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D. Paul, Jr.

CONGRESS OF THE PHILIPPINES
ELEVENTH CONGRESS
First Special Session

HOUSE OF REPRESENTATIVES

H. No. 7883

INTRODUCED BY HONORABLE ABUEG JR., ERMITA, MACARAMBON JR.,
SALAPUDDIN, JAAFAR, DATUMANONG, TAMMANG, DEQUIÑA,
MANGOTARA, ADIONG, CANDAZO, AMIN, DUAVIT, SUAREZ, UNDE
AND VERGARA, PER COMMITTEE REPORT NO. 387

AN ACT PROVIDING FOR AN ORGANIC ACT FOR THE
AUTONOMOUS REGION IN MUSLIM MINDANAO,
AMENDING FOR THE PURPOSE REPUBLIC ACT
NUMBERED SIXTY SEVEN HUNDRED THIRTY-FOUR
ENTITLED "AN ACT PROVIDING FOR AN ORGANIC ACT
FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO"

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

1 SECTION 1. The Preamble of Republic Act No. 6734 is hereby
2 amended to read as follows:

3 "PREAMBLE

4 "The people of the Autonomous Region in Muslim
5 Mindanao, imploring the aid of Almighty God, in order to
6 develop a just and humane society and establish [an Autonomous]
7 A Regional AUTONOMOUS Government that is truly reflective of
8 their ideas and aspirations within the framework of the
9 Constitution and national sovereignty, as well as the territorial
10 integrity of the Republic of the Philippines, and to secure to
11 themselves and their posterity the blessings of autonomy,

democracy, peace, justice and equality, do ordain and promulgate this Organic Act through the Congress of the Philippines."

SEC. 2. Section 1 of Article I is hereby amended to read as follows:

"SECTION 1. The name of the Autonomous Region shall be the Autonomous Region in Muslim Mindanao unless provided otherwise by [Congress upon the recommendation of] the Regional Legislative Assembly.

"THE AUTONOMOUS REGION IN MUSLIM MINDANAO SHALL BE GOVERNED BY THE REGIONAL AUTONOMOUS GOVERNMENT."

SEC. 3. Sections 1 and 2 of Article II are hereby amended to read as follows:

"ARTICLE II

"THE AUTONOMOUS REGION

"Area and Seat of Government

"SECTION 1. (1) There is hereby created the Autonomous Region in Muslim Mindanao to be composed of THE provinces OF BASILAN, COTABATO, DAVAO DEL SUR, LANA DEL NORTE, LANA DEL SUR, MAGUINDANAO, PALAWAN, SARANGANI, SOUTH COTABATO, SULTAN KUDARAT, SULU, TAWI-TAWI, ZAMBOANGA DEL NORTE, AND ZAMBOANGA DEL SUR, and THE cities OF COTABATO, DAPITAN, DIPOLOG, GENERAL SANTOS, ILIGAN, MARAWI, PAGADIAN, PUERTO PRINCESA, ZAMBOANGA, AND KIDAPAWAN voting favorably in the plebiscite called for the purpose, in accordance with Section 18, Article X of the Constitution.

"(2) The plebiscite shall be conducted in the provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Lanao del Sur, Maguindanao, Palawan, SARANGANI, South Cotabato, Sultan Kudarat, Sulu, Tawi-Tawi, Zamboanga del Norte, and Zamboanga

del Sur, and the cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Puerto Princesa, [and] Zamboanga, **AND KIDAPAWAN.**

“SEC. 2. The Regional Legislative Assembly, hereinafter referred to as the Regional Assembly, shall fix by law the permanent seat of government for the Autonomous Region in Muslim Mindanao **WITHIN ITS AREA OF JURISDICTION**, taking into consideration accessibility and efficiency in carrying out its mandate under this Act: *Provided*, That the provisional seat of the Regional **AUTONOMOUS** Government shall be in Cotabato City. **THE NEWLY-ELECTED REGIONAL ASSEMBLY SHALL, WITHIN ITS TERM, IDENTIFY THE SITE OF THE PERMANENT SEAT OF GOVERNMENT. THE NATIONAL GOVERNMENT SHALL SET ASIDE FUNDS TO EFFECT THE TRANSFER TO THE PERMANENT SEAT.**”

SEC. 4. Sections 1 to 3 of Article III are hereby amended to read as follows:

“ARTICLE III

“GUIDING PRINCIPLES AND POLICIES

“SECTION 1. The area of the Autonomous Region in Muslim Mindanao shall remain an integral and inseparable part of the national territory of the Republic of the Philippines as defined by the Constitution and existing laws.

“The people of the Autonomous Region shall uphold the Constitution as the fundamental law of the land and unequivocally owe allegiance and fidelity to the Republic of the Philippines.

“The Autonomous Region shall be governed and administered in accordance with this Organic Act, **AS AMENDED.**

1 "SEC. 2. The Regional AUTONOMOUS Government shall
2 adopt the policy of settlement of conflicts by peaceful means, and
3 renounce any form of lawless violence as an instrument of redress.

4 "SEC. 3. The Regional AUTONOMOUS Government shall
5 adopt a policy on local autonomy whereby regional powers shall
6 be devolved to local government units where appropriate:
7 *Provided, however,* That until a regional law implementing this
8 provision is enacted, the Local Government Code shall be
9 applicable."

10 SEC. 5. Sections 5 to 8 of Article III are hereby amended to read as
11 follows:

12 "SEC. 5. The Regional AUTONOMOUS Government shall
13 adopt measures to ensure mutual respect for and protection of the
14 distinct beliefs, customs, and traditions among its inhabitants in
15 the spirit of unity in diversity and peaceful coexistence: *Provided,*
16 That no person in the Autonomous Region shall, on the basis of
17 creed, religion, ethnic origin, parentage or sex, be subjected to any
18 form of discrimination.

19 "THE REGIONAL AUTONOMOUS GOVERNMENT SHALL
20 GIVE PREFERENTIAL ATTENTION TO AND ENSURE THE WELL-
21 BEING OF INDIGENOUS TRIBAL COMMUNITIES MOST EXPOSED
22 TO EXPLOITATION, DEPRESSION, AND THE DANGER OF
23 EXTINCTION LIKE THE TASADAY, ATA, BADIJO, AND OTHERS.

24 "SEC. 6. The Regional AUTONOMOUS Government shall
25 adopt educational policies that SHALL PERPETUATE FILIPINO
26 IDEALS AND ASPIRATIONS, AND AMONG OTHERS, ISLAMIC
27 IDEALS AND ASPIRATIONS, ISLAMIC VALUES AND
28 ORIENTATIONS OF THE BANGSAMORO PEOPLE. [are responsive
29 to and reflective of the special needs of the people, with due

1 respect to the beliefs, customs and traditions of the inhabitants of
 2 the Region.]

3 "SEC. 7. The Regional AUTONOMOUS Government shall
 4 endeavor to improve the well-being of all its constituents,
 5 particularly the marginalized, deprived, disadvantaged,
 6 underprivileged, [and] disabled AND THE ELDERLY.

7 "SEC. 8. Subject to the provisions of the Constitution, THE
 8 EXISTING LAWS and this Organic Act, and national development
 9 policies and programs, the Regional AUTONOMOUS Government
 10 shall have authority, power, and right in the exploration,
 11 EXPLOITATION, USE, ENJOYMENT, development and utilization
 12 of its natural resources, INCLUDING SURFACE AND SUB-SURFACE
 13 RIGHTS, INLAND AND COASTAL WATERS, AND RENEWABLE AND
 14 NON-RENEWABLE RESOURCES: *Provided.* That the indigenous
 15 cultural communities shall have priority rights in the areas
 16 designated as parts of the ancestral domain."

17 SEC. 6. Sections 10 to 13 of Article III are hereby amended to read as
 18 follows:

19 "SEC. 10. The Regional AUTONOMOUS Government shall
 20 uphold and protect the fundamental rights of women and children.
 21 In no case shall women and children, ESPECIALLY ORPHANS OF
 22 TENDER AGE, be exploited, abused or discriminated against.

23 "SEC. 11. The Regional AUTONOMOUS Government shall
 24 provide, maintain, and ensure the delivery of, AMONG OTHERS,
 25 basic AND RESPONSIVE health PROGRAMS, QUALITY education
 26 [and] services, LIVELIHOOD OPPORTUNITIES, AFFORDABLE AND
 27 PROGRESSIVE HOUSING PROJECTS, AND WATER RESOURCE
 28 DEVELOPMENT.

29 "THE REGIONAL AUTONOMOUS GOVERNMENT SHALL
 30 MAINTAIN AND ENSURE DISASTER-PREPAREDNESS IN ORDER TO

DELIVER IMMEDIATE AND EFFECTIVE RELIEF SERVICES TO VICTIMS OF NATURAL AND MAN-MADE CALAMITIES. THE REHABILITATION OF CALAMITY VICTIMS SHALL ALSO BE ENSURED.

"SEC. 12. The Regional AUTONOMOUS Government shall ADOPT AN EFFICIENT AND PROGRESSIVE SYSTEM OF TAXATION WHICH, AMONG OTHERS, SHALL provide incentives for prompt payment of taxes AND PENALIZE TAX EVASION AND DELINQUENCY.

"SEC. 13. The National Government shall provide [financial assistance to the Autonomous Region by appropriating such sums as may be necessary to accelerate the development of the Region] THE REGIONAL AUTONOMOUS GOVERNMENT ITS PROPORTIONATE AND EQUITABLE SHARE IN THE ANNUAL NATIONAL BUDGET AND FOREIGN ASSISTED PROJECTS IN ADDITION TO OTHER FINANCIAL ASSISTANCE, SUPPORT, AND SUBSIDIES NECESSARY TO ACCELERATE THE DEVELOPMENT OF THE AREA OF AUTONOMY."

SEC. 7. Article III is hereby amended to insert three new sections to be denominated as Sections 14 to 16, to read as follows:

"SEC. 14. THE PEOPLE'S INITIATIVE, BY WAY OF POPULAR CONSULTATION, PLEBISCITE, AND REFERENDUM IS HEREBY RECOGNIZED, UPHELD, ENCOURAGED AND, THEREFORE, MUST BE SUPPORTED.

"SEC. 15. THE FUNDAMENTAL RIGHTS AND DUTIES OF THE PEOPLE IN THE AUTONOMOUS REGION ARE THOSE ESTABLISHED IN THE CONSTITUTION AND THIS ORGANIC ACT, GENEVA CONVENTIONS, UNITED NATIONS CHARTER, UNITED NATIONS DECLARATION ON RIGHTS OF INDIGENOUS COMMUNITIES, INTERNATIONAL DECLARATION ON HUMAN

RIGHTS, AS WELL AS ALL LAWS, PRACTICES, AND PRINCIPLES
BINDING UPON MEMBERS OF THE COMMUNITY OF NATIONS.

"SEC. 16. THE PROTECTION, REHABILITATION, AND THE
SUSTAINABLE DEVELOPMENT OF FOREST, COASTAL, AND
MARINE RESOURCES, INCLUDING THE ADOPTION OF PROGRAMS
AND PROJECTS TO ENSURE THE MAINTENANCE OF ECOLOGICAL
BALANCE, SHALL BE PRIORITIZED."

SEC. 8. Sections 1 to 3 of Article V are hereby amended to read as
follows:

"ARTICLE V

"POWERS OF GOVERNMENT

"SECTION 1. The Regional AUTONOMOUS Government shall
exercise powers and functions necessary for the proper
governance and development of all the constituent units within the
Autonomous Region consistent with the constitutional policy on
regional and local autonomy and decentralization. [: *Provided*,
That nothing herein shall authorize the diminution of] THE
REGIONAL AUTONOMOUS GOVERNMENT SHALL HAVE THE
POWER TO ENACT ITS OWN REGIONAL ADMINISTRATIVE CODE
AND REGIONAL LOCAL GOVERNMENT CODE CONSISTENT
WITH THE CONSTITUTION AND NATIONAL LAWS: *PROVIDED*,
THAT IT SHALL NOT IN ANY WAY DIMINISH the powers and
functions already enjoyed by local government units.

"SEC. 2. The Autonomous Region is a corporate entity with
jurisdiction in all matters devolved to it by the Constitution and
this Organic Act as herein enumerated:

"(1) Administrative organization;

"(2) Creation of sources of revenues;

"(3) Ancestral domain and natural resources;

"(4) Personal, family and property relations;

- “(5) Regional urban and rural planning development;
- “(6) Economic, social, and tourism development;
- “(7) Educational policies;
- “(8) Preservation and development of the cultural heritage;
- “(9) [Powers, functions and responsibilities now being

exercised by the departments of the National Government except]

**THE REGIONAL ASSEMBLY SHALL EXERCISE LEGISLATIVE
POWER FOR APPLICATION IN THE AREA OF AUTONOMY EXCEPT
ON THE FOLLOWING MATTERS, TO WIT:**

- “(a) Foreign affairs;
- “(b) National defense and security;
- “(c) Postal service
- “(d) Coinage and fiscal and monetary policies;
- “(e) Administration of justice **ON MATTERS NOT
PERTAINING TO SHARI'AH;**
- “(f) Quarantine;
- “(g) Customs and tariff;
- “(h) Citizenship;
- “(i) Naturalization, immigration and deportation;
- “(j) General auditing, civil service and elections;
- “(k) Foreign trade;
- “(l) Maritime, land and air transportation and
communications [that affect areas outside the Autonomous
Region]; and

- “(m) Patents, trademarks, tradenames, and copyrights; and

“(10) Such other matters as may be authorized by law for
the promotion of the general welfare of the people of the Region:
**PROVIDED, THAT AS FAR AS PRACTICABLE, THE REGION SHALL
BE REPRESENTED IN ALL THE NATIONAL DEPARTMENTS,**

1 ENFORCING THE POLICIES, PROGRAMS AND PROJECTS OF THE
2 ABOVE ENUMERATED CONCERNS.

3 "SEC. 3. The Regional AUTONOMOUS Government may
4 exercise the power of eminent domain."

5 SEC. 9. Section 1 of Article VI is hereby amended to insert a new
6 section to be denominated as Section 2, to read as follows:

7 "ARTICLE VI

8 "[INTER] INTRA-GOVERNMENTAL RELATIONS

9 "SECTION 1. [The President of the Philippines shall exercise
10 general supervision over the Regional Government, including the
11 local government units therein directly or through the Regional
12 Governor, to ensure that national and regional laws are faithfully
13 executed.] CONSISTENT WITH THE BASIC POLICY ON THE
14 LOCAL AUTONOMY, THE PRESIDENT OF THE REPUBLIC OF THE
15 PHILIPPINES SHALL EXERCISE GENERAL SUPERVISION OVER
16 LOCAL GOVERNMENT UNITS IN THE AUTONOMOUS REGION TO
17 ENSURE THAT THEIR ACTS ARE WITHIN THE SCOPE OF THEIR
18 PRESCRIBED POWERS AND FUNCTIONS. THE PRESIDENT SHALL
19 EXERCISE SUPERVISORY AUTHORITY DIRECTLY OVER THE
20 REGIONAL AUTONOMOUS REGION, AND OVER THE PROVINCES
21 AND HIGHLY URBANIZED CITIES THROUGH THE REGIONAL
22 GOVERNOR, AND THROUGH THE PROVINCE WITH RESPECT TO
23 COMPONENT CITIES AND MUNICIPALITIES AND THROUGH THE
24 CITY AND MUNICIPALITY WITH RESPECT TO BARANGAYS.

25 "THE REGIONAL GOVERNOR OF THE REGIONAL
26 AUTONOMOUS GOVERNMENT SHALL EXERCISE GENERAL
27 SUPERVISION OVER ALL LOCAL GOVERNMENT UNITS IN THE
28 AREA OF AUTONOMY TO ENSURE THAT NATIONAL AND
29 REGIONAL LAWS ARE FAITHFULLY EXECUTED AND SEE TO IT
30 THAT THEY ACT WITHIN THEIR ASSIGNED POWERS AND
31 FUNCTIONS.

1 "SEC. 2. AS FAR AS PRACTICABLE, IT SHALL BE THE
2 POLICY OF THE NATIONAL GOVERNMENT THAT THERE SHALL
3 BE AT LEAST ONE (1) MEMBER OF THE CABINET WITH A RANK
4 OF A DEPARTMENT SECRETARY WHO IS AN INHABITANT OF THE
5 AUTONOMOUS REGION TO BE RECOMMENDED BY THE
6 REGIONAL GOVERNOR IN CONSULTATION WITH ELECTED
7 OFFICIALS AND CONCERNED SECTORS OF THE AUTONOMOUS
8 REGION.

9 SEC. 10. The old Section 2 of Article VI is hereby amended to insert
10 five new sections to be denominated as Sections 3 to 7, to read as follows:

11 "SEC. [2] 3. FOR THE PROPER, EFFECTIVE, EFFICIENT AND
12 ORDERLY MANAGEMENT OF THE SHARIAH AND TRIBAL
13 COURTS, [T]he Regional AUTONOMOUS Government shall
14 maintain close coordination with the National Government. [for
15 the orderly management of the special courts within the
16 Autonomous Region.]

17 "SEC. 4. REPRESENTATION IN THE NATIONAL
18 GOVERNMENT BY THE INHABITANTS OF THE AUTONOMOUS
19 REGION MAY BE EFFECTED THROUGH APPOINTMENT OR
20 ELECTIONS AND MUST BE SUBJECT TO STANDARDS AND
21 GUIDELINES PRESCRIBED FOR THE POSITION. WHEN
22 REPRESENTATION IS DONE BY APPOINTMENT, THE INHABITANTS
23 OF THE AUTONOMOUS REGION WILL BE APPOINTED BY THE
24 PRESIDENT OF THE PHILIPPINES UPON RECOMMENDATION BY
25 THE REGIONAL GOVERNOR IN CONSULTATION WITH ELECTED
26 OFFICIALS AND CONCERNED SECTORS OF THE AUTONOMOUS
27 REGION.

28 "SEC. 5. RIGHT OF REPRESENTATION SHALL NOT BE
29 CONSTRUED IN SUCH A WAY THAT APPLICANTS FROM THE
30 AUTONOMOUS REGION, ESPECIALLY MUSLIMS AND CULTURAL

COMMUNITIES, FOR LOWER POSITIONS IN THE ABOVE ORGANS OF THE GOVERNMENT CANNOT BE APPOINTED ANYMORE THERETO.

"SEC. 6. IT SHALL LIKEWISE BE A NATIONAL POLICY THAT THERE SHALL BE AT LEAST ONE (1) OFFICIAL IN EACH OF THE DEPARTMENTS AND THE CONSTITUTIONAL BODIES OF THE NATIONAL GOVERNMENT WHO SHALL AS FAR AS PRACTICABLE BE APPOINTED IN EXECUTIVE, PRIMARILY CONFIDENTIAL, HIGHLY TECHINICAL OR POLICY-DETERMINING POSITIONS, FROM AMONG THE INHABITANTS OF THE AUTONOMOUS REGION UPON RECOMMENDATION OF THE REGIONAL GOVERNOR IN CONSULTATION WITH ELECTED OFFICIALS AND CONCERNED SECTORS OF THE AUTONOMOUS REGION.

"SEC. 7. THE REGIONAL GOVERNOR SHALL PARTICIPATE AS *EX OFFICIO* MEMBER OF THE NATIONAL SECURITY COUNCIL ON ALL MATTERS CONCERNING THE AUTONOMOUS REGION AND SUCH OTHER MATTERS AS MAY BE DETERMINED BY THE PRESIDENT.

"SEC. 8. WHERE GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS (GOCCs) ARE OPERATING MAINLY OR WITH A SUBSIDIARY IN THE AREA OF AUTONOMY, THE AUTONOMOUS REGION SHALL, AS A POLICY, BE GIVEN REPRESENTATION IN THE BOARD OF DIRECTORS OR IN THE POLICY-MAKING BODY OF SAID GOCCs OR THEIR SUBSIDIARIES CONSISTENT WITH THEIR RESPECTIVE CHARTERS."

SEC. 11. Sections 2 to 19 of Article VII are hereby amended and renumbered accordingly to read as follows:

"ARTICLE VII

"THE LEGISLATIVE DEPARTMENT

"SEC. 2. The Regional Assembly may create, divide, merge, abolish or substantially alter boundaries of any

1 municipality or barangay in accordance with the criteria laid down
2 by existing law subject to THE approval by a majority of the votes
3 cast in a plebiscite in the political units directly affected. It may
4 also change the names of such local government units, public
5 places and institutions.

6 "SEC. 3. The Regional Assembly shall approve the budget
7 of the Autonomous Region AND THE APPORTIONMENT AND
8 ALLOCATION OF THE ANNUAL ASSISTANCE FUND FOR
9 INFRASTRUCTURE THROUGH A PUBLIC WORKS ACT THAT IT
10 SHALL ENACT FOR THE AUTONOMOUS REGION.

11 "SEC. 4. The Regional Assembly shall be composed of
12 Members elected by popular vote, with three (3) members elected
13 from each of the [congressional] LEGISLATIVE districts.

14 "SEC. 5. CONSISTENT WITH THE LOCAL GOVERNMENT
15 CODE, THERE SHALL BE SECTORAL REPRESENTATIVES IN THE
16 REGIONAL ASSEMBLY WHOSE NUMBER SHALL NOT EXCEED
17 FIFTEEN PERCENT (15%) OF THE TOTAL NUMBER OF ELECTED
18 MEMBERS OF THE REGIONAL ASSEMBLY COMING FROM THE
19 AGRICULTURAL, LABOR, URBAN POOR, DISABLED, INDIGENOUS
20 CULTURAL COMMUNITIES, YOUTH AND WOMEN SECTORS, AND
21 SUCH OTHER SECTORS AS MAY SUBSEQUENTLY BE PROVIDED
22 BY REGIONAL LAW: PROVIDED, THAT THE YOUTH
23 REPRESENTATIVE SHALL NOT BE LESS THAN EIGHTEEN (18)
24 YEARS OF AGE NOR MORE THAN TWENTY-ONE (21) YEARS OF
25 AGE AT THE TIME OF HIS OR HER ASSUMPTION TO OFFICE.

26 "THE SECTORAL REPRESENTATIVES SHALL BE ENTITLED
27 TO THE SAME SALARY AND ALLOWANCES AND RIGHTS AND
28 PRIVILEGES ENJOYED BY THE REGULARLY ELECTED MEMBERS
29 OF THE REGIONAL ASSEMBLY.

1 "SEC. [5] 6. CONSISTENT WITH THE PROVISIONS OF THE
2 CONSTITUTION, [T]The Members of the Regional Assembly shall
3 have a term of three (3) years which shall begin, unless otherwise
4 provided by law, at noon on the 31st day of March next following
5 their election.

6 "No Member of the Regional Assembly shall serve [for more
7 than three (3) consecutive] terms OF OFFICE MORE THAN WHAT
8 IS PROVIDED FOR IN THE CONSTITUTION. Voluntary
9 renunciation of or removal from office for any length of time shall
10 not be considered as an interruption in the continuity of his
11 service for the full term for which he was elected.

12 "SEC. [6] 7. In case of vacancy in the Regional Assembly
13 occurring at least one (1) year before the expiration of the term of
14 office, a special election shall be called to fill the vacancy in the
15 manner prescribed by regional law: *Provided*, That the Member
16 elected shall serve only for the unexpired term.

17 "SEC. [7] 8. No person shall be a Member of the Regional
18 Assembly unless he/SHE is:

19 "(1) A natural-born citizen of the Philippines;

20 "(2) At least twenty-one (21) years of age on the day of the
21 election;

22 "(3) Able to read and write;

23 "(4) A registered voter of the district in which he/SHE shall
24 be elected on the day he/SHE files his/HER certificate of
25 candidacy; and

26 "(5) A resident thereof for a period of not less than [five (5)
27 years] ONE (1) YEAR immediately preceding the day of the
28 election.

1 "SEC. [8] 9. Every Member of the Regional Assembly shall
2 take an oath or affirmation of allegiance to the Republic of the
3 Philippines before taking his/HER seat.

4 "SEC. [9] 10. Unless otherwise provided by Congress, [a
5 Member of the Regional Assembly shall receive an annual salary
6 of One hundred twenty thousand pesos (P120,000.00) except the
7 Speaker of the Regional Assembly who shall receive an annual
8 salary of One hundred forty-four thousand pesos (P144,000.00)]
9 THE ANNUAL COMPENSATION OF THE SPEAKER AND MEMBERS
10 OF THE REGIONAL ASSEMBLY SHALL BE SUBJECT TO THE
11 EXISTING LAWS ON POSITION CLASSIFICATION AND
12 COMPENSATION. They shall not receive during their tenure any
13 other emoluments from the REGIONAL AUTONOMOUS
14 Government.

15 "SEC. [10] 11. Any Member of the Regional Assembly who
16 accepts an appointment and qualifies for any position in the
17 Government, including government-owned AND/or controlled
18 corporations or INSTITUTIONS AND their subsidiaries, shall
19 automatically forfeit his/HER seat in the Regional Assembly.

20 "SEC. [11] 12. All Members of the Regional Assembly
21 shall, upon their assumption of office, make a full disclosure of
22 their financial and business interests, including those of their
23 spouses and unmarried children under eighteen (18) years of age
24 living in their households. They shall notify the Assembly of any
25 potential conflict of interest that may arise from the filing of
26 measures of which they are authors.

27 "Any Member found guilty of non-disclosure as required
28 under this section may be expelled by a two-thirds (2/3) vote of all

1 the Members of the Regional Assembly, without prejudice to his
2 other liabilities under pertinent legislation.

3 "SEC. [12] 13. No Member of the Regional Assembly may
4 personally appear as counsel before courts of justice or quasi-
5 judicial and other administrative bodies. Neither shall he/SHE,
6 directly or indirectly, be interested financially in any contract
7 with, or in any franchise or special privilege granted by the
8 REGIONAL AUTONOMOUS Government, or any subdivision,
9 agency or instrumentality thereof, including any government-
10 owned or controlled corporation or its subsidiary, during his/HER
11 term of office. He/SHE shall not intervene in any manner before
12 any office of the Government for his/HER pecuniary benefit or
13 where he/SHE may be called upon to act on account of his/HER
14 office.

15 "SEC. [13] 14. ANY MEMBER OF THE REGIONAL
16 ASSEMBLY SHALL, IN ALL OFFENSES COMMITTED WITHIN THE
17 JURISDICTION OF THE AUTONOMOUS REGION IN MUSLIM
18 MINDANAO PUNISHABLE BY NOT MORE THAN SIX (6) YEARS
19 IMPRISONMENT, BE PRIVILEGED FROM ARREST WHILE THE
20 REGIONAL ASSEMBLY IS IN SESSION.

21 "No Member OF THE REGIONAL ASSEMBLY shall be
22 questioned or be held liable in any other place for any speech or
23 debate in the Assembly or in any committee thereof.

24 "SEC. [14] 15. The Regional Assembly shall adopt its own
25 rules of procedure by a majority vote of all its Members including
26 the selection of members of its standing committees and the
27 suspension or expulsion of its Members.

28 "The Regional Assembly shall elect from among its Members
29 a Speaker and such other officers as the rules may provide. THE

1 SPEAKER SHALL APPOINT THE PERSONNEL OF THE
2 ADMINISTRATIVE ORGANIZATION OF THE REGIONAL
3 ASSEMBLY: *PROVIDED*, THAT EQUAL OPPORTUNITIES SHALL
4 BE AFFORDED TO ALL QUALIFIED APPLICANTS, PREFERABLY
5 INHABITANTS IN THE AUTONOMOUS REGION IN THE
6 APPOINTMENT OF PERSONNEL, REGARDLESS OF ETHNIC
7 ORIGIN, CULTURE, SEX, CREED AND RELIGION, SUBJECT TO
8 CIVIL SERVICE LAW AND RULES.

9 “A majority of all the Members of the Regional Assembly
10 shall constitute a quorum to do business, but a smaller number
11 may adjourn from day to day and may compel the attendance of
12 absent Members in such manner[,] and under such penalties[,] as
13 the Assembly may provide.

14 “The Regional Assembly or any of its committees may
15 conduct inquiries or public consultations in aid of legislation in
16 accordance with its rules. The rights of persons appearing in or
17 affected by such inquiries shall be respected.

18 “The Regional Assembly shall keep a Journal of its
19 proceedings and a record of its caucuses and meetings. The
20 record and books of accounts of the Assembly shall be preserved
21 and open to public scrutiny. The Commission on Audit shall
22 publish an annual report of the itemized list of expenditures
23 incurred by the Members of the Assembly within sixty (60) days
24 from the end of every regular session.

25 “SEC. [15] 16. The Regional Assembly may, IN AID OF
26 LEGISLATION AND UPON THE EXPRESS CONSENT BY THE
27 REGIONAL GOVERNOR, request the presence of the [Regional
28 Governor, Regional Vice-Governor,] Cabinet members or their
29 deputies[,] as the rules shall provide, for questioning on matters

1 falling within the scope of their [responsibilities.] ASSIGNED
2 POWERS AND FUNCTIONS.

3 "Subject to the rules of the Regional Assembly, the legislative
4 power to inquire on matters relating to the exercise of
5 administrative functions by an agency of government within the
6 Autonomous Region shall be in the form of written questions.

7 "SEC. [16] 17. Except as provided by its rules, the Regional
8 Assembly shall meet in open session. Regular sessions shall
9 commence on the 4th Monday of April and shall continue to be in
10 session for such number of days as may be determined by the
11 Assembly until thirty (30) days before the opening of its next
12 regular session [exclusive of Saturdays, Sundays, and legal
13 holidays].

14 "The Regional Assembly may meet in special sessions at the
15 request of one-third (1/3) of all its Members or by call of the
16 Regional Governor. Such special session must be convened with
17 a specific agenda.

18 "SEC. [17] 18. No bill shall become a law of regional
19 application unless it has passed three (3) readings on separate
20 days[,] and printed copies thereof in its final form have been
21 distributed to its Members three (3) days before its passage,
22 except when the Regional Governor certifies to the necessity of its
23 immediate enactment to meet a public calamity or emergency.

24 "SEC. [18] 19. Every bill passed by the Regional Assembly,
25 shall, before it becomes a law, be presented to the Regional
26 Governor. If he approves the same, he shall sign it; otherwise, [if
27 the bill contains *ultra vires* provisions, or if he finds it
28 objectionable on policy grounds, or both,] he shall veto it and

1 return it with his objections to the Regional Assembly[.] which
2 shall enter the objections at large in its Journal and proceed to
3 reconsider it. If, after such reconsideration, two-thirds (2/3) of all
4 the Members of the Regional Assembly shall agree to pass the
5 bill, it shall become a law. In such cases, the vote shall be
6 determined by yeas and nays, and the names of the Members
7 voting for or against shall be entered in the Journal. The Regional
8 Governor shall communicate his veto of any bill to the Regional
9 Assembly within thirty (30) days after the date of receipt thereof;
10 otherwise, it shall become a law as if he had signed it.

11 "SEC. [19] 20. The Speaker of the Regional Assembly shall
12 within ten (10) working days from approval thereof, submit to the
13 President and to both Houses of Congress a certified true copy of
14 all laws and resolutions approved by the Regional Assembly."

15 SEC. 12. Sections 2 to 15 of Article VIII are hereby amended to read
16 as follows:

17 "ARTICLE VIII

18 "THE EXECUTIVE DEPARTMENT

19 "SEC. 2. The Regional Governor shall be assisted by a
20 Cabinet [of nine (9) members], at least four (4) of whom shall
21 preferably come from indigenous cultural communities[:
22 *Provided, That the*] AND WHOSE members shall[, as far as
23 practicable,] come from various provinces and cities within the
24 Autonomous Region.

25 "The members of the Cabinet must be registered voters and
26 residents of the Region for at least five (5) years immediately
27 preceding their appointment.

28 "The Regional Governor shall appoint the members of the
29 Cabinet subject to confirmation by the Regional Assembly.

1 "SEC. 3. No person may be elected **REGIONAL** Governor of
2 the Autonomous Region unless he is a natural-born citizen of the
3 Philippines, a registered voter of the Autonomous Region, able to
4 read and write, at least thirty-five (35) years of age on the day of
5 the election, and a resident of the Autonomous Region for at least
6 [five (5) years] **ONE (1) YEAR** immediately preceding the election.

7 "SEC. 4. There shall be a **REGIONAL** Vice-Governor of the
8 Autonomous Region who shall have the same qualifications and
9 term of office and **AND WHO SHALL** be elected with and in the
10 same manner as the Regional Governor. He may be removed
11 from office in the same manner as the Regional Governor. The
12 **REGIONAL** Vice-Governor may be appointed as a member of the
13 Regional Cabinet without need of confirmation by the Regional
14 Assembly.

15 "SEC. 5. [The Vice-Governor shall likewise be elected by
16 direct vote of the people of the Autonomous Region.] **THE**
17 **REGIONAL GOVERNOR SHALL APPOINT THREE (3) DEPUTIES**
18 **REPRESENTING THE CHRISTIANS, INDIGENOUS CULTURAL**
19 **COMMUNITIES AND THE MUSLIMS IN THE REGION. THE**
20 **REGIONAL GOVERNOR, THE REGIONAL VICE-GOVERNOR AND**
21 **THE THREE (3) DEPUTIES SHALL COMPRISE THE EXECUTIVE**
22 **COUNCIL OF THE AREA OF AUTONOMY. THE EXECUTIVE**
23 **COUNCIL SHALL ADVISE THE REGIONAL GOVERNOR ON**
24 **MATTERS OF GENERAL GOVERNANCE. SUBJECT TO EXISTING**
25 **LAWS, THE REGIONAL GOVERNOR SHALL ASSIGN POWERS AND**
26 **FUNCTIONS TO THE EXECUTIVE COUNCIL TO PROMOTE THE**
27 **GENERAL WELFARE OF THE PEOPLE OF THE AUTONOMOUS**
28 **REGION.**

1 "SEC. 6. (1) The term of office of the **REGIONAL** Governor
2 and **REGIONAL** Vice-Governor shall [be for a period of three (3)
3 years, which shall] begin at noon on the 31st day of March next
4 following the day of the election and shall end at noon of the same
5 date [three (3) years thereafter] **AS THE PROVISIONS OF THE**
6 **CONSTITUTION MAY PROVIDE.**

7 "(2) No **REGIONAL** Governor or **REGIONAL** Vice-
8 Governor shall serve [for more than two (2) consecutive] terms
9 **OF OFFICE MORE THAN WHAT IS PROVIDED FOR IN THE**
10 **CONSTITUTION.** Voluntary renunciation of or removal from
11 office for any length of time shall not be considered an
12 interruption in the continuity of the service for the full term for
13 which he was elected.

14 "SEC. 7. Before they enter on the execution of their office,
15 the Regional Governor and the **REGIONAL** Vice-Governor shall
16 take the following oath or affirmation: "I do solemnly swear (or
17 affirm) that I will faithfully and conscientiously fulfill my duties
18 as **REGIONAL** Governor (or **REGIONAL** Vice-Governor) of the
19 Regional Autonomous Government, preserve and defend the
20 Constitution of the Republic, the Organic Act for the Autonomous
21 Region, and the national and regional laws, do justice to every
22 man, and consecrate myself to the service of the Autonomous
23 Region and the nation. So help me God." (In case of Affirmation,
24 last sentence will be omitted.)

25 "SEC. 8. Unless otherwise provided by Congress, the annual
26 compensation of the Regional Governor and **REGIONAL** Vice-
27 Governor shall be [One hundred eighty thousand pesos
28 (P180,000.00) and One hundred forty-four thousand pesos
29 (P144,000.00), respectively] **SUBJECT TO THE EXISTING LAWS**

ON POSITION CLASSIFICATION AND COMPENSATION. They shall not receive during their tenure any other emoluments from the REGIONAL AUTONOMOUS Government.

