

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City**



**SIXTEENTH CONGRESS
First Regular Session**

HOUSE BILL No. 4649

Introduced by Representatives

**NICASIO M. ALIPING, JR., MANUEL S. AGYAO, TEDDY BRAWNER
BAGUILAT, JR., ELEANOR BULUT-BEGTANG, MARIA JOCELYN V. BERNOS,
RONALD M. COSALAN, and MAXIMO B. DALOG**

EXPLANATORY NOTE

Article X, Section 15 of the 1987 Constitution mandates the creation of autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities and geographical areas sharing common and distinctive historical and cultural heritage, economic and social structures and other relevant characteristics within the framework of the Constitution, the national sovereignty, and the territorial integrity of the country.

Pursuant to this mandate, the Autonomous Region in Muslim Mindanao (ARMM) was created under R.A. No. 6734 and was strengthened and expanded under R.A. No. 9054. The Cordillera Autonomous Region, however, has yet to be realized.

On July 15, 1987, President Corazon Cojuangco Aquino issued Executive Order No. 220 creating the Cordillera Administrative Region with the mandate to administer the affairs of government in the region, accelerate the economic and social growth and development of the units of the region, and prepare for the establishment of the autonomous region in the Cordilleras.

Two Organic Acts for a Cordillera Autonomous Region were enacted in 1990 and 1998. Both failed ratification, however, mainly because of the people's lack of awareness and understanding of the autonomy issues, coupled with misinformation drives undertaken by some sectors.

In 2006, the Regional Development Council-Cordillera Administrative Region (RDC-CAR) decided to renew the pursuit of regional autonomy after it had determined that the only

way to drastically address underdevelopment and poverty in the Cordilleras would be through regional autonomy. With policy and budgetary support from the national government, the RDC-CAR has since then engaged in information, education and communication (IEC) and capability building activities towards regional autonomy at all levels in the region down to the grassroots.

The RDC-CAR prepared a working draft on Cordillera Regional Autonomy through intensive public consultations with various political and community leaders, government agencies, civil society organizations and the private sector. The draft Organic Act was adopted and was filed in the 15th Congress as House Bill No. 5595.

Pulse surveys conducted thereafter revealed an increasing support to regional autonomy. Cordillera autonomy is seen as the most effective option to provide the region with the needed solid foundation to pursue sustainable development as the region hopes to benefit from the management and use of its natural resources. Cordillera autonomy will bring to the national attention as well the benefits of accepting and promoting cultural diversity through the formulation of multi-cultural policies for Indigenous Peoples (IPs) and Indigenous Cultural Communities (ICCs).

Such therefore is a manifestation that regional autonomy is no longer just a lifelong dream but a vigorous desire. With broad sectoral consultations, stronger information campaign, active participation and clearer understanding of autonomy by the people of the Cordilleras, it is imperative and timely that an Organic Act for the creation of the Cordillera Autonomous Region be enacted.

The foregoing considered, approval of this Bill is earnestly requested.



NICASIO M. ALIPING, JR.



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AN ACT ESTABLISHING THE CORDILLERA AUTONOMOUS REGION

PREAMBLE

We, the Cordillerans, imploring the Aid of Divine Providence, exercising our fundamental and Constitutional right to self-determination, faithful to the pursuit of our forbears for the defense, protection, conservation and development of our patrimony and cultural heritage, in order to secure for ourselves and our posterity a region of peace and prosperity founded on truth, freedom, justice, love and human solidarity through a Regional Autonomous Government that shall ensure our human rights, our human development, and our active participation as citizens in the affairs of a united Philippine State, do proclaim this Organic Act of the Cordillera Autonomous Region.

ARTICLE I

THE AUTONOMOUS REGION, TERRITORY AND PEOPLE

Section 1. There is hereby established an autonomous region in the Cordilleras to be known as the Cordillera Autonomous Region (CAR).

Section 2. The area of the Cordillera Autonomous Region shall consist of the cities and provinces that shall vote favorably in the plebiscite called for the ratification of this Organic Act pursuant to Section 18, Article X of the Constitution.

Section 3. The term Cordilleran shall apply to all citizens of the Philippines who are domiciled within the territory of the Cordillera Autonomous Region.

ARTICLE II

DECLARATION OF PRINCIPLES AND POLICIES

Section 4. The Cordillera Autonomous Region is an integral and inseparable territorial and political subdivision of the Philippines.

The Cordillerans, as citizens of the Philippines, shall uphold the Constitution as the fundamental law of the land and unequivocally owe allegiance and fidelity to the Republic.

National government officials and employees, agencies or instrumentalities are bound by the Constitution and national laws, to recognize and respect the rights of the Cordillerans as citizens of the Philippines, and the autonomy of the region.

Section 5. The success of the Cordillera Autonomous Region is lodged both on the determination of its people to pursue and maintain regional autonomy, and the genuine and complete devolution of powers and functions by the national government, including assets, finances, and other resources, to the regional autonomous government.

- a. The national government shall provide financial support and assistance to the Cordillera Autonomous Region by appropriating such sums as may be necessary to accelerate the development of the autonomous region, on top of and aside from the Internal Revenue Allotment (IRA) provided therewith and the Local Government Units as well as the allocations already provided through the regional line agencies.
- b. The national government shall consult and coordinate with the autonomous Regional Government before programs and projects are undertaken in the autonomous region.

Section 6. The local government units shall continue to be independent from each other, enjoy autonomy and shall continue to exercise the powers granted them under the Local Government Code and other existing laws, but may enter into joint ventures beneficial to them.

Section 7. The Regional Government and its constituent units shall promote partnership to accelerate regional development.

Section 8. The Cordillerans shall uphold the State principle that all government authority emanates from the people. Thus, Cordillerans anchor their Identity on their common and distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics particular to themselves as Cordillerans. Development shall take into consideration the local culture (customs, traditions and technologies) as well as adaptation to recent cultural influences which may be beneficial to them.

Wherever applicable, and whenever it is useful, without contravening morals and public policies, local indigenous customary laws, traditions, practices and institutions are hereby recognized and may be availed of by appropriate parties.

Section 9. The protection, dynamic conservation, sustainable management and utilization of natural resources and environment of the region and provision for basic human needs and decent standard of living for its people shall be an essential dimension of regional development.

- a. The exploration, development and utilization of the region's natural resources shall be consistent with the principles of sustainable development management systems and practices.
- b. The Cordillerans shall have prior and preferential right to the natural, material, and fiscal resources of the region.
- c. Pursuant to the Indigenous Peoples Right Act (IPRA), the Regional Government shall ensure for the Cordillerans the right to secure for themselves their ancestral lands and domains, develop their economy, protect and promote their cultural heritage, their right to equitable shares and benefits from the use and development of the natural resources within their domains, and to establish a system of self governance that will promote both their common good and development. Likewise, the Cordillera Autonomous Region shall recognize and adopt the use of environment-friendly and sustainable indigenous knowledge systems and practices in the management of natural resources.
- d. The Cordillera Autonomous Region shall adopt a balanced, sustainable economic growth and development supported by appropriate researches for the benefit and advantage of the Cordillerans.

Section 10. The Cordillera Autonomous Region shall pursue a policy of coordination and cooperation, especially its neighboring Northern Luzon Regions, in its development efforts taking into account the conservation and protection of the natural environment as an essential dimension of regional development. The Regional Government shall consider as paramount ecological balance, mutual development interests, a balanced and sustainable economic growth, and the people's right to self-determination in cooperative economic development undertakings with the other regions.

Section 11. The common good, general welfare and social justice require equal access to resources, employment, and services by all Cordillerans, ethnic, social, and economic sectors and the adoption of measures for the democratic sharing of wealth, power and opportunities without distinction based on ethnic origin, gender, language, political conviction, economic and social status or religious belief. The Regional Government shall:

- a. Adopt measures to alleviate the people from poverty, generate employment and develop self-reliant communities.

- b. Adopt policies necessary to minimize the disparities between the rich and the poor among rural and urban areas and among territorial subdivisions, to ensure access to essential services, employment and other opportunities and sharing of wealth and resources and for these purposes, it shall formulate programs for the optimal and judicious use and development of the resources within the region's component provinces and cities and implement these after due consultation in accordance with applicable national laws and this Organic Act.
- c. Ensure consumer protection.
- d. Promote and harmonize the interests of both labor and capital, while protecting their respective right.
- e. Ensure that women and men enjoy equality before the law, and shall, in particular, prevent gender discrimination in the practice of profession, employment opportunities or promotion.

Section 12. The Cordillerans are entitled to active, free and meaningful participation in, contribution to, and enjoyment of development in which human rights and fundamental freedoms can be realized.

It is the primary duty of the Regional Government to promote, ensure and protect the basic individual and collective rights of its constituents and the general welfare of all people as enshrined in the Constitution and this Organic Act.

- a. Cordillerans have the right, especially through their community and organizations, such as but not limited to movements and traditional and customary aggrupations, to participate and be equitably represented at appropriate levels of social, economic, and political decision-making and be consulted as stakeholders in the formulation and implementation of local, regional, and national priorities, plans, programs and projects that affect the Cordilleran's general welfare, and to monitor their successful implementation.
- b. The Regional Government shall recognize the role of private sector organizations, such as, but not limited to movements and traditional and customary aggrupations, to initiate the monitoring and investigation of fund utilization, work contracts and project implementation, and the filing of charges for irregularities.
- c. The Regional Government shall pursue a policy of holding prior consultation or public hearings on matters of national and regional priorities, plans and programs as well as transparency in the implementation of projects affecting the constituents of the local government units concerned.
- d. The Regional Government shall encourage participation by ensuring that the people have access to development processes, institutions, information and redress or complaint mechanisms. The Regional Government shall give preference to strategies for empowerment for its people to have the power, capacities and access needed to improve their lives, their communities and direct their own destinies.

Section 13. The Cordillera Autonomous Region recognizes that the home is the cradle of the holistic development of and the primary agent of education for the Cordillera youth. The Regional Government shall:

- a. Promote family-centered values that nurture the development of the young.
- b. Guarantee the youth's effective participation and representation in public affairs.
- c. Enact laws and adopt measures necessary to protect children against all forms of neglect, cruelty, and exploitation harmful to their moral, physical, or mental health, in all circumstances and settings.

Section 14. The Cordillera Autonomous Region shall establish, within the framework of the national system of education as defined in the Constitution and national laws, accessible and affordable educational system, both formal and non-formal, that:

- a. Inculcates respect for human rights and the dignity of work.
- b. Respects and promotes indigenous culture and practices.
- c. Encourages use of indigenous languages and methods of education.
- d. Encourages creativity and critical thinking.
- e. Promotes science and appropriate technology.
- f. Responds to the needs of Cordillera communities.

Section 15. State colleges and universities in the region shall provide relevant researches and assistance to the development of the region.

Section 16. Consistent with the Constitution and national laws, the Regional Government shall:

- a. Provide incentives to investors, corporations and businesses but shall adopt measures to prevent the abuse of natural and human resources.
- b. Ensure that such activities contribute to the development of wealth and equitable sharing of revenues with the host communities and local government units.
- c. Review all forms of foreign aid, loans and special projects to safeguard autonomy and enhance development.
- d. Set rules and guidelines for energy production, public transportation and communication.
- e. Prohibit the development, storage, use or transport of nuclear, biological or chemical weapons within the region.

