



HOUSE OF REPRESENTATIVES

H. No. 8055

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BY REPRESENTATIVES ALVAREZ (F.), ABUEG, ACOSTA, ROMERO,  
BELARO, BRAVO (A.), ABAYON AND DEL MAR, PER COMMITTEE  
REPORT NO. 809

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AN ACT DIVIDING THE PROVINCE OF PALAWAN INTO  
THREE (3) PROVINCES, NAMELY: PALAWAN DEL  
NORTE, PALAWAN ORIENTAL, AND PALAWAN DEL  
SUR

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

ARTICLE I

GENERAL PROVISIONS

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3 SECTION. 1. *Title.* - This Act shall be known as the "Charter  
4 of the Provinces of Palawan del Norte, Palawan Oriental, and  
5 Palawan del Sur".

6 SEC. 2. *Division of the Province of Palawan.* - The Province  
7 of Palawan is hereby divided into three (3) distinct and independent  
8 provinces to be known as Palawan del Norte, Palawan Oriental, and  
9 Palawan del Sur.

1           SEC. 3. *Composition.* - The provinces of Palawan del Norte,  
2 Palawan Oriental, and Palawan del Sur shall be composed of the  
3 following municipalities:

4           (a) Province of Palawan del Norte

5           (1) Coron;

6           (2) Culion;

7           (3) Busuanga;

8           (4) Linapacan;

9           (5) Taytay; and

10          (6) El Nido.

11          (b) Palawan Oriental

12          (1) Roxas;

13          (2) Araceli;

14          (3) Dumaran;

15          (4) Cuyo;

16          (5) Agutaya;

17          (6) Magsaysay;

18          (7) Cayancillo; and

19          (8) San Vicente.

20          (c) Palawan del Sur

21          (1) Aborlan;

22          (2) Narra;

23          (3) Quezon;

24          (4) Rizal;

25          (5) Española;

26          (6) Brooke's Point;

27          (7) Bataraza;

1 (8) Balabac; and

2 (9) Kalayaan.

3 SEC. 4. *Territorial Jurisdiction.* - The provinces of Palawan  
4 del Norte, Palawan Oriental, and Palawan del Sur shall be  
5 comprised of all the islands of the present Province of Palawan that  
6 include the area defined by Presidential Decree No. 1596 and the  
7 Philippine Treaty Limits; along the West Philippine Sea, the waters  
8 around, between, and connecting the said islands that are treated  
9 as part of the National Territory defined by Article I of the  
10 Constitution that includes the Philippine Treaty Limits; along  
11 Mindoro Strait to the north and along Sulu Sea to the east, an  
12 equidistant maritime boundary measured from the low-tide mark of  
13 islands, rocks, and reefs of the present Province of Palawan and the  
14 coastal provinces of the said areas; and, along Balabac Strait to the  
15 south, the maritime boundary extends to the Philippine Treaty  
16 Limits.

17 The boundaries of the provinces of Palawan del Norte,  
18 Palawan Oriental, and Palawan del Sur for purposes of the just  
19 share of local government units in the national taxes under Section  
20 6 of Article X of the Constitution shall start from the common land  
21 boundaries extending perpendicularly to the limits of the Exclusive  
22 Economic Zone or Extended Continental Shelf to the west, and  
23 common maritime boundaries in the north, east and south stated in  
24 the preceding paragraph.

25 The terrestrial jurisdictions of the newly created provinces  
26 shall be within the present metes and bounds of all the  
27 municipalities that comprise the respective provinces.

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

9           SEC. 5. *Capital Towns and Seats of Government.* - The  
10 capital towns and seats of government of the provinces of Palawan  
11 del Norte, Palawan Oriental, and Palawan del Sur shall be the  
12 municipalities of Taytay, Roxas, and Brooke's Point, respectively.

13           SEC. 6. *Corporate Powers of the Provinces.* - Each province  
14 constitutes a political body corporate and as such is endowed with  
15 the attributes of perpetual succession and possessed of the powers  
16 which pertain to a provincial corporation to be exercised in  
17 conformity with the provision of this Charter and the Local  
18 Government Code of 1991, as amended. Each province shall have  
19 the following corporate powers:

- 20           (a) To exercise continuous succession in its corporate name;  
21           (b) To sue and be sued;  
22           (c) To use a corporate seal;  
23           (d) To acquire and convey real or personal property;  
24           (e) To enter into contracts; and  
25           (f) To exercise such other powers as are granted to  
26 corporations, subject to the limitations provided in the Local  
27 Government Code of 1991, as amended, and other laws.

1           SEC. 7. *General Powers.* – Each province shall have a  
2 common seal and may alter the same at its pleasure: *Provided,*  
3 That any change of corporate seal shall be registered with the  
4 Department of the Interior and Local Government (DILG). Each  
5 province shall have the power to create its sources of revenue and to  
6 levy taxes, fees and charges; to close and open roads, streets, alleys,  
7 parks, or squares; to take, purchase, receive, hold, lease, convey and  
8 dispose of real and personal property for the general interests of the  
9 province; to expropriate or condemn private property for public use;  
10 to contract and to be contracted with; to sue and be sued; to  
11 prosecute and defend to final judgment and execution suits wherein  
12 the province is involved or interested in and to exercise all the  
13 powers as are granted to corporations or as hereinafter granted,  
14 subject to the provisions of the Local Government Code of 1991, as  
15 amended.

16           SEC. 8. *Liability for Damages.* – Each province and its  
17 officials shall not be exempt from liability for death or injury to  
18 persons or damage to property.

19           SEC. 9. *Legislative Districts.* – Each province herein created  
20 shall have its own legislative district comprising of the  
21 municipalities enumerated under Section 3 of this Act and effective  
22 upon the election and qualification of their representatives to be  
23 held on the second Monday of May in the year 2022.

24           For the purpose of this section, the City of Puerto Princesa  
25 shall have its own legislative district effective upon the election and  
26 qualification of its representative to be held on the second Monday  
27 of May in the year 2022.

1           SEC. 10. *Incumbent Representatives.* – The incumbent  
2 Representatives of the present Province of Palawan shall continue  
3 to represent their respective legislative districts until the expiration  
4 of their term of office.

5           SEC. 11. *Share in the Proceeds from the Development and*  
6 *Utilization of the National Wealth.* – As political subdivisions of  
7 the national government, the provinces of Palawan del Norte,  
8 Palawan Oriental, and Palawan del Sur shall be entitled to  
9 equitable shares in the proceeds of the utilization and development  
10 of the national wealth within their respective terrestrial and  
11 maritime jurisdiction. The term "national wealth" shall mean all  
12 natural resources situated along the West Philippine Sea extending  
13 up to the limits of the Exclusive Economic Zone or Extended  
14 Continental Shelf as defined by the United Nations Convention on  
15 the Law of the Sea (UNCLOS) including lands of public domain,  
16 waters, minerals, coal, petroleum, mineral oils, potential energy  
17 sources, gas and oil deposits, forest products, wildlife, flora and  
18 fauna, fishery and aquatic resources, and all quarry products.

19           For the purpose of accelerating economic development and  
20 upgrading the quality of life of the inhabitants, the provinces of  
21 Palawan del Norte, Palawan Oriental, and Palawan del Sur shall, in  
22 addition to the internal revenue allotment, have a combined share  
23 of not less than forty percent (40%) of the gross collection derived by  
24 the national government from the preceding fiscal year from the  
25 following:

26           (a) Mining taxes, royalties, forestry and fishery charges, and  
27 such other taxes, fees, or charges, including related surcharges,

1 interests, or fines, and from its share in any co-production, joint  
2 venture or production sharing agreement in the utilization and  
3 development of the national wealth within their territorial  
4 jurisdiction;

5 (b) Administrative charges enumerated herein accruing to  
6 the national government whether collected by agencies of the  
7 national government or, in certain cases, by Palawan del Norte,  
8 Palawan Oriental, or Palawan del Sur;

9 (c) Share in the proceeds from the development and  
10 utilization of the national wealth which Palawan del Norte,  
11 Palawan Oriental, or Palawan del Sur actually collect and  
12 automatically retain its share of at least forty percent (40%) of such  
13 proceeds shall not form part of the revenue base in the computation  
14 of the forty percent (40%) share.