[SEC. 9. The Regional Governor shall be provided with a reasonable housing allowance by the Regional Assembly.]

"SEC. [10] 9. In case of death, permanent disability, removal from office, or resignation of the REGIONAL Governor, the REGIONAL Vice-Governor shall become the REGIONAL Governor to serve for the unexpired term. In case of death, permanent disability, removal from office, or the resignation of both the REGIONAL Governor and the REGIONAL Vice-Governor, the Speaker of the Regional Assembly shall act as REGIONAL Governor until the REGIONAL Governor and REGIONAL Vice-Governor are elected and qualified in a special election called for the purpose: *Provided*, That upon assumption as Acting REGIONAL Governor, the Speaker of the Regional Assembly shall temporarily vacate his position as such and an interim Speaker shall be elected: *Provided, further*, That upon the election and assumption of office of the new Regional Governor, the Speaker shall reassume his office.

"No special election shall be called to fill a vacancy occurring within one (1) year immediately preceding the next regular election.

"SEC. [11] 10. In case of temporary incapacity of the Regional Governor to perform his duties on account of physical or legal causes, or when he is on official leave of absence or on travel outside the territorial jurisdiction of the Republic of the Philippines, the REGIONAL Vice-Governor, or if there be none or in case of his permanent or temporary incapacity or refusal to

1 assume office, the Speaker of the Regional Assembly shall
2 exercise the powers, duties and functions of the Regional
3 Governor: **PROVIDED, THAT SUCH POWERS AND FUNCTIONS**
4 **SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE**
5 **LOCAL GOVERNMENT CODE.**

6 "SEC. [12] 11. The Regional Governor or the **REGIONAL**
7 Vice-Governor may be removed from office **SUBJECT TO THE**
8 **PROVISIONS OF THE LOCAL GOVERNMENT CODE AND OTHER**
9 **EXISTING LAWS:** [for culpable violation of the Constitution or
10 this Organic Act, treason, bribery, graft and corruption, other high
11 crimes, or betrayal of public trust by a three-fourths (3/4) vote of
12 all the Members of the Regional Assembly.] **PROVIDED, THAT**
13 **[T]The Regional Assembly may initiate the removal of the**
14 **Regional Governor or the REGIONAL Vice-Governor under this**
15 **section by a majority vote of all its Members: PROVIDED,**
16 **FURTHER, THAT [T]The Regional Assembly shall promulgate the**
17 **necessary rules to carry out effectively the purposes of this**
18 **section.**

19 "SEC. [13] 12. The Regional Governor or the **REGIONAL**
20 Vice-Governor may be recalled once during his term of office for
21 loss of confidence.

22 "The Regional Assembly shall provide the procedure and
23 system whereby such recall can be made: *Provided,* That no
24 recall shall take place within one (1) year from the date of the
25 official's assumption of office or one (1) year immediately
26 preceding a regional election.

27 "SEC. 13. **UPON THE RECOMMENDATION OF THE PROPER**
28 **COMMITTEE, THE REGIONAL ASSEMBLY MAY PUNISH ITS**
29 **MEMBERS FOR DISORDERLY BEHAVIOR. WITH THE**

CONCURRENCE OF THE MAJORITY OF ITS MEMBERS, THE REGIONAL ASSEMBLY SHALL CENSURE OR REPRIMAND AN ERRING MEMBER. WITH THE CONCURRENCE OF TWO-THIRDS (2/3) OF ALL ITS MEMBERS, IT SHALL SUSPEND OR EXPEL SUCH ERRING MEMBER: *PROVIDED, THAT SUCH PENALTY OF SUSPENSION SHALL NOT EXCEED SIXTY (60) DAYS.*

"SEC. 14. The Regional Governor, the REGIONAL Vice-Governor, and the Members of the Cabinet and their deputies shall not hold any other office or employment during their tenure. They shall not, during said tenure, directly or indirectly, practice any other profession, participate in any business, or be financially interested in any contract [with], [or] in any franchise or special privilege granted by the Government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries. They shall strictly avoid conflict[s] of interest in the conduct of their office.

"The spouse and relatives by consanguinity or affinity within the fourth civil degree of the REGIONAL Governor shall not, during his tenure, be appointed members of the regional Cabinet or chairmen of regional commissions[,], or heads of bureaus or offices, including government-owned or controlled corporations and their subsidiaries located in the Autonomous Region.

"SEC. 15. Appointments extended by the Acting REGIONAL Governor within ninety (90) days before the assumption of office by the elected REGIONAL Governor shall remain effective, unless revoked by the elected REGIONAL Governor within ninety (90) days from such assumption or reassumption of office."

1 SEC. 13. Sections 17 to 22 of Article VIII are hereby amended to
2 read as follows:

3 "SEC. 17. The Regional Governor shall appoint, in addition
4 to the members of the Cabinet, their deputies, the chairmen and
5 members of the commissions and the heads of bureaus of the
6 Regional AUTONOMOUS Government, and those whom he may be
7 authorized by regional law to appoint. The Regional Assembly
8 may, by law, vest the appointment of other officers or officials
9 lower in rank in the heads of departments, agencies, commissions,
10 or boards.

11 "THE POWERS, FUNCTIONS, RESPONSIBILITIES AND
12 STRUCTURE OF THE DIFFERENT DEPARTMENT AGENCIES,
13 BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE
14 REGIONAL AUTONOMOUS GOVERNMENT INCLUDING
15 REGIONAL AUTONOMOUS GOVERNMENT-OWNED AND/OR
16 CONTROLLED CORPORATIONS SHALL BE PRESCRIBED AND
17 DEFINED BY THE REGIONAL ASSEMBLY.

18 "SEC. 18. Subject to the exceptions provided for in this
19 Organic Act, the Regional Governor shall have control of all the
20 regional executive commissions, boards, bureaus and offices. He
21 shall ensure that the laws be faithfully executed. [The Regional
22 Governor shall exercise general supervision over the local
23 government units within the Autonomous Region: *Provided,*
24 *however,* That nothing herein shall authorize the diminution of the
25 powers and functions already enjoyed by local government units.]

26 "SEC. 19. (1) The Regional Governor shall submit to the
27 Regional Assembly not later than two (2) months before the
28 beginning of every regular session, as the basis of the regional
29 appropriations bill, a budget of expenditures and sources of

1 financing, including receipts from existing and proposed revenue
2 measures.

3 "The fiscal year of the Autonomous Region shall cover the
4 period [April] JANUARY 1 to [March] DECEMBER 31 of the
5 [succeeding] SAME year.

6 "(2) The Regional Assembly may not increase the
7 appropriations recommended by the Regional Governor for the
8 operation of the Autonomous Government as specified in the
9 budget. The form, content and manner of preparation of the
10 budget shall be prescribed by regional law: *Provided, however,*
11 That pending the enactment of such regional law, the budgeting
12 process shall be governed by existing national laws and rules and
13 regulations prescribed by the Department of Budget and
14 Management.

15 "(3) No provision or enactment shall be embraced in the
16 regional appropriations bill unless it relates specifically to some
17 particular appropriation therein. Any such provision or enactment
18 shall be limited in its operation to the appropriation to which it
19 relates.

20 "(4) The procedure in approving appropriations for the
21 Regional Assembly shall strictly follow the procedure for
22 approving appropriations for other departments and agencies of
23 the Regional AUTONOMOUS Government.

24 "(5) A special appropriations bill shall specify the purpose
25 for which it is intended[,] and shall be supported by funds actually
26 available as certified by the Regional Treasurer, or to be raised by
27 a corresponding revenue proposal therein.

28 "(6) No regional law shall be passed authorizing any
29 transfer of appropriations; however, the Regional Governor, [may,

1 by regional law, be authorized to augment any item for his office
2 from savings in other items of the appropriations for his office]
3 **THE SPEAKER OF THE ASSEMBLY AND THE PRESIDING JUSTICE**
4 **OF THE HIGHEST SHARIAH COURT MAY, BY LAW, BE**
5 **AUTHORIZED TO AUGMENT ANY ITEM IN THE REGIONAL**
6 **GENERAL APPROPRIATIONS LAW FOR THEIR RESPECTIVE**
7 **OFFICES FROM SAVINGS IN OTHER ITEMS OF THEIR RESPECTIVE**
8 **APPROPRIATIONS.**

9 "(7) Discretionary funds appropriated for particular
10 officials shall be disbursed only for public purposes to be
11 supported by appropriate vouchers and subject to such guidelines
12 as may be prescribed by regional law.

13 "SEC. 20. **THE REGIONAL GOVERNOR SHALL APPROVE**
14 **THE BUDGET OF THE AUTONOMOUS REGION.** If, by the end of
15 any fiscal year, the Regional Assembly shall have failed to pass
16 the regional appropriations bill for the ensuing fiscal year, the
17 Regional Appropriations Act for the preceding fiscal year shall be
18 deemed automatically reenacted and shall remain in force and
19 effect until the regional appropriations bill is passed by the
20 Regional Assembly.

21 "SEC. 21. The Regional Governor shall have the power to
22 veto any particular item or items in an appropriation or revenue
23 bill, but the veto shall not affect the item or items to which he
24 does not object. [The veto may be reconsidered by the Assembly
25 by a vote of two-thirds (2/3) of all its Members.] **THE REGIONAL**
26 **ASSEMBLY MAY OVERRIDE THE VETO BY A TWO-THIRDS (2/3)**
27 **VOTE OF ALL ITS MEMBERS.**

28 "SEC. 22. (1) No money shall be paid out of the Regional
29 Treasury except in pursuance of an appropriation made by
30 regional law.

"(2) No public money or property shall be appropriated, applied, paid or employed, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion or of any priest, imam, preacher, minister, or other religious teacher or dignitary as such, except when such priest, imam, preacher, minister or dignitary is assigned to the regional police force or to any penal institution, or government orphanage, or leprosarium within the Region.

"(3) All money collected on any regional tax levied for a special purpose shall be treated as a special fund and paid out for such special purpose only. If the purpose for which special fund was created has been fulfilled or abandoned, the balance, if any, shall accrue to the general funds of the Regional AUTONOMOUS Government.

"(4) No funds or resources shall be disbursed unless duly approved by the Regional Governor or by his duly authorized representative.

"(5) Trust funds shall only be paid out of the Regional Treasury upon fulfillment of the specific purpose for which said funds were created or received."

SEC. 14. Article IX is hereby amended to insert five new sections to be denominated as Sections 2 to 6 and to renumber the old Sections 2 to 17 accordingly to read as follows:

"ARTICLE IX

"ADMINISTRATION OF JUSTICE

"SEC. 2. IT SHALL BE THE POLICY OF THE NATIONAL GOVERNMENT THAT AT LEAST ONE (1) JUSTICE IN THE SUPREME COURT AND AT LEAST TWO (2) IN THE COURT OF APPEALS SHALL COME FROM THE AUTONOMOUS REGION. FOR THIS PURPOSE, THE REGIONAL GOVERNOR MAY SUBMIT THE

1 NAMES OF HIS RECOMMENDEES TO THE JUDICIAL AND BAR
2 COUNCIL FOR CONSIDERATION IN CONSULTATION WITH
3 CONCERNED SECTORS. THIS IS WITHOUT PREJUDICE TO THE
4 APPOINTMENT OF QUALIFIED INHABITANTS OF THE
5 AUTONOMOUS REGION TO OTHER POSITIONS IN THE JUDICIARY
6 IN ACCORDANCE WITH THEIR MERITS AND QUALIFICATIONS.

7 "SEC. 3. THE NATIONAL GOVERNMENT SHALL
8 ENDEAVOR TO CAUSE THE APPOINTMENT, AS A MEMBER OF THE
9 JUDICIAL AND BAR COUNCIL, OF A QUALIFIED PERSON TO BE
10 RECOMMENDED BY THE REGIONAL GOVERNOR.

11 "SEC. 4. THE NATIONAL GOVERNMENT SHALL REQUEST
12 THE SUPREME COURT TO CREATE THE OFFICE OF THE DEPUTY
13 COURT ADMINISTRATOR FOR THE AUTONOMOUS REGION, AND
14 TO APPOINT THERETO A QUALIFIED PERSON RECOMMENDED BY
15 THE REGIONAL GOVERNOR.

16 "SEC. 5. THE REGIONAL ASSEMBLY OF THE
17 AUTONOMOUS REGION SHALL ESTABLISH SHARI'AH COURTS
18 IN ACCORDANCE WITH EXISTING LAWS.

19 "SEC. 6. THERE IS HEREBY CREATED A SHARI'AH
20 PUBLIC ASSISTANCE OFFICE TO BE STAFFED BY A DIRECTOR,
21 TWO (2) SHARI'AH LAWYERS WHO ARE MEMBERS OF THE
22 PHILIPPINE SHARI'AH BAR, AND OTHER PERSONNEL AS MAY BE
23 NECESSARY, WHICH SHALL BE INCLUDED IN ITS STAFFING
24 PATTERN AND PLANTILLA OF PERSONNEL. UNLESS OTHERWISE
25 PROVIDED BY LAW, THE COMPENSATION OF THE DIRECTOR AND
26 THE SHARI'AH LAWYERS SHALL BE EQUIVALENT TO THE
27 SALARY GRADE OF A DIRECTOR III AND A TRIAL LAWYER OF
28 THE PUBLIC ASSISTANCE OFFICE, RESPECTIVELY.

29 "THE SHARI'AH PUBLIC ASSISTANCE OFFICE SHALL BE
30 ESTABLISHED IN EACH OF THE SHARI'AH JUDICIAL DISTRICTS

1 TO PROVIDE FREE LEGAL ASSISTANCE TO POOR OR INDIGENT
2 PARTY LITIGANTS.”

3 SEC. 15. Article IX is hereby amended to insert a new section to be
4 denominated as Section 24, to read as follows:

5 “SEC. 24. IN ADDITION TO REGULAR APPROPRIATIONS OF
6 THE SHARI’AH COURTS PROVIDED UNDER EXISTING NATIONAL
7 LAW, THE REGIONAL AUTONOMOUS GOVERNMENT MAY,
8 SUBJECT TO THE AVAILABILITY OF FUNDS, PROVIDE
9 ASSISTANCE TO THE DEVELOPMENT PROGRAMS OF THE
10 SHARI’AH COURTS BASED ON THE DEVELOPMENT PROGRAM AS
11 MAY BE SUBMITTED BY THE PRESIDING JUDGE OF EACH
12 SHARI’AH JUDICIAL DISTRICT.”

13 SEC. 16. Article X is hereby amended to insert three new sections to
14 be denominated as Sections 2 to 4 and to renumber Sections 2 to 9
15 accordingly to read as follows:

16 “ARTICLE X
17 “FISCAL AUTONOMY

18 “SEC. 2. THE REGIONAL AUTONOMOUS GOVERNMENT
19 SHALL ENJOY FISCAL AUTONOMY IN RAISING AND BUDGETING
20 ITS OWN SOURCES OF REVENUE AND BLOCK SUBSIDIES
21 GRANTED TO IT BY THE NATIONAL GOVERNMENT AND FOREIGN
22 DONORS, SUBJECT TO EXISTING COMMISSION ON AUDIT (COA)
23 AND DEPARTMENT OF BUDGET AND MANAGEMENT (DBM)
24 LAWS, RULES, AND REGULATIONS. BUDGETING INCLUDES
25 PLANNING, PROGRAMMING AND DISBURSING OF FUNDS.

26 “SEC. 3. CONSISTENT WITH THE PROVISIONS OF THIS
27 ACT, THE REGIONAL AUTONOMOUS GOVERNMENT SHALL
28 HAVE THE POWER TO ENACT A REGIONAL TAX CODE AND
29 REGIONAL LOCAL TAX CODE, CONSISTENT WITH REPUBLIC

1 ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL
2 GOVERNMENT CODE OF 1991.

3 "SEC. 4. IN THE PURSUIT OF THE REGION'S ECONOMIC
4 GROWTH, DEVELOPMENT AND WELFARE, THE REGIONAL
5 AUTONOMOUS GOVERNMENT SHALL HAVE THE RIGHT TO
6 FORMULATE ECONOMIC AND FINANCIAL PROGRAMS, TAKING
7 INTO ACCOUNT NATIONAL LAWS AND POLICIES.

8 "SEC. [2] 5. In enacting revenue-raising measures, the
9 Regional Assembly shall observe the principle of uniformity and
10 equity in taxation and shall not impose confiscatory taxes or fees
11 of any kind. Income taxation, however, shall be solely the
12 concern and prerogative of the National Government.

13 "The Regional Assembly shall not revoke or amend, directly
14 or indirectly, any city or municipal ordinances imposing taxes or
15 fees on purely local businesses.

16 "No tax, impost, or assessment shall be imposed or charged
17 upon goods or merchandise coming into, going out of, or passing
18 through the Autonomous Region to other places of the
19 Philippines, and *vice versa*."

20 SEC. 17. The old Section 3 of Article X is hereby amended and
21 renumbered to read as follows:

22 "SEC. [3] 6. [All corporations, partnerships, and other
23 business entities directly engaged in business in the Autonomous
24 Region shall pay through the Regional Government that portion of
25 their annual income tax corresponding to the net income
26 generated from business done in the area of autonomy.]

27 "All corporations, partnerships, or business entities directly
28 engaged in business in the Autonomous Region shall pay their
29 corresponding taxes, fees, and charges in the province, city, or

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1 municipality IN THE AREA OF AUTONOMY where the
2 establishment is doing business.