Section 17. The Cordillerans aspire for peace founded on democracy, justice, righteousness, and respect to the dignity of human life. The promotion of peace shall include the renunciation of all forms of lawlessness, violence, cruelty, vengeance, and discrimination and the application of customary system and indigenous practices, cultural traditions that promote peace, conflict avoidance and resolution.

Section 18. Civilian authority shall remain supreme at all times for the protection of the freedom of the people and for the promotion of their safety and welfare.

Except under a state of emergency, no active military personnel shall be appointed or designated to any public position which is civilian in character, including government-owned or controlled corporations or any of their subsidiaries under control, supervision and management of the Cordillera Autonomous Region.

Section 19. The right of Indigenous Peoples to use their own commonly accepted justice systems, conflict resolution institutions, peace-building processes or mechanisms and other customary laws and practices, within their respective jurisdictions, shall be respected.

Section 20. In the administration of the affairs of the Cordillera Autonomous Region, the Regional Government shall, at all times, adopt and promote the principles of integrity, transparency, accountability and democracy:

- a. Decision-making and all transactions involving public interest shall be subject to full disclosure at every stage, to foster confidence in the integrity and honesty of the leadership, except those affecting national and regional security.
- b. The responsible use of power by the leadership and the institutions of the Regional Government for the advancement of the general welfare requires that those who hold positions of public trust shall, at all times, account for their performance to the public.
- c. Effective accountability requires appropriate external feedback and should be linked to appropriate incentive and penalty system.

Section 21. The Regional Government shall institute measures to promote courtesy, impartiality and integrity in public service and to eradicate nepotism, favoritism, graft and corruption, red tape and waste.

Section 22. The Regional Government shall take measures to prevent torture, other cruel, inhuman, and degrading treatment or punishment, and illegal detention and extra-judicial executions.

Section 23. Subject to the Constitution and national policies, the Regional Government shall pursue reconciliation efforts and promote peace and order and demilitarization in the region.

ARTICLE III

THE CORDILLERA AUTONOMOUS REGION

Section 24. The territorial and political subdivisions of the Cordillera Autonomous Region are the provinces and cities, voting favorably for the organic act.

Section 25. The Regional Government shall exercise powers and functions necessary for the proper governance and development of the region consistent with the declared constitutional policy on local autonomy and decentralization: *Provided*, that nothing in this Act shall be construed as to authorize the diminution of the powers, functions, and benefits already enjoyed by local government units, regional line agencies, and offices.

The Regional Government shall undertake measures to strengthen the autonomy of the component government units and to accelerate the economic and social growth and development of the units in the region.

Section 26. The President of the Philippines shall exercise general supervision over the regional autonomous government and its local government units through the Regional Governor to ensure that laws are faithfully executed within the scope of their prescribed powers and functions.

Section 27. The Regional Government may exercise the power of eminent domain.

Section 28. The Cordillera autonomous region is a corporate entity with jurisdiction in all matters devolved to it by the Constitution and this Organic Act as herein enumerated:

- a. Administrative organization.
- b. Creation of sources of revenues.
- c. Ancestral domain, natural resources and environment.
- d. Personal, family and property relations.
- e. Regional urban and rural planning and development.
- f. Economic, social and tourism development.
- g. Educational policies.
- h. Preservation, safeguarding and development of the cultural heritage.
- i. Patents, trademark, trade names, and copyrights.
- j. Such other matters as may be authorized by law for the promotion of the general welfare of the people of the region.

ARTICLE III-A

THE RELATIONSHIP OF THE REGIONAL AUTONOMOUS GOVERNMENT WITH THE REGIONAL LINE AGENCIES

Section 29. Regional line agencies and offices in the Cordillera Autonomous Region shall continue to exist, retain their mandated authorities without diminution and perform their functions corresponding to the following conditions:

- a. Regional line agencies and offices shall, in addition to their regular tasks and functions, perform those devolved by the Constitution to autonomous regions as enumerated in Section 28 of this Organic Act.

- b. The Regional Governor shall exercise supervision over regional line agencies and offices in the region, and shall represent the same.
- c. Regional line agency officials and employees shall continue to be nationally paid. There shall be no diminution of their compensation and other benefits due its officials and employees.
- d. Existing assets and properties of the regional line agencies and offices shall remain under their custody and accountability.

Section 30. Civil service officials and employees of the regional line agencies and offices in the region shall not be laid off, dismissed or removed as a result of any reorganization attendant to the establishment of the Cordillera Autonomous Region, except for a just cause and after due process.

Section 31. Civil service officials and employees of the regional autonomous government and the regional line agencies in the autonomous region shall be hired in accordance with appropriate Civil Service rules and regulations, but preference shall be accorded to qualified Cordillerans.

Section 32. Filling up of vacant Regional Director and Assistant Regional Director positions of regional line agencies and offices in the autonomous region shall follow the existing screening procedure of the concerned agency or office and the guidelines provided by the Career Executive Service Board (CESB). The Regional Governor shall recommend a minimum of three (3) applicants from those who applied and who were screened from whom the President shall select and appoint. Regional Directors posted in the autonomous region shall be as equally qualified like those assigned in other regions for promotion to higher positions in the various departments, line agencies and offices of the national government.

Section 33. Regional line agencies and offices shall prepare their respective budgets separate and distinct from the budget of the Regional Government. Their budgets shall however be attached and form part of the budget of the Regional Government when presented to Congress to ensure that plans and priorities of the autonomous region are harmonized and properly considered in the budgeting processes.

Section 34. The autonomous region may, upon authority of the Regional Assembly, avail of Official Development Assistance (ODA) -funded projects and other foreign financial grants or donations and shall undertake these projects through the regional line agencies, government-owned and controlled corporations (GOCCs), state colleges and universities, local government units or whichever is deemed appropriate.

Section 35. Government Owned and Controlled Corporations (GOCCs) shall continue to be governed by their respective charters and other pertinent laws.

Section 36. The Government Service Insurance System (GSIS), the Social Security System (SSS), the Pagtutulungan-Ikaw, Bangko, Industriya't Gobyerno (PAG-IBIG) and

other funds of similar trust or fiduciary nature shall be exempted from the coverage of this Organic Act.

ARTICLE III-B

THE RELATIONSHIP OF THE REGIONAL AUTONOMOUS GOVERNMENT WITH THE LOCAL GOVERNMENT UNITS

Section 37. The local government units shall have the same set of local officials and employees and shall enjoy autonomy and continue to exercise the powers granted them under the Local Government Code and other existing laws. Nothing herein provided shall be construed in any manner as to diminish the powers and functions as well as benefits and privileges already being enjoyed by the local government units. The Local Government Code shall apply to all provinces, cities, municipalities and barangays in the autonomous region.

Section 38. Consistent with the basic policy on local autonomy, the President, through the Regional Governor shall exercise direct supervision over local government units in the autonomous region to ensure that their acts are within the scope of their prescribed powers and functions.

Section 39. Revenues, taxes, fees and charges generated by the local government units and the regional autonomous government from their respective local tax ordinances shall exclusively accrue to them.

Section 40. The local government units in the autonomous region, including the Regional Government, shall have a just share in the national taxes and applicable revenues which shall be automatically released to them.

Section 41. The local government units in the autonomous region including the Regional Government unit shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas, in the manner provided by law and this Organic Act: *Provided*, that the Regional Government unit shall have a share of forty percent (40%) taken from the percentage share of the National Government from the utilization of national wealth within the autonomous region.

Section 42. Any chartered city within the autonomous region shall be governed primarily by its charter.

Section 43. Special metropolitan political subdivisions may, by law, be created by the Regional Assembly, subject to a plebiscite. The component cities and municipalities shall retain their basic autonomy and shall be entitled to their own local executive and legislative bodies. The jurisdiction of the metropolitan authority that will thereby be created shall be limited to basic services requiring coordination.

Section 44. The local government units in the autonomous region may group themselves, consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them in accordance with law.

ARTICLE IV

ELECTIVE OFFICIALS OF THE AUTONOMOUS REGIONAL GOVERNMENT – THEIR QUALIFICATIONS, TERMS OF OFFICE, VACANCIES AND SUCCESSION, AND ACCOUNTABILITY

Section 45. The elective officials of the Cordillera Autonomous Region are the (a) Regional Governor, (b) Regional Vice-Governor, and (c) Members of the Regional Assembly.

Section 46. *Qualifications.*

- a. Candidates for Regional Governor and Vice-Governor positions must be: a citizen of the Philippines and a Cordilleran, at least thirty-five (35) years of age on election day, a registered voter in the region and a resident thereof for a period of at least five (5) years immediately preceding the day of election, able to read and write Filipino or any other local language or dialect in the region.
- b. Candidates for the position of Member of the Regional Assembly must be: a citizen of the Philippines and a Cordilleran, at least thirty (30) years of age on election day, a registered voter in the provincial district and a resident thereof for a period of at least two (2) years immediately preceding the day of election, able to read and write Filipino or any other local language or dialect in the region.

Section 47. *Disqualifications.*

In addition to the disqualifications provided under Book I, Title Two, Chapter 1, Section 40 of the Local Government Code, candidates for Regional Governor, Vice-Governor and members of the Regional Assembly must not be related to the incumbent Regional Governor within the fourth (4th) degree of consanguinity or affinity.

Section 48. *Manner of Election.*

- a. The Regional Governor and Vice-Governor shall be elected at large by direct vote of the registered voters of the Cordillera Autonomous Region.
- b. Each province and city shall elect their own representatives to the Regional Assembly. Any chartered city in the autonomous region is entitled to two (2) representatives to the Regional Assembly. Any component city shall be entitled to one (1) representative. Each province shall be entitled to a maximum of two (2) representatives, one (1) per provincial district: *Provided*, that any political subdivision

created after the effectivity of this Organic Act shall be entitled to representation to the Regional Assembly as may be provided by law.

- c. Unless otherwise provided, the regular election of the Regional Governor, Vice-Governor, and members of the Regional Assembly shall be held on the second Monday of May.

Section 49. Term of Office.

- a. The term of office of all elective regional officials elected after the effectivity of this Organic Act shall be three (3) years which shall begin at noon on the thirtieth (30th) day of June next following the day of election and shall end at noon of the same date three (3) years thereafter. No Regional Governor, Vice-Governor, or Member of the Regional Assembly shall serve for more than three (3) consecutive terms.
- b. Voluntary renunciation of, or removal from, office for any length of time shall not be considered as an interruption in the continuity of the service for the full term for which officials were elected.

Section 50. Oath of Office. The Regional Governor, Vice-Governor and Members of the Regional Assembly on assuming office shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as Governor/Vice-Governor/Member of the Regional Assembly of the Cordillera Autonomous Region, preserve and defend the Constitution of the Republic of the Philippines and the Organic Act of the Cordillera Autonomous Region, execute these laws, do justice to all and consecrate myself to the service of the nation and the Cordillera Autonomous Region. So help me God." (In case of affirmation, the last sentence will be omitted.)

Section 51. Prohibition.