15 The provinces of Palawan del Norte, Palawan Oriental, and  
16 Palawan del Sur shall each have a share based on the preceding  
17 fiscal year from the proceeds derived by national government  
18 agencies (NGAs) or government-owned or controlled corporations  
19 (GOCCs) engaged in the utilization and development of the national  
20 wealth based on the following formula, or whichever will produce a  
21 higher amount for the abovementioned provinces:

22 (1) One percent (1%) of the gross sales or receipts of the  
23 preceding calendar year; or

24 (2) Forty percent (40%) of the mining taxes, royalties,  
25 forestry and fishery charges and such other taxes, fees or charges,  
26 including related surcharges, interests, or fines the NGA or GOCC  
27 would have paid if it were not otherwise exempt.

1           The shares referred to in the preceding paragraphs shall be  
2 divided equally among the provinces of Palawan del Norte, Palawan  
3 Oriental, and Palawan del Sur and shall be automatically released  
4 to them. The share of each province shall further be divided in  
5 favor of municipalities and barangays, which shall also be  
6 automatically released, as follows:

- 7           (i) Province: sixty percent (60%);  
8           (ii) Municipality: twenty-four percent (24%); and  
9           (iii) Barangay: sixteen percent (16%).

10          SEC. 12. *Jurisdiction of Each Province.* - For purposes of  
11 police and law enforcement, the jurisdiction of each province shall  
12 be coextensive with its respective territorial boundary. For the  
13 purpose of protecting and ensuring the purity of the water supply of  
14 each province, such police jurisdiction shall also extend over all the  
15 territory within the drainage area of such water supply source, or  
16 within one hundred (100) meters of any reservoir, conduit, canal,  
17 aqueduct or pumping station used in connection with each  
18 province's water service.

19          The regional trial courts and other courts of adjoining  
20 municipalities shall continue to try crimes and misdemeanors  
21 committed within the mandated jurisdiction of the new provinces.

22          Any license that may be issued within said zone, area or space  
23 shall be granted by the proper authorities of the province or  
24 municipality concerned, and the fees arising therefrom shall accrue  
25 to the treasury of the said province or municipality, as the case may  
26 be.



## ARTICLE II

## PROVINCIAL OFFICIALS IN GENERAL

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3 SEC. 13. *Officials of the Provincial Government.* - (a) In each  
4 of the provinces of Palawan del Norte, Palawan Oriental, and  
5 Palawan del Sur, there shall be a provincial governor, a provincial  
6 vice governor, the regular members of the *sangguniang*  
7 *panlalawigan*, a secretary to the *sangguniang panlalawigan*, a  
8 provincial treasurer, a provincial assessor, a provincial accountant,  
9 a provincial budget officer, a provincial planning and development  
10 coordinator, a provincial engineer, a provincial health officer, a  
11 provincial administrator, a provincial legal officer, a provincial  
12 agriculturist, a provincial social welfare and development officer, a  
13 provincial veterinarian and a provincial general services officer.

14 (b) In addition thereto, the provincial governor may appoint  
15 a provincial architect, a provincial population officer, a provincial  
16 environment and natural resources officer, a provincial cooperatives  
17 officer and a provincial information officer.

18 (c) The *sangguniang panlalawigan* may:

19 (1) Maintain existing offices not mentioned in subsections  
20 (a) and (b) hereof;

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

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

25 Unless otherwise provided herein or in the Local Government  
26 Code of 1991, as amended, the heads of departments and offices  
27 shall be appointed by the provincial governor with the concurrence

1 of a majority of all the *sangguniang panlalawigan* members, subject  
2 to civil service law, rules and regulations. The *sangguniang*  
3 *panlalawigan* shall act on the appointment within fifteen (15) days  
4 from the day of its submission; otherwise, the same shall be deemed  
5 confirmed.

6 SEC. 14. *Residence and Office.* - The official residence and  
7 office of the provincial governor, during the latter's incumbency,  
8 shall be in the capital of the province. All elective and appointive  
9 provincial officials shall hold office in the provincial capital:  
10 *Provided, That,* upon the resolution of the *sangguniang*  
11 *panlalawigan*, elective and appointive provincial officials may hold  
12 office in any component city or municipality within the province for  
13 a period of not more than seven (7) days for any given month.

14 Elective and appointive provincial officials shall receive such  
15 compensation, allowances and other emoluments as may be  
16 determined by law or ordinance, subject to the budgetary  
17 limitations on personal services prescribed under Title V, Book II of  
18 the Local Government Code of 1991, as amended: *Provided, That,*  
19 no increase in compensation shall take effect until after the  
20 expiration of the full term of all the elective officials approving such  
21 increase.

### 22 ARTICLE III

#### 23 ELECTIVE PROVINCIAL OFFICIALS

24 SEC. 15. *The Provincial Governor.* - (a) The provincial  
25 governor, as the chief executive of the provincial government, shall  
26 exercise such powers and perform such duties and functions as

1 provided for in the Local Government Code of 1991, as amended,  
2 and other laws.

3 (b) For efficient, effective and economical governance, the  
4 purpose of which is the general welfare of the province and its  
5 inhabitants pursuant to Section 16 of the Local Government Code of  
6 1991, as amended, the provincial governor shall:

7 (1) Exercise general supervision and control over all  
8 programs, projects, services and activities of the provincial  
9 government and, in this connection, shall:

10 (i) Determine the guidelines of provincial policies and be  
11 responsible to the *sangguniang panlalawigan* for the program of the  
12 government;

13 (ii) Direct the formulation of the provincial development  
14 plan, with the assistance of the provincial development council  
15 and upon approval thereof by the *sangguniang panlalawigan*,  
16 implement the same;

17 (iii) Present the program of government and propose policies  
18 and projects for the consideration of the *sangguniang panlalawigan*  
19 at the opening of the regular session of the *sangguniang*  
20 *panlalawigan* every calendar year and as often as may be deemed  
21 necessary as the general welfare of the inhabitants and the needs of  
22 the provincial government may require;

23 (iv) Initiate and propose legislative measures to the  
24 *sangguniang panlalawigan* and as often as may be deemed  
25 necessary, provide such information and data needed or requested  
26 by said *sangguniang panlalawigan* in the performance of its  
27 legislative functions;

1 (v) Appoint all officials and employees whose salaries and  
2 wages are wholly or mainly paid out of provincial funds and whose  
3 appointments are not otherwise provided for in this Act, as well as  
4 those the provincial governor may be authorized by law to appoint;

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

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

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

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

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

25 (xi) Examine the books, records and other documents of all  
26 offices, officials, agents or employees of the province and require all  
27 national officials and employees stationed in the province to make

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

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

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

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

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

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

1           (xvii) Authorize payment for medical care, necessary  
2 transportation, subsistence, hospital or medical fees of provincial  
3 officials and employees who are injured while in the performance of  
4 their official duties and functions, subject to the availability of  
5 funds;

6           (xviii) Represent the province in interprovincial or regional  
7 sports councils or committees, and coordinate the efforts of  
8 component cities or municipalities in the regional or national palaro  
9 or sports development activities;

10          (xix) Conduct an annual palarong panlalawigan, which shall  
11 feature traditional sports and disciplines included in national and  
12 international games, in coordination with the Department of  
13 Education (DepEd); and

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

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

1 (i) Ensure that the acts of the component cities and  
2 municipalities of the province and of its officials and employees are  
3 within the scope of their prescribed powers, duties and functions;

4 (ii) Call conventions, conferences, seminars or meetings of  
5 elective and appointive officials of the province and its component  
6 cities and municipalities, including national officials and employees  
7 stationed in or assigned to the province, at such time and place and  
8 on such subject as may deemed important for the promotion of the  
9 general welfare of the province and its inhabitants;

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

12 (iv) Be entitled to carry the necessary firearms within the  
13 territorial jurisdiction of the province;

14 (v) In coordination with the mayors of component cities and  
15 municipalities and the National Police Commission, formulate the  
16 peace and order plan of the province and upon its approval,  
17 implement the same in accordance with Republic Act No. 6975, as  
18 amended, otherwise known as the "Department of the Interior and  
19 Local Government Act of 1990"; and

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

26 (3) Initiate and maximize the generation of resources and  
27 revenues, and apply the same to the implementation of development

1 plans, program objectives and priorities as provided for under  
2 Section 18 of the Local Government Code of 1991, as amended,  
3 particularly those resources and revenues programmed for  
4 agro-industrial development and countrywide growth and progress  
5 and, relative thereto, shall;