3 "ALL CORPORATIONS, PARTNERSHIPS, OR BUSINESS
4 ENTITIES WHOSE HEAD OFFICES ARE LOCATED OUTSIDE THE
5 AREA OF AUTONOMY BUT DOING BUSINESS WITHIN ITS
6 TERRITORIAL JURISDICTION, EITHER BY USING, EXPLOITING,
7 AND UTILIZING THE LAND, AQUATIC, AND ALL NATURAL
8 RESOURCES THEREIN, SHALL PAY THE INCOME TAXES
9 CORRESPONDING TO THEIR INCOME REALIZED FROM THEIR
10 BUSINESS OPERATION IN THE AREA OF AUTONOMY TO THE
11 PROVINCE, CITY, OR MUNICIPALITY WHERE THE BRANCH
12 OFFICES ARE LOCATED. IN CASE THE BUSINESS
13 ESTABLISHMENT HAS NO BRANCH IN THE AREA OF AUTONOMY,
14 SUCH BUSINESS ESTABLISHMENT SHALL PAY THROUGH THE
15 CITY OR MUNICIPALITY WHERE ITS OPERATION IS LOCATED."

16 SEC. 18. Article X is hereby amended to insert a new section to be
17 denominated as Section 7, to read as follows:

18 "SEC. 7. UNLESS OTHERWISE PROVIDED HEREIN, THE
19 EXERCISE OF THE TAXING POWER OF THE REGIONAL
20 AUTONOMOUS GOVERNMENT, ITS PROVINCES, CITIES,
21 MUNICIPALITIES AND BARANGAYS SHALL NOT EXTEND TO THE
22 LEVY OF THE FOLLOWING:

23 "(A) INCOME TAX, EXCEPT WHEN LEVIED ON BANKS AND
24 OTHER FINANCIAL INSTITUTIONS;

25 "(B) DOCUMENTARY STAMPS TAX;

26 "(C) TAXES ON ESTATE, INHERITANCE, GIFTS, LEGACIES
27 AND OTHER ACQUISITIONS *MORTIS CAUSA*, EXCEPT AS
28 OTHERWISE PROVIDED BY LAW;

29 "(D) CUSTOMS DUTIES, REGISTRATION FEES OF VESSEL
30 AND WHARFAGE ON WHARVES, TONNAGE DUES AND ALL OTHER
31 KINDS OF CUSTOM FEES, CHARGES AND DUES EXCEPT

1 WHARFAGE AND WHARVES CONSTRUCTED AND MAINTAINED BY
2 THE LOCAL GOVERNMENT UNIT CONCERNED;

3 "(E) TAXES, FEES OR CHARGES AND OTHER IMPOSITIONS
4 UPON GOODS CARRIED INTO OR OUT OF, OR PASSING THROUGH
5 THE TERRITORIAL JURISDICTIONS OF THE LOCAL
6 GOVERNMENT UNITS WITHIN THE AUTONOMOUS REGION IN
7 THE GUISE OF CHARGES FOR WHARFAGE, TOLLS FOR BRIDGES
8 OR OTHERWISE, OR OTHER TAXES, FEES OR CHARGES IN ANY
9 FORM WHATSOEVER UPON SUCH GOODS OR MERCHANDISE;

10 "(F) TAXES, FEES, OR CHARGES ON AGRICULTURAL AND
11 AQUATIC PRODUCTS WHEN SOLD BY MARGINAL FARMERS OR
12 FISHERFOLK;

13 "(G) TAXES ON BUSINESS ENTERPRISES CERTIFIED BY THE
14 BOARD OF INVESTMENTS AS PIONEER OR NON-PIONEER FOR A
15 PERIOD OF SIX (6) AND FOUR (4) YEARS, RESPECTIVELY FROM
16 THE DATE OF REGISTRATION;

17 "(H) EXCISE TAXES ON ARTICLES ENUMERATED UNDER
18 THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED, AND
19 TAXES, FEES OR CHARGES ON PETROLEUM PRODUCTS;

20 "(I) PERCENTAGE OR VALUE-ADDED TAX (VAT) ON
21 SALES, BARTERS OR EXCHANGES OR SIMILAR TRANSACTIONS
22 ON GOODS OR SERVICES EXCEPT AS OTHERWISE PROVIDED BY
23 LAW;

24 "(J) TAXES ON THE GROSS RECEIPTS OF TRANSPORTATION
25 CONTRACTORS AND PERSONS ENGAGED IN THE
26 TRANSPORTATION OF PASSENGERS OR FREIGHT BY HIRE AND
27 COMMON CARRIERS BY AIR, LAND OR WATER EXCEPT AS
28 PROVIDED IN THIS ORGANIC ACT;

29 "(K) TAXES ON PREMIUMS PAID BY WAY OF REINSURANCE
30 OR RETROCESSION;

“(L) TAXES, FEES, OR CHARGES FOR THE REGISTRATION OF MOTOR VEHICLES AND FOR THE ISSUANCES OF ALL KINDS OF LICENSES OR PERMITS FOR THE DRIVING THEREOF, EXCEPT TRICYCLES;

“(M) TAXES, FEES OR OTHER CHARGES ON PHILIPPINE PRODUCTS ACTUALLY EXPORTED, EXCEPT AS OTHERWISE PROVIDED BY LAW;

“(N) TAXES, FEES OR CHARGES ON COUNTRYSIDE AND BARANGAY BUSINESS ENTERPRISES AND COOPERATIVES DULY REGISTERED UNDER REPUBLIC ACT NO. 6810, OTHERWISE KNOWN AS THE “MAGNA CARTA FOR COUNTRYSIDE AND BARANGAY BUSINESS ENTERPRISES” AND REPUBLIC ACT NO. 6938, OTHERWISE KNOWN AS THE “COOPERATIVES CODE OF THE PHILIPPINES”, RESPECTIVELY; AND

“(O) TAXES, FEES OR CHARGES OF ANY KIND OF THE NATIONAL GOVERNMENT, ITS AGENCIES AND INSTRUMENTALITIES, AND REGIONAL AND LOCAL GOVERNMENT UNITS.”

SEC. 19. The old Sections 4 and 5 of Article X are hereby amended and renumbered accordingly to read as follows:

“SEC. [4] 8. The sources of revenues of the Autonomous Region shall include but are not limited to, the following:

“(1) Taxes, except income taxes, imposed by the Regional AUTONOMOUS Government;

“(2) Fees and charges imposed by the Regional AUTONOMOUS Government[;], ITS PROVINCES, CITIES, MUNICIPALITIES AND BARANGAYS;

“(3) Appropriation, internal revenue allotments and other budgetary allotments from the National Government;

"(4) Shares and revenue generated from the operations of public utilities within the Autonomous Region; and

"(5) Block grants derived from economic agreements or conventions authorized by the Autonomous Region, donations, endowments, foreign assistance, and other forms of aid, subject to the Constitution and national [policies] LAWS.

"SEC. [5] 9. The total collections of a province or city from national internal revenue taxes, fees and charges, and taxes imposed on natural resources, shall be distributed as follows:

"(a) Thirty percent (30%) to the province or city;

"(b) Thirty percent (30%) to the Regional AUTONOMOUS Government; and

"(c) Forty percent (40%) to the National Government.

"The thirty percent (30%) share of the province shall be distributed equally as follows: ten percent (10%) to the province, ten percent (10%) to the municipality and ten percent (10%) to the barangay.

"The thirty percent (30%) share of the city shall be distributed as follows: twenty percent (20%) to the city and ten percent (10%) to the barangay.

"The province or city concerned shall automatically retain its share and remit the seventy percent (70%) to the Regional AUTONOMOUS Government, which shall, after deducting its share, remit the balance to the National Government on a monthly basis.

"The remittance procedure within the Autonomous Region shall be in accordance with the rules and regulations promulgated by the Regional AUTONOMOUS Government, and remittances to the National Government by the rules and regulations promulgated by the Department of Finance."

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557

1 SEC. 20. Article X is hereby amended to insert a new section to be
2 denominated as Section 10, to read as follows:

3 "SEC. 10. THE REGIONAL AUTONOMOUS GOVERNMENT
4 MAY ISSUE ITS OWN TREASURY BILL, BONDS, PROMISSORY
5 NOTES AND OTHER DEBT PAPERS OR DOCUMENTS PRESCRIBED
6 BY LAW ENACTED BY THE REGIONAL ASSEMBLY AFTER
7 CONSULTATION AND COORDINATION WITH THE BANGKO
8 SENTRAL NG PILIPINAS."

9 SEC. 21. The old Sections 6 to 9 of Article X are hereby amended
10 and renumbered accordingly to read as follows:

11 "SEC. [6] 11. Subject to the Constitution and national
12 policies, the Regional AUTONOMOUS Government shall evolve a
13 system of economic agreements and trade compacts to generate
14 block grants for regional investments and improvements of
15 regional economic structures. These economic agreements shall
16 be authorized by regional legislation or by executive agreement.
17 Pursuant to specific recommendations from the Regional
18 ECONOMIC AND DEVELOPMENT Planning [and Development]
19 Board, the Regional AUTONOMOUS Government shall assist local
20 government units in their requirements for counterpart funds for
21 foreign-assisted projects.

22 "SEC. [7] 12. [Donations or grants to the Regional
23 Government exclusively to finance, to provide for, or to be used
24 in undertaking projects in education, health, youth and culture,
25 and in economic development, shall be deductible in full in
26 determining the taxable income of the donor or grantor.] THE
27 REGIONAL AUTONOMOUS GOVERNMENT MAY ACCEPT
28 DONATIONS OR GRANTS FOR THE DEVELOPMENT AND WELFARE
29 OF THE PEOPLE IN THE AUTONOMOUS REGION. SUCH
30 DONATIONS OR GRANTS USED EXCLUSIVELY TO FINANCE

1 PROJECTS FOR EDUCATION, HEALTH, YOUTH AND CULTURE,
2 AND ECONOMIC DEVELOPMENT, SHALL BE DEDUCTIBLE IN FULL
3 FROM THE TAXABLE INCOME OF THE DONOR OR GRANTOR, IN
4 ACCORDANCE WITH THE PROVISIONS OF THE NATIONAL
5 INTERNAL REVENUE CODE, AS AMENDED.

6 "SEC. [8] 13. The Regional Assembly may grant
7 exemptions from regional taxes, only with the concurrence of a
8 majority of all the Members of the Assembly.

9 "SEC. [9] 14. Foreign loans may be contracted only in
10 accordance with the provisions of the Constitution and national
11 laws: *Provided*, That the Regional Governor may contract
12 domestic loans, subject to the approval by the Regional
13 Assembly."

14 SEC. 22. Article X is hereby amended to insert a new section to be
15 denominated as Section 15, to read as follows:

16 "SEC. 15. ALL CURRENT YEAR COLLECTIONS OF
17 INTERNAL REVENUE TAXES, WITHIN THE AREA OF AUTONOMY
18 SHALL, FOR A PERIOD OF FIVE (5) YEARS BE ALLOTTED FOR
19 THE REGIONAL AUTONOMOUS GOVERNMENT IN THE ANNUAL
20 APPROPRIATIONS ACT: *PROVIDED*, THAT:

21 "(A) THE BUREAU OF INTERNAL REVENUE (BIR) OR THE
22 DULY AUTHORIZED TREASURER OF THE CITY OR MUNICIPALITY
23 CONCERNED, AS THE CASE MAY BE, SHALL CONTINUE TO
24 COLLECT SUCH TAXES AND REMIT THE SHARE TO THE
25 REGIONAL AUTONOMOUS GOVERNMENT AND THE NATIONAL
26 GOVERNMENT THROUGH DULY ACCREDITED DEPOSITORY
27 BANK WITHIN THIRTY (30) DAYS FROM THE END OF EACH
28 QUARTER OF THE CURRENT YEAR;

29 "(B) FIFTY PERCENT (50%) OF THE YEARLY
30 INCREMENTAL REVENUE FROM TAX COLLECTIONS UNDER

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59

1 SECTIONS 106 (VALUE-ADDED TAX ON SALES OF GOODS OR
2 PROPERTIES), 108 (VALUE-ADDED TAX ON SALE OF SERVICES
3 AND USE OR LEASE OF PROPERTIES) AND 116 (TAX ON PERSONS
4 EXEMPT FROM VALUE-ADDED TAX) OF THE NATIONAL
5 INTERNAL REVENUE CODE (NIRC), AS AMENDED, SHALL BE
6 SHARED BY THE REGIONAL AUTONOMOUS GOVERNMENT AND
7 THE LOCAL GOVERNMENT UNITS (LGUS) WITHIN THE AREA OF
8 AUTONOMY AS FOLLOWS:

9 "(1) TWENTY PERCENT (20%) SHALL ACCRUE TO THE
10 CITY OR MUNICIPALITY WHERE SUCH TAXES ARE COLLECTED;
11 AND

12 "(2) EIGHTY PERCENT (80%) SHALL ACCRUE TO THE
13 REGIONAL AUTONOMOUS GOVERNMENT

14 "IN ALL CASES, THE REGIONAL AUTONOMOUS
15 GOVERNMENT SHALL REMIT TO THE LOCAL GOVERNMENT
16 UNITS THEIR RESPECTIVE SHARES WITHIN SIXTY (60) DAYS
17 FROM THE END OF EACH QUARTER OF THE CURRENT TAXABLE
18 YEAR: *PROVIDED, HOWEVER, THAT PROVINCES, CITIES,*
19 *MUNICIPALITIES AND BARANGAYS WITHIN THE AREA OF*
20 *AUTONOMY SHALL CONTINUE TO RECEIVE THEIR RESPECTIVE*
21 *SHARES IN THE INTERNAL REVENUE ALLOTMENT (IRA), AS*
22 *PROVIDED FOR IN SECTION 284 OF THE LOCAL GOVERNMENT*
23 *CODE OF 1991: PROVIDED, FINALLY, THAT THE FIVE-YEAR (5)*
24 *PERIOD HEREIN ABOVEMENTIONED MAY BE EXTENDED UPON*
25 *MUTUAL AGREEMENT OF THE NATIONAL AND REGIONAL*
26 *AUTONOMOUS GOVERNMENTS."*

1 SEC. 23. Section 1 of Article XI is hereby amended to read as
2 follows:

3 "ARTICLE XI
4 "ANCESTRAL DOMAIN, ANCESTRAL LANDS
5 AND AGRARIAN REFORM

6 "SECTION 1. Subject to the Constitution and national
7 [policies] LAWS, the Regional AUTONOMOUS Government shall
8 undertake measures to protect the ancestral domain and ancestral
9 lands of indigenous cultural communities.

10 "All lands and natural resources in the Autonomous Region
11 that have been possessed or occupied by indigenous cultural
12 communities since time immemorial, except when prevented by
13 war, *force majeure*, or other forms of forcible usurpation, shall
14 form part of the ancestral domain. Such ancestral domain shall
15 include pasture lands, worship areas, burial grounds, forests and
16 fields, mineral resources, except: strategic minerals such as
17 uranium, coal, petroleum; and other fossil fuels, mineral oils, and
18 all sources of potential energy; lakes, rivers and lagoons; and
19 national reserves and marine parks, as well as forest and
20 watershed reservations.

21 "Lands in the actual, open, notorious, and uninterrupted
22 possession and occupation by an indigenous cultural community
23 for at least thirty (30) years are ancestral lands."

24 SEC. 24. Section 5 of Article XI is hereby amended to read as
25 follows:

26 "SEC. 5. The Regional AUTONOMOUS Government shall
27 require corporations, companies and other entities within the
28 ancestral domain of the indigenous cultural communities whose
29 operations adversely affect the ecological balance to take the

1 necessary preventive measures and safeguards in order to
2 maintain such a balance."

3 SEC. 25. Section 8 of Article XI is hereby amended to read as
4 follows:

5 "SEC. 8. Subject to the Constitution and national [policies]
6 LAWS, the Regional Assembly shall enact an Agrarian Reform
7 Law suitable to the special circumstances prevailing in the
8 Autonomous Region."

9 SEC. 26. Sections 1 to 4 of Article XII are hereby amended to read
10 as follows:

11 "ARTICLE XII

12 "URBAN AND RURAL PLANNING AND DEVELOPMENT

13 "SECTION 1. The Regional AUTONOMOUS Government shall
14 promote and formulate comprehensive and integrated regional
15 urban and rural development policies, plans, programs and
16 projects responsive to the needs, aspirations and values of the
17 people within the Region.

18 "SEC. 2. Immediately after its organization, the Regional
19 AUTONOMOUS Government shall initiate, formulate and
20 implement special development programs and projects, responsive
21 to the particular aspirations, needs and values of the indigenous
22 cultural communities.

23 "SEC. 3. The Regional AUTONOMOUS Government shall
24 provide equitable opportunities for the development of every
25 province, city, municipality and barangay within its jurisdiction
26 and shall strengthen their existing planning bodies to ensure wider
27 public participation.

28 "SEC. 4. Consistent with the Constitution and national
29 [policies] LAWS, and subject to ecological considerations, the
30 Regional AUTONOMOUS Government shall adopt and implement

1 a comprehensive urban land reform and land AND WATER use
2 program, to ensure the just utilization of lands AND WATERS
3 within its jurisdiction."

4 SEC. 27. Section 5 of Article XII is hereby deleted.

5 SEC. 28. Section 1 of Article XIII is hereby amended to read as
6 follows:

7 "ARTICLE XIII

8 "ECONOMY AND PATRIMONY

9 "SECTION 1. Consistent with the Constitution and national
10 [policies] LAWS, the Regional AUTONOMOUS Government may
11 enact regional laws pertaining to the national economy and
12 patrimony applicable and responsive to the needs of the Region.
13 However, nothing herein shall be construed as to authorize the
14 Regional AUTONOMOUS Government to require lesser standards
15 respecting the protection, conservation and enhancement of the
16 natural resources than those required by the National Government.

17 "THE REGIONAL AUTONOMOUS GOVERNMENT SHALL
18 ENCOURAGE, PROMOTE AND SUPPORT THE ESTABLISHMENT OF
19 ECONOMIC ZONES AND INDUSTRIAL CENTERS AND PORTS IN
20 STRATEGIC AREAS AND GROWTH CENTERS TO ATTRACT LOCAL
21 AND FOREIGN INVESTMENT AND BUSINESS ENTERPRISE."