- a. The Regional Governor and Vice-Governor shall not, during their tenure, engage in the practice of any profession or hold any other office or employment, except as otherwise provided in this Act.
- b. The spouse and other relatives by consanguinity or affinity within the fourth (4th) civil degree of the Regional Governor and the Regional Vice-Governor shall not, during their tenure, be appointed officers or employees of the Regional Government, except as members of their confidential staff.
- c. No members of the Regional Assembly may hold any other office or employment in the government or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations, or their subsidiaries, during their term without forfeiting their seat. Neither shall he/she be appointed to any office which has been created or the emoluments whereof increased by the Regional Assembly during the term for which he/she was elected.

- d. The Regional Governor, Regional Vice-Governor, and members of the Regional Assembly shall not personally appear as counsel before any court of justice or before the Electoral Commission or quasi-judicial and other administrative bodies.
- e. The Regional Governor, Regional Vice-Governor, and members of the Regional Assembly shall not participate directly or indirectly in any contract with or in any franchise or special privilege granted by the Regional Government or any subdivision, agency or instrumentality thereof, including any government-owned or -controlled corporations or in any of their subsidiaries. They shall not intervene in any matter before any office of the Cordillera Autonomous Region for their pecuniary benefit or where they may be called upon to act on account of their office.

Section 52. Vacancies and Succession.

- a. In the event that the position of the Regional Governor becomes permanently vacant, the Regional Vice-Governor shall automatically become the Regional Governor.
- b. If the position of the Regional Vice-Governor becomes permanently vacant, the member of the assembly garnering the highest percentage of votes in the district represented shall become the vice-governor or in case of his/her permanent disability, the next higher shall assume said position.
- c. In case of permanent vacancy in the Regional Assembly occurring not less than (1) year before the expiration of the term of office, a special election in which the concerned elective official was elected shall be called to fill the vacancy: *Provided*, that the member elected shall serve only for the unexpired term.
- d. In case of a permanent vacancy in the assembly where automatic succession does not apply, the Regional Governor shall appoint to the position so vacated the nominee of the political party to which the member who caused the vacancy belonged at the time of his election. *Provided*, however, that the appointee has all the qualifications required by this Organic Act of a member of the Regional Assembly and none of the disqualifications provided for in other laws, and: *Provided*, further, that he/she comes from the same district represented by the member who caused the vacancy.
- e. For purposes of this article, a permanent vacancy arises when the incumbent elective official concerned dies, voluntarily resigns, is removed from office, fills up a higher vacant office, refuses to assume office, fails to qualify, or is otherwise permanently incapacitated to exercise the powers and discharge the functions of his office.

Section 53. Temporary Vacancies.

- a. When the Regional Governor is temporarily incapacitated to perform his duties for physical or legal reasons such as, but not limited to, leave of absence, travel abroad, and suspension from office, the Regional Vice-Governor shall automatically exercise the powers and perform the duties and functions of the former except the power to appoint, suspend or dismiss employees which can only be exercised if the period of temporary incapacity exceeds thirty (30) working days.

- b. Said temporary incapacity shall terminate upon submission to the Regional Assembly of a written declaration by the Regional Governor that he has reported back to office. In cases where the temporary incapacity is due to legal causes, the regional official concerned shall also submit necessary documents showing that said legal causes no longer exist.
- c. When the incumbent Regional Governor is traveling within the country but outside his territorial jurisdiction for a period not exceeding three (3) consecutive days, he may designate in writing, the officer-in-charge of the said office. Such authorization shall specify the powers and functions that the regional official concerned shall exercise except the power to appoint, suspend or dismiss employees.
- d. In the event, however, that the Regional Governor concerned fails or refuses to issue such authorization, the Regional Vice-Governor shall have the right to assume the powers, duties and functions of the said office on the fourth (4th) day of absence of the Regional Governor, subject to the limitations provided in subsection c, hereof.
- e. Except as provided above, the Regional Governor shall in no case authorize any regional official to assume the powers, duties and functions of the office, other than the Regional Vice-Governor or the highest ranking Member of the Regional Assembly, as the case may be.

Section 54. *Approval of Leaves of Absence.* Leaves of absence of elective officials of the Cordillera Autonomous Region shall be approved as follows:

- a. Leaves of absence of regional officials, provincial governor, mayor of a highly urbanized city or an independent component city shall be approved by the Regional Governor or his duly authorized representative.
- b. Applications for leaves of absence of other officials and employees other than those enumerated above shall follow those stipulated in the Local Government Code.
- c. Application for leave of the Regional Governor shall be approved by the President.

Section 55. *Compensation.*

- a. Unless otherwise provided by law or regional ordinance, the Regional Governor and Regional Vice-Governor shall receive an annual salary equivalent to that of a department secretary and undersecretary, respectively, of the national government, which shall not be decreased during their tenure. No increase in the salary of the Regional Governor and Regional Vice-Governor shall take effect until after the expiration of the term of the Regional Governor and Regional Vice-Governor approving the same.
- b. Unless otherwise provided by a regional ordinance, a member of the Regional Assembly shall receive an annual salary not lower than that of an assistant secretary of the national government. No increase in salary provided for by ordinance shall take effect until after the expiration of the term of office of all members of the Regional Assembly approving the same.

- c. They shall not receive during their tenure any other emoluments from the government or any other sources.

Section 56. Accountability.

a. *Disclosure.* All regional officials shall, upon their assumption of office, make a full disclosure of their financial and business interests, including those of their spouses and unmarried children under eighteen (18) years of age living in their households. Members of the Regional Assembly shall notify the Regional Assembly of any potential conflict of interest that may arise from the filing of measures of which they are authors. This section shall be governed by R.A. No. 6713.

b. *Discipline.* Discipline of Regional Elective Officials shall be governed by Chapter 4, Title Two of Book I of R.A. No. 7160 and other applicable laws.

c. *Recall.* Regional Elective Officials may be recalled on grounds and procedures as provided for by Chapter 5, Title Two of Book I of R.A. No. 7160 and other applicable laws.

ARTICLE V

THE REGIONAL EXECUTIVE DEPARTMENT

Section 57. The executive power in the region shall be vested in a Regional Governor. He shall exercise such powers and perform such duties and functions as provided by this Organic Act and other laws.

Section 58. As chief executive of the Regional Government, the Regional Governor shall exercise control and supervision over all programs, projects, services and activities of the Regional Government, the regional line agencies and offices, and the local government units within the autonomous region.

Section 59. The Regional Governor shall represent the Cordillera Autonomous Region, including the Regional Government, the regional line agencies and offices, and the local government units within the autonomous region in Cabinet meetings called by the President.

Section 60. The Regional Governor shall address the Regional Assembly at the opening of its regular sessions. He/she may also appear before it at any time.

Section 61. The Regional Governor shall submit to the Regional Assembly within thirty (30) days from the opening of every regular session, as the basis of the regional appropriations bill, budget of expenditures and sources of financing, including receipts from existing and proposed revenue measures.

Section 62. The Regional Governor and the different regional departments shall have sufficient administrative and support staff to efficiently and effectively carry out their mandates and the purposes of the Regional Government.

Section 63. There shall be regional executive assistants, equivalent in rank and salary grade level to Assistant Regional Directors of national government departments, who shall be appointed by the Regional Governor and shall hold office and serve at his discretion. Regional Executive Assistants shall coordinate and harmonize the functions of the various regional line agencies. *Provided*, that no more than two (2) regional executive assistants shall come from one (1) province or city within the region. *Provided further*, that the regional executive assistant posts shall in no way diminish the functions and resources of the different line agencies.

Section 64. The Regional Autonomous Government shall have the following mandatory offices: Office of the Regional Executive Secretary, Office of the Regional Accountant, Office of the Regional Budget Officer, Office of the Planning Officer, Office of the Regional Administrator, Office of the Regional Legal Officer, Office of the Regional General Services Officer, Office of the Regional Engineer, Office of the Regional Information Officer, Office of the Secretary to the Regional Assembly, Office of the Regional Treasurer. In addition thereto, the Regional Governor may, subject to the approval of the Regional Assembly and availability of funds, create other offices deemed necessary.

The Regional Executive Secretary and the heads of the various regional offices and employees under the executive department shall be appointed by the Regional Governor. With the exception of the former, the appointment of the heads of regional offices requires the concurrence of the majority of the members of the Regional Assembly and compliance to civil service law, rules and regulations and this Organic Act. The Regional Assembly shall act on said appointment within fifteen (15) days from the date of submission otherwise the same shall be deemed confirmed.

The rank and salary grade level of the heads of the different regional departments shall be equivalent to the regional directors of regional line agencies. They shall receive compensation, allowances and other emoluments and benefits allowed by law or ordinance. With the exception of the Regional Executive Secretary, the heads of the regional departments shall be mandatory.

The qualifications of regional appointive officials, their duties and functions, are as follows:

1) Office of the Regional Executive Secretary

- a. The Regional Executive Secretary of the Cordillera Autonomous Region shall be a citizen of the Philippines and a Cordilleran, of good moral character, a holder of a college degree preferably in law, administration or any other related course from a

recognized college or university. He/she must have acquired experience in management work for at least five (5) years.

- b. The term of office of the Regional Executive Secretary shall be co-terminus with that of the appointing authority.
- c. The Regional Executive Secretary shall, subject to the control and supervision of the Regional Governor, carry out the functions and duties delegated to him/her and shall:

1. Directly assist the Regional Governor in the management of the affairs pertaining to the Cordillera Autonomous Region.
2. Implement directives, orders and decisions.
3. Decide, for and in behalf of the Regional Governor, matters not requiring personal attention of the Regional Governor.
4. Exercise supervision and control over the various units in the Office of the Regional Governor including their internal administrative requirements.
5. Exercise supervision, in behalf of the Regional Governor, over the various agencies under the Office of the Regional Governor.
6. Provide overall coordination in the operation of the Regional Executive Office.
7. Determine and assign matters to the appropriate units in the Office of the Regional Governor.
8. Have administrative responsibility for matters in the Office of the Regional Governor coming from the various regional offices and agencies of government.
9. Exercise primary authority to sign papers "By authority of the Regional Governor", attest executive orders and other issuances unless attestation is specifically delegated to other officials by him or by the Regional Governor.
10. Determine, with the approval of the Regional Governor, the appropriate assignment of offices not placed by law under any specific regional executive department.
11. Provide consultative, research, fact-finding and advisory service to the Regional Governor.
12. Assist the Regional Governor in the performance of functions pertaining to legislation.
13. Assist the Regional Governor in the administration of special projects.
14. Take charge of matters pertaining to protocol in the Regional Government and ceremonial functions.
15. Provide secretarial and clerical services for the Regional Governor and other bodies.
16. Promulgate such rules and regulations necessary to carry out the objectives, policies and functions of the Office of the Regional Governor.
17. Perform such other functions as the Regional Governor may direct.

2) Office of the Regional Accountant

- a. The Regional Accountant shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a certified public accountant. He/she must have acquired experience in the treasury or accounting service for at least five (5) years.
- b. The Regional Accountant shall take charge of both the accounting and internal audit services of the autonomous region and shall:

1. Install and maintain an internal audit system in the autonomous region.
2. Prepare and submit financial statements to the Regional Governor and to the Regional Assembly.
3. Apprise the Regional Assembly and other government officials on the financial condition and operations of the autonomous region.
4. Certify to the availability of budgetary allotment to which expenditures and obligations may be properly charged.
5. Review supporting documents before preparation of vouchers to determine completeness of requirements.
6. Prepare statements of cash advances, liquidation, salaries, allowances, reimbursements and remittances pertaining to the autonomous region.
7. Prepare statements of journal vouchers and liquidation of the same and other adjustments related thereto.
8. Post individual disbursements to the subsidiary ledger and index cards.
9. Maintain individual ledgers for officials and employees of the autonomous region pertaining to payrolls and deductions.
10. Record and post in index cards details of purchased furniture, fixtures, and equipment, including disposal thereof, if any.
11. Account for all issued requests for obligations and maintain and keep all records and reports related thereto.
12. Prepare journals and the analysis of obligations and maintain and keep all records and reports related thereto.
13. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinance.

