



Sixteenth Congress
Second Regular Session

HOUSE BILL NO. 5090

Introduced by Honorable Emmanuel D. Pacquiao

EXPLANATORY NOTE

This bill seeks to create a new municipality in the Province of Sarangani, to be known as the Municipality of Malandag which shall be composed of twelve barangays, namely: Malandag Proper, Alkikan, Atla-e, Banahaw, B'laan, Datal Batong, Datal Bila, Datal Tampal, Kibala, Kiblat, Malabod and Nagpan.

The twelve barangays belong to the Municipality of Malungon. Administratively the Municipality of Malungon is subdivided into 31 barangays. According to the 2010 census, Malungon has a population of 95,044 residents and based on the number of inhabitants, it is one of the most populous municipalities in the Philippines. With an area of 750.92 square kilometers, Malungon is also one of the principal municipalities in terms of land area in Region XII. However, the people of the twelve barangays have been clamoring for the creation of a separate municipality to improve and develop their social and economic condition. As a separate municipality, its expected shares in the internal revenue allotment (IRA) and in the local and real property taxes will allow it to effectively and efficiently deliver basic services. The creation of a new municipality will also enable the twelve barangays to chart their own development plans and programs to promote public health, safety and general welfare.

Under the Local Government Code of 1991, for a new municipality to be created, the average annual income of a municipality must be at least 2.5 Million Pesos for the immediately preceding two consecutive years based on the 1991 constant prices, as certified by the provincial treasurer. Also, the population must

be at least 25,000 inhabitants as certified by the National Statistics Office, and the proposed municipality must have a contiguous territory of at least 50 square kilometers as certified by the Land Management Bureau. The creation should not reduce the land area, population or income of the original municipality at the time of the creation to less than the minimum requirements. Based on the supporting documents and data submitted on July 23, 2014 by the Office of the Sangguniang Panlalawigan in the Province of Sarangani, the proposed municipality meets all the requirements set forth in the Local Government Code.

During the Twelfth Congress, a similar bill (House Bill No. 3754) entitled "*An Act Creating the Municipality of Malandag in the Province of Sarangani,*" was filed by then Representative Erwin L. Chiongbian. The bill was not enacted. Recognizing the value of this past legislative proposal, this representation refiles this measure with the fervent hope that the creation of the Municipality of Malandag will uplift the lives and well-being of its people.

In view of the foregoing, immediate approval of this bill is earnestly recommended.



EMMANUEL B. PACQUIAO

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HOUSE BILL NO. 5090

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AN ACT
CREATING THE MUNICIPALITY OF MALANDAG IN THE PROVINCE
OF SARANGANI

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

SECTION 1. ***Creation.*** – There is hereby created a new municipality in the Province of Sarangani to be known as the Municipality of Malandag.

SEC. 2. ***Seat of Municipal Government.*** – The seat of government of the new municipality shall be in Barangay Malandag Proper.

SEC. 3. ***Territorial Boundaries.*** – The Municipality of Malandag, composed of Barangays Malandag Proper, Alkikan, Atla-e, Banahaw, B'laan, Datal Batong, Datal Bila, Datal Tampal, Kibala, Kiblat, Malabod and Nagpan, all in the Province of Sarangani, is particularly described as follows:

Bounded on the Northwest along line 1-2 on the Municipality of Tupi, South Cotabato; along lines 2-4 by the Municipality of Tampakan, South Cotabato;

Bounded on the North and Northeast along lines 4-8 by the Province of Davao del Sur;

Bounded on the East along lines 8-12 by the Barangays of upper Biangan; along lines 12-26 by the Barangay of Malungon Poblacion; along lines 26-32 by Barangay lower Mainit; along lines 32-44 by Barangay Ampon; along lines 44-48 by Barangay Tamban all in the Municipality of Malungon; along lines 48-53 by the Municipality of Alabel, Sarangani;

Bounded on the South and Southeast along lines 53-88 by the City of General Santos;

Bounded on the Southwest along line 88 to the point of beginning by the Municipality of Polomotok, South Cotabato.

Beginning at the point marked "I" = MBM No.2, Mt Matutum (CAD 601).

LINE	BEARINGS	DISTANCE
1-2	N 27-00 E	9,450 m.
2-3	N 56-30 E	3,240 m.
3-4	N 50-00E	4,030 m.