22 SEC. 29. Article XIII is hereby amended to insert two new sections
23 to be denominated as Sections 2 and 3, to read as follows:

24 "SEC. 2. THE REGIONAL AUTONOMOUS GOVERNMENT
25 SHALL UNDERTAKE, ENCOURAGE, PROMOTE, AND SUPPORT THE
26 ESTABLISHMENT OF ECONOMIC ZONES AND INDUSTRIAL
27 CENTERS. AND, IN ORDER TO ATTRACT LOCAL AND FOREIGN
28 INVESTMENTS WITHIN THE AREA OF THE ZONE AND OUTSIDE
29 BUT WITHIN THE AUTONOMOUS REGION, THE GOVERNMENT
30 MAY GRANT INCENTIVES TO INVESTORS AS MAY BE DEFINED IN
31 AN AUTONOMOUS INVESTMENT ACT TO BE FORMULATED BY

1 THE REGIONAL ASSEMBLY WITHIN ONE (1) YEAR FROM ITS
2 ORGANIZATION.

3 "SEC. 3. THE REGIONAL AUTONOMOUS GOVERNMENT
4 SHALL ESTABLISH A BODY IN THE AUTONOMOUS REGION WITH
5 THE SAME POWERS AS THE PHILIPPINE ECONOMIC ZONE
6 AUTHORITY (PEZA) CONSISTENT WITH THE "SPECIAL
7 ECONOMIC ZONE ACT OF 1995", INCLUDING THE
8 DESIGNATION, MAINTENANCE AND OPERATION OF A
9 FREEPORT."

10 SEC. 30. The old Sections 2 and 3 of Article XIII are hereby
11 amended and renumbered accordingly to read as follows:

12 "SEC. [2] 4. Except for strategic minerals [such as uranium,
13 coal, petroleum, and other fossil fuels, mineral oils, all sources of
14 potential energy, as well as national reserves and aquatic parks,
15 forest and watershed reservations as may be delimited by national
16 law] WHICH WILL BE DEFINED LATER UNDER A SPECIAL LAW
17 THAT SHALL BE ENACTED BY CONGRESS WITHIN A PERIOD OF
18 ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, the control
19 and supervision over the exploration, EXPLOITATION,
20 DEVELOPMENT, utilization and [development] PROTECTION of
21 the [natural resources of the Autonomous Region is hereby
22 delegated to] MINES AND MINERALS IN THE AUTONOMOUS
23 REGION SHALL BE VESTED IN the Regional AUTONOMOUS
24 Government in accordance with the Constitution, [and] THE
25 national laws, AND THOSE PROVISIONS OF THIS ORGANIC ACT
26 PROTECTING THE INDIGENOUS PEOPLES.

27 "The Regional Assembly shall have the authority to grant
28 franchises and concessions but the Regional Governor may, by
29 regional law, be authorized to grant leases, permits and licenses:

Provided, That any lease, permit, franchise or concession shall cover an area not exceeding the limits allowed by the Constitution and shall subsist for a period not exceeding twenty-five (25) years: *Provided, further*, That existing leases, permits, licenses, franchises and concessions shall be respected until their expiration unless legally terminated as provided by law: and *Provided, finally*, That when the natural resources are located within the ancestral domain, **ONLY THE REGIONAL ASSEMBLY SHALL AUTHORIZE THE ISSUANCE OF [the] permits, licenses, franchises or concessions[.] AS IT MAY DETERMINE** shall be approved by the Regional Assembly after consultation with the cultural community concerned.

"SEC. [3] 5. The exploration, development and utilization of natural resources, except those [enumerated in] **TO BE IDENTIFIED PURSUANT TO** the first paragraph of Section [2] 4 hereof, shall be allowed to all Filipinos and to private enterprises, including corporations, associations, cooperatives, and such other similar collective organizations with at least sixty percent (60%) of their capital investment or capital stocks directly controlled or owned by Filipinos who are preferably residents of the Region."

SEC. 31. Article XIII is hereby amended to insert two new sections to be denominated as Sections 6 and 7, to read as follows:

"SEC. 6. **THE RESIDENTS IN THE AUTONOMOUS REGION SHALL HAVE PREFERENTIAL RIGHTS OVER THE EXPLORATION, DEVELOPMENT AND UTILIZATION OF NATURAL RESOURCES IN THE AUTONOMOUS REGION RESPECTING EXISTING RIGHTS ON THE EXPLOITATION, EXPLORATION, DEVELOPMENT AND UTILIZATION OF NATURAL RESOURCES.**

1 "SEC. 7. IN THE REGULATION OF THE EXPLORATION,
2 UTILIZATION, DEVELOPMENT, AND PROTECTION OF THE
3 NATURAL RESOURCES INCLUSIVE OF MINES AND MINERALS,
4 EXCEPT STRATEGIC MINERALS, THE GOVERNMENT IN THE
5 AUTONOMOUS REGION SHALL ENACT RULES AND
6 REGULATIONS AND SHALL IMPOSE REGULATORY FEES, TAKING
7 INTO ACCOUNT THE CONSTITUTION AND NATIONAL LAWS."

8 SEC. 32. The old Sections 4 to 22 of Article XIII are hereby
9 amended and renumbered accordingly to read as follows:

10 "SEC. [4] 8. Small-scale mining shall receive support from
11 and be regulated by the Regional AUTONOMOUS Government,
12 considering ecological balance, safety and health and the interest
13 of the communities and the miners where such operations are
14 conducted.

15 "SEC. 9. THERE IS HEREBY CREATED A REGIONAL
16 ECONOMIC AND DEVELOPMENT PLANNING BOARD, CHAIRED
17 BY THE REGIONAL GOVERNOR, WHICH SHALL BE COMPOSED
18 OF ALL THE PROVINCIAL GOVERNORS AND CITY MAYORS, TWO
19 (2) MEMBERS OF THE REGIONAL ASSEMBLY TO BE DESIGNATED
20 BY THE SPEAKER, AND SUCH OTHER MEMBERS AS MAY BE
21 PRESCRIBED BY THE REGIONAL ASSEMBLY: *PROVIDED*, THAT
22 THE PRIVATE SECTOR SHALL BE REPRESENTED THEREIN.

23 "THE BOARD SHALL SERVE AS THE PLANNING,
24 MONITORING AND COORDINATING AGENCY FOR THE
25 AUTONOMOUS REGION. IT SHALL EVALUATE AND
26 RECOMMEND THE ANNUAL WORK PROGRAMS AND
27 COMPREHENSIVE DEVELOPMENT PLANS OF THE AUTONOMOUS
28 REGION FOR APPROVAL BY THE REGIONAL ASSEMBLY, TO
29 ENSURE THEIR PROPER IMPLEMENTATION.

"THE BOARD SHALL FORMULATE A MAGNA CARTA FOR THE DEVELOPMENT OF THE REGION TO SERVE AS THE MASTER PLAN FOR A SYSTEMATIC, PROGRESSIVE AND TOTAL DEVELOPMENT OF THE REGION.

"SEC. [5] 10. The Regional AUTONOMOUS Government may, in the interest of regional welfare and security, establish and operate pioneering public utilities. Upon payment of just compensation, it may transfer the ownership of such utilities to cooperatives or other collective organization.

"SEC. [6] 11. The Regional AUTONOMOUS Government may, in times of regional emergency declared by the President, when the public interest so requires and under reasonable terms and safeguards prescribed by the Regional Assembly, temporarily take over or direct operation of any privately-owned public utility or business affected with public interest.

"SEC. [7] 12. The Regional Assembly shall enact laws for the just compensation, rehabilitation, relocation, and other similar measures of inhabitants adversely affected in the harnessing of natural and mineral resources in the [Region] AREA OF AUTONOMY.

"The Regional Assembly shall likewise provide for the rehabilitation of the areas affected by said harnessing of natural and mineral resources in the [Region] AREA OF AUTONOMY.

"SEC. [8] 13. The Regional AUTONOMOUS Government shall actively and immediately pursue reforestation measures to ensure that at least fifty percent (50%) of the land surface of the Autonomous Region shall be covered with trees, giving priority to land strips along the edges of rivers and streams and shorelines of lakes.

1 "The Regional **AUTONOMOUS** Government shall adopt
2 measures for the development of lands eighteen percent (18%) in
3 slope or over by providing infrastructure, financial and technical
4 support to upland communities specially the Lumads or tribal
5 peoples.

6 "SEC. [9] 14. The Regional **AUTONOMOUS** Government
7 shall prohibit the use, importation, deposit, disposal and dumping
8 of toxic or hazardous substances within the Autonomous Region.

9 "SEC. [10] 15. The Regional **AUTONOMOUS** Government
10 shall adopt policies to promote profit sharing and broaden the
11 base of ownership of business enterprises.

12 "SEC. [11] 16. The Regional **AUTONOMOUS** Government
13 shall [provide] **HAVE THE POWER TO GRANT** incentives,
14 including tax holidays, for investors in businesses that will
15 contribute to the development of the Region **WITHIN THE POWER**
16 **AND RESOURCES IN THE AUTONOMOUS REGION**. It shall provide
17 the same incentives to all companies doing business in the Region
18 which reinvest at least fifty percent (50%) of their net profits
19 therein, and to all cooperatives which reinvest at least ten percent
20 (10%) of their surplus into socially-oriented projects in the
21 Region.

22 "SEC. [12] 17. The Regional **AUTONOMOUS** Government
23 shall give priority to the establishment of transportation and
24 communication facilities for the economic development of the
25 Region.

26 "SEC. [13] 18. In the delivery of power services, priority
27 shall be given to provinces in the area of autonomy which do not
28 have direct access to such services.

1 "SEC. [14] 19. The Regional AUTONOMOUS Government is
2 hereby empowered to create pioneering firms and other business
3 entities needed to boost economic development in the Region.

4 *"Agriculture, Fisheries and Aquatic Resources*

5 "SEC. [15] 20. The Regional AUTONOMOUS Government
6 shall recognize, promote and protect the rights and welfare of
7 farmers, farmworkers, [fishermen] FISHERFOLK and fishworkers,
8 as well as farmers' and fishworkers' cooperatives and
9 associations.

10 "SEC. [16] 21. The Regional AUTONOMOUS Government
11 shall encourage agricultural productivity and promote a
12 diversified and organic farming system.

13 "SEC. [17] 22. The Regional AUTONOMOUS Government
14 shall give top priority to the conservation, protection, utilization
15 and development of soil and water resources for agricultural
16 purposes.

17 "SEC. [18] 23. The Regional Assembly shall enact an
18 Aquatic and Fisheries Code which shall enhance, develop,
19 conserve and protect marine and aquatic resources, and shall
20 protect the rights of subsistence [fishermen] FISHERFOLK to the
21 preferential use of communal marine and fishing resources,
22 including seaweeds. This protection shall extend to offshore
23 fishing grounds, up to and including all waters twelve (12)
24 nautical miles from the coastline of the Autonomous Region but
25 within the territorial waters of the Philippines, regardless of depth,
26 the seabed and the subsoil that are included between two (2) lines
27 drawn perpendicular to the general coastline from points where
28 the boundary lines of the Autonomous Region touch the sea at low
29 tide and a third line parallel to the general coastline.

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569

1 "Further, it shall provide support to subsistence [fishermen]
2 FISHERFOLK through appropriate technology and research,
3 adequate financial, production and marketing assistance and other
4 services.

5 "Fishworkers shall also receive a just share from their labor
6 in the utilization of marine and fishing resources.

7 "Science, technology and other disciplines shall be developed
8 and employed to protect and maintain aquatic and marine ecology.

9 "SEC. [19] 24. The Regional Assembly may, by law, create
10 a Bureau on Agriculture and Fisheries and define its composition,
11 powers and functions.

12 *"Trade and Industry*

13 "SEC. [20] 25. The Regional AUTONOMOUS Government
14 recognizes the private sector as the prime mover of trade,
15 commerce and industry. It shall encourage and support
16 entrepreneurial capability in the [Region] AUTONOMOUS AREA
17 and shall recognize, promote, and protect cooperatives.

18 "SEC. [21.] 26. The Regional AUTONOMOUS Government
19 shall promote and protect small and medium-scale cottage
20 industries by providing assistance such as marketing
21 opportunities, financial support, tax incentives, appropriate and
22 alternative technology and technical training to produce
23 semifinished and finished products.

24 "SEC. [22] 27. The Regional AUTONOMOUS Government
25 shall give support and encouragement to the establishment of
26 banks in accordance with the principles of the Islamic banking
27 system, subject to the supervision by the central monetary
28 authority of the National Government."

1 SEC. 33. Article XIII is hereby amended to insert three new sections
2 to be denominated as Sections 28 to 30, to read as follows:

3 "SEC. 28. THE REGIONAL AUTONOMOUS GOVERNMENT
4 RECOGNIZES THE PIVOTAL ROLE PLAYED BY BANKS AND OTHER
5 FINANCIAL INSTITUTIONS IN THE ECONOMIC DEVELOPMENT OF
6 THE AUTONOMOUS REGION. TOWARD THIS END, THE
7 REGIONAL AUTONOMOUS GOVERNMENT SHALL:

8 "(A) ENCOURAGE THE ESTABLISHMENT OF BANKS AND
9 BANK BRANCHES IN THE AREA OF AUTONOMY; AND

10 "(B) ENCOURAGE THE ENTRY AND ESTABLISHMENT OF
11 OFF-SHORE BANKING UNITS OF FOREIGN BANKS IN THE AREA OF
12 AUTONOMY.

13 "SEC. 29. AN ISLAMIC BANKING UNIT SHALL BE
14 ESTABLISHED BY THE BANGKO SENTRAL NG PILIPINAS WHICH
15 SHALL BE STAFFED BY QUALIFIED ISLAMIC BANKING EXPERTS
16 NOMINATED BY THE REGIONAL GOVERNOR. THE REGIONAL
17 GOVERNOR SHALL NOMINATE AT LEAST THREE (3) QUALIFIED
18 PERSONS FROM THE AUTONOMOUS REGION FROM WHICH
19 NOMINATION, THE APPOINTING AUTHORITY SHALL APPOINT
20 THE HEAD OF THE UNIT. THE SAME PROCEDURES SHALL BE
21 OBSERVED AS REGARDS THE REST OF THE POSITIONS IN THE
22 UNIT.

23 "SEC. 30. THE BANGKO SENTRAL NG PILIPINAS SHALL
24 ESTABLISH A REGIONAL OFFICE WITH FULL BANKING SERVICE
25 IN THE CAPITAL OF THE GOVERNMENT OF THE AUTONOMOUS
26 REGION TO RESPOND TO THE GROWING NEEDS OF THE
27 BANKING COMMUNITY THEREIN WITHIN ONE (1) YEAR FROM
28 THE ESTABLISHMENT OF THE REGIONAL AUTONOMOUS
29 GOVERNMENT. THE REGIONAL GOVERNOR SHALL SUBMIT A
30 LIST OF QUALIFIED RECOMMENDEES TO THE APPOINTING
31 AUTHORITY FROM WHICH THE STAFF OF THE REGIONAL OFFICE

1 MAY BE CHOSEN: *PROVIDED*, THAT THOSE STAFF WHO ARE
 2 NOW OCCUPYING AND ALREADY APPOINTED TO POSITIONS IN
 3 THE REGIONAL OFFICE ARE CONSIDERED AS RECOMMENDED BY
 4 THE REGIONAL GOVERNOR."

5 SEC. 34. The old Sections 23 to 29 of Article XIII are hereby
 6 amended and renumbered accordingly to read as follows:

7 "SEC. [23] 31. Subject to national [policies] LAWS, the
 8 Regional AUTONOMOUS Government shall regulate traditional
 9 barter trade and counter-trade with neighboring countries.

10 [SEC. 24. The Regional Government shall encourage,
 11 promote, undertake and support the establishment of economic
 12 zones, industrial centers and ports in strategic areas and growth
 13 centers of the Region to attract local and foreign investments and
 14 business enterprises.]

15 "SEC. [25] 32. The Regional AUTONOMOUS Government
 16 shall undertake measures to promote consumer education and to
 17 ensure that the rights, interest and general welfare of the
 18 consumers are protected.

19 "SEC. [26] 33. The Regional AUTONOMOUS Government
 20 shall promote the preferential use of labor and locally produced
 21 goods and materials by adopting measures to increase their
 22 competitiveness.

23 "SEC. [27] 34. Subject to the Constitution and national
 24 policies, the Regional AUTONOMOUS Government shall regulate
 25 and exercise authority over foreign investments within its
 26 jurisdiction in accordance with its goals and priorities.

27 *"Tourism Development*

28 "SEC. [28] 35. [The Regional Government shall, with the
 29 assistance of the National Government and the participation of the

private sector, develop tourism as a positive instrument toward accelerated regional development. Tourism development shall promote greater pride in and commitment to the nation] **THE REGIONAL AUTONOMOUS GOVERNMENT SHALL HAVE THE POWER TO PROMOTE TOURISM AS A POSITIVE INSTRUMENT FOR DEVELOPMENT:** *Provided*, That the diverse cultural heritage, and moral and spiritual values of the people in the Autonomous Region shall be primarily considered and respected.

"SEC. [29] 36. The Regional Assembly may, by law, create a Tourism Office, and shall define its composition, powers and functions.

"THE DEPARTMENT OF TOURISM OF THE NATIONAL GOVERNMENT SHALL EXTEND FINANCIAL AND TECHNICAL SUPPORT TO THE TOURISM PROGRAM OF THE REGIONAL AUTONOMOUS GOVERNMENT."

