5 (vi) Subject to the guidelines prescribed by the Department of  
6 Transportation and Communications, regulate the operation of tricycles and  
7 grant franchises for the operation thereof within the territorial jurisdiction of  
8 the province; and

9 (vii) Upon approval by a majority vote of all the members of the  
10 sangguniang panlalawigan, grant a franchise to any person, partnership,  
11 corporation or cooperative to do business within the province; establish,  
12 construct, operate and maintain ferries, wharves, markets or slaughterhouses;  
13 or undertake such other activities within the province as may be allowed by  
14 existing law;

15 (4) Regulate activities relative to the use of land, buildings and  
16 structures within the province in order to promote the general welfare and, for  
17 the said purpose, shall:

18 (i) Declare, prevent or abate nuisance;

19 (ii) With the concurrence of a majority of the members of the  
20 sangguniang panlalawigan, a quorum being present, deny the entry of legalized  
21 gambling by ordinance into any part of the province or regulate its location in  
22 the province;

23 (iii) Require the buildings and the premises thereof and any land within  
24 the province be kept and maintained in a sanitary condition; impose penalties  
25 for any violation thereof or, upon failure to comply with such requirements,  
26 have the work done at the expense of the owner, administrator or tenant  
27 concerned; and require the filling up of any land or premises to a grade  
28 necessary for proper sanitation;

1 (iv) Regulate the disposal of clinical and other wastes from hospitals,  
2 clinics and other similar establishments;

3 (v) Regulate the establishment, operation and maintenance of cafes,  
4 bars, restaurants, beer, wine and liquor stores, hotels, motels, inns, pension  
5 houses, dorms and lodging houses and other similar establishments, including  
6 tourist guides and transportation service;

7 (vi) Regulate the sale, giving away or dispensing of any intoxicating  
8 malt, *vino*, mixed or fermented liquors at any provincial retail outlets;

9 (vii) Regulate the establishment and provide for the inspection of steam  
10 boilers or any heating device in buildings, structures and the storage of  
11 inflammable and highly combustible materials within the province;

12 (viii) Regulate the establishment, operation and maintenance of any  
13 entertainment or amusement facilities, including the theatrical and stage  
14 performances, circuses, billiard pools, public dancing halls, computer gaming  
15 cafes and bars, health and fitness spas, sauna baths, massage parlors and other  
16 places for entertainment or amusement; regulate such other events or activities  
17 for amusement or entertainment, particularly those which tend to disturb the  
18 community or annoy the inhabitants, or require the suspension or suppression  
19 of the same; or prohibit certain forms of amusement or entertainment in order  
20 to protect the social and moral welfare of the community;

21 (ix) Regulate the establishment, operation and maintenance of funeral  
22 parlors and the burial or cremation of the dead, subject to existing laws, rules  
23 and regulations;

24 (x) Regulate the establishment, service, operation and maintenance of  
25 gyms, sports centers, health and fitness spas, similar centers and parlors,  
26 subject to existing laws, rules and regulations; and

27 (xi) Provide for the impounding of stray animals; regulate the keeping  
28 of animals in homes or as part of a business, and the slaughter, sale or

1 disposition of the same; and adopt measures to prevent and penalize cruelty to  
2 animals;

3 (5) Approve ordinances which shall ensure the efficient and effective  
4 delivery of basic services and facilities as provided for in Section 17 of the  
5 Local Government Code of 1991, as amended, and, in addition to said services  
6 and facilities, shall:

7 (i) Provide for the establishment, maintenance, protection and  
8 conservation of communal forests and watersheds, tree parks, greenbelts,  
9 mangroves and other similar forest development projects;

10 (ii) Establish markets, slaughterhouses or animal corrals and authorize  
11 the operation thereof by the provincial government; and regulate the  
12 construction and operation of private markets, talipapas or other similar  
13 buildings and structures;

14 (iii) Authorize the establishment, maintenance and operation by the  
15 provincial government of ferries, wharves and other structures intended to  
16 accelerate productivity related to marine and seashore or offshore activities;

17 (iv) Regulate the preparation and sale of meat, poultry, fish,  
18 vegetables, fruits, fresh dairy products and other foodstuffs for public  
19 consumption;

20 (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges,  
21 parks and other public places and approve the construction, improvement,  
22 repair and maintenance of the same; establish bus and vehicle stops and  
23 terminals or regulate the use of the same by privately-owned vehicles which  
24 serve the public; regulate garages and the operation of conveyances for hire;  
25 designate stands to be occupied by public vehicles when not in use; regulate  
26 the putting up of signs, signposts, awnings and awning posts on the streets; and  
27 provide for the lighting, cleaning and sprinkling of streets and public places;

1           (vi) Regulate traffic on all streets and bridges; prohibit encroachments  
2 or obstacles thereon and, when necessary in the interest of public welfare,  
3 authorize the removal of encroachments and illegal settlement structures and  
4 constructions in public lands and areas;

5           (vii) Subject to existing laws, establish and provide for the  
6 maintenance, repair and operation of an efficient waterworks system to supply  
7 water for the inhabitants and to purify the source of the water supply; regulate  
8 the construction, maintenance, repair and use of hydrants, pumps, cisterns and  
9 reservoirs; protect the purity and quantity of the water supply of the province  
10 and, for this purpose, extend the coverage of appropriate ordinances over all  
11 territory within the drainage area of the said water supply and within one  
12 hundred meters (100 m.) of the reservoir, canal, conduit, aqueduct, pumping  
13 station or watershed used in connection with the water service; and regulate the  
14 consumption, use or wastage of water and fix and collect charges therefor;

15           (viii) Regulate the drilling and excavation of the ground for ground  
16 water source, laying of water, gas, sewer and other pipes, and the construction,  
17 repair and maintenance of public drains, sewers, cesspools, tunnels and similar  
18 structures; regulate the placing of poles and the use of crosswalks, curbs and  
19 gutters; adopt measures to ensure public safety against open canals, manholes,  
20 live wires and other similar hazards to life and property; and regulate the  
21 construction and the use of private water closets, privies and other similar  
22 structures in buildings and homes;

23           (ix) Regulate the placing, stringing, attaching, installing, repair and  
24 construction of all gas mains, electric telegraph and telephone wires and  
25 cables, conduits, meters, support structures and other similar apparatus and  
26 provide for the correction, condemnation and removal of the same when found  
27 to be dangerous to the welfare of the inhabitants;

1 (x) Subject to the availability of funds and to existing laws, rules and  
2 regulations, provide for the establishment and operation of vocational and  
3 technical schools and similar post-secondary institutions and, with the approval  
4 of the Department of Education (DepED) and subject to existing laws on  
5 tuition fees, fix reasonable tuition fees and other school charges in educational  
6 institutions supported by the provincial government;

7 (xi) Establish an education and training scholarship fund for poor but  
8 deserving constituents in schools located within its jurisdiction or of students  
9 residing within the province;

10 (xii) Approve measures and adopt quarantine regulations to prevent the  
11 introduction and the spread of diseases within its territorial jurisdiction;

12 (xiii) Provide for the care of paupers, the aged, the sick, persons of  
13 unsound mind, abandoned minors, abused children, disabled persons, juvenile  
14 delinquents, drug dependents and other needy and disadvantaged persons,  
15 particularly children and youth below eighteen (18) years of age; subject to the  
16 availability of funds, establish and support the operation of centers and  
17 facilities for the said needy and disadvantaged persons and facilitate the efforts  
18 to promote the welfare of families below the poverty threshold, the  
19 disadvantaged and the exploited;

20 (xiv) Establish and provide for the maintenance and improvement of  
21 jails and detention centers, institute a sound jail management program and  
22 appropriate funds for the subsistence of detainees and convicted prisoners in  
23 the province;

24 (xv) Establish a provincial council whose purpose is the promotion of  
25 culture and the arts, coordinate with government agencies and  
26 nongovernmental organizations and, subject to the availability of funds,  
27 appropriate funds for the support and development of the same; and

1 (xvi) Establish a provincial council for the elderly and veterans which  
2 shall formulate policies and adopt measures mutually beneficial to the elderly  
3 and to the province; subject to the availability of funds, appropriate funds to  
4 support programs and projects for the elderly; and provide incentives for  
5 nongovernmental agencies and entities to support the programs and projects of  
6 the elderly; and

7 (6) Exercise such other powers and perform such other duties and  
8 functions as provided for under the Local Government Code of 1991, as  
9 amended, and as may be prescribed by law or ordinance.

## 10 ARTICLE V

### 11 PROCESS OF LEGISLATION

12 SEC. 14. *Internal Rules of Procedure.* – (a) On the first regular  
13 session following the election of its members and within ninety (90) days  
14 thereafter, the sangguniang panlalawigan shall adopt its own rules of  
15 procedure.

16 (b) The rules of procedure shall provide for the following:

17 (1) The organization of the sanggunian and the election of its officers  
18 as well as the creation of standing committees which shall include, but shall not  
19 be limited to, the committees on appropriations, revenues, engineering and  
20 public works, education and health, women and family, human rights, youth  
21 and sports development, environment protection, peace and order and traffic,  
22 and cooperatives; the general jurisdiction of each committee; and the election  
23 of the chairman and members of each committee;

24 (2) The order and calendar of business for each session;

25 (3) The legislative process;

26 (4) The parliamentary procedures which include the conduct of  
27 members during sessions;



1 (5) The discipline of members for disorderly behavior and absences  
2 without justifiable cause for four (4) consecutive sessions for which they may  
3 be censured, reprimanded or excluded from the session, suspended for not  
4 more than sixty (60) days or expelled: *Provided*, That the penalty of  
5 suspension or expulsion shall require the concurrence of at least two-thirds  
6 (2/3) of all the sanggunian members: *Provided, further*, That the member  
7 convicted by final judgment to imprisonment of at least one (1) year for any  
8 crime involving moral turpitude shall be automatically expelled from the  
9 sanggunian; and

10 (6) Such other rules as the sanggunian may adopt.

