



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Sixteenth Congress
1ST Regular Session

HOUSE BILL NO. 2006

Introduced By:

REP. FRANCISCO T. MATUGAS, 1ST District, Surigao del Norte (*Siargao Island*)
REP. GUILLERMO A. ROMARATE, JR., 2ND District, Surigao del Norte
REP. PHILIP A. PICHAY, 1ST District, Surigao del Sur
REP. FLORENCIO C. GARAY, 2ND District, Surigao del Sur

EXPLANATORY NOTE

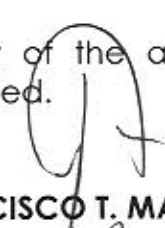
This bill, which was approved by the House Committee on Local Government of the 15th Congress and re-filed *in toto* in the present Congress, seeks the amendment of Section 461 (b) of the Local Government Code of 1991 ("the Code"), by adding a proviso on the land area requirement on the creation of a province.

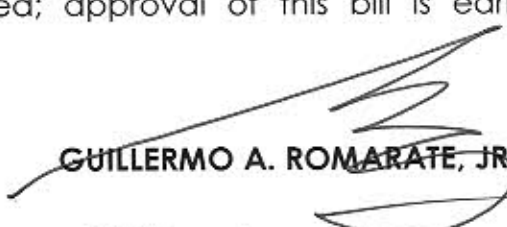
Sections 442 (b) and 450 (b) of the Code explicitly provides as one of the requisites for the creation of a municipality and city respectively thus: "x x x. The requirement on land area shall not apply where the municipality [city] proposed to be created is composed of one (1) or more islands. x x x."

While this is so unequivocally provided in the aforementioned Sections, the same is conspicuously missing in Section 461 of the Code or the section providing for the creation of a province.

This bill in effect will even out this seeming anomaly in the law by adding exactly the same provision that applies to the creation of a municipality or a city to that on the creation of a province.

I view of the above-stated; approval of this bill is earnestly recommended.


FRANCISCO T. MATUGAS


GUILLERMO A. ROMARATE, JR.


PHILIP A. PICHAY


REP. FLORENCIO C. GARAY



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AN ACT
AMENDING SECTION 461, PARAGRAPH (b) OF THE LOCAL GOVERNMENT CODE
OF 1991

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

Section 1. Section 461 (b) of the Local Government Code of 1991 shall be amended to read as follows:

SECTION 461. *Requisites for Creation.* – (a) x x x

(b) The territory need not be contiguous if it comprises two (2) or more islands or is separated by a chartered city or cities which do not contribute to the income of the province. **The territorial jurisdiction of a newly-created province shall be properly identified by metes and bounds. The land area requirement shall not apply where the proposed province is composed of one (1) or more islands.**

(c) x x x.

Section 2. Repealing Clause. All laws, presidential decrees, executive orders, presidential proclamations, issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

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2
3 **Section 4. Effectivity Clause.** This Act shall take effect after fifteen (15)
4 days following the completion of its publication either in the Official Gazette,
5 or in a newspaper of general circulation.
6

7 Approved.