SEC. 35. Sections 1 to 3 of Article XIV are hereby amended to read as follows:

"ARTICLE XIV

"PUBLIC ORDER AND SECURITY

"SECTION 1. The Regional **AUTONOMOUS** Government shall give priority to the maintenance and preservation of peace and order and the protection of life, liberty and property in the Autonomous Region, in consonance with the provisions of the Constitution **AND THIS ACT.**

"SEC. 2. [The Regional Assembly shall, by law, create a Regional Police Force as an integral part of the Philippine National Police under the administration and control of the National Police Commission. It shall be headed by a police commissioner with two deputies, who shall all be inhabitants of the Autonomous Region, to be appointed by the President of the

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573

1 Philippines upon recommendation of the Regional Governor.]
 2 WHEN THE REGIONAL AUTONOMOUS GOVERNMENT SHALL
 3 HAVE BEEN ESTABLISHED IN ACCORDANCE WITH THE ACT,
 4 THERE SHALL BE CREATED OR CONSTITUTED A PHILIPPINE
 5 NATIONAL POLICE (PNP) REGIONAL COMMAND FOR THE
 6 AUTONOMOUS REGION, WHICH SHALL BE THE SPECIAL
 7 REGIONAL SECURITY FORCES (SRSF).

8 SEC. 3. [The regional police shall be under the supervision
 9 of the Regional Governor: *Provided*, That city or municipal
 10 mayors, who are hereby constituted as representatives of the
 11 National Police Commission, shall have operational control and
 12 supervision of the police force within their constituent units in
 13 accordance with law and appropriate rules and regulations.] THE
 14 REGIONAL ASSEMBLY MAY ENACT LAWS GOVERNING THE PNP
 15 REGIONAL COMMAND FOR THE AUTONOMOUS REGION/SRSF
 16 CONSISTENT WITH THE CONSTITUTIONAL PROVISION THAT
 17 THERE SHALL BE ONE POLICE FORCE IN THE COUNTRY WHICH
 18 IS NATIONAL IN SCOPE AND CIVILIAN IN CHARACTER:
 19 *PROVIDED*, THAT THE MORO NATIONAL LIBERATION FRONT
 20 (MNLF) INTEGREGES SHALL ONLY BE DEPLOYED IN THE
 21 JURISDICTION OF THE AREA OF AUTONOMY."

22 SEC. 36. Article XIV is hereby amended to insert seven new sections
 23 to be denominated as Sections 4 to 10, to read as follows:

24 "SEC. 4. THE PNP REGIONAL COMMAND FOR THE
 25 AUTONOMOUS REGION/SRSF SHALL BE COMPOSED OF THE
 26 EXISTING PNP UNITS THEREIN, THE MNLF ELEMENTS, AND
 27 OTHER RESIDENTS OF THE AREA WHO MAY LATER ON BE
 28 RECRUITED INTO THE FORCE.

29 "SEC. 5. THE POWERS AND FUNCTIONS OF THE PNP
 30 REGIONAL COMMAND FOR THE AUTONOMOUS REGION/SRSF

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WHICH SHALL BE EXERCISED WITHIN THE TERRITORIES COVERED BY THE REGIONAL AUTONOMOUS GOVERNMENT, SHALL BE THE FOLLOWING:

"(A) ENFORCE ALL LAWS AND ORDINANCES RELATIVE TO THE PROTECTION OF LIVES AND PROPERTIES;

"(B) MAINTAIN PEACE AND ORDER AND TAKE ALL NECESSARY STEPS TO ENSURE PUBLIC SAFETY;

"(C) INVESTIGATE AND PREVENT CRIMES, EFFECT THE ARREST OF CRIMINAL OFFENDERS, BRING OFFENDERS TO JUSTICE AND ASSIST IN THEIR PROSECUTION;

"(D) EXERCISE THE GENERAL POWERS TO MAKE ARREST, SEARCH AND SEIZURE IN ACCORDANCE WITH THE CONSTITUTION AND PERTINENT LAWS;

"(E) DETAIN AND ARREST PERSON FOR A PERIOD NOT BEYOND WHAT IS PRESCRIBED BY LAW, INFORMING THE PERSON SO DETAINED OF ALL HIS/HER RIGHTS UNDER THE CONSTITUTION AND OBSERVING THE INHERENT HUMAN RIGHTS OF THE CITIZENS; AND

"(F) PERFORM SUCH OTHER DUTIES AND EXERCISE ALL OTHER FUNCTION AS MAY BE PROVIDED BY LAW.

"SEC. 6. THE PNP REGIONAL COMMAND FOR THE AUTONOMOUS REGION/SRSF SHALL BE CHARGED WITH THE MAINTENANCE AND PRESERVATION OF PEACE, LAW AND ORDER, AND PROTECTION OF LIFE, LIBERTY, AND PROPERTY IN THE AUTONOMOUS REGION IN CONSONANCE WITH THE CONSTITUTION.

"SEC. 7. THE ORGANIZATION OF THE PNP REGIONAL COMMAND FOR THE AUTONOMOUS REGION/SRSF SHALL BE AS FOLLOWS:

"(A) IT SHALL BE CIVILIAN IN NATURE AND CHARACTER;

"(B) IT SHALL BE REGIONAL IN SCOPE OF OPERATIONS;

1 “(C) IT SHALL BE HEADED BY A REGIONAL DIRECTOR
2 WHO SHALL BE ASSISTED BY TWO (2) DEPUTIES, ONE (1) FOR
3 ADMINISTRATION AND ONE (1) FOR OPERATIONS;

4 “(D) IT SHALL HAVE REGIONAL, PROVINCIAL, AND CITY
5 OR MUNICIPAL OFFICES;

6 “(E) AT THE PROVINCIAL LEVEL, THERE SHALL BE A
7 PROVINCIAL OFFICE, HEADED BY A PROVINCIAL DIRECTOR;
8 AND

9 “(F) AT THE CITY OR MUNICIPAL LEVEL, THERE SHALL
10 BE AN OFFICE/STATION WHICH SHALL BE HEADED BY A CHIEF
11 OF POLICE.

12 “SEC. 8. THE REGIONAL GOVERNOR SHALL HAVE THE
13 FOLLOWING POWERS OVER THE PNP REGIONAL COMMAND
14 FOR THE AUTONOMOUS REGION/SRSF:

15 “(A) ACT AS THE DEPUTY OF THE NATIONAL POLICE
16 COMMISSION (NAPOLCOM) IN THE REGION AND SHALL BE
17 THE *EX OFFICIO* CHAIRMAN OF THE REGIONAL POLICE
18 COMMISSION (REPOLCOM);

19 “(B) EXERCISE OPERATIONAL CONTROL AND GENERAL
20 SUPERVISION AND DISCIPLINARY POWERS;

21 “(C) EMPLOY/DEPLOY THE ELEMENTS OF THE REGIONAL
22 COMMAND THROUGH THE REGIONAL DIRECTOR;

23 “(D) ASSIGN/REASSIGN OFFICERS AND OTHER PERSONNEL
24 THROUGH THE REGIONAL DIRECTOR;

25 “(E) RECOMMEND TO THE PRESIDENT THE
26 APPOINTMENT OF THE REGIONAL DIRECTOR AND HIS TWO (2)
27 DEPUTIES;

28 “(F) OVERSEE THE PREPARATION AND IMPLEMENTATION
29 OF THE INTEGRATED REGIONAL PUBLIC SAFETY PLAN; AND

30 “(G) IMPOSE, AFTER DUE NOTICE AND SUMMARY
31 HEARINGS OF THE CITIZEN'S COMPLAINTS, ADMINISTRATIVE

PENALTIES ON PERSONNEL OF THE REGIONAL COMMAND
EXCEPT PRESIDENTIAL APPOINTEES.

"SEC. 9. THE SELECTION, ASSIGNMENT AND
APPOINTMENT OF THE PROVINCIAL AND CITY DIRECTORS OF
THE PNP AND THE ASSIGNMENT OF MNLF INTEGREES SHALL
BE CONSISTENT WITH THE PHILIPPINE NATIONAL POLICE
(PNP) LAW/REPUBLIC ACT NO. 6975.

"SEC. 10. THERE SHALL BE CREATED A REGIONAL
POLICE COMMISSION (REPOLCOM) BY THE REGIONAL
ASSEMBLY CONSISTENT WITH THE CONSTITUTION. THE
REPOLCOM SHALL BE UNDER THE ADMINISTRATION AND
CONTROL OF THE NAPOLCOM. THE CHAIRMAN OF THE
REPOLCOM SHALL BE AN *EX OFFICIO* COMMISSIONER OF THE
NAPOLCOM."

SEC. 37. The old Sections 4 to 6 of Article XIV are hereby amended
and renumbered accordingly to read as follows:

"SEC. [4] 11. The defense and security of the Autonomous
Region shall be the responsibility of the National Government.
Towards this end, there is hereby created a regional command of
the Armed Forces of the Philippines for the Autonomous Region,
which shall be organized, maintained and utilized in accordance
with national laws. The National Government shall have the
authority to station and deploy in the Autonomous Region
sufficient elements of the Armed Forces of the Philippines:
Provided, That inhabitants of the Autonomous Region shall be
given preference in assignments therein.

"SEC. [5] 12. The provisions of the preceding sections
notwithstanding, the Regional Governor may request the President
of the Philippines to call upon the Armed Forces of the
Philippines:

“(1) To prevent or suppress lawless violence, invasion or rebellion, when the public safety so requires, in accordance with the provisions of the Constitution;

“(2) [The] TO suppress the danger to or breach of peace in the area of autonomy, when the police forces of the Autonomous Region are not able to do so; or

“(3) To avert any imminent danger to public order and security in the area of autonomy.

“SEC. [6] 13. The Regional AUTONOMOUS Government shall recognize indigenous structures or systems which promote peace and order.”

SEC. 38. Sections 1 to 3 of Article XV are hereby amended to read as follows:

“ARTICLE XV

“EDUCATION, SCIENCE AND TECHNOLOGY,
ARTS AND SPORTS

“SECTION 1. The Autonomous Region shall establish, maintain and support a complete and integrated system of quality education and adopt an educational framework that is meaningful, relevant and responsive to the needs, ideals and aspirations of the people in the Region.

“THE REGIONAL AUTONOMOUS GOVERNMENT SHALL HAVE AN EDUCATIONAL COMPONENT COMPRISING OF ESTABLISHED SCHOOLS, COLLEGES AND UNIVERSITIES IN THE PRESENTLY EXISTING AUTONOMOUS REGION AND SUCH OTHER SCHOOLS AND INSTITUTIONS TO BE ESTABLISHED IN THE AUTONOMOUS REGION, WITH THE POSSIBLE INCLUSION OF STATE UNIVERSITIES AND COLLEGES (SUCs) PURSUANT TO EXISTING LAWS. THE RELATIONSHIP OF THE REGIONAL AUTONOMOUS GOVERNMENT’S EDUCATIONAL BODY WITH THE

1 NATIONAL EDUCATIONAL SYSTEM SHALL BE THAT OF A SYSTEM
2 AND SUB-SYSTEM WITH EMPHASIS ON THE AUTONOMY OF THE
3 SUB-SYSTEM. IN THE EVENT THAT SUCs SHOULD BE INCLUDED
4 AS PART OF THE EDUCATIONAL COMPONENT OF THE REGIONAL
5 AUTONOMOUS GOVERNMENT, THE LATTER SHALL RECOGNIZE
6 THE FISCAL AUTONOMY AND ACADEMIC FREEDOM OF THE
7 SUCs AS MANDATED BY THEIR RESPECTIVE CHARTERS.

8 *"Educational Policies*

9 "SEC. 2. Consistent with the basic State policy on education,
10 the Autonomous Region shall adopt the following educational
11 policies and principles:

12 "(1) [Education in the Autonomous Region shall be
13 committed to] THE REGIONAL AUTONOMOUS GOVERNMENT
14 EDUCATIONAL SYSTEM SHALL PERPETUATE FILIPINO VALUES
15 AND AMONG OTHERS, PERPETUATE ISLAMIC IDEALS AND
16 ASPIRATIONS, ISLAMIC VALUES AND ORIENTATIONS OF THE
17 BANGSAMORO PEOPLE. IT SHALL DEVELOP the total spiritual,
18 intellectual, social, cultural, scientific and physical [development
19 of man, thus making him a] ASPECTS OF THE BANGSAMORO
20 PEOPLE TO MAKE THEM God-fearing, [peace-loving, and work-
21 oriented citizen of the nation] PRODUCTIVE, PATRIOTIC
22 CITIZENS, CONSCIOUS OF THEIR FILIPINO AND ISLAMIC VALUES
23 AND CULTURAL HERITAGE UNDER THE AEGIS OF A JUST AND
24 EQUITABLE SOCIETY;

25 "(2) RELIGIOUS INSTRUCTION IN PUBLIC SCHOOLS
26 SHOULD BE OPTIONAL, WITH THE WRITTEN CONSENT OF THE
27 PARENT/GUARDIAN, TAUGHT BY THE AUTHORITIES OF THE
28 RELIGION TO WHICH THE STUDENT BELONGS, AND SHOULD NOT
29 INVOLVE ADDITIONAL COSTS TO THE GOVERNMENT IN
30 ACCORDANCE WITH NATIONAL POLICIES;

1 “(2) (3) All schools in the Autonomous Region shall
2 inculcate patriotism and nationalism, appreciation of the role of
3 national and regional heroes in the historical development of the
4 country and region, foster love of humanity, respect for human
5 rights, and shall teach the rights and duties of citizenship, and the
6 cultures of the Muslims, Christians, and tribal peoples in the
7 Region to develop, promote and enhance unity in diversity;

8 “(3) (4) The thrusts, programs and administration
9 vocational, non-formal and special education shall be supported
10 and made relevant to the manpower needs of the Region;

11 “(4) (5) A system of scholarship programs, grants, student
12 loans, subsidies and other incentives shall be made available to all
13 poor but deserving students;

14 “(6) **LOCALLY-FUNDED PROGRAMS WILL BE THE**
15 **RESPONSIBILITY OF THE REGIONAL AUTONOMOUS**
16 **GOVERNMENT;**

17 “(5) (7) The active participation of the home, community,
18 religious organizations and other sectors in the total educative
19 process of the child shall be encouraged and supported;

20 “(6) (8) (a) A regional language may be evolved and
21 developed from the different dialects in the Region.

22 “(b) Filipino and English shall be the media of instruction in
23 [all schools in the Region. Major languages of the Region] **THE**
24 **AUTONOMOUS REGION: PROVIDED, THAT ARABIC shall be AN**
25 auxiliary medium of instruction;

26 “(c) [The Arabic language shall be a compulsory subject for
27 Muslims and optional for non-Muslims in all schools in the
28 Region] **REGIONAL LANGUAGES MAY BE USED AS AUXILIARY**

1 OFFICIAL LANGUAGES IN THE REGION AS WELL AS AUXILIARY
2 MEDIA OF INSTRUCTION AND COMMUNICATION; AND

3 "(D) ARABIC SHALL BE TAUGHT AS A SUBJECT IN ALL
4 APPROPRIATE GRADE LEVELS AS PRESENTLY REQUIRED IN THE
5 EXISTING LAWS FOR MUSLIMS, AND OPTIONAL, FOR NON-
6 MUSLIMS.

7 "[(7)] (9) The education in the Autonomous Region shall
8 develop consciousness and appreciation of one's ethnic identity
9 and shall provide a better understanding of each other's cultural
10 heritage for the attainment of national unity and harmony;

11 "[(8)] (10) The Regional AUTONOMOUS Government shall
12 recognize the participation of private institution of learning,
13 including the *Madaris* (Arabic schools), in providing quality
14 education to the people of the Region; and

15 "[(9) Unless otherwise provided by regional law, the
16 Regional Government may implement a four-year primary and a
17 three-year intermediate education; a 2-2 secondary education; and
18 a four-year or more college education in schools within the
19 Region.]