11 SEC. 15. *Full Disclosure of Financial and Business Interest of*  
12 *Sangguniang Panlalawigan Members.* – (a) Every sangguniang panlalawigan  
13 member shall, upon assumption to office, make a full disclosure of one's  
14 business and financial interests. One shall also disclose any business and  
15 financial, professional relationship or any relation by affinity or consanguinity  
16 within the fourth civil degree with any person, firm or entity affected by any  
17 ordinance or resolution under consideration by the sanggunian of which one is  
18 a member, which relationship may result in conflict of interest. Such  
19 relationship shall include:

20 (1) Ownership of stocks or capital, or investment in the entity or firm to  
21 which the ordinance or resolution may apply; and

22 (2) Contracts or agreements with any person or entity which the  
23 ordinance or resolution under consideration may affect.

24 In the absence of a specific constitutional or statutory provision  
25 applicable to this situation, "conflict of interest" refers in general to one where  
26 it may be reasonably deduced that a member of a sangguniang panlalawigan  
27 may not act in the public interest due to some private, pecuniary or other

1 personal considerations that may tend to affect his judgment to the prejudice of  
2 the service or the public.

3 (b) The disclosure required under this Act shall be made in writing and  
4 submitted to the secretary of the sanggunian or the secretary of the committee  
5 of which he is a member. The disclosure shall, in all cases, form part of the  
6 record of the proceedings and shall be made in the following manner:

7 (1) Disclosure shall be made before the member participates in the  
8 deliberations on the ordinance or resolution under consideration: *Provided,*  
9 That if the member did not participate during the deliberations, the disclosure  
10 shall be made before voting on the ordinance or resolution on second and third  
11 readings; and

12 (2) Disclosure shall be made when a member takes a position or makes  
13 a privilege speech on a matter that may affect the business interest, financial  
14 connection or professional relationship described herein.

15 SEC. 16. *Sessions.* – (a) On the first day of session immediately  
16 following the election of its members, the sangguniang panlalawigan shall, by  
17 resolution, fix the day, time and place of its regular sessions. The minimum  
18 number of regular sessions of the sangguniang panlalawigan shall be once a  
19 week.

20 (b) When the public interest so demands, special sessions may be  
21 called by the provincial governor or by a majority of the members of the  
22 sanggunian.

23 (c) All sanggunian sessions shall be open to the public unless a  
24 closed-door session is ordered by an affirmative vote of a majority of the  
25 members present, there being a quorum, in the public interest or for reasons of  
26 security, decency or morality. No two (2) sessions, regular or special, may be  
27 held in a single day.

1 (d) In the case of special sessions of the sanggunian, a written notice to  
2 the members shall be served personally at the members' usual place of  
3 residence at least twenty-four (24) hours before the special session is held.

4 Unless otherwise concurred in by two-thirds (2/3) vote of the  
5 sanggunian members present, there being a quorum, no other matters may be  
6 considered at a special session except those stated in the notice.

7 (e) *The sanggunian shall keep a journal and a record of its proceedings,*  
8 *which may be published upon resolution of the sangguniang panlalawigan.*

9 SEC. 17. *Quorum.* - (a) A majority of all the members of the  
10 sanggunian who have been elected and qualified shall constitute a quorum to  
11 transact official business. Should a question of quorum be raised during the  
12 session, the presiding officer shall immediately proceed to call the roll of the  
13 members and thereafter announce the results.

14 (b) Where there is no quorum, the presiding officer may declare a  
15 recess until such time a quorum is constituted, or a majority of the members  
16 present may adjourn from day to day and may compel the immediate  
17 attendance of any member absent without justifiable cause by designating a  
18 member of the sanggunian, to be assisted by a member or members of the  
19 police force assigned in the territorial jurisdiction of the province, arrest the  
20 absent member and present him at the session.

21 (c) If there is still no quorum despite the enforcement of the  
22 immediately preceding subsection, no business shall be transacted. The  
23 presiding officer, upon proper motion duly approved by the members present,  
24 shall then declare the session adjourned for lack of quorum.

25 SEC. 18. *Approval of Ordinances.* - (a) Every ordinance enacted by  
26 the sangguniang panlalawigan shall be presented to the provincial governor. If  
27 the provincial governor approves the same, the signature shall be affixed on  
28 each and every page thereof; otherwise, the ordinance shall be vetoed and

1 returned with the objections to the sanggunian, which may proceed to  
2 reconsider the same. The sanggunian may override the veto of the provincial  
3 governor by two-thirds (2/3) vote of all its members, thereby making the  
4 ordinance or resolution effective for all legal intents and purposes.

5 (b) The veto shall be communicated by the provincial governor to the  
6 sangguniang panlalawigan within fifteen (15) days; otherwise, the ordinance  
7 shall be deemed approved as if he had signed it.

8 SEC. 19. *Veto Power of the Provincial Governor.* – (a) The provincial  
9 governor may veto any ordinance of the sangguniang panlalawigan on the  
10 ground that it is prejudicial to the public welfare, stating the reasons therefor in  
11 writing.

12 (b) The provincial governor shall have the power to veto any particular  
13 item or items of an appropriations ordinance, an ordinance or resolution  
14 adopting a local development plan and public investment program or an  
15 ordinance directing the payment of money or creating liability. In such case,  
16 the veto shall not affect the item or items which are not objected to. The vetoed  
17 item or items shall not take effect unless the sangguniang panlalawigan  
18 overrides the veto in the manner herein provided; otherwise, the item or items  
19 in the appropriations ordinance of the previous year corresponding to those  
20 vetoed, if any, shall be deemed reenacted.

21 (c) The provincial governor may veto an ordinance or resolution only  
22 once. The sanggunian may override the veto of the provincial governor by  
23 two-thirds (2/3) vote of all its members, thereby making the ordinance  
24 effective even without the approval of the provincial governor.

## 25 ARTICLE VI

### 26 SUCCESSION FOR ELECTIVE PROVINCIAL OFFICIALS

27 SEC. 20. *Permanent Vacancy in the Office of the Provincial Governor.*  
28 – If a permanent vacancy occurs in the office of the provincial governor, the

1 provincial vice governor shall become the provincial governor. If the  
2 provincial vice governor refuses to assume the position of provincial governor,  
3 the highest ranking sangguniang panlalawigan member shall become the  
4 provincial governor.

5       SEC. 21. *Permanent Vacancy in the Office of the Provincial Vice*  
6 *Governor.* – If a permanent vacancy occurs in the office of the provincial vice  
7 governor, the highest ranking sangguniang panlalawigan member shall become  
8 the provincial vice governor or, in case of permanent incapacity of the  
9 provincial vice governor, the highest ranking sangguniang panlalawigan  
10 member shall become the provincial governor or provincial vice governor, as  
11 the case may be. Subsequent vacancies shall be filled automatically by other  
12 sanggunian members according to their ranking as defined herein:

13       (1) A tie between or among the highest ranking sangguniang  
14 panlalawigan members shall be resolved by drawing of lots;

15       (2) The successors as defined herein shall serve only the unexpired  
16 terms of the predecessors;

17       (3) For purposes of this Act, a permanent vacancy arises when an  
18 elective official fills a higher vacant office, refuses to assume office, fails to  
19 qualify, dies, is removed from office, voluntarily resigns or is otherwise  
20 permanently incapacitated to discharge the functions of the office; and

21       (4) For purposes of succession as provided for in this Act, ranking in  
22 the sangguniang panlalawigan shall be determined on the basis of the  
23 proportion of votes obtained by each winning candidate to the total number of  
24 registered voters in the province in the immediately preceding local elections.

25       SEC. 22. *Permanent Vacancies in the Sanggunian.* – Permanent  
26 vacancies in the sangguniang panlalawigan where automatic succession as  
27 provided above does not apply shall be filled by appointments in the following  
28 manner:

1           (1) The President, through the Executive Secretary shall make the  
2 aforesaid appointments;

3           (2) Only the nominee of the political party under which the sanggunian  
4 member concerned had been elected shall be appointed in the manner herein  
5 provided. The appointee shall come from the political party as that of the  
6 sanggunian member who caused the vacancy and shall serve the unexpired  
7 term of the vacant office.

8           In the appointment herein mentioned, a nomination and a certificate of  
9 membership of the appointee from the highest official of the political party  
10 concerned are conditions *sine qua non*, and any appointment without such  
11 nomination and certification shall be null and void *ab initio* and shall be a  
12 ground for administrative action against the official responsible therefor;

13           (3) In case the permanent vacancy is caused by a sanggunian member  
14 who does not belong to any political party, the provincial governor shall, upon  
15 recommendation of the sangguniang panlalawigan, appoint a qualified person  
16 to fill the vacancy; and

17           (4) In case of vacancy in the representation of the sangguniang  
18 kabataan, the sangguniang barangay and the provincial league of councilors in  
19 the sangguniang panlalawigan, the said vacancy shall be filled automatically by  
20 the official next-in-rank of the organization concerned.

21           SEC. 23. *Temporary Vacancy in the Office of the Provincial Governor.*

22           – (a) When the provincial governor is temporarily incapacitated to perform  
23 the duties for physical or legal reasons such as, but not limited to, leave of  
24 absence, travel abroad and suspension from office, the provincial vice  
25 governor shall automatically exercise the powers and perform the duties and  
26 functions of the provincial governor, except the power to appoint, suspend or  
27 dismiss employees which can only be exercised if the period of temporary  
28 incapacity exceeds thirty (30) working days.

1 (b) Said temporary incapacity shall terminate upon submission to the  
2 sangguniang panlalawigan of a written declaration by the provincial governor  
3 of having reported back to office. In case where the temporary incapacity is  
4 due to legal cause, the provincial governor shall also submit necessary  
5 documents showing that the said legal cause no longer exists.

6 (c) When the provincial governor is traveling within the country but  
7 outside the territorial jurisdiction for a period not exceeding three (3)  
8 consecutive days, the officer-in-charge of the office may be designated in  
9 writing. Such authorization shall specify the powers and functions that the  
10 local official concerned shall exercise in the absence of the provincial  
11 governor, except the power to appoint, suspend or dismiss employees.

12 (d) In the event, however, that the provincial governor fails or refuses  
13 to issue such authorization, the provincial vice governor shall have the right to  
14 assume the powers, duties and functions of the said office on the fourth (4<sup>th</sup>)  
15 day of absence of the provincial governor, subject to the limitations provided  
16 for in subsection (c) hereof.