4-5	N 88-00 E	3,920 m.
5-6	S 45-30 E	1,420 m.
6-7	S 47-30 E	1,660 m.
7-8	S 48-00 E	1,780 m.
8-9	S 37-00 E	1,640 m.
9-10	Following Blangan Creak Downstream	360 m.
10-11	- do -	1,320 m.
11-12	- do -	650 m.
12-13	S 30-30 W	5,000 m.
13-14	Following Mateo River Downstream	1,250 m.
14-15	S 86-30 E	210 m.
15-16	N 46-00 E	225 m.
16-17	S 43-00 E	440 m.
17-18	S 08-00 W	158 m.
18-19	N 48-00 E	400 m.
19-20	S 56-00 E	240 m.
20-21	S 38-00 E	2,350 m.
21-22	N 78-00 E	280 m.
22-23	S 83-00 E	352 m.
23-24	S 85-00 E	270 m.
24-25	S 73-30 E	507 m.

25-26	Following Majo Creek Downstream	2,257 m.
26-27	Following Malungon River Downstream	820 m.
27-28	- do -	520 m.
28-29	- do -	815 m.
29-30	- do -	1,150 m.
30-31	- do -	200 m.
31-32	- do -	600 m.
32-33	- do -	1,470 m.
33-34	- do -	350 m.
34-35	- do -	920 m.
35-36	- do -	810 m.
36-37	- do -	900 m.
37-38	- do -	940 m.
38-39	- do -	1,012 m.
39-40	- do -	550 m.
40-41	- do -	500 m.
41-42	- do -	680 m.
42-43	- do -	970 m.
43-44	- do -	880 m.
44-45	Following Buayan River Downstream	350 m.
45-46	- do -	1,120 m.

46-47	- do -	1,650 m.
47-48	- do -	800 m.
48-49	- do -	1,050 m.
49-50	- do -	1,280 m.
50-51	- do -	470 m.
51-52	- do -	650 m.
52-53	- do -	920 m.
53-54	N 63-00 W	360 m.
54-55	N 65-00 W	380 m.
55-56	N 83-00 W	180 m.
56-57	S 11-30 W	350 m.
57-58	S 73-00 W	300 m.
58-59	N 19-00 W	350 m.
59-60	S 86-30 W	270 m.
60-61	S 03-00 W	480 m.
61-62	S 40-00 W	560 m.
62-63	S 25-00 W	200 m.
63-64	S 55-00 E	400 m.
64-65	S 34-00 E	402 m.
65-66	S 54-00 W	200 m.
66-67	N 49-00 W	225 m.

67-68	N 74-00 W	450 m.
68-69	N 65-00 W	460 m.
69-70	S 36-00 W	240 m.
70-71	N 36-30 W	480 m.
71-72	Following Lakbay Creek Upstream	1,560 m.
72-73	- do -	870 m.
73-74	- do -	245 m.
74-75	- do -	230 m.
75-76	- do -	850 m.
76-77	- do -	980 m.
77-78	- do -	2,400 m.
78-79	- do -	290 m.
79-80	- do -	250 m.
80-81	- do -	750 m.
81-82	- do -	760 m.
82-83	- do -	280 m.
83-84	- do -	570 m.
84-85	- do -	650 m.
85-86	- do -	480 m.
86-87	N 18-00 W	1,480 m.
87-88	N 30-00 W	700 m.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of any boundary dispute or case involving questions of territorial jurisdiction between the Municipality of Malandag and the adjoining local government units (LGUs): *Provided*, That the territorial jurisdiction of the disputed area or areas shall remain with the LGU which has existing administrative supervision over said areas until the final resolution of the case.

SEC. 4. ***Plebiscite.*** – The Municipality of Malandag shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite to be conducted in the barangays comprising the Municipality of Malandag pursuant to Section 3 hereof and in the Municipality of Malungon, Province of Sarangani within thirty (30) days after the approval of this Act.

The Commission on Elections (COMELEC) shall conduct and supervise the plebiscite.

SEC. 5. ***Officials of the Municipality of Malandag.*** – Upon ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite, the mayor, the vice- mayor, and the members of the sangguniang bayan shall be appointed by the President of the Republic of the Philippines, in consultation with the representative of the congressional district and the provincial governor, and

shall serve until the new set of officials shall have been elected and qualified in the next local elections following the approval of this Act.

SEC. 6. ***Internal Revenue Allotment Shares.*** – During the first year of acquisition of its corporate existence, the Municipality of Malandag shall receive from the Department of Budget and Management the Internal Revenue Allotment (IRA) shares of barangays as provided in Section 3 hereof. Thereafter, the Municipality of Malandag and all the barangays comprising it shall be entitled to IRA shares pursuant to the provision of Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

SEC. 7. ***Appropriations.*** – The amount necessary to conduct the plebiscite as provided for under this Act shall be borne proportionately by the Municipality of Malungon and the barangays comprising the new Municipality of Malandag.

SEC. 8. ***Repealing Clause.*** – All laws, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,