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

10 (ii) Prepare and submit to the *sangguniang panlalawigan* for  
11 approval the executive and supplemental budgets of the province for  
12 the ensuing calendar year in the manner provided for under Title V,  
13 Book II of the Local Government Code of 1991, as amended;

14 (iii) Ensure that all taxes and other revenues of the province  
15 are collected, and that provincial funds are applied to the payment  
16 of expenses and the settlement of obligations of the province, in  
17 accordance with law or ordinance;

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

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

25 (vi) Provide efficient and effective property and supply  
26 management in the province; and protect the funds, credits, rights  
27 and other properties of the province; and



1           (vii) Institute or cause to be instituted administrative or  
2 judicial proceedings for violations of ordinances in the collection of  
3 taxes, fees or charges, and for the recovery of funds and property,  
4 and cause the province to be defended against all suits to ensure  
5 that its interests, resources and rights shall be adequately  
6 protected;

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

11           (i) Ensure that the construction and repair of roads and  
12 highways funded by the national government shall be, as far as  
13 practicable, carried out in a spatially contiguous manner and in  
14 coordination with the construction and repair of the roads and  
15 bridges of the province and of its component cities and  
16 municipalities; and

17           (ii) Coordinate the implementation of technical services by  
18 national offices for the province and its component cities and  
19 municipalities, including public works and infrastructure programs  
20 of the provincial government and its component cities and  
21 municipalities; and

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

24           (c) The provincial governor shall receive a minimum  
25 monthly compensation corresponding to Salary Grade Thirty (30) as  
26 prescribed under Republic Act No. 6758, as amended, otherwise

1 known as the "Compensation and Position Classification Act of  
2 1989", and the implementing guidelines issued pursuant thereto.

3 SEC. 16. *The Provincial Vice Governor.* - (a) The provincial  
4 vice governor shall:

5 (1) Be the presiding officer of the *sangguniang panlalawigan*  
6 and sign all warrants drawn on the provincial treasury for all  
7 expenditures appropriated for the operation of the *sangguniang*  
8 *panlalawigan*;

9 (2) Subject to civil service law, rules and regulations, appoint  
10 all officials and employees of the *sangguniang panlalawigan*, except  
11 those whose manner of appointment is specifically provided for  
12 under existing laws;

13 (3) Assume the office of the provincial governor for the  
14 unexpired term of the latter in the event of permanent vacancy as  
15 provided for in Section 44, Book I of the Local Government Code of  
16 1991, as amended;

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

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

23 (b) The provincial vice governor shall receive a monthly  
24 compensation corresponding to Salary Grade Twenty-eight (28) as  
25 prescribed under Republic Act No. 6758, as amended, otherwise  
26 known as the "Compensation and Position Classification Act of  
27 1989", and the implementing guidelines issued pursuant thereto.

## ARTICLE IV

## THE SANGGUNIANG PANLALAWIGAN

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3       SEC. 17. *Composition.* – (a) The *sangguniang panlalawigan*,  
4 the legislative body of the province, shall be composed of the  
5 provincial vice governor as the presiding officer, the regular  
6 *sangguniang panlalawigan* members, the president of the provincial  
7 chapter of the liga ng mga barangay, the president of the  
8 panlalawigang pederasyon ng mga sangguniang kabataan, the  
9 president of the provincial federation of sanggunian members of  
10 municipalities and component cities and the three (3) sectoral  
11 representatives, as members.

12       (b) In addition thereto, there shall be three (3) sectoral  
13 representatives, who shall come from the following sectors: one (1)  
14 from the women sector; and, as shall be determined by the  
15 *sangguniang panlalawigan* within ninety (90) days prior to the  
16 holding of the local elections, one (1) from the agricultural or  
17 industrial workers sector; and one (1) from the other sectors,  
18 including the urban poor, indigenous cultural communities or  
19 persons with disability.

20       (c) The regular members of the *sangguniang panlalawigan*  
21 and the sectoral representatives shall be elected in the manner as  
22 provided for by law, and shall receive a monthly compensation  
23 corresponding to Salary Grade Twenty-seven (27) as prescribed  
24 under Republic Act No. 6758, as amended, otherwise known as the  
25 “Compensation and Position Classification Act of 1989”, as  
26 amended, and the implementing guidelines issued pursuant thereto.

1           SEC. 18. *Powers, Duties, Functions and Compensation.* – (a)

2   The *sangguniang panlalawigan*, as the legislative body of the  
3   province, shall enact ordinances, approve resolutions and  
4   appropriate funds for the general welfare of the province and its  
5   inhabitants pursuant to Section 16 of the Local Government Code of  
6   1991, as amended, and in the proper exercise of the corporate  
7   powers of the province as provided for under Section 22 of the Local  
8   Government Code of 1991, as amended, shall:

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

12           (i) Review all ordinances approved by the sanggunians of  
13   component cities and municipalities and executive orders issued by  
14   the mayors of said component units to determine whether these are  
15   within the scope of the prescribed powers of the sanggunian and of  
16   the mayor;

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

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

24           (iv) Adopt measures to protect the inhabitants of the province  
25   from the harmful effects of man-made or natural disasters and  
26   calamities, and to provide relief services and assistance for victims

1 during and in the aftermath of said disasters and calamities and  
2 their return to productive livelihood following said events;

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

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

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

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

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

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

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

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

19 (2) Generate and maximize the use of resources and  
20 revenues for the development plans, program objectives and  
21 priorities of the province as provided for under Section 18 of the  
22 Local Government Code of 1991, as amended, with particular  
23 attention to agro-industrial development and countrywide growth  
24 and progress and, relative thereto, shall:

25 (i) Enact the annual and supplemental appropriations of the  
26 provincial government and appropriate funds for specific programs,  
27 projects, services and activities of the province, or for other purposes

1 not contrary to law, in order to promote the general welfare of the  
2 province and its inhabitants;

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

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

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

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

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

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

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

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

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

17           (ii) Regulate and fix the license fees for such activities as  
18 provided for under the Local Government Code of 1991, as  
19 amended;

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

24           (i) Adopt measures and safeguards against pollution and for  
25 the preservation of the natural ecosystem in the province, in  
26 consonance with approved standards on human settlements and  
27 environmental sanitation;



1           (ii) Subject to applicable laws, facilitate or provide for the  
2 establishment and maintenance of a waterworks system or district  
3 waterworks for supplying water to inhabitants of component cities  
4 and municipalities;

5           (iii) Subject to the availability of funds and to existing laws,  
6 rules and regulations, provide for the establishment and operation  
7 of vocational and technical schools and similar post-secondary  
8 institutions and, with the approval of the DepEd and subject to  
9 existing laws on tuition fees, fix reasonable tuition fees and other  
10 school charges in educational institutions supported by the  
11 provincial government;

12           (iv) Establish a scholarship fund for the poor but deserving  
13 students in schools located within its jurisdiction or of students  
14 residing within the province;

15           (v) Approve measures and adopt quarantine regulations to  
16 prevent the introduction and spread of diseases within its territorial  
17 jurisdiction;

18           (vi) Provide for the care of paupers, the aged, the sick,  
19 persons of unsound mind, abandoned minors, abused children,  
20 disabled persons, juvenile delinquents, drug dependents, and other  
21 needy and disadvantaged persons, particularly children and youth  
22 below eighteen (18) years of age; subject to the availability of funds,  
23 establish and support the operation of centers and facilities for said  
24 needy and disadvantaged persons; and facilitate the efforts to  
25 promote the welfare of families below the poverty threshold, the  
26 disadvantaged and the exploited;

1 (vii) Establish and provide for the maintenance and  
2 improvement of jails and detention centers, institute a sound jail  
3 management program and appropriate funds for the subsistence of  
4 detainees and convicted prisoners in the province;

5 (viii) Establish a provincial council whose purpose is the  
6 promotion of culture and the arts, coordinate with government  
7 agencies and nongovernmental organizations and, subject to the  
8 availability of funds, appropriate funds for the support and  
9 development of the same; and

10 (ix) Establish a provincial council for the elderly which shall  
11 formulate policies and adopt measures mutually beneficial to the  
12 elderly and to the province; subject to the availability of funds,  
13 appropriate funds to support programs and projects for the elderly;  
14 and provide incentives for nongovernmental agencies and entities to  
15 support the programs and projects of the elderly; and

16 (5) Exercise such other powers and perform other duties and  
17 functions as provided for under the Local Government Code of 1991,  
18 as amended, and as may be prescribed by law or ordinance.