17 (e) Except as provided above, the provincial governor shall in no case  
18 authorize any local official to assume the powers, duties and functions of the  
19 office other than the provincial vice governor.

## 20 ARTICLE VII

### 21 APPOINTIVE PROVINCIAL OFFICIALS: 22 THEIR QUALIFICATIONS, POWERS AND DUTIES

#### 23 SEC. 24. *The Secretary to the Sangguniang Panlalawigan.* --

24 (a) There shall be a secretary to the sangguniang panlalawigan who shall be a  
25 career official with the rank and salary equal to a head of a department or  
26 office.

27 (b) No person shall be appointed secretary to the sanggunian unless one  
28 is a citizen of the Philippines, a resident of the local government unit

1 concerned, of good moral character, a holder of a master's degree preferably in  
2 law, commerce or public administration from a recognized college or  
3 university, and a first grade civil service eligible or its equivalent.

4 (c) The secretary of the sanggunian shall take charge of the office of  
5 the sangguniang panlalawigan, and shall:

6 (1) Attend meetings of the sanggunian and keep a journal of its  
7 proceedings;

8 (2) Keep the seal of the local government unit and affix the same with  
9 one's signature to all ordinances, resolutions and other official acts of the  
10 sanggunian and present the same to the presiding officer for signature;

11 (3) Forward to the provincial governor, for approval, copies of  
12 ordinances enacted by the sanggunian and duly certified by the presiding  
13 officer, in the manner provided for in Section 54 of the Local Government  
14 Code of 1991, as amended;

15 (4) Forward to the sangguniang bayan or sangguniang panlungsod, as  
16 the case may be, copies of duly approved ordinances, in the manner provided  
17 for in Sections 56 and 57 of the Local Government Code of 1991, as amended;

18 (5) Furnish, upon the request of any interested party, certified copies of  
19 records of public character in the custody, upon payment to the provincial  
20 treasurer of such fees as may be prescribed by ordinance;

21 (6) Record in a book kept for the purpose, all ordinances and  
22 resolutions enacted or adopted by the sanggunian, with the dates of passage  
23 and publication thereof;

24 (7) Keep the office and all nonconfidential records therein open to the  
25 public during the usual business hours;

26 (8) Translate into the dialect used by the majority of the inhabitants, all  
27 ordinances and resolutions immediately after their approval, and cause the



1 publication of the same together with the original version in the manner  
2 provided for under the Local Government Code of 1991, as amended; and

3 (9) Take custody of the local archives and, where applicable, the local  
4 library and annually account for the same.

5 (d) Exercise such other powers and perform such other duties and  
6 functions as may be prescribed by law or ordinance relative to his position.

7 SEC. 25. *The Provincial Treasurer.* – (a) The provincial treasurer  
8 shall be appointed by the Secretary of Finance from a list of at least three (3)  
9 ranking eligible recommendees of the provincial governor, subject to civil  
10 service law, rules and regulations.

11 (b) The provincial treasurer shall be under the administrative  
12 supervision of the provincial governor to whom he shall report regularly on the  
13 tax collection efforts in the province.

14 (c) No person shall be appointed provincial treasurer unless one is a  
15 citizen of the Philippines, a resident of the province, of good moral character, a  
16 holder of a college degree preferably in commerce, public administration or  
17 law from a recognized college or university, and a first grade civil service  
18 eligible or its equivalent. One must have acquired experience in treasury or  
19 accounting service for at least five (5) years.

20 The appointment of the provincial treasurer shall be mandatory.

21 (d) The provincial treasurer shall take charge of the treasury office and  
22 perform the duties as provided for under Book II of the Local Government  
23 Code of 1991, as amended, and shall:

24 (1) Advise the provincial governor or the sanggunian, as the case may  
25 be, and other local government and national officials concerned regarding the  
26 disposition of provincial funds and on such other matters relative to public  
27 finance;

1           (2) Take custody and exercise proper management of the funds of the  
2 province concerned;

3           (3) Take charge of the disbursement of all provincial funds and such  
4 other funds, the custody of which may be entrusted by law or other competent  
5 authority;

6           (4) Inspect private commercial and industrial establishments within the  
7 jurisdiction of the province in relation to the implementation of tax ordinances,  
8 pursuant to the provisions under Book II of the Local Government Code of  
9 1991, as amended;

10          (5) Maintain and update the tax information system of the province;  
11 and

12          (6) Exercise technical supervision over all treasury offices of  
13 component cities and municipalities.

14          (e) Exercise such other powers and perform such other duties and  
15 functions as may be prescribed by law or ordinance.

16          SEC. 26. *The Provincial Assessor.* – (a) No person shall be appointed  
17 provincial assessor unless one is a citizen of the Philippines, a resident of the  
18 province, of good moral character, a holder of a college degree preferably in  
19 civil or mechanical engineering, commerce or any other related course from a  
20 recognized college or university, and a first grade civil service eligible or its  
21 equivalent. One must have acquired experience in real property assessment  
22 work or in any related field for at least five (5) years.

23          The appointment of the provincial assessor shall be mandatory.

24          (b) The provincial assessor shall take charge of the assessor's office  
25 and perform the duties as provided for under Book II of the Local Government  
26 Code of 1991, as amended, and shall:

27          (1) Ensure that all laws and policies governing the appraisal and  
28 assessment of real properties for taxation purposes are properly executed;

1           (2) Initiate, review and recommend changes in policies and objectives,  
2 plans and programs, techniques, procedures and practices in the valuation and  
3 assessment of real properties for taxation purposes;

4           (3) Establish a systematic method of real property assessment;

5           (4) Install and maintain a real property identification and accounting  
6 system;

7           (5) Prepare, install and maintain a system of tax mapping, showing  
8 graphically all properties subject to assessment and gather all data concerning  
9 the same;

10          (6) Conduct frequent physical surveys to verify and determine whether  
11 all real properties within the province are properly listed in the assessment  
12 rolls;

13          (7) Exercise the functions of appraisal and assessment primarily for  
14 taxation purposes of all real properties in the province;

15          (8) Prepare a schedule of the fair market value for the different classes  
16 of real properties in accordance with Title 2, Book II of the Local Government  
17 Code of 1991, as amended;

18          (9) Issue, upon request of any interested party, certified copies of  
19 assessment records of real property and all other records relative to its  
20 assessment, upon payment of a service charge or fee to the provincial treasurer;

21          (10) Submit every semester a report of all assessments, as well as  
22 cancellations and modifications of assessments to the provincial governor and  
23 the sangguniang panlalawigan; and

24          (11) Exercise technical supervision and visitorial functions over all  
25 component city and municipal assessors, coordinate with component city or  
26 municipal assessors in the conduct of tax mapping operations and all other  
27 assessment activities, and provide all forms of assistance therefor: *Provided,*  
28 *however,* That, upon full provision by the component city or municipality

1 concerned to its assessor's office of the minimum personnel, equipment and  
2 funding requirements as may be prescribed by the Secretary of Finance, such  
3 functions shall be delegated to the said city or municipal assessor.

4 (c) Exercise such other powers and perform such other duties and  
5 functions as may be prescribed by law or ordinance.

6 SEC. 27. *The Provincial Accountant.* – (a) No person shall be  
7 appointed provincial accountant unless one is a citizen of the Philippines, a  
8 resident of the province, of good moral character and a certified public  
9 accountant. One must have acquired experience in the treasury or accounting  
10 service for at least five (5) years.

11 The appointment of the provincial accountant is mandatory.

12 (b) The provincial accountant shall take charge of both the accounting  
13 and internal audit services of the province, and shall:

14 (1) Install and maintain an internal audit system in the province;

15 (2) Prepare and submit financial statements to the provincial governor  
16 and to the sangguniang panlalawigan;

17 (3) Appraise the sanggunian and other local government officials on  
18 the financial condition and operations of the provincial government;

19 (4) Certify to the availability of budgetary allotment to which  
20 expenditures and obligations may be properly charged;

21 (5) Review supporting documents before the preparation of vouchers to  
22 determine completeness of requirements;

23 (6) Prepare statements of cash advances, liquidations, salaries,  
24 allowances, reimbursements and remittances pertaining to the provincial  
25 government;

26 (7) Prepare statements of journal vouchers and liquidations of the same  
27 and other adjustments related thereto;

1           (8) Post individual disbursements to the subsidiary ledgers and index  
2 cards;

3           (9) Maintain individual ledgers for officials and employees of the  
4 provincial government pertaining to payrolls and deductions;

5           (10) Record and post in index cards details of purchased furniture,  
6 fixtures and equipment, including disposal thereof, if any;

7           (11) Account for all issued requests for obligations and maintain and  
8 keep all records and reports related thereto; and

9           (12) Prepare journals and the analysis of obligations and maintain and  
10 keep all records and reports related thereto.

11           (c) Exercise such other powers and perform such other duties and  
12 functions as may be provided by law or ordinance.

13           SEC. 28. *The Provincial Budget Officer.* - (a) No person shall be  
14 appointed provincial budget officer unless one is a citizen of the Philippines, a  
15 resident of the province, of good moral character, a holder of a college degree  
16 preferably in accounting, economics, public administration or any related  
17 course from a recognized college or university, and a first grade civil service  
18 eligible or its equivalent. One must have acquired experience in government  
19 budgeting or in any related field for at least five (5) years.

20           The appointment of the provincial budget officer shall be mandatory.

21           (b) The provincial budget officer shall take charge of the budget office,  
22 and shall:

23           (1) Prepare forms, orders and circulars embodying instructions on  
24 budgetary and appropriation matters for the signature of the provincial  
25 governor;

26           (2) Review and consolidate the budget proposals of different  
27 departments and offices of the province;

1           (3) Assist the provincial governor in the preparation of the budget and  
2 during budget hearings;

3           (4) Study and evaluate budgetary implications of proposed legislation  
4 and submit comments and recommendations thereon;

5           (5) Submit periodic budgetary reports to the Department of Budget and  
6 Management (DBM);

7           (6) Coordinate with the provincial treasurer, the provincial accountant  
8 and the provincial planning and development coordinator for the purpose of  
9 budgeting;

10          (7) Assist the sangguniang panlalawigan in reviewing the approved  
11 budgets of component cities and municipalities; and

12          (8) Coordinate with the provincial planning and development  
13 coordinator in the formulation of the provincial development plan.