3) Office of the Regional Budget Officer

- a. The Regional Budget Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, a holder of a college degree preferably in accounting, economics, public administration or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He/she must have acquired experience in government budgeting for at least five (5) years.
- b. The Regional Budget Officer shall take charge of the budget office and shall:
 1. Prepare forms, orders, and circulars embodying instructions on budgetary and appropriation matters for the signature of the Regional Governor.
 2. Review and consolidate the budget proposals of different departments and offices of the Regional Government.

3. Assist the Regional Governor in the preparation of the budget and during budget hearings.
4. Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon.
5. Submit periodic budgetary reports to the Department of Budget and Management.
6. Coordinate with the treasurer, accountant, and the planning officer for the purpose of budgeting.
7. Assist the Regional Assembly in reviewing the approved budgets of the provincial and highly urbanized cities.
8. Coordinate with the regional planning officer in the formulation of the regional development plan.
9. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

4) Office of the Regional Planning Officer

- a. The Regional Planning Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, a holder of a college degree preferably in urban planning, development studies, economics, public administration, or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He/she must have acquired experience in development planning or in any related field for at least five (5) years.
- b. The Regional Planning Officer shall take charge of the planning office and shall:
 1. Formulate integrated economic, social, physical, and other development plans and policies for consideration of the Regional Development Council.
 2. Conduct continuing studies, researches, and training programs necessary to evolve plans and programs for implementation.
 3. Integrate and coordinate all sectoral plans and studies undertaken by the different units of the regional government.
 4. Monitor and evaluate the implementation of the different development programs, projects, and activities of the regional government in accordance with the approved development plan.
 5. Prepare comprehensive plans and other development planning documents for the consideration of the Regional Development Council.
 6. Promote people participation in development planning within the regional government.
 7. Exercise such other powers and perform such other functions and duties as may be prescribed by law or ordinance.

5) Office of the Regional Administrator

- a. The Regional Administrator shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably in law, public administration or any other related course from a recognized college or university.

He/she must have acquired experience in management and administration work for at least five (5) years.

- b. The term of office of the Regional Administrator shall be co-terminus with that of the appointing authority.
- c. Subject to the control and supervision of the Regional Governor, the Regional Administrator shall:

1. Develop plans and strategies and upon approval thereof by the Regional Governor, implement the same particularly those which have to do with the management and administration-related programs and projects which the Regional Governor is empowered to implement and which the Regional Assembly is empowered to provide for under this Organic Act.
2. Assist in the coordination of the work of all the officials of the autonomous region, under the supervision, direction, and control of the Regional Governor, and for this purpose, he may convene the chiefs of offices and other officials of the autonomous region.
3. Establish and maintain a sound personnel program for the autonomous region designed to promote career development and uphold the merit principle in the local government service.
4. Conduct a continuing organizational development of the autonomous region with the end in view of instituting effective administrative reforms.
5. Be in the frontline of the delivery of administrative support services, particularly those related to the situations during and in the aftermath of man-made and natural disasters and calamities.
6. Recommend to the Regional Assembly and advise the Regional Governor, as the case may be, on all other matters relative to the management and administration of the Regional Autonomous Government.
7. Exercise such other powers and perform such other duties and functions as may be prescribed by law or by ordinance.

6) Office of the Regional Legal Officer

- a. The Regional Legal Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a member of the Philippine Bar. He must have practiced his profession for at least five (5) years.
- b. The term of office of the Regional Legal Officer shall be co-terminus with that of the appointing authority.
- c. The Regional Legal Officer, the chief legal counsel of the regional autonomous government, shall take charge of the office of legal services and shall:
 1. Formulate measures for the consideration of the Regional Assembly and provide legal assistance and support to the Regional Governor, as the case may be, in carrying out the delivery of basic services and provisions of adequate facilities necessary.

2. Develop plans and strategies and upon approval thereof by the Regional Governor, as the case may be, implement the same, particularly those which have to do with programs and projects related to legal services which the Regional Governor is empowered to implement and which the Regional Assembly is empowered to provide for under this Organic Act.
3. Recommend measures and advise the Regional Governor on all other matters related to upholding the rule of law.
4. Be in the frontline of protecting human rights and prosecuting any violations thereof, particularly those which occur during and in the aftermath of man-made or natural disasters or calamities.
5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.
6. In addition to the foregoing duties and functions, the legal officer shall:
 - i. Represent the regional autonomous government in all civil actions and special proceedings wherein the autonomous region or any official thereof, in his official capacity, is a party.
 - ii. When required by the Regional Governor, draft ordinances, contracts, bonds, leases and other instruments, involving any interest of the autonomous region and provide comments and recommendations on any instrument already drawn.
 - iii. Render his/her opinion in writing on any question of law when requested to do so by the Regional Governor.
 - iv. Investigate or cause to be investigated any Regional Government official or employee for administrative neglect or misconduct in office, and recommend appropriate action to the Regional Governor, as the case may be.
 - v. Investigate or cause to be investigated any person, firm or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege by the Regional Government, and recommending appropriate action to the Regional Governor, as the case may be.
 - vi. When directed by the Regional Governor, initiate and prosecute in the interest of the autonomous region any civil action on any bond, lease or other contract upon any breach or violation thereof.
 - vii. Review and submit recommendations on ordinances approved and execute orders issued.

7) Office of the Regional Treasurer

- a. The Regional Treasurer shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably in commerce, public administration or law from a recognized college or university. He/she must have acquired experience in treasury or accounting service for at least five (5) years.

- b. The Regional Treasurer shall take charge of the Treasury Office, perform the duties provided for under Book II of the Local Government Code, and shall:

1. Advise the Regional Governor and other Regional Government officials concerned regarding the disposition of government funds, and on such other matters relative to public finance.
2. Take custody of and exercise proper management of the funds of the autonomous region.
3. Take charge of the disbursement of all Regional Government funds and such other funds the custody of which may be entrusted to him/her by law or other competent authority.
4. Maintain and update the tax information system of the autonomous region.
5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

8) Office of the Regional General Services Officer

- a. The Regional General Services Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably on public administration, business administration and management or any other related course from a recognized college or university. He/she must have acquired experience in general services, including management of supply, property, solid waste disposal, and general sanitation, for at least five (5) years.
- b. The Regional General Services Officer shall take charge of the Office on General Services and shall:
1. Formulate measures for the consideration of the Regional Governor and provide him technical assistance and support in carrying out measures to ensure the delivery of basic services and provision of adequate facilities pursuant to the Local Government Code and this Organic Act which require general services expertise and technical support services.
 2. Develop plans and strategies and upon approval thereof by the Regional Governor implement the same, particularly those which have to do with the general services supportive of the welfare of the inhabitants which the Regional Governor is empowered to implement.
 3. Be in the frontline of general services related activities, such as the possible or imminent destruction or damage to records, supplies, properties, and structures and the orderly and sanitary clearing up of waste materials or debris, particularly during and in the aftermath of man-made and natural calamities and disasters.
 4. Recommend and advise the Regional Governor on all matters relative to general services.
 5. In addition to the foregoing duties and functions, the General Services Officer shall:

- i. Take custody of and be accountable for all properties, real or personal, owned by the autonomous government and those granted to it in the form of donation, reparation, assistance and counterpart of joint projects.
- ii. With the approval of the Regional Governor, assign building or land space to regional officials, who by law, are entitled to such space. Recommend to the Regional Governor reasonable rental rates for Regional Government properties, whether real or personal, which will be leased to public or private entities.
- iii. Recommend to the Regional Governor reasonable rental rates of private properties which may be leased for the official use of the Regional Government.
- iv. Maintain and supervise janitorial, security, government public buildings and other real property, whether owned or leased by the Regional Government.
- v. Collate and disseminate information regarding prices, shipping and other costs of supplies and other items commonly used by the Regional Government.
- vi. Perform archival and record management with respect to records of offices and departments of the Regional Government.
- vii. Perform all other functions pertaining to supply and property management heretofore performed by the Regional Government Treasurer, and enforce policies on records creation, maintenance, and disposal.
- viii. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

9) Office of the Regional Engineer

- a. The Regional Engineer shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a licensed civil engineer. He/she must have acquired experience in the practice of his/her profession for at least five (5) years.
- b. The Regional Engineer shall take charge of the Engineering Office of the Cordillera Autonomous government and shall:
 1. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in infrastructure development and public works in general of the Regional Government.
 2. Advise the Regional Governor on infrastructure, public works, and other engineering matters.
 3. Administer, coordinate, supervise, and control the construction, maintenance, improvement, and repair of roads, bridges, and other engineering and public works projects of the Regional Government.
 4. Provide engineering services to the Regional Government, including investigation and survey, engineering designs, feasibility studies, and project management.

5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

10) Office of the Regional Information Officer

- a. The Regional Information Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably in journalism, mass communication or any other related course from a recognized college or university. He/she must have experience in writing articles and research papers, or in writing for print, television or broadcast media of at least five (5) years.
- b. The Regional Information Officer shall take charge of the Office on Public Information and shall:
 1. Formulate measures and provide technical assistance and support to the Regional Government in providing the information and research data required for the delivery of basic services and provision of adequate facilities so that the public becomes aware of said services and may fully avail of the same.
 2. Develop plans and strategies and, upon approval thereof by the Regional Governor implement the same, particularly those which have to do with public information and research data to support programs and projects which the Regional Governor is empowered to implement and provide.
 3. Be in the frontline in providing information during and in the aftermath of man-made and natural calamities and disasters, with special attention to the victims thereof, to help minimize injuries and casualties during and after emergency, and to accelerate relief and rehabilitation.
 4. Recommend and advise the Regional Governor on all matters relative to public information and research data as it relates to the total socio-economic development of the Regional Government.
 5. In addition to the foregoing duties and functions, the regional information officer shall:
 - i. Provide relevant, adequate, and timely information to the autonomous region and its residents.
 - ii. Furnish relevant regional government information and data to government agencies or offices as may be required by law or ordinance, and non-governmental organizations.
 - iii. Maintain effective liaison with the various sectors of the community on matters and issues that affect the livelihood and the quality of life of the inhabitants and encourage support for programs of the local, regional and national government.
 - iv. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Section 65. There shall be a Regional Development Council (RDC) which shall function as the main planning and advisory body of the autonomous government, setting the direction

of economic and social development of the autonomous region and through which regional development efforts shall be coordinated.

Section 66. The Regional Development Council, which shall be headed by the Regional Governor, shall be composed of the Regional Governor as chairman, and a private sector representative as co-chairman, the Regional Vice-Governor as vice-chairman, and the following as members:

- a. All the provincial governors, the city and capital town mayors.
- b. Two (2) members of the Regional Assembly to be designated by its presiding officer.
- c. Private sector representatives of duly accredited private sector and non-government organizations/people's organizations: *Provided*, that their composition shall not be more than one-fourth of the total membership.
- d. Regional heads of national line agencies operating in the region.
- e. The Council may designate special non-voting members (SNVMs) coming from both the public and private sectors, upon concurrence of the majority of its regular members.