## 19 ARTICLE V

### 20 PROCESS OF LEGISLATION

21 SEC. 19. *Internal Rules of Procedure.* - (a) On the first  
22 regular session following the election of its members and within  
23 ninety (90) days thereafter, the *sangguniang panlalawigan* shall  
24 adopt or update its existing rules of procedure.

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

26 (1) The organization of the sanggunian and the election of its  
27 officers as well as the creation of standing committees which shall

1 include the committees on appropriations, women and family,  
2 human rights, youth and sports development, environment  
3 protection, peace and order and traffic, and cooperatives; the  
4 general jurisdiction of each committee; and the election of the  
5 chairman and members of each committee;

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

7 (3) The legislative process;

8 (4) The parliamentary procedures which include the conduct  
9 of members during sessions;

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

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

21 **SEC. 20.** *Full Disclosure of Financial and Business Interests*  
22 *of Sangguniang Panlalawigan Members.* - (a) Every *sangguniang*  
23 *panlalawigan* member shall, upon assumption to office, make a full  
24 disclosure of their business and financial interests. He or she shall  
25 also disclose any business, financial, professional relationship or  
26 any relation by affinity or consanguinity within the fourth civil  
27 degree, which he or she may have with any person, firm or entity

1 affected by any ordinance or resolution under consideration by the  
2 sanggunian of which he or she is a member, which relationship may  
3 result in conflict of interest. Such relationship shall include:

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

6 (2) Contracts or agreement with any person or entity which  
7 the ordinance or resolution under consideration may affect.

8 For purposes of this Act, "conflict of interest" refers in general  
9 to a circumstance where it may be reasonably deduced that a  
10 member of a *sangguniang panlalawigan* may not act in the public  
11 interest due to some private, pecuniary or other personal  
12 considerations that may tend to affect the member's judgment to the  
13 prejudice of the service or the public.

14 (b) The disclosure required under this Act shall be made in  
15 writing and submitted to the secretary of the sanggunian or the  
16 secretary of the committee of which he or she is a member. The  
17 disclosure shall, in all cases, form part of the record of the  
18 proceedings and shall be made in the following manner:

19 (1) Disclosure shall be made before the member participates  
20 in the deliberations on the ordinance or resolution under  
21 consideration: *Provided*, That if the member did not participate  
22 during the deliberations, the disclosure shall be made before voting  
23 on the ordinance or resolution on second and third readings; and

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

1           SEC. 21. *Sessions.* - (a) On the first day of session  
2 immediately following the election of its members, the *sangguniang*  
3 *panlalawigan* shall, by resolution, fix the day, time and place of its  
4 regular sessions. The minimum number of regular sessions of the  
5 *sangguniang panlalawigan* shall be once a week.

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

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

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

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

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

25           SEC. 22. *Quorum.* - (a) A majority of all the members of the  
26 sanggunian who have been elected and qualified shall constitute a  
27 quorum to transact official business. Should a question of quorum

1 be raised during the session, the presiding officer shall immediately  
2 proceed to call the roll of the members and thereafter announce the  
3 results.

4 (b) Where there is no quorum, the presiding officer may  
5 declare a recess until such time a quorum is constituted, or a  
6 majority of the members present may adjourn from day to day and  
7 may compel the immediate attendance of any member absent  
8 without justifiable cause by designating a member of the  
9 sanggunian, to be assisted by a member or members of the police  
10 force assigned in the territorial jurisdiction of the province, to arrest  
11 the absent member and present him or her at the session.

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

17 SEC. 23. *Approval of Ordinances.* - (a) Every ordinance  
18 enacted by the *sangguniang panlalawigan* shall be presented to the  
19 provincial governor. The provincial governor may approve or veto  
20 any ordinance of the *sangguniang panlalawigan*. To signify  
21 approval, the provincial governor shall sign each and every page of  
22 the ordinance; otherwise, the ordinance shall be returned to the  
23 sanggunian along with the provincial governor's reason or reasons  
24 for the veto. The sanggunian may override the veto of the provincial  
25 governor by two-thirds (2/3) vote of all its members, thereby making  
26 the ordinance or resolution effective for all legal intents and  
27 purposes.

1 (b) The veto shall be communicated by the provincial  
2 governor to the *sangguniang panlalawigan* within fifteen (15) days;  
3 otherwise, the ordinance shall be deemed approved as if it was  
4 signed.

5 SEC. 24. *Veto Power of the Provincial Governor.* - (a) The  
6 provincial governor may veto any ordinance of the *sangguniang*  
7 *panlalawigan* on the ground that it is prejudicial to the public  
8 welfare, stating the reasons thereof in writing.

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

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

## 24 ARTICLE VI

### 25 SUCCESSION FOR ELECTIVE PROVINCIAL OFFICIALS

26 SEC. 25. *Permanent Vacancy in the Office of the Provincial*  
27 *Governor.* - (a) If a permanent vacancy occurs in the office of the

1 provincial governor, the provincial vice governor shall become the  
2 provincial governor: *Provided*, That in case of the former's  
3 permanent inability, the highest ranking sanggunian member shall  
4 become the provincial governor. If a permanent vacancy occurs in  
5 the office of the provincial vice governor, the highest ranking  
6 *sangguniang panlalawigan* member shall become the provincial vice  
7 governor: *Provided*, That, in case of the former's permanent  
8 incapacity, the highest ranking *sangguniang panlalawigan* member  
9 shall become the provincial vice governor. Subsequent vacancies  
10 shall be filled automatically by other sanggunian members  
11 according to their ranking as defined herein:

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

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

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

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

26 SEC. 26. *Permanent Vacancies in the Sangguniang*  
27 *Panlalawigan*. - (a) Permanent vacancies in the *sangguniang*



1 *panlalawigan* where automatic succession as provided does not  
2 apply shall be filled by appointment by the President, through the  
3 Executive Secretary.

4 (b) Only the nominee of the political party under which the  
5 sanggunian member concerned had been elected and whose  
6 elevation to the position next higher in rank created the last  
7 vacancy in the sanggunian shall be appointed in the manner herein  
8 provided. The appointee shall come from the same political party as  
9 that of the sanggunian member who caused the vacancy and shall  
10 serve the unexpired term of the vacant office.

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

17 (c) In case the permanent vacancy is caused by a sanggunian  
18 member who does not belong to any political party, the provincial  
19 governor shall, upon recommendation of the *sangguniang*  
20 *panlalawigan*, appoint a qualified person to fill in the vacancy.

21 (d) In case of vacancy in the representation of the  
22 sangguniang kabataan, the sangguniang barangay and the  
23 provincial league of councilors in the *sangguniang panlalawigan*,  
24 said vacancy shall be filled in automatically by the official  
25 next-in-rank of the organization concerned.

26 SEC. 27. *Temporary Vacancy in the Office of the Provincial*  
27 *Governor.* - (a) When the provincial governor is temporarily

1 incapacitated to perform the duties for physical or legal reasons  
2 such as when the provincial governor is on leave of absence, on  
3 travel abroad or is suspended from office, the provincial vice  
4 governor shall automatically exercise the powers and perform the  
5 duties and functions of the provincial governor, except the power to  
6 appoint, suspend or dismiss employees which can only be exercised  
7 if the period of temporary incapacity exceeds thirty (30) working  
8 days.

9 (b) Said temporary incapacity shall terminate upon  
10 submission to the *sangguniang panlalawigan* of a written  
11 declaration by the provincial governor that the provincial governor  
12 has reported back to office. In case where the temporary incapacity  
13 is due to legal cause, the provincial governor shall also submit  
14 necessary documents showing that the said legal cause no longer  
15 exists.

16 (c) When traveling within the country but outside the  
17 province's territorial jurisdiction for a period not exceeding three (3)  
18 consecutive days, the provincial governor may designate in writing  
19 an officer-in-charge of the office. Such authorization shall specify  
20 the powers and functions that the local official concerned shall  
21 exercise in the absence of the provincial governor, except the power  
22 to appoint, suspend or dismiss employees.

23 (d) In the event, however, that the provincial governor fails  
24 or refuses to issue such authorization, the provincial vice governor  
25 shall have the right to assume the powers, duties and functions of  
26 the said office on the fourth (4<sup>th</sup>) day of absence of the provincial

1 governor, subject to the limitations provided for in subsection (c)  
2 hereof.