14          (c) Exercise such other powers and perform such other duties and  
15 functions as may be prescribed by law or ordinance.

16          (d) The appropriations for personal services of the provincial budget  
17 officer shall be provided for in full in the annual budget of the provincial  
18 government.

19           SEC. 29. *The Provincial Planning and Development Coordinator.* –

20          (a) No person shall be appointed provincial planning and development  
21 coordinator unless one is a citizen of the Philippines, a resident of the  
22 province, of good moral character, a holder of a college degree preferably in  
23 urban planning, development studies, economics, public administration or any  
24 related course from a recognized college or university, and a first grade civil  
25 service eligible or its equivalent. One must have acquired experience in  
26 development planning or in any related field for at least five (5) years.

27          The appointment of the provincial planning and development  
28 coordinator shall be mandatory.

1 (b) The provincial planning and development coordinator shall take  
2 charge of the planning and development office, and shall:

3 (1) Formulate integrated economic, social, physical and other  
4 development plans and policies for the consideration of the provincial  
5 development council;

6 (2) Conduct continuing studies, researches and training programs  
7 necessary to evolve plans and programs for implementation;

8 (3) Integrate and coordinate all sectoral plans and studies undertaken  
9 by the different functional groups and agencies;

10 (4) Monitor and evaluate the implementation of the different  
11 development programs, projects and activities in the province in accordance  
12 with the approved development plan;

13 (5) Prepare comprehensive plans and other development planning  
14 documents for the consideration of the provincial development council;

15 (6) Analyze the income and expenditure patterns, and formulate and  
16 recommend fiscal plans and policies for the consideration of the finance  
17 committee of the province;

18 (7) Promote people's participation in development planning within the  
19 province; and

20 (8) Exercise supervision and control over the secretariat of the  
21 provincial development council.

22 (c) Exercise such other powers and perform such other duties and  
23 functions as may be prescribed by law or ordinance.

24 SEC. 30. *The Provincial Engineer.* – (a) No person shall be appointed  
25 provincial engineer unless one is a citizen of the Philippines, a resident of the  
26 province, of good moral character and a licensed civil engineer. One must have  
27 acquired experience in the practice of the civil engineering profession for at  
28 least five (5) years.

1 The appointment of the provincial engineer shall be mandatory.

2 (b) The provincial engineer shall take charge of the engineering office,  
3 and shall:

4 (1) Initiate, review and recommend changes in policies and objectives,  
5 plans and programs, techniques, procedures and practices in infrastructure  
6 development and public works, in general, of the province;

7 (2) Advise the provincial governor on infrastructure, public works and  
8 other engineering matters;

9 (3) Administer, coordinate, supervise and control the construction,  
10 maintenance, improvement and repair of roads, bridges and other engineering  
11 and public works projects of the province;

12 (4) Provide engineering services to the province, including  
13 investigations and surveys, engineering designs, feasibility studies and project  
14 management; and

15 (5) Exercise technical supervision over all engineering offices of  
16 component cities and municipalities.

17 (c) Exercise such other powers and perform such other duties and  
18 functions as may be prescribed by law or ordinance.

19 SEC. 31. *The Provincial Health Officer.* – (a) No person shall be  
20 appointed provincial health officer unless one is a citizen of the Philippines, a  
21 resident of the province, of good moral character and a licensed medical  
22 practitioner. One must have acquired experience in the practice of the medical  
23 profession for at least five (5) years.

24 The appointment of the provincial health officer shall be mandatory.

25 (b) *The provincial health officer shall take charge of the office on*  
26 *health services, and shall:*

27 (1) Supervise the personnel and staff of the said office, formulate  
28 program implementation guidelines and rules and regulations for the operation



1 of the said office for the approval of the provincial governor in order to assist  
2 him in the efficient, effective and economical implementation of health service  
3 programs geared to the implementation of health-related projects and activities;

4 (2) Formulate measures for the consideration of the sangguniang  
5 panlalawigan and provide technical assistance and support to the provincial  
6 governor in carrying out activities to ensure the delivery of basic services and  
7 the provision of adequate facilities relative to health services as provided for  
8 under Section 17 of the Local Government Code of 1991, as amended;

9 (3) Develop plans and strategies and, upon approval thereof by the  
10 provincial governor, implement the same, particularly those which have to do  
11 with health programs and projects which the provincial governor is empowered  
12 to implement and which the sanggunian is empowered to provide for under the  
13 Local Government Code of 1991, as amended;

14 (4) In addition to the foregoing duties and functions, the provincial  
15 health officer shall:

16 (i) Formulate and implement policies, plans, programs and projects to  
17 promote the health of the people of the province;

18 (ii) Advise the provincial governor and the sanggunian on matters  
19 pertaining to health;

20 (iii) Execute and enforce all laws, ordinances and regulations relating  
21 to public health;

22 (iv) Recommend to the sanggunian, through the provincial health board,  
23 the passage of such ordinances as may be deemed necessary for the  
24 preservation of public health;

25 (v) Recommend the prosecution of any violation of sanitary laws,  
26 *ordinances and regulations*;

27 (vi) Direct the sanitary inspection of all business establishments selling  
28 food items or providing accommodations such as hotels, motels, lodging

1 houses, pension houses and the like, in accordance with the Sanitation Code of  
2 the Philippines;

3 (vii) Conduct health information campaigns and render health  
4 intelligence services;

5 (viii) Coordinate with other government agencies and nongovernmental  
6 organizations involved in the promotion and delivery of health services; and

7 (ix) Exercise general supervision over health offices of component  
8 cities and municipalities; and

9 (5) Be in the frontline of the delivery of health services, particularly  
10 during and in the aftermath of man-made and natural disasters or calamities.

11 (c) Exercise such other powers and perform such other duties and  
12 functions as may be prescribed by law or ordinance.

13 SEC. 32. *The Provincial Civil Registrar.* – (a) No person shall be  
14 appointed provincial civil registrar unless one is a citizen of the Philippines, a  
15 resident of the province, of good moral character, a holder of a college degree  
16 from a recognized college or university, and a first grade civil service eligible  
17 or its equivalent. One must have acquired experience in civil registry work for  
18 at least five (5) years.

19 The appointment of the provincial civil registrar shall be optional.

20 (b) The provincial civil registrar shall be responsible for the civil  
21 registration program in the province, pursuant to the Civil Registry Law, the  
22 Civil Code and other pertinent laws, rules and regulations issued to implement  
23 them.

24 The provincial civil registrar shall take charge of the office of the civil  
25 registry, and shall:

26 (1) Develop plans and strategies and, upon approval thereof by the  
27 provincial governor, implement the same, particularly those which have to do  
28 with civil registry programs and projects which the provincial governor and the

1 sanggunian is empowered to provide for under the Local Government Code of  
2 1991, as amended; and

3 (2) In addition to the foregoing duties and functions, the provincial  
4 civil registrar shall:

5 (i) Accept all registrable documents and judicial decrees affecting the  
6 civil status of persons;

7 (ii) File, keep and preserve in a secure place the books required by  
8 law;

9 (iii) Transcribe and enter immediately upon receipt all registrable  
10 documents and judicial decrees affecting the civil status of persons in the  
11 appropriate civil registry books;

12 (iv) Transmit to the Office of the Civil Registrar-General, within the  
13 prescribed period, duplicate copies of registered documents required by law;

14 (v) Issue certified transcripts or copies of any certificate or registered  
15 document upon payment of the prescribed fees to the provincial treasurer;

16 (vi) Receive applications for the issuance of a marriage license and,  
17 after determining that the requirements and supporting certificates and  
18 publication thereof for the prescribed period have been complied with, issue  
19 the license upon payment of the authorized fee to the provincial treasurer; and

20 (vii) Coordinate with the National Statistics Office (NSO) in  
21 conducting educational campaigns for vital registration and assist in the  
22 preparation of demographic and other statistics for the province.

23 (c) Exercise such other powers and perform such other duties and  
24 functions as may be prescribed by law or ordinance.

25 SEC. 33. *The Provincial Administrator.* - (a) No person shall be  
26 appointed provincial administrator unless one is a citizen of the Philippines, a  
27 resident of the province, of good moral character, a holder of a college degree  
28 preferably in public administration, law or any related course from a

1 recognized college or university, and a first grade civil service eligible or its  
2 equivalent. One must have acquired experience in management and  
3 administration work for at least five (5) years.

4 The term of the provincial administrator is coterminous with that of the  
5 appointing authority.

6 The appointment of the provincial administrator shall be mandatory.

7 (b) The provincial administrator shall take charge of the office of the  
8 administrator, and shall:

9 (1) Develop plans and strategies and, upon approval thereof by the  
10 provincial governor, implement the same, particularly those which have to do  
11 with the management and administration-related programs and projects which  
12 the provincial governor is empowered to implement and which the sanggunian  
13 is empowered to provide for under the Local Government Code of 1991, as  
14 amended;

15 (2) In addition to the foregoing duties and functions, the provincial  
16 administrator shall:

17 (i) Assist in the coordination of the work of all the officials of the  
18 province under the supervision, direction and control of the provincial  
19 governor and, for this purpose, may convene the chiefs of offices and other  
20 officials of the province;

21 (ii) Establish and maintain a sound personnel program for the province  
22 designed to promote career development and uphold the merit principle in the  
23 province; and

24 (iii) Conduct a continuing organizational development of the province  
25 with the end in view of instituting effective administrative reforms;

26 (3) Be in the frontline of the delivery of administrative support  
27 services, particularly those related to the situations during and in the aftermath  
28 of man-made and natural disasters or calamities; and

1           (4) Recommend to the sanggunian and advise the provincial governor  
2 on all other matters relative to the management and administration of the  
3 province.

4           (c) Exercise such other powers and perform such other duties and  
5 functions as may be prescribed by law or ordinance.

6           SEC. 34. *The Provincial Legal Officer.* – (a) No person shall be  
7 appointed provincial legal officer unless one is a citizen of the Philippines, a  
8 resident of the province, of good moral character and a member of the  
9 Philippine Bar. One must have practiced the profession for at least five (5)  
10 years.