Section 67. The regional office of the National Economic and Development Authority (NEDA) shall serve as the secretariat and technical operations arm of the Council.

Section 68. The Regional Development Council shall:

- a. Coordinate the preparation, implementation, monitoring and evaluation of short- and long-term regional development plans and investment programs, regional physical framework plans and special development plans, including the formulation of policy recommendations.
- b. Integrate approved development plans of provinces and cities, line agencies, state universities and colleges, government-owned and -controlled corporations and special development authorities in the autonomous region into the regional development plan.
- c. Review, prioritize, and endorse to the autonomous government the annual and multi-year sectoral investment programs of the autonomous region for funding and implementation.
- d. Review and endorse to the national government the annual budgets of agency regional offices, state colleges and universities and special development authorities.
- e. Promote and direct the inflow and allocation of private investments in the autonomous region to support regional development objectives, policies, strategies.
- f. Review and endorse national plans, programs and projects proposed for implementation in the autonomous region.
- g. As required by the Investment Coordinating Council (ICC), review and endorse projects of national government agencies that have impact on the region and projects of LGUs in the region requiring national government exposure which may come in the form of guarantees, national government budget appropriations or subsidies, among others.

- h. Initiate and coordinate the development, funding and implementation of regional and special development projects such as those involving several agencies or LGUs.
- i. Coordinate the monitoring and evaluation of development projects undertaken by government agencies, local government units, state colleges and universities, government-owned and/or controlled corporations and special development authorities in the autonomous region.
- j. Perform other related functions and activities as may be necessary to promote and sustain the socio-economic development of the autonomous region.

Section 69. The Council shall create appropriate technical and sectoral committees to assist in its work.

Section 70. Existing regional coordinating committees that are created by various laws and currently attached to specific agencies, and ad-hoc program/project-based steering committees, such as, but not limited to Regional Anti-Poverty Council, Regional Project Monitoring Committee, Regional Land Use Committee, Regional Peace and Order Committee, Regional Disaster Risk Reduction Management Committee, Regional Sustainable Development Committee, Regional Research Coordinating Committee, etc. shall be placed under the umbrella of the Regional Development Board. Secretariat work of these inter-agency committees shall continue to be provided by their mother agency.

Section 71. When the need arises, the Council shall invite the Congressmen of the provinces and cities of the autonomous region.

ARTICLE VI

THE REGIONAL VICE-GOVERNOR

Section 72. The Regional Vice-Governor shall automatically become the Presiding Officer of the Regional Assembly.

Section 73. As the Presiding Officer of the Regional Assembly, the Regional Vice-Governor shall:

- a. Sign all warrants drawn on the Regional Treasury Office for all expenditures appropriated for the operation of the Regional Assembly.
- b. Subject to civil service law, rules and regulations, and this Organic Act, appoint all officials and employees of the Office of the Regional Vice-Governor, the Regional Assembly and the Office of the Secretary to the Regional Assembly. The appointment of the Secretary to the Regional Assembly shall however require the concurrence of the majority of the members of the Regional Assembly as well as compliance to civil service law, rules and regulations and this Organic Act.
- c. Assume the office of the Regional Governor for the unexpired term of the latter in the event of a permanent vacancy as provided in this Organic Act.

- d. Exercise the powers and perform the duties and functions of the Regional Governor in cases of temporary vacancy as provided in this Organic Act.
- e. Exercise the powers and perform the duties and functions as may be prescribed by ordinance.

Section 74. The Regional Vice-Governor shall receive a monthly compensation equivalent to that of a department undersecretary of the national government, which shall not be decreased during his/her tenure. No increase in the salary of the Regional Vice-Governor shall take effect until after the expiration of his/her term.

ARTICLE VII

THE REGIONAL LEGISLATIVE ASSEMBLY

Section 75. The legislative power of the Regional Government in the Cordillera Autonomous Region shall be vested in the Regional Assembly, except the extent reserved by the Constitution and this Organic Act on initiative and referendum. Within its territorial jurisdiction and subject to the provisions of the Constitution and national laws, the Regional Assembly of the Cordillera Autonomous Region shall have legislative powers over those functions enumerated under Section 28.

Section 76. The Regional Assembly shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the region and its inhabitants as well as for the efficient and effective operation of the Regional Government.

Section 77. The Regional Assembly shall have an administrative and support staff. Each member shall have at least three (3) confidential Legislative Assistants whose qualifications, rank and salary grade level shall be equivalent to regional executive assistants. Their term of service shall however be co-terminus with their overseer.

Section 78. The Regional Assembly shall start its regular session on the first Monday of July, and by resolution fix the day, time and place of its regular sessions, which shall be held at least once a week. However, the Assembly may be called to a special session by the Chairperson or the Regional Governor whenever necessary and a notice of meeting shall be sent to the member's place of residence at least twenty-four (24) hours before the special session is held. Unless otherwise concurred in by two-thirds (2/3) votes of the members, there being a quorum, no other matters may be considered at a special session except those stated in the notice. The Regional Assembly may invite the President and other government officials to address it.

Section 79. *Sessions and Quorum.*

- a. A majority of all the members of the Regional Assembly shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the

attendance of absent members in such manner, and under such penalties as the Assembly may provide.

- b. On the first regular session following the election of its members, and within ninety (90) days thereafter, the Regional Assembly shall adopt or update its rules of proceedings which shall include, among other things, the organization of the Assembly and the election of its officers, creation of standing committees, the time, place and manner of convening its regular and special sessions, the conduct and discipline of its members, the conduct and discipline of every person present during its session, the preparation and publication of its journal, the determination of quorum, and the necessary votes to pass any measure, and recall proceedings in accordance with the Local Government Code.

Section 80. Ordinances.

- a. Every ordinance shall embrace only one (1) subject which shall be expressed in the title thereof.
- b. No ordinance shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to the members three (3) days before its passage, except when the Governor certifies to the necessity of its immediate enactment to meet a public calamity or emergency affecting the region, or the component provinces, cities, municipalities or barangays.
- c. Upon the last reading of an ordinance, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter, and the yeas and nays entered in the Journal.
- d. Every ordinance passed by the Regional Assembly shall, before it becomes a law, be presented to the Regional Governor. If he/she approves the same, he/she shall sign it. Otherwise, he/she shall veto it and return the same with his objections to the Regional Assembly, which shall enter the objections in its Journal and proceed to reconsider it. If, after such reconsideration, two-thirds (2/3) of all the members of the Regional Assembly shall agree to pass the ordinance, it shall become a law. The Regional Governor shall communicate his veto of any ordinance to the Regional Assembly within ten (10) days from receipt thereof. Otherwise, it shall become a law as if he/she had signed it.
- e. The Regional Governor shall have the power to veto any particular item or items in an appropriation or revenue measure, but the veto shall not affect the item or items to which he/she does not object.

Section 81. People's Question Hour.

- a. There shall be a people's hour at least once a month or as often as the rules of the Regional Assembly may provide, which shall be included in the Order of Business, during which any member of the Cabinet may, upon his own initiative, with the consent of the Regional Governor, or upon the request of the Regional Assembly,

appear and answer questions and interpellations by members of the assembly on any matter pertaining to his department.

- b. The Regional Assembly or any of its committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights and dignity of persons appearing in or affected by such inquiries shall be respected.

Section 82. No member shall be questioned or be held liable in any other place for any speech or debate in the Regional Assembly or in any committee thereof.

Section 83. The Regional Assembly shall pass an appropriations ordinance for the ensuing year at or before the end of each year, based on the budget of expenditures and sources of funds submitted to it by the Regional Governor.

- a. No provision or enactment shall be embraced in the regional appropriations ordinance, unless it relates specifically to some particular appropriations therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.
- b. The procedure in approving appropriations for the Regional Assembly shall strictly follow the same procedure for approving appropriations for the regional executive department.
- c. A special appropriations ordinance shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified by the Regional Treasurer or to be raised by a corresponding revenue proposal therein.
- d. No ordinance shall be passed authorizing any transfer of appropriations. However, the Regional Governor and the presiding officer of the Assembly may, by ordinance, be authorized to augment any item in the general appropriations ordinance for their respective departments from savings in other items of their respective appropriations.
- e. The Regional Assembly may not increase the appropriations recommended by the Regional Governor for the operation of the Regional Government as specified in the budget. The form, content and manner of preparation of the budget shall be prescribed by regional law: *Provided*, however, that pending the enactment of such a regional law, the budgeting process of the Regional Government shall be governed by existing national laws and rules and regulations prescribed by the Department of Budget and Management.

Section 84. *Expenditure of Public Funds.*

- a. No money shall be paid out of the regional treasury except in pursuance of an appropriation made by regional law.
- b. No money or property shall be appropriated, applied, paid or used, directly or indirectly, for the use, benefit or support, of any sect, church, denomination, sectarian institution, or system of religion or for the use, benefit or support of any priest, preacher, minister or other religious teacher or dignitary as such, except when such

priest, preacher, minister or dignitary is assigned to the regional police or government orphanage and rehabilitation centers or similar institutions.

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

Section 85. The Regional Assembly shall, within ten (10) working days from approval thereof, submit to the President and to both Houses of Congress a certified true copy of all ordinances and resolutions it passed.

Section 86. The Regional Assembly may create such other offices and positions as may be necessary to carry out the purpose of the regional government subject to availability of funds.

Section 87. There shall be a Secretary to the Regional Assembly with a rank, status and salary grade level equivalent to a head of a regional department. He must be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably in law, commerce, public administration, or any other related course from a recognized college or university. He must have at least three (3) years of relevant experience.

The Secretary to the Regional Assembly shall:

- a. Take charge of the office of the secretary to the Regional Assembly.
- b. Attend meetings of the Regional Assembly, and keep a journal of its proceedings.
- c. Keep the seal of the Regional Government and affix the same with his/her signature to all ordinances, resolutions, and other official acts of the Regional Assembly and present the same to the presiding officer for his/her signature.
- d. Forward to the Regional Governor for approval copies of ordinances enacted by the Regional Assembly and duly certified by the presiding officer.
- e. Forward to the Regional Assembly copies of duly approved ordinances.
- f. Furnish, upon request of any interested party, certified copies of records of public character in his/her custody upon payment to the Regional Treasurer of such fees as may be prescribed by ordinance.
- g. Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Regional Assembly, with the dates of passage and publication thereof.
- h. Keep his/her office and all non-confidential records therein open to the public during the usual business hours.
- i. Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval, and cause the publication of the same together with the original version.
- j. Take custody of the local archives and, where applicable, the regional library and annually account for the same.

- k. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance relative to his/her position.

Section 88. Subject to national laws and, sound public administration principles, exercising the corporate powers of the Regional Government under the Constitution and R.A. No. 7160, the Regional Assembly shall evolve a program for generating development financing to accelerate social and economic development in the region and implement the same, and after conducting public consultation: *Provided*, that when regional revenues are insufficient, the difference shall be funded by the national government.