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

## 6 ARTICLE VII

### 7 APPOINTIVE PROVINCIAL OFFICIALS:

#### 8 THEIR QUALIFICATIONS, POWERS AND DUTIES

9 SEC. 28. *The Secretary to the Sangguniang Panlalawigan.* -

10 (a) There shall be a secretary to the *sangguniang panlalawigan* who  
11 shall be a career official with the rank and salary equal to a head of  
12 a department or office.

13 (b) The secretary to the sanggunian must be a citizen of the  
14 Philippines, a resident of the province, of good moral character, a  
15 holder of a college degree preferably in law, commerce or public  
16 administration from a recognized college or university, and a first  
17 grade civil service eligible or its equivalent.

18 (c) The secretary to the sanggunian shall take charge of the  
19 office of the *sangguniang panlalawigan*, and shall:

20 (1) Attend meetings of the sanggunian and keep a journal of  
21 its proceedings;

22 (2) Keep the seal of the province and affix the same with his  
23 or her signature to all ordinances, resolutions and other official acts  
24 of the sanggunian and present the same to the presiding officer for  
25 his or her signature;

26 (3) Forward to the provincial governor, for approval, copies  
27 of ordinances enacted by the sanggunian and duly certified by the

1 presiding officer, in the manner provided for under Section 54 of the  
2 Local Government Code of 1991, as amended;

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

7 (5) Furnish, upon the request of any interested party,  
8 certified copies of records of public character in the secretary's  
9 custody, upon payment to the treasurer of such fees as may be  
10 prescribed by ordinance;

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

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

16 (8) Translate into the dialect used by the majority of the  
17 inhabitants, all ordinances and resolutions immediately after their  
18 approval, and cause the publication of the same together with the  
19 original version in the manner provided for under the Local  
20 Government Code of 1991, as amended; and

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

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

26 SEC. 29. *The Provincial Treasurer.* - (a) The provincial  
27 treasurer shall be appointed by the Secretary of Finance from a list

1 of at least three (3) ranking eligible recommendees of the provincial  
2 governor, subject to civil service law, rules and regulations.

3 (b) The provincial treasurer must be a citizen of the  
4 Philippines, a resident of the province, of good moral character, a  
5 holder of a college degree preferably in commerce, public  
6 administration or law from a recognized college or university, a first  
7 grade civil service eligible or its equivalent and must have acquired  
8 experience in treasury or accounting service for at least five (5)  
9 years.

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

14 The appointment of the provincial treasurer is mandatory.

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

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

22 (2) Take custody of and exercise proper management of the  
23 funds of the local government unit concerned;

24 (3) Take charge of the disbursement of all local government  
25 funds and such other funds, the custody of which may be entrusted  
26 to by law or other competent authority;

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

5           (5) Maintain and update the tax information system of the  
6 local government unit; and

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

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

11           SEC. 30. *The Provincial Assessor.* - (a) The provincial  
12 assessor must be a citizen of the Philippines, a resident of the  
13 province, of good moral character, a holder of a college degree  
14 preferably in civil or mechanical engineering, commerce or any  
15 other related course from a recognized college or university, a first  
16 grade civil service eligible or its equivalent and must have acquired  
17 experience in real property assessment work or in any related field  
18 for at least five (5) years.

19           The appointment of the provincial assessor is mandatory.

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

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

26           (2) Initiate, review and recommend changes in policies and  
27 objectives, plans and programs, techniques, procedures and

1 practices in the valuation and assessment of real properties for  
2 taxation purposes;

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

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

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

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

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

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

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

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

25 (11) Exercise technical supervision and visitorial functions  
26 over all component city and municipal assessors, coordinate with  
27 component city or municipal assessors in the conduct of tax

1 mapping operations and all other assessment activities, and provide  
2 all forms of assistance therefor: *Provided, however,* That, upon full  
3 provision by the component city or municipality concerned to its  
4 assessor's office of the minimum personnel, equipment and funding  
5 requirements as may be prescribed by the Secretary of Finance,  
6 such functions shall be delegated to the said municipal assessor.

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

9 SEC. 31. *The Provincial Accountant.* - (a) The provincial  
10 accountant must be a citizen of the Philippines, a resident of the  
11 province, of good moral character, a certified public accountant and  
12 must have acquired experience in the treasury or accounting service  
13 for at least five (5) years.

14 The appointment of a provincial accountant is mandatory.

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

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

19 (2) Prepare and submit financial statements to the  
20 provincial governor and to the *sangguniang panlalawigan*;

21 (3) Apprise the sanggunian and other local government  
22 officials on the financial condition and operations of the provincial  
23 government;

24 (4) Certify to the availability of budgetary allotment from  
25 which expenditures and obligations may be properly charged;

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



1           (6) Prepare statements of cash advances, liquidations,  
2 salaries, allowances, reimbursements and remittances pertaining to  
3 the provincial government;

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

6           (8) Post individual disbursements to subsidiary ledgers and  
7 index cards;

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

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

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

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

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

19          SEC. 32. *The Provincial Budget Officer.* - (a) The provincial  
20 budget officer must be a citizen of the Philippines, a resident of the  
21 province, of good moral character, a holder of a college degree  
22 preferably in accounting, economics, public administration or any  
23 related course from a recognized college or university, a first grade  
24 civil service eligible or its equivalent and must have acquired  
25 experience in government budgeting or in any related field for at  
26 least five (5) years.

1           The appointment of the provincial budget officer is  
2 mandatory.

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

5           (1) Prepare forms, orders and circulars embodying  
6 instructions on budgetary and appropriation matters for the  
7 signature of the provincial governor;

8           (2) Review and consolidate the budget proposals of different  
9 departments and offices of the province;

10          (3) Assist the provincial governor in the preparation of the  
11 budget and during the budget hearings;

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

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

16          (6) Coordinate with the provincial treasurer, the provincial  
17 accountant and the provincial planning and development  
18 coordinator for the purpose of budgeting;

19          (7) Assist the *sangguniang panlalawigan* in reviewing the  
20 approved budgets of the component cities and municipalities; and

21          (8) Coordinate with the provincial planning and  
22 development coordinator in the formulation of the provincial  
23 development plan.

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

26          SEC. 33. *The Provincial Planning and Development*  
27 *Coordinator.* - (a) The provincial planning and development

1 coordinator must be a citizen of the Philippines, a resident of the  
2 province, of good moral character, a holder of a college degree  
3 preferably in urban planning, development studies, economics,  
4 public administration or in any related course from a recognized  
5 college or university, a first grade civil service eligible or its  
6 equivalent and must have acquired experience in development  
7 planning or in any related field for at least five (5) years.

8 The appointment of a provincial planning and development  
9 coordinator is mandatory.

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

12 (1) Formulate integrated economic, social, physical and other  
13 development plans and policies for consideration of the local  
14 government development council;

15 (2) Conduct continuing studies, researches and training  
16 programs necessary to evolve plans and programs for  
17 implementation;

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

20 (4) Monitor and evaluate the implementation of the different  
21 development programs, projects and activities in the province in  
22 accordance with the approved development plan;

23 (5) Prepare comprehensive plans and other development  
24 planning documents for the consideration of the provincial  
25 development council;

26 (6) Analyze the income and expenditure patterns, and  
27 formulate and recommend fiscal plans and policies for the

1 consideration of the finance committee of the province as provided  
2 for under Title V, Book II of the Local Government Code of 1991,  
3 as amended;

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

6 (8) Exercise supervision and control over the secretariat of  
7 the provincial development council.

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

10 SEC. 34. *The Provincial Engineer.* - (a) The provincial  
11 engineer must be a citizen of the Philippines, a resident of the  
12 province, of good moral character, a licensed civil engineer and must  
13 have acquired experience in the practice of the civil engineering  
14 profession for at least five (5) years.

15 The appointment of the provincial engineer is mandatory.

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

18 (1) Initiate, review and recommend changes in policies and  
19 objectives, plans and programs, techniques, procedures and  
20 practices in infrastructure development and public works in general  
21 of the province;

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

24 (3) Administer, coordinate, supervise and control the  
25 construction, maintenance, improvement and repair of roads,  
26 bridges and other engineering and public works projects of the  
27 province;

1           (4) Provide engineering services to the province, including  
2 investigations and surveys, engineering designs, feasibility studies  
3 and project management; and

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

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

8           SEC. 35. *The Provincial Health Officer.* - (a) The provincial  
9 health officer must be a citizen of the Philippines, a resident of the  
10 province, of good moral character, a licensed medical practitioner  
11 and must have acquired experience in the practice of the medical  
12 profession for at least five (5) years.