11           The term of the provincial legal officer shall be coterminous with that of  
12 the appointing authority.

13           The appointment of the provincial legal officer shall be mandatory.

14           (b) The provincial legal officer, the chief legal counsel of the province,  
15 shall take charge of the office for legal services, and shall:

16           (1) Formulate measures for the consideration of the sanggunian and  
17 provide legal assistance and support to the provincial governor in carrying out  
18 the delivery of basic services and the provision of adequate facilities as  
19 provided for under Section 17 of the Local Government Code of 1991, as  
20 amended;

21           (2) Develop plans and strategies and, upon approval thereof by the  
22 provincial governor, implement the same, particularly those which have to do  
23 with programs and projects related to legal services which the provincial  
24 governor is empowered to implement and which the sanggunian is empowered  
25 to provide for under the Local Government Code of 1991, as amended;

26           (3) In addition to the foregoing duties and functions, the provincial  
27 legal officer shall:

1           (i) Represent the province in all civil actions and special proceedings  
2 wherein the province or any official thereof, in official capacity, is a party:  
3 *Provided*, That actions or proceedings where a component city or municipality  
4 is a party adverse to the provincial government or to another component city or  
5 municipality, a special legal officer may be employed to represent the adverse  
6 party;

7           (ii) When required by the provincial governor or the sanggunian, draft  
8 ordinances, contracts, bonds, leases and other instruments involving any  
9 interest of the province and provide comments and recommendations on any  
10 instrument already drawn;

11           (iii) Render opinion in writing on any question of law when requested  
12 to do so by the provincial governor or the sanggunian;

13           (iv) Investigate or cause to be investigated any provincial official or  
14 employee for administrative neglect or misconduct in office and recommend  
15 appropriate action to the provincial governor or the sangguniang panlalawigan;

16           (v) Investigate or cause to be investigated any person, firm or  
17 corporation holding any franchise or exercising any public privilege for failure  
18 to comply with any term or condition in the grant of such franchise or  
19 privilege, and recommend appropriate action to the provincial governor or the  
20 sanggunian;

21           (vi) When directed by the provincial governor or the sanggunian,  
22 initiate and prosecute, in the interest of the province, any civil action on any  
23 bond, lease or other contract upon any breach or violation thereof, and

24           (vii) Review and submit recommendations on ordinances approved and  
25 executive orders issued by component cities and municipalities;

26           (4) Recommend measures to the sangguniang panlalawigan and advise  
27 the provincial governor on all other matters related to the upholding of the rule  
28 of law; and

1 (5) Be in the frontline of protecting human rights and prosecuting any  
2 violation thereof, particularly those which occur during and in the aftermath of  
3 man-made and natural disasters or calamities.

4 (c) Exercise such other powers and perform such other duties and  
5 functions as may be prescribed by law or ordinance.

6 SEC. 35. *The Provincial Agriculturist.* – (a) No person shall be  
7 appointed provincial agriculturist unless one is a citizen of the Philippines, a  
8 resident of the province, of good moral character, a holder of a college degree  
9 in agriculture or any related course from a recognized college or university,  
10 and a first grade civil service eligible or its equivalent. One must have  
11 acquired experience in a related field for at least five (5) years.

12 The appointment of the provincial agriculturist shall be mandatory.

13 (b) The provincial agriculturist shall take charge of the office for  
14 agricultural services, and shall:

15 (1) Formulate measures for the approval of the sanggunian and provide  
16 technical assistance and support to the provincial governor in carrying out said  
17 measures to ensure the delivery of basic services and the provision of adequate  
18 facilities relative to agricultural services as provided for under Section 17 of  
19 the Local Government Code of 1991, as amended;

20 (2) Develop plans and strategies and, upon approval thereof by the  
21 provincial governor, implement the same, particularly those which have to do  
22 with agricultural programs and projects which the provincial governor is  
23 empowered to implement and which the sanggunian is empowered to provide  
24 for under the Local Government Code of 1991, as amended;

25 (3) In addition to the foregoing duties and functions, the provincial  
26 agriculturist shall:

1 (i) Ensure that maximum assistance and access to resources in the  
2 production, processing and marketing of agricultural, aquacultural and marine  
3 products are extended to farmers, fisherfolk and local entrepreneurs;

4 (ii) Conduct or cause to be conducted location-specific agricultural  
5 researches and assist in making available the appropriate technology arising  
6 out of and disseminating information on basic research on crops, prevention  
7 and control of plant diseases and pests, and other agricultural matters which  
8 will maximize productivity;

9 (iii) Assist the provincial governor in the establishment and extension  
10 services of demonstration farms on aquaculture and marine products;

11 (iv) Enforce rules and regulations relating to agriculture and  
12 aquaculture; and

13 (v) Coordinate with government agencies and nongovernmental  
14 organizations which promote agricultural productivity through appropriate  
15 technology compatible with environmental integrity;

16 (4) Be in the frontline of the delivery of basic agricultural services,  
17 particularly those needed for the survival of the inhabitants during and in the  
18 aftermath of man-made and natural disasters or calamities; and

19 (5) Recommend to the sanggunian and advise the provincial governor  
20 on all matters related to agriculture and aquaculture which will improve the  
21 livelihood and living conditions of the inhabitants.

22 (c) Exercise such other powers and perform such other duties and  
23 functions as may be prescribed by law or ordinance.

24 SEC. 36. *The Provincial Social Welfare and Development Officer.* --

25 (a) No person shall be appointed provincial social welfare and development  
26 officer unless one is a citizen of the Philippines, a resident of the province, of  
27 good moral character, a duly licensed social worker and a holder of a college  
28 degree preferably in sociology or in any related course from a recognized



1 college or university, and a first grade civil service eligible or its equivalent.  
2 One must have acquired experience in the practice of social work for at least  
3 five (5) years.

4 The appointment of the provincial social welfare and development  
5 officer shall be mandatory.

6 (b) The provincial social welfare and development officer shall take  
7 charge of the office on social welfare and development services, and shall:

8 (1) Formulate measures for the approval of the sanggunian and provide  
9 technical assistance and support to the provincial governor in carrying out  
10 measures to ensure the delivery of basic services and the provision of adequate  
11 facilities relative to social welfare and development services as provided for  
12 under Section 17 of the Local Government Code of 1991, as amended;

13 (2) Develop plans and strategies and, upon approval thereof by the  
14 provincial governor, implement the same, particularly those which have to do  
15 with social welfare programs and projects which the provincial governor is  
16 empowered to implement and which the sanggunian is empowered to provide  
17 for under the Local Government Code of 1991, as amended;

18 (3) In addition to the foregoing duties, the provincial social welfare and  
19 development officer shall:

20 (i) Identify the basic needs of the needy, the disadvantaged and the  
21 impoverished, and develop and implement appropriate measures to alleviate  
22 their problems and improve their living conditions;

23 (ii) Provide relief and appropriate crisis intervention for victims of  
24 abuse and exploitation and recommend appropriate measures to deter further  
25 abuse and exploitation;

26 (iii) Assist the provincial governor in implementing the barangay level  
27 program for the total development and protection of children up to six (6)  
28 years of age;

1 (iv) Facilitate the implementation of welfare programs for the disabled,  
2 the elderly and the victims of drug addiction, the rehabilitation of prisoners and  
3 parolees, the prevention of juvenile delinquency and such other activities  
4 which would eliminate or minimize the ill-effects of poverty;

5 (v) Initiate and support welfare programs that will enhance the role of  
6 the youth in nation-building; and

7 (vi) Coordinate with government agencies and nongovernmental  
8 organizations which have for their purpose the promotion and the protection of  
9 all needy, disadvantaged, underprivileged or impoverished groups or  
10 individuals, particularly those identified to be vulnerable and high-risk to  
11 exploitation, abuse and neglect;

12 (4) Be in the frontline of the delivery of services, particularly those  
13 which have to do with the immediate relief and assistance during and in the  
14 aftermath of man-made and natural disasters or calamities; and

15 (5) Recommend to the sanggunian and advise the provincial governor  
16 on all other matters related to social welfare and development services which  
17 will improve the livelihood and living conditions of the inhabitants.

18 (c) Exercise such other powers and perform such other duties and  
19 functions as may be prescribed by law or ordinance.

20 SEC. 37. *The Provincial Environment and Natural Resources Officer.*

21 – (a) No person shall be appointed provincial environment and natural  
22 resources officer unless one is a citizen of the Philippines, a resident of the  
23 province, of good moral character, a holder of a college degree preferably in  
24 environment, forestry, agriculture or any related course from a recognized  
25 college or university, and a first grade civil service eligible or its equivalent.  
26 One must have acquired experience in environmental and natural resources  
27 management, conservation and utilization for at least five (5) years.

1           The appointment of the provincial environment and natural resources  
2 officer shall be mandatory.

3           (b) The provincial environment and natural resources officer shall take  
4 charge of the office on environment and natural resources, and shall:

5           (1) Formulate measures for the consideration of the sanggunian and  
6 provide technical assistance and support to the provincial governor in carrying  
7 out measures to ensure the delivery of basic services and the provision of  
8 adequate facilities relative to environment and natural resources services as  
9 provided for under Section 17 of the Local Government Code of 1991, as  
10 amended;

11           (2) Develop plans and strategies and, upon approval thereof by the  
12 provincial governor, implement the same, particularly those which have to do  
13 with the environment and natural resources programs and projects which the  
14 provincial governor is empowered to implement and which the sanggunian is  
15 empowered to provide for under the Local Government Code of 1991, as  
16 amended;

17           (3) In addition to the foregoing duties and functions, the provincial  
18 environment and natural resources officer shall:

19           (i) Ensure that maximum assistance and access to resources in the  
20 production, processing and marketing of agricultural, aquacultural and marine  
21 products are extended to farmers, fisherfolk and local entrepreneurs;

22           (ii) Establish, maintain, protect and preserve communal forests,  
23 watersheds, tree parks, mangroves, greenbelts, commercial forests and similar  
24 forest projects like industrial tree farms and agro-forestry projects;

25           (iii) Provide extension services to beneficiaries of forest development  
26 projects and technical, financial and infrastructure assistance;

27           (iv) Manage and maintain seedbanks and produce seedlings for forests  
28 and tree parks;

1 (v) Provide extension services to beneficiaries of forest development  
2 projects and render assistance for natural resources-related conservation and  
3 utilization activities consistent with ecological balance;

4 (vi) Promote small-scale mining and the utilization of mineral  
5 resources, particularly the mining of gold; and

6 (vii) Coordinate with government agencies and nongovernmental  
7 organizations in the implementation of measures to prevent and control land,  
8 air and water pollution with the assistance of the Department of Environment  
9 and Natural Resources (DENR);

10 (4) Be in the frontline of the delivery of basic services concerning the  
11 environment and natural resources, particularly in the renewal and  
12 rehabilitation of the environment during and in the aftermath of man-made and  
13 natural disasters or calamities; and

14 (5) Recommend to the sanggunian and advise the provincial governor  
15 on all matters relative to the protection, conservation, maximum utilization,  
16 application of appropriate technology and other matters related to the  
17 environment and natural resources.