Section 89. Following the provisions of and the timetable for planning under the Local Government Code, the Regional Assembly shall approve by ordinance the recommended physical framework plan, the local development plan, the local development investment program, the annual investment plan and annual budget.

Section 90. When the need arises, the Regional Assembly shall enact ordinances and necessary legislative measures that shall strengthen and supplement the implementation of national laws, devolved functions and address conflicting laws.

ARTICLE VIII

PATRIMONY, ECONOMY AND DEVELOPMENT

Section 91. The Regional Government, with the support of the national government, shall, pursuant to the purposes of regionalization and consistent with the grant of regional autonomy, initiate, stimulate, facilitate, support and coordinate development in the region towards attaining equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services available to Cordillerans and an expanding productivity and incomes as the key to raising the quality of life for all, and thereby contributing to the goal of national poverty reduction and development.

Section 92. The Regional Government shall take affirmative action to encourage the component government units, non-government organizations and civil society organizations, including corporations, cooperatives, peoples' organizations, and similar collective associations, to actively participate and support the economic and social growth and development of the units in the region.

Section 93. The regional development program shall seek accelerated and sustainable economic and social growth and development in the region, taking into account the peculiarities of the social, economic, and geo-physical circumstances of the component Cordillera communities and the need to preserve ecological balance.

Section 94. In the formulation and implementation of development policies [e.g. standards, costing etc], plans, programs, and projects, the Regional Government shall, among other things, address the following concerns:

- a. Social development which shall include among others, empowering the Cordillerans and their adopted organizations to participate actively, and share equitably, in the benefits of development.
- b. Ecosystems management, to include among others the delineation, protection, preservation, rehabilitation and development of watersheds and forest reserves, fish sanctuaries/refuge, and other government reservations that are declared by competent authorities as critical to the survival of the Cordillera communities, and their demarcation as inalienable and protected areas.
- c. Knowledge management, which shall include, among others, the inventory, validation, codification, promotion, and protection of indigenous knowledge, systems, practices, institutions and applied researches and inventions that support accelerated and sustainable economic, social growth and development in the region and the protection of these through patents.
- d. Research and development, which shall include among others the conduct of applied researches that shall identify the specific causes of unemployment, poverty, and underdevelopment in each of the component units of the region, given their disparities in the socio-cultural, economic, infrastructural, institutional, and natural resource circumstances and the formulation of research-validated regional development strategies and priority programs to address the development needs of these component communities.
- e. Institutional development, which shall include among others the strengthening of peoples' organizations, cooperatives, and similar institutions, empowering these for accelerating economic and social growth and development and thereby democratizing ownership, participation, and responsibility for development.
- f. Land use management which shall include, among others, environmental protection and resources conservation.
- g. Urban land reform to address the problem of inadequate shelter and congestion with its attendant social problems.
- h. Rural modernization and development through the development and use of appropriate technologies, inventions and applicable indigenous knowledge systems and practices considering the sustainability of agriculture and industrial activities under the topographic circumstances of the region's land resources.
- i. Local and regional infrastructure development.

Section 95. The exploration, development, utilization, management and enjoyment of the region's natural resources shall be under the control and supervision of the Regional Government upon consultation with the affected communities subject to the provisions of R.A No. 8371, except with respect to uranium, coal and petroleum which shall be under the control and supervision of the national government.

Section 96. The exploitation, exploration, development, enjoyment and utilization of natural resources, except those enumerated in Section 95 of this article, shall be allowed to citizens of the Philippines and to private enterprises, including corporations, cooperatives, and similar collective organizations with at least sixty percent (60%) of their capital investment or capital stocks directly controlled or owned by citizens of the Philippines: *Provided*, that the implementation of programs, projects, and activities related to these natural resources in the region shall comply with the provisions of the Constitution and national laws.

Section 97. The Regional Government shall actively pursue forestation and reforestation programs to ensure that lands not devoted to agriculture in the Autonomous Region shall be covered with trees, giving priority to land strips along the edges of rivers and streams and shorelines of lakes.

Section 98. The Regional Government in partnership with the communities, especially the tribal peoples, and their government units, and support of the national government shall adopt measures for the development of communities occupying lands eighteen percent (18%) slope or over, by providing the necessary infrastructure, financial and technical support.

Section 99. The Regional Government shall, as a matter of priority regulate the extraction and processing of mineral and non-mineral resources in the region to protect the environment and the ecosystem, taking into consideration the development, ecological balance and the interest of the communities and other applicable laws.

Section 100. The Regional Government shall, in coordination with the national government, establish a transportation and communication system interconnecting the various areas of the autonomous region with each other and to other regions adjacent to the Cordilleras. Likewise, the Regional Government in close coordination with component local government units shall plan, construct, modernize and maintain rural and urban infrastructure facilities and utilities, including alternative transport systems within critical environments.

Section 101. Subject to ecological considerations, the Regional Government shall adopt and implement a comprehensive rural agrarian reform program, as well as an urban development program consistent with the Constitution and national laws and policies to ensure the just and sustainable utilization of land within its jurisdiction.

Section 102. The Regional Government shall, while maintaining national standards pertaining to the protection, conservation, and enhancement, of the environment and natural resources, develop standards appropriate to the socio-cultural and environmental uniqueness of the Cordillera.

ARTICLE IX

SOURCES OF REVENUES AND OTHER FISCAL MATTERS

Section 103. To conserve, protect and develop the national patrimony and heritage located in the Cordillera Autonomous Region, and devolved to the region by this Organic Act, and to fund the operations of the Regional Government, the Regional Government shall, in addition to the existing shares of local government units, regional line agencies and other government institutions, have a share of the national taxes which include but not limited to the following:

- a. *One percent (1%) of the national Internal Revenue Taxes.* The Regional Government shall have a share in the national internal revenue taxes equivalent to one percent (1%) based on the collection of the third fiscal year preceding the current fiscal year, in addition to the internal revenue allotment shares of the local government units. Eighty percent (80%) of such share shall be appropriated in the annual regional budget for development projects. The internal revenue allotment share of the Regional Government shall be released directly to the Regional Government Treasurer and shall not be subject to any lien or holdback that may be imposed by the national government for whatever purpose.
- b. *Forty percent (40%) Share of the National Wealth Tax.* The Regional Government shall have a separate forty percent (40%) share of the gross collections in the preceding fiscal year from mining taxes, royalties, environmental services, forestry and fishery charges, energy production charges, and such other taxes, fees and charges, including related surcharges, interests and fines derived from the utilization and development of the national wealth within its territorial jurisdiction: *Provided*, that the Regional Government shall likewise be entitled to ten percent (10%) share of the gross collections from the utilization of national wealth sourced or emanating from the autonomous region by persons, individual or juridical, operating outside the territorial jurisdiction of the autonomous region. *Provided* that the share in national wealth shall be used for the preservation and further development of the environment.

Local Government Units shall have a share of one and one-half percent (1.5%) of the gross sales or receipts or fifty percent (50%) of the gross collection, whichever is higher, derived from renewable energy taxes, mining taxes, royalties, forestry and fishery charges, and such other taxes, fees and charges, including related surcharges, interests or fines, and from its share in any co-production, joint ventures or production sharing agreement in the utilization and development of the national wealth within their territorial jurisdiction. This provision shall be applicable to all corporations, partnership, individuals and other entities including government agencies and government owned or controlled corporations engaged in the utilization and development of the national wealth within the region irrespective of existing contrary laws, rules and regulations of national application.

- c. *Two percent (2%) share out of the Economic Zones Tax.* The Regional Government shall have a separate two percent (2%) share out of the five percent (5%) final tax on

gross income earned or equivalent to forty percent (40%) of total tax paid by businesses within the economic zones found in the Cordillera, in addition to the existing shares of the local government units. The fund shall be used for Trade and Industry programs.

Local government units shall have a separate two percent (2%) share out of the five percent (5%) final tax on gross tax paid by businesses within the economic zones.

- d. *Twenty percent (20%) Share of Excess in Value Added Tax.* The Regional Government shall have a separate twenty percent (20%) share of the excess in VAT collections from the immediately preceding year. The fund shall support cottage industry programs.

Local government units shall have a separate twenty percent (20%) share of the excess in VAT collections from the immediately preceding year.

- e. *Fifteen percent (15%) Share of Total Excise Tax.* The Regional Government shall have a separate fifteen percent (15%) share of the total excise tax collection on locally manufactured Virginia-type cigarettes manufactured within the territorial jurisdiction of the autonomous region for the second calendar year preceding the year of distribution, in addition to the existing shares of the local government units. The fund shall be used for agriculture programs.

Local government units shall have a separate fifteen percent (15%) share from the total excise tax collection on locally manufactured Virginia-type cigarettes for the second year preceding the year of distribution.

- f. *Fifteen percent (15%) Share of Incremental Excise Tax on Burley and Native Tobacco Products.* The Regional Government shall have a separate fifteen percent (15%) share of the excise tax collected on burley and native tobacco products collected within the region. The fund shall be used for agriculture programs.

Local Government Units shall have a separate fifteen percent (15%) share of the excise tax collected on burley and native tobacco products.

- g. *Forty percent (40%) Share of Hydro Electric Power Tax.* The Regional Government shall have a separate forty percent (40%) of the special privilege tax on hydro electric power developers for the maintenance of watersheds and social and economic development of the upstream host communities.

Local government units' share from the hydro electric power tax shall be based on the computation provided under the Local Government Code (R.A. No.7160).

- h. *One percent (1%) of net income of Philippine Amusement and Gaming Corporation (PAGCOR) and Philippine Charity Sweepstakes Office (PCSO) for construction and maintenance of school buildings, hospitals and related structures and services.*
- i. Shares in future tax impositions by the national government.

Section 104. The Regional Government shall have the power to create its own sources of revenues and to levy fees and charges except the power to impose taxes, subject to such guidelines and limitations as the Constitution and this Act may provide, consistent with the basic policy of local autonomy and which include, but not limited to, the following:

- a. Revenue derived from operation of economic enterprise established by the Regional Government.
- b. Fees and charges on services that the Regional Government may provide.
- c. Appropriations and other budgetary aids from the national government.
- d. Share in the proceeds from the development and utilization of resources within the region.
- e. Share in revenues generated from the operation of public utilities within the region as may be determined by law.
- f. Net revenues from public works contracts executed between the national government and the autonomous region or its component provinces, cities, municipalities, and barangays.
- g. Contributions to the autonomous region for the cost of maintaining programs or areas that the national government considers important to national survival or sustainable development such as reforestation or rehabilitation and protection of the natural environment especially watersheds, declared national heritage sites, historical sites, and such other areas within the autonomous region consistent with existing laws those applicable in the future.
- h. Block grants derived from economic agreements or conventions authorized by the Regional Government, donations, endowments, foreign assistance, and other forms of aid, subject to the Constitution and national laws.

Section 105. All corporations, partnerships, and other entities, including government agencies, government-owned and -controlled corporations directly engaged in business in the region shall pay their corresponding taxes, fees, and charges to the province, city, municipality or barangay where such establishments are conducting their business operations irrespective of the location of their principal or main offices.

Section 106. *Appropriations from the national government.*

- a. *Regional line agencies.* The national government shall continue to provide appropriations for the regular operations and programs of line agencies in the region. In addition, each national government agency shall appropriate not less than five percent (5%) of its nationwide lump sums to fund priority programs in the region.