13           The appointment of a provincial health officer is mandatory.

14           (b) The provincial health officer shall take charge of the  
15 office on health services, and shall:

16           (1) Supervise the personnel and staff of the said office,  
17 formulate program implementation guidelines and rules and  
18 regulations for the operation of the said office for the approval of the  
19 provincial governor in order to assist him or her in the efficient,  
20 effective and economical implementation of health services  
21 programs geared to the implementation of health-related projects  
22 and activities;

23           (2) Formulate measures for the consideration of the  
24 sanggunian and provide technical assistance and support to the  
25 provincial governor in carrying out activities to ensure the delivery  
26 of basic services and the provision of adequate facilities relative to

1 health services provided for under Section 17 of the Local  
2 Government Code of 1991, as amended;

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

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

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

13 (ii) Advise the provincial governor and the sanggunian on  
14 matters pertaining to health;

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

17 (iv) Recommend to the sanggunian, through the provincial  
18 health board, the passage of such ordinances as he or she may deem  
19 necessary for the preservation of public health;

20 (v) Recommend the prosecution of any violation of sanitary  
21 laws, ordinances and regulations;

22 (vi) Direct the sanitary inspection of all business  
23 establishments selling food items or providing accommodations,  
24 such as hotels, motels, lodging houses, pension houses and the like,  
25 in accordance with the Sanitation Code of the Philippines;

26 (vii) Conduct health information campaigns and render health  
27 intelligence services;

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

4 (ix) Exercise general supervision over health offices of  
5 component cities and municipalities; and

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

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

11 SEC. 36. *The Provincial Administrator.* - (a) The provincial  
12 administrator must be a citizen of the Philippines, a resident of the  
13 province, of good moral character, a holder of a college degree  
14 preferably in public administration, law or any related course from  
15 a recognized college or university, a first grade civil service  
16 eligible or its equivalent and must have acquired experience in  
17 management and administration work for at least five (5) years.

18 The term of the provincial administrator is coterminous with  
19 that of the appointing authority.

20 The appointment of the provincial administrator is  
21 mandatory.

22 (b) The provincial administrator shall take charge of the  
23 office of the administrator, and shall:

24 (1) Develop plans and strategies and, upon approval thereof  
25 by the provincial governor, implement the same, particularly those  
26 which have to do with the management and administration-related  
27 programs and projects which the provincial governor is empowered

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

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

5 (i) Assist in the coordination of the work of all the officials of  
6 the province under the supervision, direction and control of the  
7 provincial governor and, for this purpose, may convene the chiefs of  
8 offices and other officials of the province;

9 (ii) Establish and maintain a sound personnel program for  
10 the province designed to promote career development and uphold  
11 the merit system in the province; and

12 (iii) Conduct a continuing organizational development of the  
13 province with the end in view of instituting effective administrative  
14 reforms.

15 (3) Be in the frontline of the delivery of administrative  
16 support services, particularly those related to the situations during  
17 and in the aftermath of man-made and natural disasters and  
18 calamities; and

19 (4) Recommend to the sanggunian and advise the provincial  
20 governor on all other matters relative to the management and  
21 administration of the province.

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

24 SEC. 37. *The Provincial Legal Officer.* - (a) The provincial  
25 legal officer must be a citizen of the Philippines, a resident of the  
26 province, of good moral character, a member of the Philippine Bar



1 and must have practiced the law profession for at least five (5)  
2 years.

3 The term of the provincial legal officer shall be coterminous  
4 with that of the appointing authority.

5 The appointment of the provincial legal officer is mandatory.

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

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

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

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

21 (i) Represent the province in all civil actions and special  
22 proceedings wherein the province or any official thereof, in their  
23 official capacity, is a party: *Provided*, That actions or proceedings  
24 where a component city or municipality is a party adverse to the  
25 provincial government or to another component city or municipality,  
26 a special legal officer may be employed to represent the adverse  
27 party;

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

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

8 (iv) Investigate or cause to be investigated any provincial  
9 official or employee for administrative neglect or misconduct in  
10 office and recommend appropriate action to the provincial governor,  
11 or the *sangguniang panlalawigan*;

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

17 (vi) When directed by the provincial governor or the  
18 sanggunian, initiate and prosecute, in the interest of the province,  
19 any civil action on any bond, lease or other contract upon any  
20 breach or violation thereof; and

21 (vii) Review and submit recommendations on ordinances  
22 approved and executive orders issued by the component cities and  
23 municipalities.

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

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

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

7           SEC. 38. *The Provincial Agriculturist.* - (a) The provincial  
8 agriculturist must be a citizen of the Philippines, a resident of the  
9 province, of good moral character, a holder of a college degree in  
10 agriculture or in any related course from a recognized college or  
11 university, a first grade civil service eligible or its equivalent and  
12 must have practiced the agriculturist profession or acquired  
13 experience in a related field for at least five (5) years.

14           The appointment of the provincial agriculturist is mandatory.

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

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

23           (2) Develop plans and strategies and, upon approval thereof  
24 by the provincial governor, implement the same, particularly those  
25 which have to do with the agricultural programs and projects which  
26 the provincial governor is empowered to implement and which the

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

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

5 (i) Ensure that maximum assistance and access to resources  
6 in the production, processing and marketing of agricultural and  
7 aquacultural and marine products are extended to farmers,  
8 fishermen and local entrepreneurs;

9 (ii) Conduct or cause to be conducted location-specific  
10 agricultural researches and assist in making available the  
11 appropriate technology arising out of and disseminating information  
12 on basic research on crops, preventive control of plant diseases and  
13 pests, and other agricultural matters which will maximize  
14 productivity;

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

18 (iv) Enforce rules and regulations relating to agriculture and  
19 aquaculture; and

20 (v) Coordinate with government agencies and  
21 nongovernmental organizations which promote agricultural  
22 productivity through appropriate technology compatible with  
23 environmental integrity;

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

1           (5) Recommend to the sanggunian and advise the provincial  
2 governor on all matters related to agriculture and aquaculture  
3 which will improve the livelihood and living conditions of the  
4 inhabitants.

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

7           SEC. 39. *The Provincial Social Welfare and Development*  
8 *Officer.* – (a) The provincial social welfare and development officer  
9 must be a citizen of the Philippines, a resident of the province, of  
10 good moral character, a duly licensed social worker, or a holder of a  
11 college degree preferably in sociology or in any related course from a  
12 recognized college or university, a first grade civil service eligible or  
13 its equivalent and must have acquired experience in the practice of  
14 social work for at least five (5) years.

15           The appointment of a provincial social welfare and  
16 development officer is mandatory.

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

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

26           (2) Develop plans and strategies and, upon approval thereof  
27 by the provincial governor, implement the same, particularly those

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

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

7 (i) Identify the basic needs of the needy, the disadvantaged  
8 and the impoverished and develop and implement appropriate  
9 measures to alleviate their problems and improve their living  
10 conditions;

11 (ii) Provide relief and appropriate crisis intervention for  
12 victims of abuse and exploitation and recommend appropriate  
13 measures to deter further abuse and exploitation;

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

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

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

24 (vi) Coordinate with government agencies and  
25 nongovernmental organizations which have for their purpose the  
26 promotion and the protection of all the needy, disadvantaged,  
27 underprivileged or impoverished groups or individuals, particularly

1 those identified to be vulnerable and high-risk to exploitation, abuse  
2 and neglect.

3 (4) Be in the frontline of service delivery, particularly those  
4 which have to do with the immediate relief and assistance during  
5 and in the aftermath of man-made and natural disasters or  
6 calamities; and

7 (5) Recommend to the sanggunian and advise the provincial  
8 governor on all other matters related to social welfare and  
9 development service which will improve the livelihood and living  
10 conditions of the inhabitants.

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

13 SEC. 40. *The Provincial Veterinarian.* - (a) The provincial  
14 veterinarian must be a citizen of the Philippines, a resident of the  
15 province, of good moral character, a licensed doctor of veterinary  
16 medicine and must have practiced the veterinary profession for at  
17 least three (3) years.

18 The appointment of a provincial veterinarian is mandatory.

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

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

26 (2) Develop plans and strategies and, upon approval thereof  
27 by the provincial governor, implement the same, particularly those

1 which have to do with the veterinary-related activities which the  
2 provincial governor is empowered to implement and which the  
3 sanggunian is empowered to provide for under the Local  
4 Government Code of 1991, as amended;

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

7 (i) Advise the provincial governor on all matters pertaining  
8 to the slaughter of animals for human consumption and the  
9 regulation of slaughterhouses;

10 (ii) Regulate the keeping of domestic animals;

11 (iii) Regulate and inspect poultry, milk and dairy products for  
12 public consumption;

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

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

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

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



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

3 SEC. 41. *The Provincial General Services Officer.* - (a) The  
4 provincial general services officer must be a citizen of the  
5 Philippines, a resident of the province, of good moral character, a  
6 holder of a college degree in public administration, business  
7 administration or management from a recognized college or  
8 university, a first grade civil service eligible or its equivalent and  
9 must have acquired experience in general services, including the  
10 management of supply, property, solid waste disposal and general  
11 sanitation for at least five (5) years.

12 The appointment of a provincial general services officer is  
13 mandatory.

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

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

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

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

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

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

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

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

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

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

23 (vi) Collate and disseminate information regarding prices,  
24 shipping and other costs of supplies and other items commonly used  
25 by the provincial government;

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

1 (viii) Perform all other functions pertaining to supply and  
2 property management heretofore performed by the local government  
3 treasurer and to enforce policies on records creation, maintenance  
4 and disposal.

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

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

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

14 SEC. 42. *The Provincial Architect.* - (a) The provincial  
15 architect must be a citizen of the Philippines, a resident of the  
16 province, of good moral character, a duly licensed architect and  
17 must have practiced the architectural profession for at least five (5)  
18 years.

19 The appointment of a provincial architect is optional.

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

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

1           (2) Develop plans and strategies and, upon approval thereof  
2 by the provincial governor, implement the same, particularly those  
3 which have to do with architectural planning and design programs  
4 and projects which the provincial governor is empowered to  
5 implement and which the sanggunian is empowered to provide for  
6 under the Local Government Code of 1991, as amended;

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

9           (i) Prepare and recommend for consideration of the  
10 sanggunian the architectural plan and design for the province or a  
11 part thereof, including the renewal of slums and blighted areas,  
12 land reclamation activities, the greening of land and the  
13 appropriate planning of marine and foreshore areas;

14           (ii) Review and recommend for appropriate action of the  
15 sanggunian and the provincial governor, the architectural plan and  
16 design submitted by governmental and nongovernmental entities or  
17 individuals, particularly those for undeveloped, underdeveloped and  
18 poorly-designed areas; and

19           (iii) Coordinate with government agencies and  
20 nongovernmental entities and individuals involved in the aesthetics  
21 and the maximum utilization of the land and water within the  
22 jurisdiction of the province, compatible with environmental  
23 integrity and ecological balance.

24           (4) Be in the frontline of the delivery of basic services  
25 involving architectural planning and design, particularly those  
26 related to the redesigning of spatial distribution of basic facilities

1 and physical structures during and in the aftermath of man-made  
2 and natural disasters and calamities; and

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

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

9 SEC. 43. *The Provincial Population Officer.* - (a) The  
10 provincial population officer must be a citizen of the Philippines, a  
11 resident of the province, of good moral character, a holder of a  
12 college degree with specialized training in population development  
13 from a recognized college or university, a first grade civil service  
14 eligible or its equivalent and must have experience in the  
15 implementation of programs on population development or  
16 responsible parenthood for at least five (5) years.

17 The appointment of a provincial population officer is optional.

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

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

26 (2) Develop plans and strategies and, upon approval thereof  
27 by the provincial governor, implement the same, particularly those

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

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

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

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

15 (iii) Implement appropriate training programs responsive to  
16 the cultural heritage of the inhabitants.

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

19 SEC. 44. *The Provincial Environment and Natural Resources*  
20 *Officer.* - (a) The provincial environment and natural resources  
21 officer must be a citizen of the Philippines, a resident of the  
22 province, of good moral character, a holder of a college degree  
23 preferably in environment, forestry, agriculture or any related  
24 course from a recognized college or university, a first grade civil  
25 service eligible or its equivalent and must have acquired experience  
26 in environmental and natural resources management, conservation  
27 and utilization for at least five (5) years.

1           The appointment of a provincial environment and natural  
2 resources officer is optional.

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

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

12           (2) Develop plans and strategies and, upon approval thereof  
13 by the provincial governor, implement the same, particularly those  
14 which have to do with the environment and natural resources  
15 programs and projects which the provincial governor is empowered  
16 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 and functions, the  
19 environment and natural resources officer shall:

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

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

1 (iii) Manage and maintain seed banks and produce seedlings  
2 for forests and tree parks;

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

7 (v) Promote small-scale mining and utilization of mineral  
8 resources, particularly the mining of gold; and

9 (vi) Coordinate with government agencies and  
10 nongovernmental organizations in the implementation of measures  
11 to prevent and control land, air and water pollution with the  
12 assistance of the Department of Environment and Natural  
13 Resources (DENR);

14 (4) Be in the frontline of the delivery of services concerning  
15 the environment and natural resources, particularly in the renewal  
16 and rehabilitation of the environment during and in the aftermath  
17 of man-made and natural disasters or calamities; and

18 (5) Recommend to the sanggunian and advise the provincial  
19 governor on all matters relative to the protection, conservation,  
20 maximum utilization, application of appropriate technology and  
21 other matters related to the environment and natural resources.

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

24 SEC. 45. *The Provincial Cooperatives Officer.* - (a) The  
25 provincial cooperatives officer must be a citizen of the Philippines, a  
26 resident of the province, of good moral character, a holder of a  
27 college degree preferably in business administration with special



1 training in cooperatives or any related course from a recognized  
2 college or university, a first grade civil service eligible or its  
3 equivalent and must have acquired experience in cooperatives  
4 organization and management for at least five (5) years.

5 The appointment of a provincial cooperatives officer is  
6 optional.

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

9 (1) Formulate measures for the consideration of the  
10 sanggunian and provide technical assistance and support to the  
11 provincial governor in carrying out measures to ensure the delivery  
12 of basic services and the provision of adequate facilities through the  
13 development of cooperatives, and in providing access to such  
14 services and facilities;

15 (2) Develop plans and strategies and, upon approval thereof  
16 by the provincial governor, implement the same, particularly those  
17 which have to do with the integration of cooperatives principles and  
18 methods in programs which the provincial governor is empowered to  
19 implement and which the sanggunian is empowered to provide for  
20 under the Local Government Code of 1991, as amended;

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

23 (i) Assist in the organization of cooperatives;

24 (ii) Provide technical and other forms of assistance to  
25 existing cooperatives to enhance their viability as an economic  
26 enterprise and social organization; and

1 (iii) Assist cooperatives in establishing linkages with  
2 government agencies and nongovernmental organizations involved  
3 in the promotion and integration of the concept of cooperatives in  
4 the livelihood of the people and other community activities;

5 (4) Be in the frontline of cooperatives organization,  
6 rehabilitation or viability enhancement, particularly during and in  
7 the aftermath of man-made and natural disasters or calamities, to  
8 aid in their survival and, if necessary, subsequent rehabilitation;  
9 and

10 (5) Recommend to the sanggunian and advise the provincial  
11 governor on all other matters relative to cooperatives development  
12 and viability enhancement which will improve the livelihood and  
13 the quality of life of the inhabitants.

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

16 SEC. 46. *The Provincial Information Officer.* - (a) The  
17 provincial information officer must be a citizen of the Philippines, a  
18 resident of the province, of good moral character, a holder of a  
19 college degree preferably in journalism, mass communication or any  
20 related course from a recognized college or university, a first grade  
21 civil service eligible or its equivalent and must have acquired  
22 experience in writing articles and research papers, or in writing for  
23 print, television or broadcast media for at least three (3) years.