18 (c) Exercise such other powers and perform such other duties and  
19 functions as may be prescribed by law or ordinance.

20 *SEC. 38. The Provincial Veterinarian.* – (a) No person shall be  
21 appointed provincial veterinarian unless one is a citizen of the Philippines, a  
22 resident of the province, of good moral character and a licensed doctor of  
23 veterinary medicine. One must have practiced the profession for at least three  
24 (3) years.

25 The appointment of the provincial veterinarian shall be mandatory.

26 (b) The provincial veterinarian shall take charge of the office for  
27 veterinary services, and shall:

1           (1) Formulate measures for the consideration of the sanggunian and  
2 provide technical assistance and support to the provincial governor in carrying  
3 out measures to ensure the delivery of basic services and the provision of  
4 adequate facilities pursuant to Section 17 of the Local Government Code of  
5 1991, as amended;

6           (2) Develop plans and strategies and, upon approval thereof by the  
7 provincial governor, implement the same, particularly those which have to do  
8 with veterinary-related activities which the provincial governor is empowered  
9 to implement and which the sanggunian is empowered to provide for under the  
10 Local Government Code of 1991, as amended;

11           (3) In addition to the foregoing duties and functions, the provincial  
12 veterinarian shall:

13           (i) Advise the provincial governor on all matters pertaining to the  
14 slaughter of animals for human consumption and the regulation of  
15 slaughterhouses;

16           (ii) Regulate the keeping of domestic animals;

17           (iii) Regulate and inspect poultry, milk and dairy products for public  
18 consumption;

19           (iv) Enforce all laws and regulations for the prevention of cruelty to  
20 animals; and

21           (v) Take the necessary measures to eradicate, prevent or cure all forms  
22 of animal diseases;

23           (4) Be in the frontline of veterinary-related activities, such as in the  
24 outbreak of highly-contagious and deadly diseases and in situations resulting in  
25 the depletion of animals for work and for human consumption, particularly  
26 those arising from and in the aftermath of man-made and natural disasters or  
27 calamities; and

1           (5) Recommend to the sanggunian and advise the provincial governor  
2 on all other matters relative to veterinary services which will increase the  
3 number and improve the quality of livestock, poultry and other domestic  
4 animals used for work or for human consumption.

5           (c) Exercise such other powers and perform such other duties and  
6 functions as may be prescribed by law or ordinance.

7           SEC. 39. *The Provincial General Services Officer.* – (a) No person  
8 shall be appointed provincial general services officer unless one is a citizen of  
9 the Philippines, a resident of the province, of good moral character, a holder of  
10 a college degree in public administration, business administration or  
11 management from a recognized college or university, and a first grade civil  
12 service eligible or its equivalent. One must have acquired experience in  
13 general services, including the management of supply, property, solid waste  
14 disposal and general sanitation for at least five (5) years.

15           The appointment of the provincial general services officer shall be  
16 mandatory.

17           (b) The provincial general services officer shall take charge of the  
18 office of general services, and shall:

19           (1) Formulate measures for the consideration of the sanggunian and  
20 provide technical assistance and support to the provincial governor in carrying  
21 out measures to ensure the delivery of basic services and the provision of  
22 adequate facilities pursuant to Section 17 of the Local Government Code of  
23 1991, as amended, and which require general services expertise and technical  
24 support services;

25           (2) Develop plans and strategies and, upon approval thereof by the  
26 provincial governor, implement the same, particularly those which have to do  
27 with general services supportive to the welfare of the inhabitants which the  
28 provincial governor is empowered to implement and which the sanggunian is

1 empowered to provide for under the Local Government Code of 1991, as  
2 amended;

3 (3) In addition to the foregoing duties and functions, the provincial  
4 general services officer shall:

5 (i) Take custody of and be accountable for all properties, real or  
6 personal, owned by the provincial government and those granted to it in the  
7 form of donation, repatriation, assistance and counterpart of joint projects;

8 (ii) With the approval of the provincial governor, assign building or  
9 land space to provincial officials or other public officials who, by law, are  
10 entitled to such space;

11 (iii) Recommend to the provincial governor the reasonable rental rates  
12 for local government properties, whether real or personal, which will be leased  
13 to public or private entities by the provincial government;

14 (iv) Recommend to the provincial governor the reasonable rental rates  
15 of private properties which may be leased for the official use of the provincial  
16 government;

17 (v) Maintain and supervise janitorial, security, landscaping and other  
18 related services in all local government public buildings and other real  
19 property, whether owned or leased by the provincial government;

20 (vi) Collate and disseminate information regarding prices, shipping  
21 and other costs of supplies and other items commonly used by the provincial  
22 government;

23 (vii) Perform archival and record management with respect to records  
24 of offices and departments of the province; and

25 (viii) Perform all other functions pertaining to supply and property  
26 management heretofore performed by the provincial treasurer and enforce  
27 policies on records creation, maintenance and disposal;

1 (4) Be in the frontline of general services-related activities, such as the  
2 possible or imminent destruction or damage to records, supplies, properties  
3 and structures, and the orderly and sanitary clearing up of waste materials or  
4 debris, particularly during and in the aftermath of man-made and natural  
5 disasters or calamities; and

6 (5) Recommend to the sanggunian and advise the provincial governor  
7 on all matters relative to general services.

8 (c) Exercise such other powers and perform such other duties and  
9 functions as may be prescribed by law or ordinance.

10 SEC. 40. *The Provincial Cooperatives Officer.* – (a) No person shall  
11 be appointed provincial cooperatives officer unless one is a citizen of the  
12 Philippines, a resident of the province, of good moral character, a holder of a  
13 college degree preferably in business administration course with special  
14 training in cooperatives or any related course from a recognized college or  
15 university, and a first grade civil service eligible or its equivalent. One must  
16 have acquired experience in cooperatives organization and management for at  
17 least five (5) years.

18 The appointment of the provincial cooperatives officer shall be  
19 mandatory.

20 (b) The provincial cooperatives officer shall take charge of the office  
21 for the development of cooperatives, and shall:

22 (1) Formulate measures for the consideration of the sanggunian and  
23 provide technical assistance and support to the provincial governor in carrying  
24 out measures to ensure the delivery of basic services and the provision of  
25 adequate facilities through the development of cooperatives, and in providing  
26 access to such services and facilities;

27 (2) Develop plans and strategies and, upon approval thereof by the  
28 provincial governor, implement the same, particularly those which have to do



1 with the integration of cooperatives principles and methods in programs which  
2 the provincial governor is empowered to implement and which the sanggunian  
3 is empowered to provide for under the Local Government Code of 1991, as  
4 amended;

5 (3) In addition to the foregoing duties and functions, the provincial  
6 cooperatives officer shall:

7 (i) Assist in the organization of cooperatives;

8 (ii) Provide technical and other forms of assistance to existing  
9 cooperatives to enhance their viability as an economic enterprise and social  
10 organization; and

11 (iii) Assist cooperatives in establishing linkages with government  
12 agencies and nongovernmental organizations involved in the promotion and  
13 integration of the concept of cooperatives in the livelihood of the people and  
14 other community activities;

15 (4) Be in the frontline of cooperatives organization, rehabilitation or  
16 viability enhancement, particularly during and in the aftermath of man-made  
17 and natural disasters or calamities, to aid in their survival and, if necessary,  
18 subsequent rehabilitation; and

19 (5) Recommend to the sanggunian and advise the provincial governor  
20 on all other matters relative to cooperatives development and viability  
21 enhancement which will improve the livelihood and the quality of life of the  
22 inhabitants.

23 (c) Exercise such other powers and perform such other duties and  
24 functions as may be prescribed by law or ordinance.

25 SEC. 41. *The Provincial Architect.* - (a) No person shall be appointed  
26 provincial architect unless one is a citizen of the Philippines, a resident of the  
27 province, of good moral character and a duly licensed architect. One must  
28 have practiced the profession for at least five (5) years.

1           The appointment of the provincial architect shall be optional.

2           (b) The provincial architect shall take charge of the office on  
3 architectural planning and design, and shall:

4           (1) Formulate measures for the consideration of the sanggunian and  
5 provide technical assistance and support to the provincial governor in carrying  
6 out measures to ensure the delivery of basic services and the provision of  
7 adequate facilities relative to architectural planning and design as provided for  
8 under Section 17 of the Local Government Code of 1991, as amended;

9           (2) Develop plans and strategies and, upon approval thereof by the  
10 provincial governor, implement the same, particularly those which have to do  
11 with architectural planning and design programs and projects which the  
12 provincial governor is empowered to implement and which the sanggunian is  
13 empowered to provide for under the Local Government Code of 1991, as  
14 amended;

15           (3) In addition to the foregoing duties and functions, the provincial  
16 architect shall:

17           (i) Prepare and recommend for consideration of the sanggunian the  
18 architectural plan and design for the province or a part thereof, including the  
19 renewal of slums and blighted areas, land reclamation activities, the greening  
20 of land and the appropriate planning of marine and foreshore areas;

21           (ii) Review and recommend for appropriate action of the sanggunian  
22 and the provincial governor, the architectural plans and designs submitted by  
23 governmental and nongovernmental entities or individuals, particularly those  
24 for undeveloped, underdeveloped and poorly-designed areas; and

25           (iii) Coordinate with government agencies and nongovernmental  
26 entities and individuals involved in the aesthetics and the maximum utilization  
27 of the land and water within the jurisdiction of the province, compatible with  
28 environmental integrity and ecological balance;

1 (4) Be in the frontline of the delivery of basic services involving  
2 architectural planning and design, particularly those related to the redesigning  
3 of spatial distribution of basic facilities and physical structures during and in  
4 the aftermath of man-made and natural calamities or disasters; and

5 (5) Recommend to the sanggunian and advise the provincial governor  
6 on all other matters related to architectural planning and design as it relates to  
7 the total socioeconomic development of the province.

