

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 716



Introduced by HON. FLORENCIO C. GARAY

EXPLANATORY NOTE

This bill seeks to declare Barangay Cumawas in the City of Bislig, Province of Surigao del Sur as a government entity created pursuant to Section 385 of the Local Government Code of 1991.

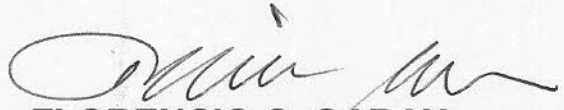
Under Section 385 of the Local Government Code, a barangay may be created, divided, merged or abolished, or its boundary substantially altered **by law or by an ordinance** of the sangguniang panlalawigan or sangguniang panlungsod, subject to approval by majority of the votes cast in a plebiscite to be conducted by the COMELEC in the local government unit or units directly affected within such period of time as may be determined by law or ordinance creating said barangay. In the case of creation of barangays by the sangguniang panlalawigan, the recommendation of the sangguniang bayan concerned shall be necessary.

Barangay Cumawas is an existing barangay in the City of Bislig, Province of Surigao del Sur. It was created by virtue of Provincial Ordinance No. 103-94 of the Sangguniang Panlalawigan, entitled "Creating Comawas District of Barangay Mangagoy, Bislig, Surigao del Sur as a New, Separate and Independent Barangay of the Municipality of Bislig, This Province to be named Barangay Comawas" and approved by a majority of the votes cast in the plebiscite conducted on September 8, 1996. It was officially proclaimed as a separate, distinct and independent barangay on November 13, 1996. However, since Barangay Cumawas was created through a local ordinance, the financial requirements of the barangay were governed by Section 285 of the Local Government Code which provided that "the financial requirements of the barangay created by local government units after the effectivity of the Local

Government Code shall be the responsibility of the local government units concerned." Thus, Barangay Cumawas had no share in the internal revenue allotment; its expenses were shouldered by the municipal (now city) government of Bislig since its creation.

This bill seeks to rectify the omission with the re-creation of Barangay Cumawas in the City of Bislig, Province of Surigao del Sur as an independent government entity, pursuant to Section 385 of the Local Government Code of 1991, thereby entitling Barangay Cumawas to IRA shares generally allocated to barangays under the law. .

In view of its vital importance, the approval of this bill is earnestly sought.



FLORENCIO C. GARAY

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AN ACT
CREATING BARANGAY CUMAWAS IN THE CITY OF BISLIG,
PROVINCE OF SURIGAO DEL SUR

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

SECTION 1. *Creation of Barangay Cumawas.* - Barangay Cumawas was created by virtue of Provincial Ordinance No. 103-94 of the Sangguniang Panlalawigan of Tandag, Surigao del Sur, segregating it from its mother barangay, Barangay Mangagoy, with the following technical description delineating its territorial area:

<u>Line</u>	<u>Bearing</u>	<u>Distance</u>
1-2	S 41° 55'W	800 mts.
2-3	S 61° 35'W	1,142 mts.
3-4	S 89° 09'W	800 mts.
4-5	N 12° 01'W	1,000 mts.
5-6	W 64° 46'W	462 mts.
6-7	E 78° 03'E	1,000 mts.
7-8	N 30° 12'E	167 mts.
8-9	N 04° 38'E	183 mts.
9-10	S 70° 15'E	840 mts.
10-11	S 76° 12'E	300 mts.

SECTION 2. *Conduct and Supervision of Plebiscite.* - Pursuant to Section 10 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the new barangay shall exist upon a majority of the votes cast by the qualified voters of Barangay Mangagoy, City of Bislig, Province of Surigao del Sur, in a plebiscite to be conducted and supervised by the Commission on Elections (COMELEC) in the area affected, within ninety (90) days from the effectivity of this Act.

SECTION 3. *Barangay Officials.* - The first set of officials of the said barangays shall be appointed by the Provincial Governor and shall hold office until such time that their successors have been duly elected and qualified in the next regular barangay election after the approval of this Act.

SECTION 4. *Public Infrastructure and Facilities.* - All existing public infrastructure and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation and shall be administered by the new barangay.

SECTION 5. *Internal Revenue Allotment Shares.* - Barangay Cumawas shall be entitled to Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

SECTION 6. *Appropriations.* - The amount necessary to conduct the plebiscite as provided for under this Act shall be borne by the City of Bislig, Province of Surigao del Sur.

SECTION 7. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,