24 The term of the provincial information officer is coterminous  
25 with that of his or her appointing authority.

26 The appointment of a provincial information officer is  
27 optional.

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

3           (1) Formulate measures for the consideration of the  
4 sanggunian and provide technical assistance and support to the  
5 provincial governor in providing the information and research data  
6 required for the delivery of basic services and the provision of  
7 adequate facilities so that the public becomes aware of the said  
8 service and may fully avail of the same;

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

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

18           (i) Provide relevant, adequate and timely information to the  
19 provincial government and its inhabitants;

20           (ii) Maintain effective liaison with the various sectors of the  
21 community on matters and issues that affect the livelihood and the  
22 quality of life of the inhabitants and encourage support for  
23 programs of the local and national government; and

24           (iii) Furnish information and data on the province to  
25 government agencies or offices as may be required by law or  
26 ordinance and nongovernmental organizations to be furnished to  
27 said agencies and organizations;

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

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

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

12 ARTICLE VIII

13 THE PROVINCIAL FIRE STATION, THE PROVINCIAL

14 JAIL, THE PROVINCIAL SCHOOLS DIVISION AND

15 THE PROVINCIAL PROSECUTION SERVICE

16 SEC. 47. *The Provincial Fire Station Service.* – (a) There  
17 shall be established in the province at least five (5) fire stations  
18 with adequate personnel, firefighting facilities and equipment to be  
19 provided by the DILG, within two (2) months upon the  
20 commencement of the corporate existence of the new province. The  
21 provincial government shall provide the necessary land or site of the  
22 provincial fire stations.

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

1 (c) The provincial fire stations shall be responsible for the  
2 protection of various emergency services such as the rescue and  
3 evacuation of injured people at fire-related incidents and, in  
4 general, fire prevention and suppression measures to secure the  
5 safety of life and property of the citizenry.

6 SEC. 48. *The Provincial Jail Service.* - (a) There shall be  
7 established and maintained in the province, within two (2) months  
8 upon the commencement of the corporate existence of the new  
9 province by the DILG, a secured, clean, adequately equipped and  
10 sanitary jail facility for the custody and safekeeping of prisoners,  
11 any fugitive from justice, or person detained awaiting investigation  
12 or trial and/or retransfer to the national penitentiary, and/or violent  
13 mentally ill person who endangers himself or the safety of others,  
14 duly certified as such by the proper medical health officer, pending  
15 the transfer to a mental institution.

16 (b) The provincial jail service shall be headed by a provincial  
17 jail warden whose qualifications shall be as those provided for  
18 under Republic Act No. 9263, as amended, otherwise known as the  
19 "Bureau of Fire Protection and Bureau of Jail Management and  
20 Penology Professionalization Act of 2004". The provincial jail  
21 warden shall assist in the immediate rehabilitation of individuals or  
22 detention of prisoners. Great care must be exercised so that human  
23 rights of these prisoners are respected and protected, and their  
24 spiritual and physical well-being are properly and promptly  
25 attended to.

26 SEC. 49. *The Provincial Schools Division.* - (a) The DepEd  
27 shall, within two (2) months upon the commencement of the

1 corporate existence of the province herein created, establish and  
2 maintain a separate schools division in the province whose  
3 jurisdiction shall cover all the municipalities of the new province.

4 (b) The provincial schools division shall be headed by a  
5 division superintendent who must possess the necessary  
6 qualifications required by the DepEd.

7 SEC. 50. *The Provincial Prosecution Service.* - (a) There  
8 shall be established and maintained a prosecution service by the  
9 Department of Justice (DOJ), within two (2) months upon the  
10 commencement of the corporate existence of the province herein  
11 created. The Provincial Prosecution Service shall be headed by a  
12 provincial prosecutor and such number of assistant prosecutors as  
13 may be necessary, which shall be organizationally part of the DOJ,  
14 and under the supervision and control of the Secretary of the DOJ.  
15 The qualifications, manner of appointment, rank, salary and  
16 benefits of the provincial prosecutor and assistant prosecutors shall  
17 be governed by existing laws covering prosecutors in the DOJ.

18 (b) The provincial prosecutor shall handle the criminal  
19 prosecution in the municipal trial courts in the province as well as  
20 in the regional trial courts for criminal cases originating in the  
21 territory of the new province and shall render to and for the  
22 province such other services as are required by law or regulation of  
23 the DOJ.

## 24 ARTICLE IX

### 25 TRANSITORY AND FINAL PROVISIONS

26 SEC. 51. *Plebiscite.* - The provinces of Palawan del Norte,  
27 Palawan Oriental, and Palawan del Sur shall be created upon

1 approval by the majority of the votes cast by the voters of the  
2 affected areas in a plebiscite to be conducted and supervised by the  
3 Commission on Elections (COMELEC) on the second Monday of  
4 May 2022 following the effectivity of this Charter.

5 The amount necessary for the conduct of the plebiscite shall  
6 be charged against the appropriations of the COMELEC.

7 SEC. 52. *Commencement of Corporate Existence.* – The  
8 provinces of Palawan del Norte, Palawan Oriental, and Palawan Del  
9 Sur shall commence its corporate existence upon the election and  
10 qualification of its provincial governor, provincial vice governor and  
11 majority of the members of the *sangguniang panlalawigan*.

12 The election of the provincial officials of the newly created  
13 provinces shall be held on the second Monday of May in the year  
14 2022.

15 SEC. 53. *Officials of the Newly Created Provinces.* – The first  
16 set of elective officials of the newly created provinces shall be  
17 elected in the May 2022 national and local elections.

18 The provincial officials who were duly elected and qualified in  
19 the election immediately preceding the May 2022 national and local  
20 elections shall continue to serve their unexpired terms of office until  
21 the provincial officials of the three (3) provinces shall have been  
22 elected and qualified.

23 SEC. 54. *Residents of the City of Puerto Princesa.* – The  
24 residents of the City of Puerto Princesa, as a highly urbanized city,  
25 shall not be qualified to vote in the plebiscite and for candidates for  
26 provincial elective positions.

1           The district representatives who were duly elected and  
2 qualified in the election immediately preceding the May 2022  
3 national and local elections of the present First Legislative District,  
4 Second Legislative District, and Third Legislative District shall  
5 continue to represent their respective districts until the  
6 representatives for the newly created legislative districts for the  
7 three (3) provinces and the highly urbanized City of Puerto Princesa  
8 shall have been elected and qualified.

9           SEC. 55. *Organization of the Provincial Government.* – All  
10 provincial appointive positions in the newly created provinces shall  
11 be filled within sixty (60) days upon commencement of its corporate  
12 existence. This shall be done without prejudice to the officials and  
13 employees of the present Province of Palawan who may wish to  
14 serve in any of the newly created provinces.

15           SEC. 56. *Present Provincial Properties.* – Following the  
16 plebiscite and creation of the provinces, the ownership of real  
17 properties and infrastructure projects of each LGU situated in the  
18 present Province of Palawan shall belong to the province where it is  
19 situated. Real properties located in the City of Puerto Princesa,  
20 owned by the present Province of Palawan or held in trust for the  
21 national government, shall be co-owned and/or co-managed by the  
22 three (3) provinces for the mutual benefit of its constituents.  
23 Decision as to its use and disposition shall be made upon a  
24 consensus of at least two (2) provinces to be embodied in a  
25 memorandum of agreement duly entered into in accordance with  
26 the Local Government Code of 1991, as amended.



1           SEC. 57. *Funds, Obligations and Assets of the Newly Created*  
2 *Provinces.* – Following the plebiscite and creation of the provinces,  
3 the funds, obligations and assets of all kinds of the present Province  
4 of Palawan subsisting at the time of the effectivity of the creation  
5 the three (3) provinces herein created shall be distributed among  
6 the three (3) provinces proportionately with the income of the  
7 municipalities comprising the same: *Provided, however,* That if the  
8 obligation had been contracted to finance a project belonging to any  
9 one of the three (3) provinces, the said province shall be solely  
10 responsible to settle such obligation.

11           Transitory projects and activities, such as land acquisition,  
12 office building construction, furnishing of offices; purchase of  
13 furniture, fixture and equipment; assignment of present properties;  
14 assignment of employees, hiring of new personnel, education and  
15 training of officials, employees and personnel; and all other projects  
16 and activities that will ensure the full and complete management,  
17 operations and service delivery of the provinces upon the  
18 commencement of its corporate existence, shall be financed and  
19 implemented by the present Provincial Government of Palawan.

20           SEC. 58. *Applicability of Laws.* – The provisions of Republic  
21 Act No. 7160, otherwise known as the “Local Government Code of  
22 1991”, as amended, and other laws as are applicable to provinces  
23 shall govern the provinces herein created insofar as they are not  
24 inconsistent with the provisions of this Act.

25           SEC. 59. *Separability Clause.* – If any part of this Act is  
26 declared invalid or unconstitutional, the other parts or provisions  
27 hereof shall remain valid and effective.

1           SEC. 60. *Effectivity.* – This Act shall take effect fifteen (15)  
2 days upon its publication in the *Official Gazette* or in a newspaper of  
3 general and local circulation.

Approved,

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