8 (c) Exercise such other powers and perform such other duties and  
9 functions as may be prescribed by law or ordinance.

10 SEC. 42. *The Provincial Population Officer.* – (a) No person shall be  
11 appointed provincial population officer unless one is a citizen of the  
12 Philippines, a resident of the province, of good moral character, a holder of a  
13 college degree with specialized training in population development from a  
14 recognized college or university, and a first grade civil service eligible or its  
15 equivalent. One must have acquired experience in the implementation of  
16 programs on population development or responsible parenthood for at least  
17 five (5) years.

18 The appointment of the provincial population officer shall be optional.

19 (b) The provincial population officer shall take charge of the office on  
20 population development, and shall:

21 (1) Formulate measures for the consideration of the sanggunian and  
22 provide technical assistance and support to the provincial governor in carrying  
23 out measures to ensure the delivery of basic services and the provision of  
24 adequate facilities relative to the integration of the population development  
25 principles and in providing access to said services and facilities;

26 (2) Develop plans and strategies and, upon approval thereof by the  
27 provincial governor, implement the same, particularly those which have to do  
28 with the integration of population development principles and methods in

1 programs and projects which the provincial governor is empowered to  
2 implement and which the sanggunian is empowered to provide for under the  
3 Local Government Code of 1991, as amended;

4 (3) In addition to the foregoing duties and functions, the provincial  
5 population officer shall:

6 (i) Assist the provincial governor in the implementation of the  
7 constitutional provisions relative to population development and the promotion  
8 of responsible parenthood;

9 (ii) Establish and maintain an updated data bank for program  
10 operations, development planning and an educational program to ensure the  
11 people's participation in and understanding of population development; and

12 (iii) Implement appropriate training programs responsive to the  
13 cultural heritage of the inhabitants.

14 (c) Exercise such other powers and perform such other duties and  
15 functions as may be prescribed by law or ordinance.

16 SEC. 43. *The Provincial Information Officer.* — (a) No person shall be  
17 appointed provincial information officer unless one is a citizen of the  
18 Philippines, a resident of the province, of good moral character, a holder of a  
19 college degree preferably in journalism, mass communication or any related  
20 course from a recognized college or university, and a first grade civil service  
21 eligible or its equivalent. One must have acquired experience in writing  
22 articles and research papers, or in writing for print, television or broadcast  
23 media for at least three (3) years;

24 The appointment of the provincial information officer shall be optional.

25 (b) The provincial information officer shall take charge of the office on  
26 public information, and shall:

27 (1) Formulate measures for the consideration of the sanggunian and  
28 provide technical assistance and support to the provincial governor in

1 providing the information and research data required for the delivery of basic  
2 services and the provision of adequate facilities so that the public becomes  
3 aware of the said service and may fully avail of the same;

4 (2) Develop plans and strategies and, upon approval thereof by the  
5 provincial governor, implement the same, particularly those which have to do  
6 with public information and research data to support the programs and projects  
7 which the provincial governor is empowered to implement and which the  
8 sanggunian is empowered to provide for under the Local Government Code of  
9 1991, as amended;

10 (3) In addition to the foregoing duties and functions, the provincial  
11 information officer shall:

12 (i) Provide relevant, adequate and timely information to the provincial  
13 government and its residents;

14 (ii) Maintain effective liaison with the various sectors of the community  
15 on matters and issues that affect the livelihood and the quality of life of the  
16 inhabitants and encourage support for programs of the local and national  
17 government;

18 (iii) Assist the provincial governor in the establishment, maintenance  
19 and promotion of local area tourism programs and projects; and

20 (iv) Furnish information and data on the province to government  
21 agencies or offices as may be required by law or ordinance, and  
22 nongovernmental organizations to be furnished to said agencies and  
23 organizations;

24 (4) Be in the frontline of providing information during and in the  
25 aftermath of man-made and natural disasters or calamities, with special  
26 attention to the victims thereof, to help minimize injuries and casualties during  
27 and after the emergency, and accelerate relief and rehabilitation; and

1 (5) Recommend to the sanggunian and advise the provincial governor  
2 on all other matters relative to public information and research data as it relates  
3 to the total socioeconomic development of the province.

4 (c) Exercise such other powers and perform such other duties and  
5 functions as may be prescribed by law or ordinance.

6 ARTICLE VIII

7 THE PROVINCIAL FIRE STATION, THE PROVINCIAL JAIL,  
8 THE PROVINCIAL SCHOOLS DIVISION, THE PROVINCIAL PROSECUTION SERVICE  
9 AND THE REGISTER OF DEEDS

10 SEC. 44. *The Provincial Fire Station Service.* – (a) There shall be  
11 established in the province at least one (1) fire station with adequate personnel,  
12 firefighting facilities and equipment, subject to the standards, rules and  
13 regulations that may be promulgated by the DILG. The province shall provide  
14 the necessary land or site of the station.

15 (b) The provincial fire station shall be headed by a provincial fire  
16 marshal whose qualifications shall be as those provided for under Republic Act  
17 No. 9263, as amended, otherwise known as the “Bureau of Fire Protection and  
18 Bureau of Jail Management and Penology Professionalization Act of 2004”.

19 (c) The provincial fire station shall be responsible for providing  
20 emergency services such as the rescue and evacuation of injured people related  
21 to incidents and, in general, all fire prevention and suppression measures to  
22 secure the safety of life and property of the citizenry.

23 SEC. 45. *The Provincial Jail Service.* – (a) There shall be established  
24 and maintained in the province a secured, clean, adequately equipped and  
25 sanitary jail for the custody and safekeeping of prisoners, any fugitive from  
26 justice or person detained awaiting investigation or trial and/or violent  
27 mentally-ill person who endangers one’s self or the safety of others, duly  
28 certified as such by the proper medical health officer, pending the transfer to a  
29 mental institution.

1 (b) The provincial jail service shall be headed by a provincial jail  
2 warden whose qualifications shall be as those provided for under Republic Act  
3 No. 9263, as amended, otherwise known as the "Bureau of Fire Protection and  
4 Bureau of Jail Management and Penology Professionalization Act of 2004".  
5 One shall assist in the immediate rehabilitation of individuals or detention of  
6 prisoners. Great care must be exercised so that human rights of these prisoners  
7 are respected and protected, and their spiritual and physical well-being are  
8 properly and promptly attended to.

9 SEC. 46. *The Provincial Schools Division.* – (a) The DepED shall,  
10 within two (2) months upon the commencement of the corporate existence of  
11 the province herein created, establish and maintain a separate schools division  
12 in the province whose jurisdiction shall cover the City of Iriga and the  
13 municipalities of the province.

14 (b) The provincial schools division shall be headed by a division  
15 superintendent who must possess the necessary qualifications required by the  
16 DepED.

17 SEC. 47. *The Provincial Prosecution Service.* – (a) There shall be  
18 established and maintained a prosecution service by the Department of Justice  
19 (DOJ), within two (2) months upon the commencement of the corporate  
20 existence of the province herein created, which shall be headed by a provincial  
21 prosecutor and such number of assistant prosecutors as may be necessary,  
22 which shall be organizationally part of the DOJ, and under the supervision and  
23 control of the Secretary of the DOJ, and whose qualifications, manner of  
24 appointment, rank, salary and benefits shall be governed by existing laws  
25 covering prosecutors in the DOJ.

26 (b) The provincial prosecutor shall handle the criminal prosecution in  
27 the municipal trial courts in the province as well as in the regional trial courts  
28 for criminal cases originating in the territory of the new province and shall

1 render to and for the province such other services as are required by law or  
2 regulation of the DOJ.

3 SEC. 48. *The Register of Deeds.* – There shall be established and  
4 maintained in the new Province of Nueva Camarines a Register of Deeds  
5 which shall be organizationally part of the Land Registration Authority (LRA)  
6 of the DOJ.

7 The records, deeds, titles and abstracts of titles entered in the present  
8 Register of Deeds of the Province of Camarines Sur, including supporting  
9 documents on the sale, transfer, encumbrance, donation or partition of real  
10 properties or other forms of alienation of real properties located in the  
11 territorial jurisdiction of the Province of Nueva Camarines, shall be transferred  
12 to the Register of Deeds of the Province of Nueva Camarines.

13 A committee that shall identify the appropriate records and relevant  
14 documents to be segregated from the present Register of Deeds of the Province  
15 of Camarines Sur for transfer to the Register of Deeds hereby established for  
16 the Province of Nueva Camarines shall be convened within ten (10) days from  
17 the effectivity of this Act. The chairman of the committee shall be designated  
18 by the Administrator of the LRA. Its members shall be composed of a  
19 representative each from the Bureau of Local Government Finance (BLGF),  
20 the Civil Service Commission (CSC) to be designated by the Regional Director  
21 of the CSC and the Commission on Audit (COA).

22 A fair and equitable division of the assets and other properties of the  
23 present Register of Deeds of the Province of Camarines Sur, including its  
24 personnel, shall be apportioned between the Register of Deeds of the present  
25 Province of Camarines Sur, subject to such rules and regulations of the CSC,  
26 and the new Province of Nueva Camarines with respect to the personnel to be  
27 transferred to the Register of Deeds of the new Province of Nueva Camarines  
28 and the rules and regulations of the COA on the procedure and accountability



1 for the transfer of the assets and other properties herein referred to, based on a  
2 fair and equitable formula.

3 ARTICLE IX

4 TRANSITORY AND FINAL PROVISIONS

5 SEC. 49. *Plebiscite.* – The Province of Nueva Camarines shall be  
6 created, as provided for in this Charter, upon approval by the majority of the  
7 votes cast by the voters of the affected areas in a plebiscite to be conducted and  
8 supervised by the Commission on Elections (COMELEC) within sixty (60)  
9 days from the date of the effectivity of this Charter.