20 "(11) (A) THE ELEMENTARY LEVEL SHALL FOLLOW
21 THE BASIC NATIONAL STRUCTURE AND SHALL PRIMARILY BE
22 CONCERNED WITH PROVIDING BASIC EDUCATION; THE
23 SECONDARY LEVEL WILL CORRESPOND TO FOUR (4) YEARS OF
24 HIGH SCHOOL, AND THE TERTIARY LEVEL SHALL BE ONE (1)
25 YEAR TO THREE (3) YEARS FOR NON-DEGREE COURSES AND
26 FOUR (4) TO EIGHT (8) YEARS FOR DEGREE COURSES AS THE
27 CASE MAY BE IN ACCORDANCE WITH EXISTING LAWS;

28 "(B) THE TEACHINGS OF FILIPINO VALUES, AS WELL AS
29 ISLAMIC VALUES, SHALL BE INCORPORATED IN GOOD MANNERS
30 AND RIGHT CONDUCT IN APPROPRIATE GRADE LEVELS

1 INCLUDING THE TERTIARY LEVEL SUBJECT TO AGREED NORMS,
2 ACADEMIC FREEDOMS, AND LEGAL LIMITATIONS;

3 "(C) THE FORMULATION, SHAPING AND REVISION OF
4 TEXTBOOKS ARE THE RESPONSIBILITIES OF THE REGIONAL
5 AUTONOMOUS GOVERNMENT AND THE NATIONAL
6 GOVERNMENT AND WITHIN AGREED NORMS, ACADEMIC
7 FREEDOM AND RELEVANT LEGAL LIMITS, THE FORMULATION
8 AND REVISIONS SHALL EMPHASIZE ISLAMIC VALUES OR
9 ORIENTATION, IN ADDITION TO FILIPINO VALUES WHICH
10 INCLUDE CHRISTIAN VALUES AND VALUES OF INDIGENOUS
11 PEOPLE, HUMAN RIGHTS VALUES, MODERN SCIENCES AND
12 TECHNOLOGY AS WELL AS THE LATEST EDUCATIONAL
13 THRUSTS. HAVING ADOPTED THE CORE CURRICULUM OF THE
14 NATIONAL GOVERNMENT IN CONSIDERATION OF ACHIEVING
15 THE HIGHEST QUALITY OF EDUCATION, STUDENTS AND
16 GRADUATES OF THE EDUCATION SYSTEM OF THE AUTONOMOUS
17 REGION SHALL BE FULLY ACCREDITED WHEN THEY TRANSFER
18 TO NON-AUTONOMOUS REGIONS;

19 "(D) THE INTEGRATION OF ISLAMIC VALUES IN THE
20 CURRICULUM SHOULD BE DONE GRADUALLY AFTER
21 RESEARCHES AND STUDIES HAVE BEEN CONDUCTED;

22 "(E) THE REGIONAL AUTONOMOUS GOVERNMENT
23 SHALL HAVE THE PREROGATIVE AND RESPONSIBILITY TO
24 REQUIRE MORE LEARNINGS AND INSTRUCTIONAL MATERIALS IN
25 ADDITION TO THOSE ALREADY PRESCRIBED BY THE NATIONAL
26 GOVERNMENT;

27 "(F) THE SELECTION, RECRUITMENT, APPOINTMENT AND
28 PROMOTION OF TEACHERS AND EMPLOYEES SHALL BE THE
29 RESPONSIBILITY OF THE REGIONAL AUTONOMOUS
30 GOVERNMENT THROUGH THE REGIONAL DEPARTMENT OF
31 EDUCATION, CULTURE AND SPORTS IN ACCORDANCE WITH

1 GENERAL QUALIFICATION STANDARDS PRESCRIBED BY THE
2 CIVIL SERVICE COMMISSION (CSC): *PROVIDED*, THAT THE
3 REGIONAL AUTONOMOUS GOVERNMENT CAN INITIATE
4 REGIONALLY-DEFINED STANDARDS WHICH ARE NOT BELOW
5 NATIONAL STANDARDS;

6 “(G) THE SELECTION, RECRUITMENT, APPOINTMENT AND
7 PROMOTION OF ELEMENTARY, SECONDARY AND TERTIARY
8 EDUCATION EMPLOYEES SHALL BE THE RESPONSIBILITY OF THE
9 REGIONAL AUTONOMOUS GOVERNMENT THROUGH THE
10 REGIONAL DEPARTMENT OF EDUCATION, CULTURE AND
11 SPORTS AND IN THE CASE OF ELEMENTARY SCHOOL TEACHERS
12 THROUGH THE PROVINCES’ DIVISION OF SCHOOLS IN
13 ACCORDANCE WITH GENERAL STANDARDS OF THE CIVIL
14 SERVICE COMMISSION AND OTHER EXISTING RECOGNIZED
15 BODIES;

16 “(H) THE MINIMUM REQUIREMENTS AND STANDARDS
17 PRESCRIBED BY THE DEPARTMENT OF EDUCATION, CULTURE
18 AND SPORTS, THE COMMISSION ON HIGHER EDUCATION
19 (CHED) AND THE TECHNICAL EDUCATION AND SKILLS
20 DEVELOPMENT AUTHORITY (TESDA) WILL BE FOLLOWED BY
21 THE AUTONOMOUS REGION; AND

22 “(I) MUSLIM CULTURE, MORES, CUSTOMS AND
23 TRADITIONS WHICH ARE MAINLY BASED ON ISLAM, AS WELL AS
24 THE CULTURES, MORES, CUSTOMS AND TRADITIONS OF
25 CHRISTIANS AND INDIGENOUS PEOPLE, SHALL BE PRESERVED
26 THROUGH THE REGULAR PUBLIC AND SPECIAL SCHOOLS IN THE
27 AUTONOMOUS REGION, CONSIDERING THAT SCHOOLS ARE
28 PERPETUATING VEHICLES OF THE VALUES OF THE PEOPLE.

29 “SEC. 3. The regional educational system shall develop
30 curricula that are relevant to the economic, social, political,

1 cultural, moral and spiritual needs of the people in the
2 AUTONOMOUS Region."

3 SEC. 39. Article XV is hereby amended to insert a new section to be
4 denominated as Section 4, to read as follows:

5 "SEC. 4. THE MANAGEMENT AND CONTROL, AND
6 SUPERVISION OF THE ENTIRE EDUCATIONAL SYSTEM IN THE
7 AUTONOMOUS REGION SHALL BE THE PRIMARY CONCERN OF
8 THE REGIONAL AUTONOMOUS GOVERNMENT, CONSISTENT
9 WITH THE DECLARED POLICIES OF NATIONAL EDUCATIONAL
10 BODIES. THE NATIONAL EDUCATIONAL BODIES SHALL
11 MONITOR COMPLIANCE BY THE REGIONAL EDUCATIONAL
12 SYSTEM WITH NATIONAL EDUCATIONAL POLICIES, STANDARDS
13 AND REGULATIONS IN COLLABORATION WITH THE
14 EDUCATIONAL AUTHORITIES OF THE AUTONOMOUS REGION.
15 THE HEAD OF THE EDUCATIONAL SYSTEM OF THE REGIONAL
16 AUTONOMOUS GOVERNMENT SHALL HAVE THE RIGHT TO
17 PARTICIPATE IN POLICY AND DECISION-MAKING ACTIVITIES OF
18 THE NATIONAL EDUCATIONAL BODIES."

19 SEC. 40. The old Section 4 of Article XV is hereby amended and
20 renumbered to read as follows:

21 *"Educational Structure*

22 "SEC. [4] 5. The Regional Assembly may, by law, create,
23 support and maintain a REGIONAL Department of Education,
24 Culture and Sports, and shall define its powers, functions and
25 composition."

26 SEC. 41. Article XV is hereby amended to insert two new sections to
27 be denominated as Sections 6 and 7, to read as follows:

28 "SEC. 6. THE REGIONAL AUTONOMOUS GOVERNMENT
29 WILL BE RESPONSIBLE FOR SPECIFIC ADMINISTRATIVE,
30 MANAGEMENT FUNCTIONS AND POWERS, EDUCATIONAL

SUPERVISION AND SCHOOL ADMINISTRATION, AND REGULATION
OVER PRIVATE SCHOOLS.

"SEC. 7. THE ORGANIZATIONAL STRUCTURE OF THE
EDUCATIONAL SYSTEM IN THE AUTONOMOUS REGION SHALL
FOLLOW THE BASIC STRUCTURE OF THE NATIONAL
EDUCATIONAL SYSTEM. THE REGIONAL ASSEMBLY MAY ADD
SPECIAL STRUCTURES, IF NECESSARY. IT SHALL FOLLOW
WHATEVER ORGANIZATIONS OF THE CURRICULAR YEARS AS
FOUND IN THE NATIONAL SET-UP."

SEC. 42. The old Sections 5 to 9 of Article XV are hereby amended
and renumbered accordingly to read as follows:

"SEC. [5] 8. State colleges and universities within the
Autonomous Region shall enjoy academic freedom and fiscal
autonomy and shall continue to be governed by their respective
charters[:]. [*Provided*, That the regional Secretary of Education,
Culture and Sports shall be a members of the governing boards of
state colleges and universities in the Autonomous Region] THE
PROVISIONS OF EXISTING NATIONAL AND SPECIAL LAWS
TO THE CONTRARY NOTWITHSTANDING, THE REGIONAL
AUTONOMOUS GOVERNMENT SHALL BE REPRESENTED IN THE
BOARD OF SUCS IN THE REGION EITHER AS CO-CHAIRMAN OR
CO-VICE-CHAIRMAN.

"SEC. [6] 9. All state colleges and universities in the
Autonomous Region shall assist and support the full development
of the people and shall serve as regional centers for tertiary and
post graduate education in their respective areas of competence.

"SEC. [7] 10. The Regional Assembly may establish a tribal
state university system within the Autonomous Region.

"*Madrasah Education*"

"SEC. [8] 11. Accredited *madaris* in the Autonomous Region shall be supervised by the Department of Education, Culture and Sports.

"SEC. [9] 12. Appropriate regional laws shall be enacted for the strengthening and development of the *madrasah* educational system in the Autonomous Region.

"ARABIC SHALL BE RECOGNIZED AS A MEDIUM OF INSTRUCTION IN *MADARIS* (SCHOOLS) AND OTHER ISLAMIC INSTITUTIONS."

SEC. 43. Article XV is hereby amended to insert two new sections to be denominated as Sections 13 to 14, to read as follows:

"SEC. 13. EXISTING *MADARIS*, INCLUDING *MADARIS ULYA* SHALL BE INCLUDED UNDER THE REGIONAL AUTONOMOUS GOVERNMENT EDUCATIONAL SYSTEM AS PRESENTLY ORGANIZED IN THE AUTONOMOUS REGION.

"SEC. 14. *MADARIS* TEACHERS SHALL RECEIVE COMPENSATION OUT OF THE FUNDS OF THE REGIONAL AUTONOMOUS GOVERNMENT PROVIDED THEY ARE EMPLOYED IN THE PUBLIC SCHOOLS.

"THE REGIONAL DEPARTMENT OF EDUCATION, CULTURE AND SPORTS SHALL, IN COORDINATION WITH THE REGIONAL CHED, CONDUCT COMPETITIVE EXAMINATION WHENEVER NECESSARY FOR THE *MADARIS* TEACHERS TO QUALIFY THEM FOR PERMANENT APPOINTMENT IN THE AUTONOMOUS REGION."

SEC. 44. The old Sections 10 and 11 of Article XV are hereby renumbered accordingly to read as follows:

"Science and Technology

"SEC. [10] 15. Science and technology are recognized as essential to national and regional progress and development.

"SEC. [11] 16. The Regional Assembly shall enact laws that shall:

"(1) Give priority to science, research, inventions, technology, education, and their development and utilization;

"(2) Provide incentives, including tax deduction and funding assistance, and encourage private participation in basic and applied scientific researches;

"(3) Regulate the transfer and promote the adoption of technology from all sources for regional benefit;

"(4) Secure and protect the exclusive rights of scientists, inventors, scholars, writers, artists and other gifted citizens to their intellectual properties; and

"(5) Introduce the full and effective participation of all sectors in the planning, programming, coordination and implementation of scientific and technological researches and the acquisition, adoption, innovation and application of science and technology for development."

SEC. 45. Article XV is hereby amended to insert six new sections to be denominated as Sections 17 to 21, to read as follows:

"SEC. 17. THE EDUCATIONAL SYSTEM SHALL RESPOND POSITIVELY AND EFFECTIVELY TO THE CHANGING NEEDS AND CONDITIONS OF THE TIMES AS WELL AS REGIONAL AND NATIONAL NEEDS OF THE ENVIRONMENT THROUGH THE PROPER USE OF THE LATEST EDUCATIONAL TECHNOLOGY, DEVELOPMENT, PLANNING, MONITORING, EVALUATION, AND APPROPRIATE AND TIMELY EDUCATIONAL INTERVENTION AS WELL AS LINKAGES WITH NATIONAL AND INTERNATIONAL INSTITUTIONS.

1 "SEC. 18. THE REGIONAL AUTONOMOUS GOVERNMENT
2 EDUCATIONAL SYSTEM SHALL INSTITUTIONALIZE NON-
3 FORMAL EDUCATION IN SCOPE AND METHODOLOGY, TO
4 INCLUDE LITERACY, NUMERACY AND INTENSIVE SKILLS
5 TRAINING OF THE YOUTH AND ADULT, TO ALLOW THEM TO
6 PARTICIPATE ACTIVELY AND PRODUCTIVELY IN THE
7 MAINSTREAM OF REGIONAL AND NATIONAL LIFE.

8 *"SCHOLARSHIP GRANTS AND ASSISTANCE*

9 "SEC. 19. UNIVERSITIES AND COLLEGES IN THE
10 AUTONOMOUS REGION MAY SEEK AND RECEIVE OVERSEAS
11 DONATIONS FOR EDUCATIONAL PURPOSES.

12 "SEC. 20. THE REGIONAL AUTONOMOUS GOVERNMENT
13 EDUCATIONAL SYSTEM SHALL HANDLE, BY ADMININSTRATIVE
14 ARRANGEMENT WITH THE NATIONAL DEPARTMENT OF
15 EDUCATION, CULTURE, AND SPORTS, THE COMMISSION ON
16 HIGHER EDUCATION AND THE TECHNICAL EDUCATION AND
17 SKILLS DEVELOPMENT AUTHORITY SCHOLARSHIP PROGRAMS,
18 BOTH LOCAL AND FOREIGN, INCLUDING THOSE PROVIDED BY
19 THE AUTONOMOUS REGION PURSUANT TO THE PROVISIONS OF
20 EXISTING LAWS.

21 "SEC. 21. DISADVANTAGED BUT DESERVING STUDENTS
22 SHALL BE GIVEN FINANCIAL ASSISTANCE BY THE REGIONAL
23 AUTONOMOUS GOVERNMENT OUT OF FUNDS GIVEN BY THE
24 NATIONAL GOVERNMENT FOR THE PURPOSE AND FROM OTHER
25 SOURCES OF FUNDS."

26 SEC. 46. Article XV is hereby amended to insert a new section to be
27 denominated as Section 22, to read as follows:

28 *"FUNDS FOR EDUCATION*

29 "SEC. 22. FUNDS FOR EDUCATION CONSTITUTING THE
30 SHARE OF THE REGIONAL AUTONOMOUS GOVERNMENT AS

CONTAINED IN THE GENERAL APPROPRIATIONS ACT SHALL BE
GIVEN DIRECTLY TO THE AUTONOMOUS GOVERNMENT."

SEC. 47. The old Sections 12 to 16 of Article XV are hereby
amended and renumbered accordingly to read as follows:

"Physical Education and Sports Development

"SEC. [12] 23. The educational system shall develop and
maintain an integrated and comprehensive physical education
program. It shall develop healthy, disciplined, creative,
innovative, productive individuals, and promote the spirit of
sportsmanship, cooperation, teamwork, goodwill and
understanding.

"SEC. [13] 24. The system shall encourage and support
sports programs, league competitions, indigenous games, martial
arts and amateur sports, including training for regional, national
and international competitions.

"Cultural Heritage

"SEC. [14] 25. The cultural heritage of the people of the
Autonomous Region shall be an integral component of regional
development.

"SEC. [15] 26. The Regional AUTONOMOUS Government
shall recognize, respect, protect, preserve, revive, develop,
promote and enhance the culture, customs, traditions, beliefs and
practices of the people in the area of autonomy. It shall encourage
and undertake the recovery, collection, collation and restoration or
historical and cultural properties for posterity.

"SEC. [16] 27. A Bureau on Cultural Heritage may be
created to plan, initiate, implement and monitor cultural programs,
projects and activities that shall institutionalize the preservation
and enhancement of the positive elements of the indigenous

1 culture of inhabitants of the Autonomous Region. It shall
2 coordinate with other concerned agencies engaged in similar and
3 related activities."

4 SEC. 48. Sections 2 to 3 of Article XVI are hereby amended to read
5 as follows:

6 "SEC. 2. (1) The Regional Assembly shall, consistent with
7 the provisions of the Constitution and national [policies,] LAWS,
8 enact measures to provide and [expand health and welfare]
9 PROMOTE SOCIAL services.

10 "(2) The Regional AUTONOMOUS Government shall
11 establish and maintain an effective food and drug regulatory
12 system. It shall encourage the rational use of drugs through an
13 essential drugs list and the use of generic medicines or drugs, as
14 well as promote the use of herbal medicines and indigenous health
15 resources, whenever appropriate.

16 "(3) The Regional Assembly shall enact further legislation
17 on the following:

18 "(a) Child health and development, including the support of
19 the handicapped and other disadvantaged persons in need of
20 welfare services;

21 "(b) Condition of women and status of indigenous
22 population;

23 "(c) Registration of births, marriages and deaths; and

24 "(d) Fixing of regional public holidays.

25 "SEC. 3. The Regional AUTONOMOUS Government, in
26 cooperation with the private sector, shall evolve its own housing
27 program that will provide adequate, low-cost, and decent housing
28 facilities, and other basic services to the residents of the Region,
29 especially the underprivileged."

1 SEC. 49. Sections 5 to 9 of Article XVI are hereby amended to read
2 as follows:

3 "SEC. 5. The Regional AUTONOMOUS Government
4 recognizes the Filipino family as the foundation of the nation. It
5 shall strengthen its solidarity and actively promote its [total]
6 NATIONAL development.

7 "SEC. 6. The Regional AUTONOMOUS Government
8 recognizes the role of women in nation building and regional
9 development. It shall promote their well-being and ensure their
10 fundamental rights and equality with men before the law.

11 "The Regional AUTONOMOUS Government shall take
12 appropriate measures against all forms of exploitation of and
13 discrimination against women.

14 "It shall ensure the representation of women in appropriate
15 decision and policy-making bodies.

16 "SEC. 7. The Regional AUTONOMOUS Government
17 recognizes the vital role of the youth in nation building.

18 "The Regional Assembly may, by law, create the Office of
19 Youth Affairs and define its powers, functions and composition.

20 "SEC. 8. The Regional AUTONOMOUS Government shall
21 protect the rights of people's organizations.

22 "SEC. 9. The Regional AUTONOMOUS Government
23 recognizes labor as a primary social economic force for
24 development. It shall afford full protection to labor, promote full
25 employment, ensure equal work opportunities regardless of sex,
26 race or creed, and regulate the relations between workers and
27 employers.

28 "The Regional AUTONOMOUS Government shall ensure the
29 right of labor to its just share in the fruits of production, and the

1 right of enterprise to reasonable returns on investments and to
2 expansion and growth."

3 SEC. 50. Article XVII is hereby amended to insert a new section to
4 be denominated as Section 2, to read as follows:

5 "SEC. 2. THE REGIONAL AUTONOMOUS GOVERNMENT
6 SHALL HAVE PRIMARY DISCIPLINARY AUTHORITY OVER
7 OFFICIALS AND EMPLOYEES IN THE AUTONOMOUS REGION IN
8 ACCORDANCE WITH CIVIL SERVICE COMMISSION RULES AND
9 REGULATIONS. ADMINISTRATIVE SANCTIONS DEEMED
10 APPROPRIATE AND REASONABLE AS DETERMINED BY THE CIVIL
11 SERVICE COMMISSION WILL BE THE AREA OF CONCERN OF THE
12 REGIONAL AUTONOMOUS GOVERNMENT."