- b. *Regional structure.* The national government shall provide appropriations for the mandatory organizational structure and positions of the Regional Government.
- c. The Regional Government may access other special purpose funds appropriated in the national budget.

Section 107. Eighty percent (80%) share of national fees and charges collected within the region (e.g. DOTC, LTO, NBI, NSO, BID, PEZA, DFA, DOH, DPWH, DENR, PRC, DOT, etc.) shall be directly remitted to the regional treasury and fifty percent (50%) of this share shall be automatically retained by the collecting agencies to augment their regular operating expenses.

Section 108. Donations or grants to the region to finance, to provide for, or to be used in undertaking projects in health, education, culture, youth and sports development, human settlements, science and technology, and in economic development, shall be deductible in full in determining the taxable income of the donor or grantor: *Provided*, that the validation and certification processes for such donations or grants shall have been done according to regional law.

Section 109. The Regional Government, in accordance with the provisions of the Constitution and national laws and upon the recommendation of the Regional Development Council and ratification of the Regional Assembly, shall evolve a system of economic agreements or trade compacts to generate grants and foreign loans for development of the region.

Section 110. The Regional Governor may contract loans only in accordance with the provisions of the Constitution and national laws and subject to the approval of the Regional Assembly.

Section 111. The Regional Assembly shall have the power to grant incentives or exemption on fees and charges which the autonomous region is empowered under this Act to impose. An ordinance granting incentives, exemptions or both shall only be passed with the concurrence of a majority of all the members of the Regional Assembly.

Section 112. The Regional Government may establish and capitalize a Regional Development Bank which shall administer its own funds. The bank shall be under the supervision of the Bangko Sentral ng Pilipinas (BSP) and under the general banking laws.

Section 113. The Regional Government shall utilize the same fiscal and regulatory licensing standards required by the national government.

ARTICLE X

AGRICULTURE, AGRARIAN REFORM, TRADE AND INDUSTRY, TOURISM AND COOPERATIVES

Section 114. Consistent with applicable laws, the Regional Government shall, as a basic policy, promote agrarian reform and sustainable agricultural development within the principles of social equity and poverty alleviation, food security and food sufficiency, global competitiveness, fair trade, rational use of resources and sustainability.

- a. The Regional Government shall ensure that basic agricultural support services and infrastructure be accessible to the small and marginalized farmers and fisher folks. It shall likewise promote agribusiness and full employment based on a sound agricultural development and agrarian reform.
- b. The Regional Government shall put special emphasis on production towards self sufficiency of staple food commodities and shall at all times guarantee the availability, accessibility and affordability of safe food commodities.
- c. The Regional Government shall work on the improvement of the quality and value of raw and processed agri-based products as a means to enhance competitiveness of the agriculture and fisheries sectors in the domestic and global markets.
- d. The Regional Government shall formulate and implement measures to promote indigenous concept of farming and protect the farmers from unfair trade practices and unfair competition.
- e. The Regional Government shall ensure the equitable and rational distribution of public resources and investments in order to obtain the optimum returns on investments and to benefit a greater number of constituents.
- f. The Regional Government shall always consider the limited carrying capacity of the region's natural and agricultural resources in the development of agricultural and fisheries programs and interventions.

Section 115. The Regional Government shall give top priority to the conservation, protection, utilization and development of water resources for agriculture, fisheries development, domestic water supply and power development. It shall enact appropriate legislation which shall enhance, develop, conserve, and protect natural fishery resources especially on species endemic to the Cordilleras.

Section 116. The Regional Government shall recognize, promote, and protect the rights and welfare of fisher folks, their associations and cooperatives. The provinces and cities concerned shall support subsistence fisher folk through adequate funds, appropriate technology and research, marketing assistance, and other support services like fishery processing facilities and access to credit.

Section 117. Towards the development of healthy, and environmentally sound, humane and just communities, the Regional Government shall:

- a. Pursue a multidisciplinary research, development and extension activities to produce and promote technologies and invent machinery and facilities, that will be used to improve productivity and product quality, reduce cost of production, enhance value-

addition and improve processing, and enhance abilities to protect the environment and agricultural resources.

- b. Initiate, encourage and give highest priority support to small and medium agribusiness enterprises and industries with linkages to agriculture. It shall ensure the allocation of adequate public investments to establish adequate support-agricultural infrastructure and facilities to sustain such ventures.
- c. Formulate and implement product standards and regulatory rules that will ensure the production, processing, distribution and marketing of safe and globally-competitive products, and simultaneously promote environmental conservation.
- d. Ensure that all sectors involved in the production, processing and marketing of food and non-food products shall strictly adhere to appropriate existing laws and regulations on the proper utilization and disposal of synthetic and chemical inputs and materials, and industrial and toxic wastes. Relative to this, the Regional Government shall pursue and encourage organic methods of agriculture.

Section 118. To promote investments and employment and to prevent flight of capital and labor from the region, the Regional Government shall adopt measures:

- a. Against monopolies, cartels and unfair competition in public utilities, development, trading and similar concerns. It 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 organizations.
- b. To initiate, encourage and support industrialization in the region, taking into account the culture and capabilities of the people of the area to control or manage their resources, the ecological needs of the area and the protection, conservation and development of resources.

Section 119. Consistent with the preservation of cultural heritage and the protection of ecology, the Regional Government shall promote eco-cultural tourism in the region. Sites with historical, scientific, cultural significance including natural and man-made landmarks and scenic vistas shall likewise be preserved, maintained and protected.

Section 120. The Regional Government shall encourage, promote and support the establishment and development of economic zones, industrial and trade centers, and airports, in strategic areas and growth centers in the region, including the necessary support infrastructure in accordance with land use and other environmental considerations.

Section 121. The Regional Government shall, in coordination with the local government units, encourage investments, development, marketing and exportation of indigenous and other local products in accordance with its development goals and priorities.

Section 122. The Regional Government shall promote cooperatives registered with the Cooperative Development Authority as tools for economic development, social justice, and

people empowerment to initiate policies and develop mechanisms to enjoin the participation of the banking sector and financial institutions in the delivery of credit assistance for the establishment and building of rural enterprises and small-medium enterprises (SMEs).

ARTICLE XI

EDUCATION, SCIENCE AND TECHNOLOGY, LANGUAGE, ARTS AND CULTURE, AND SPORTS

Section 123. The Regional Government shall, consistent with the Constitution and national laws, exercise legislative powers over regional educational policies and preservation of the cultural heritage in the autonomous region which shall, among others, include:

- a. Establishment of educational institutions, colleges and universities which shall enjoy fiscal and administrative autonomy but subject to regional laws. Existing educational institutions, colleges and universities shall continue to be governed by their respective charters.
- b. Development of curricular programs relevant to the cultural heritage and responsive to the social, economic, political and moral needs of the people and the autonomous region.
- c. Adoption and enactment of educational policies that shall recognize, support, develop and promote existing indigenous system of learning.
- d. Creation of educational board that will supervise, govern and intervene in the establishment, adoption and implementation of educational policies and programs of both formal and informal education and all schools, colleges and universities in the region.

Section 124. The Regional Government shall assign the highest budgetary priority to education.

Section 125. Private educational institutions, colleges and universities shall enjoy the protection and support of the Regional Government. All revenues and assets of non-stock, non-profit educational institutions used actually, directly and exclusively for educational purposes shall be exempt from taxes and duties.

Section 126. The Regional Government shall assist the national government to provide free basic education and shall likewise endeavor to provide free tertiary education through scholarship programs, subsidies, research grants and other incentives to poor, gifted, and deserving individuals. Towards this end, there shall be created a Regional Scholarship Committee for Education.

Section 127. The right of teachers, employees, students and parents to organize themselves and to participate in school policy and decision-making shall be guaranteed.

Section 128. Local government unit-paid teachers shall be jointly supervised, administered and governed by LGU and school heads.

Section 129. The level of compensation and other benefits for regionally-paid government teachers and non-teaching staff of the regional educational system in the region must at least equal the national standard.

Section 130. The educational system in the region shall develop a program, research, instruction and extension that will promote consciousness and appreciation of the ethnic identity of the people in the region and shall provide a better understanding of their cultural heritage for the attainment of national unity and harmony in all levels of education. It shall provide, promote, enhance or adopt a curriculum in all levels that includes Cordillera languages, customs and traditions and other indigenous knowledge systems and practices, as may be applicable.

Section 131. *State colleges and universities.*

- a. State colleges and universities in the region shall form part of the regional educational sub-system of the autonomous region and shall continue to enjoy fiscal and institutional autonomy, continue to be governed by their respective charters and enjoy support of the Regional Government.
- b. The Regional Government shall be represented in the board of regents or trustees in state universities and colleges in the region.
- c. The budget of state colleges and universities in the region while prepared separately shall form part of the budget of the Regional Government when presented to congress for approval. The state colleges and universities shall continue to receive funding from the national government while the Regional Government shall provide additional funding.
- d. The Regional Government shall capacitate state colleges and universities in order to provide assistance to regional development.

Section 132. Subject to the general supervision of the Regional Government, all schools with charters shall continue to be governed by their respective charters.

Section 133. The management of scientific and indigenous research and appropriate technology on all levels of education including research institutions shall be given priority by the Regional Government.

Section 134. Incentives and safeguards for intellectual property rights, and assistance in the registration of patents and copyrights shall be accorded to Cordillera artists, writers, scientists, researchers and inventors.

Section 135. The Regional Government shall retain English and Filipino as a medium of instruction in all levels of education. Consistent with its regional and cultural identity, and

whenever possible, it shall adopt a system of multi-lingual or mother tongue-based approach in basic education to strengthen and enrich the various languages and dialects in the region as well as the national language as may be appropriate.

Section 136. The Regional Government shall design and implement region-wide physical fitness, sports development programs, and indigenous games and sports which shall be a cooperative responsibility of the school, the community, and the government.

Section 137. The Regional Government shall establish a Regional Research Coordinating Council, which shall harmonize the research and development efforts of the academe and research institutions in the region.

ARTICLE XII

SOCIAL JUSTICE, HEALTH AND WELFARE

Section 138. The Regional Government commits itself to social protection and shall among other things, adopt measures to:

- a. Empower and improve the quality of life of the poor, disadvantaged, marginalized, and vulnerable individuals, families, sectors and communities of the region.
- b. Reduce or eradicate poverty to ensure that all Cordillerans are free from all forms of deprivation, vulnerability, and abuse. Towards this end, the Regional Government shall organize a Cordillera Anti-Poverty Council (CAPC) which shall formulate and oversee the implementation of a comprehensive regional anti-poverty framework.
- c. Create equal opportunities for assistance and protection for all Cordillerans.
- d. Promote gender and development (GAD) through the creation, adoption and sustainability of programs and policies that are gender sensitive.
- e. Enact measures and develop programs that will protect the people from any threat of violence and exploitation, eliminate trafficking in persons and mitigate pressures for involuntary migration and servitude of persons, not only to support trafficked persons but more importantly, to ensure their recovery, rehabilitation and reintegration into the mainstream of society.

Section 139. The Regional Government shall undertake steps to protect the labor sector and promote equality of employment opportunities for all. Towards this end, it shall, among other things, provide for:

- a. Participation of the Regional Government in the regional wage board in working out periodic adjustments and rational standardization of compensation rates to ensure a sustainable and decent wage for all workers.
- b. Profit and productivity gain-sharing schemes that recognize the right of workers to a just share in the profits and productivity gains of businesses, provide incentives thereof, and the right of the enterprise to reasonable returns on investments.