10 The amount necessary for the conduct of the plebiscite shall be charged  
11 against the unexpended portion of the current budget of the COMELEC for  
12 electoral exercises or, if such budget is no longer available or insufficient, shall  
13 be included the General Appropriations Act for the applicable year, with  
14 augmentation fund from the National Treasury.

15 SEC. 50. *Commencement of Corporate Existence.* – The Province of  
16 Nueva Camarines shall commence corporate existence upon the appointment  
17 of interim provincial officials by the President or upon the election and  
18 qualification of the provincial governor, the provincial vice governor and  
19 majority of the members of the sangguniang panlalawigan. The budgetary  
20 allocation for the election shall be included in the annual budget of the  
21 COMELEC for the applicable year.

22 SEC. 51. *Officials of the Province of Nueva Camarines.* – (a) The first  
23 set of elective officials of the Province of Nueva Camarines shall be elected in  
24 the next national and local elections following the effectivity of this Charter.

25 The President of the Philippines shall, upon the recommendation of the  
26 majority of the district representatives of the present Province of Camarines  
27 Sur, appoint an interim provincial governor, provincial vice governor and three  
28 (3) members of the sangguniang panlalawigan in each district, who shall serve

1 only until a new set of provincial officials have been elected and qualified:  
2 *Provided*, That if the incumbent Vice Governor of the Province of Camarines  
3 Sur is a resident of and voted at the time of his election as provincial vice  
4 governor in a local government voting precinct which, as provided in this Act,  
5 shall belong to the new Province of Nueva Camarines, said provincial vice  
6 governor shall have the option to serve the unexpired term of the provincial  
7 vice governor in the new Province of Nueva Camarines: *Provided, further*,  
8 That if the incumbent members of the sangguniang panlalawigan in each  
9 district are also residents of and voted at and were elected in their respective  
10 districts, every one of them shall continue to serve as members of the  
11 sangguniang panlalawigan in their respective districts in the new Province of  
12 Nueva Camarines. Any vacancy or seat available to be filled up within the  
13 three (3)-membership of the sangguniang panlalawigan in each district shall be  
14 appointed by the President in the same manner as the interim provincial  
15 governor shall be appointed.

16 All elective local government officials in the present Province of  
17 Camarines Sur not covered by the immediately preceding paragraph shall  
18 continue to serve their term of office in their respective local government units.  
19 Appointive government officials and employees of the present Province of  
20 Camarines Sur shall continue to perform their duties and functions until the  
21 division of the Province of Camarines Sur with the creation of the new  
22 Province of Nueva Camarines has become effective and the reorganization  
23 plan for appointive personnel shall have been approved by the CSC in order to  
24 ensure security of tenure of permanent officials and employees who shall be  
25 entitled to the continuity of their service even if they are transferred to the new  
26 Province of Nueva Camarines, as determined in the fair and equitable plan to  
27 divide not only assets and properties but also the reallocation or reassignment  
28 of personnel.

1           SEC. 52. *Organization of the Provincial Government.* -- All provincial  
2 appointive positions in the Province of Nueva Camarines may be filled within  
3 sixty (60) days upon the commencement of its corporate existence. This shall  
4 *be done without prejudice to the officials and employees of the present*  
5 *Province of Camarines Sur who may wish to serve in the Province of Nueva*  
6 *Camarines.*

7           SEC. 53. *Suspension of Increase in the Rates of Local Taxes.* -- No  
8 increase in the rates of local taxes shall be imposed by the new province within  
9 the period of five (5) years from its acquisition of corporate existence.

10          SEC. 54. *Equitable Division.* -- From and after the effectivity of this  
11 Act but not later than ninety (90) days therefrom, the following principles shall  
12 govern the division or reallocation, the transfer of ownership, control and/or  
13 supervision of the facilities, real properties and other assets, the allotment or  
14 reallocation of taxes and fees, and the sharing and assumption of obligations  
15 and liabilities of the present Province of Camarines Sur to the new Province of  
16 Nueva Camarines, to wit:

17           (a) Facilities, land and buildings and equipment acquired by, or  
18 devolved to, the Province of Camarines Sur in the exercise of its governmental  
19 duties and responsibilities as a local government unit shall be transferred to at  
20 no cost to the new Province of Nueva Camarines. Accordingly, district and  
21 medical care hospitals, including the funds, the furnitures and fixtures,  
22 equipment, the land allocated thereto and the personnel thereof shall be turned  
23 over by the Province of Camarines Sur to the new Province of Nueva  
24 Camarines, such that ownership, control and supervision thereof shall be  
25 transferred, with appropriate documentation, to the new Province of Nueva  
26 Camarines not later than ninety (90) days from the effectivity of this Act;  
27 *Provided, however,* That if there are existing loans or credits obtained for the  
28 construction or improvement of or the acquisition of equipment for such

1 district or medical care hospitals, the new Province of Nueva Camarines shall  
2 pay for and/or assume the loan or credit accommodations obtained by the  
3 present Province of Camarines Sur;

4 (b) Other governmental projects of the present Province of Camarines  
5 Sur such as, but not limited to, reforestation projects, public buildings, public  
6 infrastructure such as roads and bridges, whether ongoing or completed, if  
7 financed by national government grants or assistance, shall be transferred at no  
8 cost to the new Province of Nueva Camarines: *Provided*, That loans and  
9 credits incurred for governmental projects by the Province of Camarines Sur  
10 located within the territorial jurisdiction of the new Province of Nueva  
11 Camarines shall be for the account of the latter upon the transfer or devolution  
12 of the ownership of said projects;

13 (c) Economic enterprises established and operated by the present  
14 Province of Camarines Sur in any of the territorial jurisdiction of local  
15 government units made part under this Act of the new Province of Nueva  
16 Camarines shall remain with the Province of Camarines Sur unless the new  
17 Province of Nueva Camarines offers a fair price to acquire and pay for such  
18 economic enterprises, including the assumption of loans and other credits  
19 obtained by the Province of Camarines Sur for any such economic enterprises  
20 proposed to be acquired or purchased by the new Province of Nueva  
21 Camarines;

22 (d) Tax revenues from business enterprises principally located in one  
23 of the two (2) provinces established herein but whose facilities and structures  
24 extend to the other such as, but not limited to, power-generating plants shall be  
25 proportionately divided between the two (2) provinces: *Provided*, That such  
26 enterprises shall not be subjected to a second tax in addition to what is already  
27 imposed by the province where these are principally located;

1 (e) In connection with any loan or credit incurred for any project  
2 located within the territorial jurisdiction of either the Province of Camarines  
3 Sur or the Province of Nueva Camarines, the principle that shall be  
4 consistently adopted is that any such loan or credit shall be for the account of  
5 the province which shall have ownership of the said project;

6 (f) The share of the new Province of Nueva Camarines in the allotment  
7 of internal revenue taxes and the share from the proceeds and utilization of  
8 government wealth shall be governed by the pertinent provision of the Local  
9 Government Code of 1991, as amended. The share of the Province of Nueva  
10 Camarines shall commence on the succeeding quarter from and after the  
11 effectivity of this Act which created the Province of Nueva Camarines; and

12 (g) The BLGF, jointly with the COA and the CSC, shall determine and  
13 order the division of such assets between the present Province of Camarines  
14 Sur and the new Province of Nueva Camarines with the assistance of other  
15 relevant departments or agencies of the national government not later than  
16 ninety (90) days upon the commencement of the corporate existence of the  
17 Province of Nueva Camarines.

18 *SEC. 55. Change of Nomenclature and Coverage.* – (a) Engineering  
19 Districts. – Upon the commencement of the corporate existence of the  
20 Province of Nueva Camarines, the Third and Fourth Camarines Sur  
21 Engineering Districts of the Department of Public Works and Highways  
22 (DPWH) shall henceforth be known as follows:

23 (1) First Nueva Camarines Engineering District – composed of the  
24 City of Iriga and the municipalities of Baao, Balatan, Bato, Buhi, Bula and  
25 Nabua; and

26 (2) Second Nueva Camarines Engineering District – composed of the  
27 municipalities of Caramoan, Garchitorena, Goa, Lagonoy, Presentacion,  
28 Sagfay, San Jose, Siruma, Tigaon and Tinambac.

1           The Secretary of the DPWH is hereby directed to implement the  
2 provision of this Act.

3           (b) Electric Cooperatives. – The Camarines Electric Cooperatives III  
4 and IV shall henceforth be known as follows:

5           (1) Nueva Camarines Electric Cooperative I – composed of the City  
6 of Iriga and the municipalities of Baao, Balatan, Bato, Buhi, Bula and Nabua;  
7 and

8           (2) Nueva Camarines Electric Cooperative II – composed of the  
9 municipalities of Caramoan, Garchitorena, Goa, Lagonoy, Presentacion,  
10 Sagñay, San Jose, Siruma, Tigaon and Tinambac.

11           The Municipality of Ocampo, which is presently under the coverage of  
12 the Camarines Sur Electric Cooperative IV shall, however, be placed under the  
13 jurisdiction of the Camarines Sur Electric Cooperative II.

14           The National Electrification Administration (NEA) is hereby directed to  
15 implement the provision of this Act.

16           SEC. 56. *Applicability of Laws.* – The provisions of the Local  
17 Government Code of 1991, as amended, and other laws as are applicable to  
18 provinces shall govern the herein created province insofar as these are not  
19 inconsistent with the provisions of this Act.

20           SEC. 57. *Separability Clause.* – If any part of this Act is declared  
21 invalid or unconstitutional, the other parts or provisions hereof shall remain  
22 valid and effective.

23           SEC. 58. *Repealing Clause.* – Republic Act No. 8201, insofar as the  
24 renaming of the Third and Fourth Camarines Sur Engineering Districts of the  
25 DPWH and all other laws, executive orders, decrees and rules and regulations  
26 which are inconsistent with this Act are hereby repealed, amended or modified  
27 accordingly.

1           SEC. 59. *Effectivity.* – This Act shall take effect fifteen (15) days upon  
2 its publication in any newspaper of general circulation.

Approved,

**O**