

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th Congress
First Regular Session

HOUSE BILL NO. 4017



Introduced by HONORABLE ANSARUDDIN A.M.A. ADIONG

EXPLANATORY NOTE

This bill seeks to declare Barangay Upper Pugaan, Municipality of Ditsaan-Ramain, Lanao del Sur as a government entity pursuant to Section 385 of the Local Government Code of 1991.

Barangay Upper Pugaan is an existing barangay in the Municipality of Ditsaan-Ramain, Lanao del Sur. It was created pursuant to Muslim Mindanao Autonomy Act (MMAA) No. 186, "An Act Creating Barangay Upper Pugaan in the Municipality of Ditsaan-Ramain, Province of Lanao del Sur, into a distinct, separate and independent barangay, and for other purposes". On September 26, 2009, the creation of Barangay Upper Pugaan was ratified in a plebiscite conducted by the Commission on Elections (COMELEC).

According to Section 385 of the Local Government Code of 1991, "a barangay may be created, divided, merged, abolished, or its boundary substantially altered, by law or by an ordinance of the sangguniang panlalawigan or panlungsod, subject to approval by a 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 the law or ordinance creating said barangay. In the case of the creation of barangays by the sangguniang panlalawigan, the recommendation of the sangguniang bayan concerned shall be necessary".

However, Barangay Upper Pugaan has not received any share of the Internal Revenue Allotment (IRA) since its inception. The Department of Budget and Management opined that the Autonomous Region of Muslim Mindanao which created Barangay Upper Pugaan should provide for its funding.

In order to correct any error in the creation of barangay Upper Pugaan and for the same to be able to receive an Internal Revenue Allotment (IRA), Barangay Upper Pugaan of the Municipality of Ditsaan-Ramain should be re-created to comply with the provisions of the Local Government Code of 1991.

The approval of this bill is earnestly sought for.

A handwritten signature in black ink, appearing to read "Adiong", written over a horizontal line.

REP. ANSARUDDIN A.M. A. ADIONG
1st District, Lanao del Sur

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AN ACT
CREATING A BARANGAY TO BE KNOWN AS BARANGAY UPPER PUGAAN IN THE
MUNICIPALITY OF DITSAAN-RAMAIN, LANA DEL SUR

Section 1. Creation of Barangay Upper Pugaan.- There is hereby created a barangay to be known as Barangay Upper Pugaan in the Municipality of Ditsaan-Ramain, Lanao del Sur.

Section 2. Conduct and Supervision of Plebiscite.- The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Resolution No. 8661, which ratified the creation of Barangay Upper Pugaan as proclaimed by the Plebiscite Board of Canvasser on September 26, 2009, shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

Section 3. Barangay Officials.- The incumbent elected barangay officials of Barangay Upper Pugaan, Municipality of Ditsaan-Ramain, Lanao del Sur shall continue to hold office until such time that their successors have been duly elected and qualified.

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

Section 5. Internal Revenue Allotment Shares.- Barangay Rizal shall be entitled to Internal Revenue Allotment shares pursuant to Section 285 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

Section 6. Effectivity Clause.- This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved.