



HOUSE OF REPRESENTATIVES

H. No. 6138

BY REPRESENTATIVES MATUGAS, ROMARATE, PICHAY AND GARAY, PER
COMMITTEE REPORT NO. 877

AN ACT EXEMPTING FROM THE LAND AREA REQUIREMENT A PROVINCE PROPOSED TO BE CREATED IF IT IS COMPOSED OF ONE (1) OR MORE ISLANDS, AMENDING FOR THE PURPOSE SECTION 461(b) OF REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991"

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

1 SECTION 1. Section 461(b) of Republic Act No. 7160, as amended,
2 otherwise known as the "Local Government Code of 1991", is hereby amended
3 to read as follows:

4 "SEC. 461. *Requisites for Creation.* -- (a) A province may
5 be created if it has an average annual income, as certified by the
6 Department of Finance, of not less than Twenty million pesos
7 (P20,000,000.00) based on 1991 constant prices and either of the
8 following requisites:

9 "(i) A contiguous territory of at least two thousand (2,000)
10 square kilometers, as certified by the Lands Management Bureau;
11 or

1 “(ii) A population of not less than two hundred fifty
2 thousand (250,000) inhabitants as certified by the National
3 Statistics Office:

4 “*Provided*, That the creation thereof shall not reduce the land
5 area, population, and income of the original unit or units at the
6 time of said creation to less than the minimum requirements
7 prescribed herein.

8 “(b) **THE TERRITORIAL JURISDICTION OF A NEWLY**
9 **CREATED PROVINCE SHALL BE PROPERLY IDENTIFIED BY**
10 **METES AND BOUNDS.** The territory need not be contiguous
11 if it comprises two (2) or more islands or is separated by a
12 chartered city or cities which do not contribute to the income of
13 the province. **THE REQUIREMENT ON LAND AREA SHALL NOT**
14 **APPLY WHERE THE PROVINCE PROPOSED TO BE CREATED IS**
15 **COMPOSED OF ONE (1) OR MORE ISLANDS.**

16 “(c) The average annual income shall include the income
17 accruing to the general fund, exclusive of special funds, trust
18 funds, transfers, and non-recurring income.”

19 SEC. 2. This Act shall take effect fifteen (15) days after its publication
20 in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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