



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
Third Regular Session



HOUSE BILL NO. 5752

Introduced by HON. MUJIV S. HATAMAN of Anak Mindanao (AMIN) Party-List

EXPLANATORY NOTE

The Local Government Code provides that a municipality may be created by a law enacted by Congress. The creation of which shall be based on verifiable indicators of viability and projected capacity to provide services, in terms of income, population and land area.

Comes now the case of seventeen (17) barangays in the Municipality of Midsayap, that seek the creation of the Municipality of Sultan Tambilawan Bayao in the Province of North Cotabato, as tribute to the legacy of the Sultan of Rajah Buayan sa Kudarangan covering the so-called empire province of Cotabato where he reigned as a **SULTAN**.

The proposed Municipality is composed of seventeen (17) Muslim Barangays from the Municipality of Midsayap, namely; **DAMATULAN, KADINGILAN, KADIGASAN, KAPINPILAN, KUDARANGAN, CENTRAL LABAS, UPPER LABAS, LOMOPOG, MACASENDEG, MALINGAO, MUDESENG, NABALAWAG, OLANDANG, RANGABAN, SAMBULAWAN, TUGAL AND TUMBRAS**. The officials of the said barangays have manifested and signified their willingness and desire to be created as one Municipality through Resolutions of their Sangguniang Barangay. The seventeen (17) barangays of 5,586 household, and a population of 28,164 has an annual income of P10,611,214.53 and P11,180,639.23 in 2004 and 2005.

The integrated income, population, and land area of the said barangays constituting the Municipality of Sultan Tambilawan Bayao conform to the minimum requirements set under the Local Government Code for the creation of a Municipality. Further, the creation of said Municipality does not reduce the income, population, and land area of the Municipality of Midsayap to less than the prescribed minimum requirements provided by law.

The separation of the subject barangays from the Municipality of Midsayap and their formation into a distinct

and separate Municipality has been approved by the Sangguninang Bayan of the Municipality of Midsayap and Sangguniang Panlalawigan of North Cotabato in January and June 2006, respectively.

The creation of said Municipality will afford additional government machinery which could certainly facilitate the economic development of the seventeen (17) barangays and will uplift the lives of the people in North Cotabato. Its creation will allow the subject barangays to enjoy the blessings of self-governance, empowerment and better delivery of basic services to their people.

In view of the foregoing, the soonest approval of this bill is earnestly sought.

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HON. MUJIV S. HATAMAN
Anak-Mindanao(AMIN) Party List



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Introduced by HON. MUJIV S. HATAMAN of Anak Mindanao (AMIN) Party-List

**AN ACT CREATING THE MUNICIPALITY OF SULTAN TAMBILAWAN
BAYAO IN THE PROVINCE OF NORTH COTABATO**

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

Section 1. Creation.- A new municipality is hereby created in the Province of North Cotabato to be known as the Municipality of **Sultan Tambilawan Bayao**, in recognition of aspiration of seventeen (17) barangays and to enhance the delivery of basic services to the populace of the subject barangays.

Section 2. Seat of the Municipal Government.- The seat of government of the new Municipality of Sultan Tambilawan Bayao shall be in **barangay Nabalawag**.

Section 3. Territorial Boundaries.- The Municipality of Sultan Tambilawan Bayao as herein created, composed of barangays **DAMATULAN, KADINGILAN, KADIGASAN, KAPINPILAN, KUDARANGAN, CENTRAL LABAS, UPPER LABAS, LOMOPOG, MACASENDEG, MALINGAO, MUDBRAS, NABALAWAG, OLANDANG, RANGABAN, SAMBULAWAN, TUGAL AND TUMBRAS** of the Municipality of Midsayap, Province of North Cotabato has the following technical description:

Bounded on the **North** by the Municipality of Midsayap; on the **South** by the Province of Maguindanao; on the **East** by the Municipality of Kabuntalan in Maguindanao; Municipality of Libungan and Pigcawayan of North Cotabato; and on the **West** by the Municipality of Aleosan North Cotabato.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of any boundary dispute or case involving questions of territorial jurisdiction between the Municipality of Sultan Tambilawan Bayao and the

adjoining local government units (LGUs): Provided, however, that the territorial jurisdiction of the disputed area or areas shall remain with the LGU which has existing administrative supervision over said area or areas until the final resolution of the case.

Section 4. Plebiscite.- The Municipality of Sultan Tambilawan Bayao shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite called for the purpose in the barangays comprising the Municipality of Sultan Tambilawan Bayao pursuant to Section 3 and the remaining barangays of the Municipality of Midsayap, Province of North Cotabato within thirty (30) days from the approval of this Act.

The Commission on Election (COMELEC) shall conduct and supervise such plebiscite. The expenses to be incurred for holding of the said plebiscite should be charged to the contingency fund of the COMELEC under the current fiscal year appropriations.

Section 5. Officials of the Municipality of Sultan Tambilawan Bayao.- Upon ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite, the Mayor, Vice Mayor and the members of the Sangguniang Bayan shall be appointed by the President of the Republic of the Philippines, and shall serve until the new set of officials shall have been elected and qualified in the next local elections following the approval of this Act.

Section 6. Transfer of Assets and Liabilities.- Within a period of six (6) months after the effectivity of this Act, the Commission on Audit shall determine the appropriate share of the new Municipality in the Obligations, Funds, Assets and other properties.

Section 7. Internal Revenue Allotment Shares.- During the First year of acquisition of its corporate existence, the Municipality of Sultan Tambilawan Bayao shall receive the Internal Revenue Allotment (IRA) shares of barangays as provided in Section 3 hereof from the Department of Budget and Management. Thereafter, the Municipality of Sultan Tambilawan Bayao and all the barangays comprising it shall be entitled to IRA shares pursuant to the provision of Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

Section 8. Applicable Laws.- The Local Government Code and other existing Laws governing the Administration and Operation of Local Government shall likewise be vested and enjoyed by the Municipality of Sultan Tambilawan Bayao.

Section 9. Repealing Clause.- All laws, executive orders, rules and regulations which are inconsistent with the provisions

of this Act are hereby repealed, amended or modified accordingly.

Section 10. Effectivity.- This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,

A handwritten signature in purple ink, appearing to read 'Mujiv S. Hataman', with a large loop at the end.

HON. MUJIV S. HATAMAN
Anak-Mindanao(AMIN) Party List