13 SEC. 51. Section 2 of Article XVII is hereby amended and
14 renumbered to read as follows:

15 "SEC. [2] 3. All public officers and employees, as well as
16 members of the regional police force and the military
17 establishment, shall be required to take an oath of allegiance to
18 the Republic of the Philippines and to support and defend the
19 Constitution and this Organic Act."

20 SEC. 52. Article XVII is hereby amended to insert a new section to
21 be denominated as Section 4, to read as follows:

22 "SEC. 4. THE CIVIL SERVICE ELIGIBILITY REQUIREMENTS
23 FOR APPOINTMENT TO GOVERNMENT POSITION SHALL BE
24 APPLICABLE IN THE REGIONAL AUTONOMOUS GOVERNMENT.
25 AS NECESSARY, THE CIVIL SERVICE COMMISSION SHALL HOLD
26 SPECIAL CIVIL SERVICE EXAMINATIONS IN THE AUTONOMOUS
27 REGION TO FURTHER INCREASE THE NUMBER OF ELIGIBLES
28 THEREIN. FOR A PERIOD NOT LONGER THAN FIVE (5) YEARS
29 FROM THE ESTABLISHMENT OF THE REGIONAL AUTONOMOUS
30 GOVERNMENT, THE NATIONAL GOVERNMENT SHALL

1 ENDEAVOR TO PROVIDE APPROPRIATE CIVIL SERVICE
2 ELIGIBILITY TO APPLICANTS IN THE AUTONOMOUS REGION,
3 PROVIDED, THE MINIMUM QUALIFICATIONS PRESCRIBED BY
4 LAW ARE MET."

5 SEC. 53. Sections 3 and 4 of Article XVII are hereby amended and
6 renumbered accordingly to read as follows:

7 "SEC. [3] 5. No member of the Armed Forces of the
8 Philippines in the active service shall, at any time, be appointed or
9 designated in any capacity to a civilian position in the
10 Autonomous Government, including government-owned or
11 controlled corporations, or in any of their subsidiaries or
12 instrumentalities within the Autonomous Region.

13 "SEC. [4] 6. This Organic Act shall be officially
14 promulgated in Filipino, English and Arabic and translated into
15 the dialects widely spoken in the Autonomous Region. In case of
16 conflict, the English text shall prevail."

17 SEC. 54. Section 1(3) of Article XIX is hereby amended to read as
18 follows:

19 "SECTION. 1. (3) [Properties and assets of the present
20 Autonomous Governments in Regions IX and XII shall be turned
21 over to the Regional Government. Those lands, buildings and
22 other permanent structures located in the provinces or cities that
23 do not vote favorably in the plebiscite for the ratification of this
24 Organic Act may be acquired by the province or city concerned
25 for value.] ANY AND ALL REAL PROPERTIES AND PERMANENT
26 BUILDINGS OR STRUCTURES OWNED, CONTROLLED,
27 ADMINISTERED OR IN THE POSSESSION OF THE REGIONAL
28 GOVERNMENT OF THE AUTONOMOUS REGION IN MUSLIM
29 MINDANAO, INCLUDING THOSE FORMERLY OWNED, HELD,

ADMINISTERED OR CONTROLLED BY THE DEFUNCT
AUTONOMOUS GOVERNMENTS IN REGIONS IX AND XII
LOCATED IN PROVINCES AND CITIES WHICH DO NOT VOTE
FAVORABLY FOR THE RETENTION OR INCLUSION OF THEIR
RESPECTIVE AREAS IN THE AUTONOMOUS REGION IN MUSLIM
MINDANAO SHALL BE CONVEYED, TRANSFERRED, AND TURNED
OVER TO THE LOCAL GOVERNMENT UNITS OF SAID NON-ARMM
PROVINCES OR CITIES, FOR VALUE OR CONSIDERATION TO BE
DETERMINED BY THE OVERSIGHT COMMITTEE AS PROVIDED
FOR IN SECTION 3 OF ARTICLE XIX OF THIS ACT WITHIN ONE
HUNDRED EIGHTY (180) DAYS FROM DATE OF THE PLEBISCITE."

SEC. 55. Sections 2 to 4 of Article XIX are hereby amended to read
as follows:

"SEC. 2. All personnel of the National Government and of
government-owned or controlled corporations who are absorbed
by the Regional AUTONOMOUS Government shall retain their
seniority rights, compensation and other benefits.

"SEC. 3. Within one (1) month from the organization of the
Regional AUTONOMOUS Government, an Oversight Committee
composed of the Executive Secretary as Chairman, the Secretary
of Budget and Management, the [Secretary] DIRECTOR-General
of the National Economic and Development Authority, the
Regional Governor of the Autonomous Region, the Speaker of the
Regional Assembly, two (2) Senators to be designated by the
Senate President and two (2) Representatives to be designated by
the Speaker of the House of Representatives, as Members, shall
be organized for the purpose of supervising the transfer to the
Autonomous Region of such powers and functions vested in it by
this Organic Act and the appropriations of the offices or agencies,
including the transfer of properties, assets and liabilities, and such
personnel as may be necessary; and of identifying the other line

agencies and government-owned or controlled corporations that may be absorbed by the Regional AUTONOMOUS Government and, with respect to the latter, also the terms and conditions of their turnover.

"Within six (6) months after its organization, the Oversight Committee shall submit its report and recommendations to the President of the Philippines who shall act on the report and recommendations within ninety (90) days after receipt thereof: *Provided, however,* That if the President fails to act within said period, the recommendations of the Oversight Committee shall be deemed approved.

"SEC. 4. Upon the organization of the Autonomous Region, the line agencies and offices of the National Government dealing with local government, social services, science and technology, labor, natural resources, and tourism, including their personnel, equipment, properties and budgets, shall be immediately placed under the control and supervision of the Regional AUTONOMOUS Government.

"Other National Government offices and agencies in the Autonomous Region which are not excluded under paragraph (9), Section 2, Article V of this Organic Act, together with their personnel, equipment, properties and budgets, shall be placed under the control and supervision of the Regional AUTONOMOUS Government pursuant to a schedule prescribed by the Oversight Committee mentioned in Section 3, Article XIX of this Organic Act: *Provided, however,* That the transfer of these offices and agencies and their personnel, equipment, properties and budgets shall be accomplished within six (6) years from the organization of the Regional AUTONOMOUS Government.

1 "The National Government shall continue such levels of
2 expenditures as may be necessary to carry out the functions
3 devolved under this Act: *Provided, however,* That the annual
4 budgetary support shall, as soon as practicable, terminate as to the
5 line agencies or offices devolved to the Regional AUTONOMOUS
6 Government."

7 SEC. 36. Sections 6 and 7 of Article XIX are hereby amended to
8 read as follows:

9 "SEC. 6. Pending the enactment of a regional budgetary law,
10 the budgeting process of the Regional AUTONOMOUS
11 Government shall be governed by pertinent rules and regulations
12 prescribed by the Department of Budget and Management.

13 "SEC. 7. The first regular elections of the Regional
14 Governor, REGIONAL Vice-Governor and Members of the
15 Regional Assembly under this Organic Act shall be held not
16 earlier than sixty (60) days or later than ninety (90) days after the
17 ratification of this Act. The Commission on Elections shall
18 promulgate such rules and regulations as may be necessary for the
19 conduct of said election."

20 SEC. 57. Sections 9 and 10 of Article XIX are hereby amended to
21 read as follows:

22 "SEC. 9. The sum of Fifteen million pesos (P15,000,000.00),
23 which shall be charged against the Contingent Fund, is hereby
24 appropriated for the initial organizational requirements of the
25 Regional AUTONOMOUS Government, and funding for any
26 deficiency shall be taken from savings of the National
27 Government: *Provided, That AN AMOUNT NOT EXCEEDING*
28 [Five] TEN million pesos [(P5,000,000.00)] (P10,000,000.00)
29 thereof shall be allotted to the Commission on Elections to
30 undertake an information campaign on this Organic Act:

2

596

Provided, further, That the Commission on Elections shall determine the manner of campaigning and the deputization of government agencies for the purpose: *Provided, finally,* That the Commission on Elections shall adopt measures that will ensure an impartial information campaign.

“SEC. 10. [The National Government shall, in addition to its regular annual allotment to the Autonomous Region, provide the Regional Government Two billion pesos (P2,000,000,000.00) as annual assistance for five (5) years, to fund infrastructure projects duly identified, endorsed and approved by the Regional Planning and Development Board herein created: *Provided, however,* That the annual assistance herein mentioned shall be appropriated and disbursed through a Public Works Act duly enacted by the Regional Assembly: *Provided, further,* That this annual assistance may be adjusted proportionately in accordance with the number of provinces and cities joining the Autonomous Region: and *Provided, finally,* That the national programs and projects in the Autonomous Region shall continue to be financed out of national funds.] IN ADDITION TO THE REGULAR ANNUAL ALLOTMENT TO FUND THE REGULAR OPERATIONS OF THE AUTONOMOUS REGION, THE AMOUNT NEEDED TO FUND THE INFRASTRUCTURE PROJECTS DULY IDENTIFIED, ENDORSED AND APPROVED BY THE REGIONAL PLANNING BOARD HEREIN CREATED, AS ANNUAL ASSISTANCE FOR FIVE (5) YEARS, SHALL BE INCLUDED IN THE GENERAL APPROPRIATIONS ACT: *PROVIDED, HOWEVER,* THAT THE ANNUAL ASSISTANCE HEREIN MENTIONED SHALL BE APPROPRIATED AND DISBURSED THROUGH A PUBLIC WORKS ACT DULY ENACTED BY THE REGIONAL ASSEMBLY: *PROVIDED, FURTHER,* THAT THE NATIONAL PROGRAMS AND PROJECTS IN THE AUTONOMOUS

1 REGION SHALL CONTINUE TO BE FINANCED OUT OF NATIONAL
2 FUNDS."

3 SEC. 58. Sections 11 to 13 of Article XIX are hereby amended to
4 read as follows:

5 "SEC. 11. [The provisions of this Organic Act are hereby
6 declared to be separate and in the event one or more of such
7 provisions are held unconstitutional, the validity of other
8 provisions shall not be affected thereby.] FOR THE FIRST TERM
9 OF THE NEW REGIONAL ASSEMBLY, THE SECTORAL
10 REPRESENTATIVES SHALL BE APPOINTED BY THE REGIONAL
11 GOVERNOR FROM AMONG THE NOMINEES OF THE DIFFERENT
12 SECTORAL GROUPS, WITHIN THIRTY (30) DAYS FROM THE
13 CONDUCT OF THE SECTORAL CONVENTIONS CALLED FOR THE
14 PURPOSE BY THE COMMISSION ON ELECTIONS.

15 "THE COMELEC SHALL FORMULATE THE NECESSARY
16 RULES AND REGULATIONS TO ENSURE EQUITABLE SECTORAL
17 REPRESENTATIONS AND TO FACILITATE THE QUALIFICATIONS
18 AND SHORT-LISTING OF SECTORAL NOMINEES TO THE
19 REGIONAL ASSEMBLY: *PROVIDED*, THAT THE COMELEC
20 SHALL COORDINATE WITH THE VARIOUS DEPARTMENTS AND
21 LOCAL GOVERNMENT UNITS IN THE IDENTIFICATION AND
22 ACCREDITATION OF SECTORAL ORGANIZATIONS: *PROVIDED*,
23 *FURTHER*, THAT, THE COMELEC SHALL CONVENE THE
24 SECTORAL ORGANIZATIONS WITHIN THIRTY (30) DAYS FROM
25 THE CONDUCT OF THE REGIONAL ELECTIONS.

26 "THE REGIONAL ASSEMBLY SHALL, WITHIN ITS FIRST
27 TERM, ADOPT A LAW FOR THE ELECTION OF MARGINALIZED
28 AND UNDERREPRESENTED SECTORS, FOLLOWING THE
29 PRINCIPLE OF PROPORTIONAL REPRESENTATION.

30 "SEC. 12. [All laws, decrees, orders, rules and regulations,
31 and all other issuances, or parts thereof, which are inconsistent

with this Organic Act hereby repealed or modified accordingly.]

THIS ACT SHALL TAKE EFFECT WHEN APPROVED BY A MAJORITY OF THE VOTES CAST IN A PLEBISCITE CALLED FOR THIS PURPOSE, WHICH SHALL BE HELD IN THE FOUR (4) PROVINCES CONSISTING OF THE PRESENT ARMM PURSUANT TO REPUBLIC ACT No. 6734, NOT EARLIER THAN SIXTY (60) DAYS NOR LATER THAN NINETY (90) DAYS AFTER THE APPROVAL OF THIS ACT.

"IN THE SAME PLEBISCITE, THE PEOPLE IN THE FOUR (4) PROVINCES SHALL DETERMINE BY THE MAJORITY OF THE VOTES CAST THEREIN, WHETHER THEY APPROVE OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734, OTHERWISE KNOWN AS THE ORGANIC ACT OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO.

"A SEPARATE PLEBISCITE SHALL BE HELD SIMULTANEOUSLY IN THE PROVINCES OF BASILAN, COTABATO, DAVAO DEL SUR, LANA DEL NORTE, PALAWAN, SARANGANI, SOUTH COTABATO, SULTAN KUDARAT, ZAMBOANGA DEL NORTE, AND ZAMBOANGA DEL SUR, AND THE CITIES OF COTABATO, DAPITAN, DIPOLOG, GENERAL SANTOS, ILIGAN, MARAWI, PAGADIAN, PUERTO PRINCESA, ZAMBOANGA, AND KIDAPAWAN TO DETERMINE WHETHER THEIR PEOPLE APPROVE THE INCLUSION OF THEIR RESPECTIVE PROVINCES OR CITIES IN THE AUTONOMOUS REGION: *PROVIDED*, THAT ONLY PROVINCES AND CITIES VOTING FAVORABLY IN SUCH PLEBISCITE SHALL BE INCLUDED IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO: *PROVIDED, HOWEVER*, THAT THE PLEBISCITE ABOVEMENTIONED SHALL BE HELD SIMULTANEOUSLY WITH THE PLEBISCITE STATED IN PARAGRAPHS (1) AND (2) OF THIS SECTION.

"SEC. 13. [The creation of the Autonomous Region in Muslim Mindanao shall take effect when approved by a majority of the votes cast by the constituent units provided in paragraph (2) of Section 1 of Article II of this Act in a plebiscite which shall be held not earlier than ninety (90) days or later than one hundred twenty (120) days after the approval of this Act: *Provided, That* only the provinces and cities voting favorably in such plebiscite shall be included in the Autonomous Region in Muslim Mindanao. The provinces and cities which in the plebiscite do not vote for inclusion in the Autonomous Region shall remain in the existing administrative regions: *Provided, however, That* the President may, by administrative determination, merge the existing regions.] **INFORMATION CAMPAIGN. – THE NATIONAL GOVERNMENT SHALL CONDUCT INTENSIVE INFORMATION CAMPAIGN IN EVERY BARANGAY IN THE PROVINCES AND CITIES PARTICIPATING IN THE PLEBISCITE. ASSEMBLIES OR MEETINGS ON ANY DATE/S BEFORE THE PLEBISCITE SHALL BE HELD FOR THE PURPOSE OF INFORMING OR ENLIGHTENING THE RESIDENTS THEREOF REGARDING THE SIGNIFICANCE AND MEANING OF THE PLEBISCITE TO ENABLE THEM TO CAST THEIR VOTES INTELLIGENTLY. FREE, FULL AND CONSTRUCTIVE DISCUSSION AND EXCHANGE OF VIEWS ON THE ISSUES SHALL BE ENCOURAGED. FOR THIS PURPOSE, ASSISTANCE OF KNOWLEDGEABLE PERSONS FROM BOTH PUBLIC AND PRIVATE SECTORS MAY BE ENLISTED TO ACT AS SPEAKERS OR RESOURCE PERSONS."**

SEC. 59. Section 14 of Article XIX is hereby amended to insert a new section to be denominated as Section 15, to read as follows:

"SEC. 14. [This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers and one (1) local newspaper of general circulation in

the Autonomous Region.] *APPROPRIATIONS AND PROMULGATION OF RULES FOR THE PLEBISCITE.* – THE COMELEC SHALL WITHIN FIFTEEN (15) DAYS FROM THE APPROVAL OF THIS ACT, PROMULGATE THE RULES AND REGULATIONS AS MAY BE NECESSARY TO GOVERN THE CONDUCT OF THE PLEBISCITE.

“THE AMOUNT NECESSARY FOR THE CONDUCT OF THE PLEBISCITE SHALL BE CHARGED AGAINST ANY SAVINGS OF THE APPROPRIATIONS OF THE COMMISSION ON ELECTIONS AND ANY DEFICIENCY THEREOF, SHALL BE AUGMENTED FROM THE CONTINGENT FUND.

“SEC. 15. THE SPECIAL ZONE OF PEACE AND DEVELOPMENT IN THE SOUTHERN PHILIPPINES (SZOPAD), THE SOUTHERN PHILIPPINES COUNCIL FOR PEACE AND DEVELOPMENT (SPCPD), AND THE CONSULTATIVE ASSEMBLY CREATED UNDER EXECUTIVE ORDER NO. 371 DATED OCTOBER 2, 1996, ARE DEEMED AUTOMATICALLY ABOLISHED AND SHALL CEASE TO EXIST AS OF THE DATE OF THE PLEBISCITE THEREIN AUTHORIZED AND IRRESPECTIVE OF THE RESULTS THEREOF.”

SEC. 60. *Separability Clause.* – The provisions of this Act are hereby declared to be separate and in the event one or more of such provisions are held unconstitutional, the validity of other provisions shall not be affected thereby.

SEC. 61. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, and all other issuances, or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 63. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers and one (1) local newspaper of general circulation in the Autonomous Region.

Approved,