- c. Protection of workers against unhealthy and unsafe working conditions.
- d. Legislation for the benefit and welfare of domestic helpers.
- e. Mandatory corporate social responsibility towards employees and host community.

Section 140. The Regional Government shall promote the hiring of qualified Cordillerans in government projects and private businesses located in the autonomous region.

Section 141. The Regional Government recognizes health as a basic human right and the attainment, maintenance and protection thereof shall be its responsibility. It affirms health as an instrument for and a product of socio-economic development. For this purpose, it shall, among other things:

- a. Establish, maintain, and support an effective health care delivery system utilizing primary health care as a comprehensive and integrated approach.
- b. Ensure that the health care system is governed by the principles of service, social justice and equity.
- c. Promote health knowledge and skills that will enable its people to take responsibility for their health.
- d. Give relevant training and appropriate standards for health workers and professionals.
- e. Establish and maintain an effective food and drug regulatory system which shall provide for the adoption of an essential drug list, encourage the use of generic medicines or drugs, and promote the use of herbal medicines and indigenous health resources.
- f. Conduct research on traditional healing methods and promote indigenous health care practices.
- g. Evolve financing schemes to effectively lessen the costs of health care without sacrificing the quality of health care services including the prioritization in the annual budget of at least five percent (5%) to form the base of health budget.

Section 142. The Regional Government shall, in consonance with the Constitution, guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including those provided by law.

Section 143. The Regional Government shall:

- a. Promote the well-being of differently-abled persons, the mentally handicapped, the elderly, the homeless, widows and orphans, retirees, and veterans, adult offenders and children in conflict with the law and victims.
- b. Assist victims of calamities, abused and depressed children and women in crisis situations, including victims of adult offenders and children in conflict with the law.

Section 144. The Regional Government shall adopt a social integration program responsive to the needs of rebel returnees including adult offenders and children in conflict with the law.

Section 145. The Regional Government shall adopt insurance and social security measures responsive to the needs of its people to supplement existing privileges.

Section 146. The Regional Government, in cooperation with the private sector, shall promote housing programs where needed, which shall be financed under liberal credit terms and shall utilize indigenous materials, architecture and technology. Participation of housing cooperatives to administer the projects shall be encouraged.

Section 147. The Regional Government shall recognize and strengthen the role of the Cordillera women in nation-building. It shall ensure the full implementation of the Magna Carta of Women and all other existing laws that promote the welfare and protection of women.

Section 148. The Regional Government shall establish a comprehensive program on youth development, create the structures to implement the same and appropriate adequate funds to provide support for the program.

Section 149. The Regional Government shall promote and support duly established peoples' organizations and encourage the formation of organizations, especially those of the underprivileged.

ARTICLE XIII

PEACE AND ORDER

Section 150. The Regional Government shall promote and maintain peace and order and public safety in the region. It shall not allow private armies.

Section 151. The defense and security of the autonomous region shall be the responsibility of the national government with due recognition to recommendations from the Regional Government.

Section 152. The Regional Government shall have co-management over peace-keeping programs and initiatives and undertake close coordination with the Philippine National Police as well as the Armed Forces of the Philippines and other National Law Enforcement Agencies.

Section 153. 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:

- a. To prevent or suppress lawlessness, violence, invasion or rebellion, when the public safety so requires, in accordance with the provisions of the Constitution.

- b. To suppress the danger to or breach of peace in the autonomous region, when the police forces of the autonomous region are not able to do so.
- c. To avert any imminent danger to public order and security in the autonomous region.

Section 154. The Regional Government shall strengthen and enhance indigenous institutions or systems as may be applicable and found to be acceptable and effective in the promotion of social, political, economic and peace and order in the region. It shall provide for a system of incorporating indigenous practices in conflict resolution wherever and whenever applicable.

Section 155. The Police Regional Office-Cordillera (PRO-COR) shall remain as the primary peace keeping force of the autonomous region under the administration and control of the National Police Commission with the supervision of the Regional Governor. However, the PRO-COR shall be headed by a Regional Police Director who shall be assisted by regional deputy directors and preferably Cordillerans. The Regional Police Director shall be chosen by the Regional Governor from among five (5) nominees to be recommended by the Chief of the Philippine National Police.

ARTICLE XIV

GENERAL PROVISIONS

Section 156. This Organic Act shall be officially promulgated in Filipino and English and translated into the languages or dialects widely spoken in the autonomous region. In case of conflict, the English text shall prevail.

Section 157. The Congress may, upon recommendation of the Regional Assembly, adopt a new name for the Cordillera Autonomous Region.

Section 158. The Regional Government shall have a regional emblem and hymn.

ARTICLE XV

AMENDMENTS OR REVISIONS

Section 159. Any amendment to, or revision of this Act may be made by Congress upon recommendation of the majority of all members of the Regional Assembly.

Section 160. Any amendment to or revision of this Organic Act shall become effective when ratified by a majority of the votes cast in a plebiscite called for the purpose which shall be held not earlier than sixty (60) days nor later than ninety (90) days after the approval of such amendment or revision.

ARTICLE XVI

TRANSITORY PROVISIONS

Section 161. *Coverage of the Plebiscite.*

- a. The coverage of the plebiscite shall be the provinces of Abra, Apayao, Benguet, Ifugao, Kalinga, Mountain Province, the chartered City of Baguio and the component City of Tabuk, Kalinga.
- b. Any two or more provinces and/or cities voting favorably for this Organic Act in the plebiscite shall comprise the Cordillera Autonomous Region while those voting unfavorably for this Organic Act in the plebiscite shall revert to its mother region prior to the establishment of the Cordillera Administrative Region.

Section 162. Unless otherwise provided by law, the date of election of the first set of officials of the Regional Government shall be in the next local election following the ratification of this Organic Act in the plebiscite. Subsequent elections shall coincide with the nationwide local elections.

Section 163. For purposes of the first regional election, candidates must have actually resided in and be a registered voter in the region for at least seven (7) years immediately preceding the election: *Provided*, that they meet all other qualifications and none of the disqualifications under Article IV of this Organic Act.

Section 164. Except for the regional line agencies, the Cordillera Executive Board, the Cordillera Regional Assembly, and the Cordillera Bodong Administration as a commission, created under Executive Order No. 220, and the Cordillera Regional Development Council created by Executive Order No. 30 after the de-activation of the above-mentioned Cordillera bodies, shall cease to exist immediately upon the assumption of office of the Regional Governor.

For this purpose, all their funds, properties and assets shall automatically be transferred to the Regional Government. Their employees shall be given priority in the filling up of available vacant positions in the Regional Government, subject to civil service laws, rules and regulations.

Section 165. The seat of the Regional Government of CAR shall be determined by the majority of all members of the Regional Assembly: *Provided*, however, that the interim seat of the Regional Government shall be in the City of Baguio.

Section 166. Within one (1) month from the organization of the Regional Government, an Oversight Committee composed of the Executive Secretary as Chairperson, the Secretary of the Department of Budget and Management, the Cordillera Regional Governor, the presiding officer of the Cordillera Legislative Assembly, two (2) Senators to be designated by the Senate President, two (2) Representatives to be designated by the Speaker of the House of Representatives, the incumbent Chairperson and Co-Chairperson of the Regional

Development Council, the Secretary of the Department of Interior and Local Government, the Chairperson of NCIP 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 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 recommendation 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.

Section 167. Over and above that regularly given to Local Government Units and regional line agencies, the national government shall continue its annual allotment to the Regional Government. In addition, the national government shall provide the Cordillera Autonomous Region an annual assistance of Ten billion pesos (P10,000,000,000.00) for the first five (5) years and Five billion pesos (P5,000,000,000.00) for the next five (5) years to be allocated in the following manner:

- a. Twenty percent (20%) of the annual subsidy for the Regional Government shall be for regional infrastructure, livelihood and revenue generating projects.
- b. Six percent (6%) of the annual subsidy shall remain with the Regional Government as Trust Fund.
- c. The remaining seventy-four percent (74%) of the annual subsidy shall be allocated as follows:
 1. Twenty-three percent (23%) of the seventy-four percent (74%) shall be divided equally among the Provinces and Highly Urbanized Cities which shall be for infrastructure, livelihood and revenue generating projects.
 2. Two percent (2%) of the seventy-four percent (74%) for Component Cities which shall be for infrastructure, livelihood and revenue generating projects.
 3. Thirty-five percent (35%) of the seventy-four percent (74%) shall be divided equally among the Municipalities which shall be for infrastructure, livelihood and revenue generating projects.
 4. Forty percent (40%) of the seventy-four (74%) shall be divided equally among the Barangays for infrastructure, livelihood and revenue generating projects.

Section 168. *Disclosure and transparency.* Funds shall be available exclusively for the specific purpose for which they have been appropriated. Any officer of the Cordillera Autonomous Government whose duty permits or requires the possession, custody and

disbursement of the funds shall be accountable and responsible thereof. Financial records shall be kept, audited and made public annually or as often as may be necessary.

Section 169. The share of each local government unit shall be released without need of any further action, directly to the provincial, city, municipal or barangay treasurer, as the case may be on a quarterly basis within five (5) days after the end of each quarter, and which shall not be subject to any lien or hold back that may be imposed by the Regional Government for whatever purpose.

Section 170. The creation of the Cordillera Autonomous Region shall take effect when approved by a majority of the votes cast by the constituent units provided in Section 2, Article I of this Act, in a plebiscite which shall be held not earlier than three (3) months but not later than six (6) months after this Act takes effect: *Provided*, that only the provinces and cities voting favorably in such plebiscite shall be included in the Cordillera Autonomous Region.

The sum of One Hundred Twenty Five million pesos (PhP125,000,000.00) is hereby appropriated for the following purposes:

- a. Ten million pesos (PhP10,000,000.00) to be allotted to the Regional Development Council for the conduct of a well-coordinated Inter-Sectoral and Inter-agency Regional, Provincial, Municipal and Barangay information campaign on this Act.
- b. Fifty million pesos (PhP50,000,000.00) shall be equitably divided among the local government units.
- c. Twenty Five million pesos (PhP25,000,000.00) to be allotted to the Commission on Elections.
- d. Forty million pesos (PhP40,000,000.00) to be allotted to the Regional Government for its initial organizational requirements.

The Regional Development Council with the assistance of the Philippine Information Agency, and in consultation with the provincial/city governments, the Cordillera Association of Regional Executives, and other key stakeholders, shall determine the manner of campaigning and the deputization of government agencies, non-government organizations and other stakeholders for purposes of conducting a well-coordinated information campaign.

The amount of One Hundred Twenty Five million pesos (PhP125,000,000.00) as herein appropriated shall be charged against the contingent fund. Any deficiency thereof shall be taken from any available funds of the national government.

Section 171. Any provision or part of this Organic Act found to be invalid or unconstitutional shall not invalidate the provisions or parts thereof not affected thereby.

Section 172. All laws inconsistent with this Organic Act are hereby repealed or modified accordingly.

ARTICLE XVII

EFFECTIVITY

Section 173. This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers and all local newspapers of general circulation in the autonomous region.

Approved,