

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
Second Regular Session

HOUSE BILL NO. 7413



Introduced by: Representatives Franz Josef George E. Alvarez,
Frederick F. Abueg,
and Gil P. Acosta

EXPLANATORY NOTE

This bill seeks to create three (3) new provinces by dividing the presently existing Province of Palawan into the provinces of Palawan Del Norte, Palawan Oriental, and Palawan Del Sur.

The Province of Palawan, the Philippines' "Last Frontier," is the 5th largest island in the Philippines, bigger than any region in terms of land area. It is an Archipelago within the archipelago of the Philippines Island. Its capital is the City of Puerto Princesa, but the City is governed independently from the province as a highly urbanized city. The Province is composed of 1,768 islands and islets and is complemented with a total coastline of 1,959 km. Its western and eastern shores are bordered by the West Philippine Sea and the Sulu Sea. The Palawan Passage bounds the northern portion of the province while the Celebes Sea bounds the southern portion.

Its total land area of 14,896.55 square kilometers is blessed with topography characterized by rolling to mountainous terrain, with irregular and indented coastlines of coves and bays. Rich in agricultural, mineral, and marine resources. Dubbed as the Oil Province of the Philippines producing oil and natural gas supplying the 45% of

the electricity of Luzon Island. Its continental shelf believed to have a vast deposit of oil and gas.

It is composed of twenty-three (23) municipalities, only eleven (11) of which are in mainland Palawan along with its capital, the City of Puerto Princesa. The twelve (12) other municipalities are island-municipalities located tens and even hundreds of miles from each other.

The efficiency and effectiveness in the delivery of basic public services by the Governor of Palawan, especially in times of emergencies and calamities, with its existing Capitol located in the heart of the City of Puerto Princesa, is hampered and made challenging by its geographical distance between the Capitol and the northern tip of mainland Palawan and the Southern tip of mainland Palawan. The total length of mainland Palawan is more or less 500 kilometers, almost the stretch of traveling from Bicol Region to the Ilocos Region. It is even made more difficult with supervising 12 Island Municipalities with farthest from the eastern side of Palawan Island, the municipality of Cagayancillo, a distance of 147 nautical miles from Puerto Princesa City, while in the Western side, the municipality of Kalayaan, a distance of 156 nautical miles from Puerto Princesa City, all of which require long and burdensome travels before these islands could be reached.

The 2015 national census placed the Province's total population at 849,469, excluding the total population of Puerto Princesa City at 256,116. This vibrant populace grows at a rate of 2.66%. From 2015, up to the expected commencement of corporate existence of the new provinces and legislative districts, the total population would have increased by more than 200,000 individuals.

The appropriation for the 2018 Internal Revenue Allotment (IRA) for the Province of Palawan is Php 2,372,731,456.00. The future IRA, which increases annually will be allocated proportionately to the 3 new provinces, in accordance with land areas and population.

The Philippine Constitution allows the division towards the creation of a new province. Article X, Section 10 of the Constitution provides that, *"No province, city, municipality, or barangay may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the local government code and"*

subject to the approval by a majority of the votes cast in a plebiscite in the political units directly affected."

The criteria for the establishment of new provinces are provided for in Title IV of the Local Government Code. It provides that:

Sec. 460. Manner of Creation. – A province may be created, divided, merged, abolished, or its boundary substantially altered, only by an Act of Congress and subject to the approval by a majority of the votes cast in a plebiscite to be conducted by the COMELEC in the local government unit or units directly affected. The plebiscite shall be held within one hundred twenty days (120) days from the date of the effectivity of said Act, unless otherwise provided therein.

Sec. 461. Requisites for Creation.

(a) A province may be created if it has an average annual income, as certified by the Department of Finance, of not less than Twenty million pesos (P20,000,000.00) based on 1991 constant prices and either of the following requisites:

- (i) a contiguous territory of at least two thousand (2,000) square kilometers, as certified by the Lands Management Bureau; or*
- (ii) a population of not less than two hundred fifty thousand (250,000) inhabitants as certified by the National Statistics Office:*

Provided, That, the creation thereof shall not reduce the land area, population, and income of the original unit or units at the time the said creation to less than the minimum requirements prescribed herein.

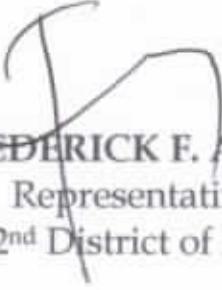
- (b) The territory need not be contiguous if it comprises two (2) or more islands or is separated by a chartered city or cities which do not contribute to the income of the province.*
- (c) The average annual income shall include the income accruing to the general fund, exclusive of special funds, trust funds, transfers and non-recurring income.*

The proposed division of Palawan into three provinces will be able to bring closer expanded services to areas not previously served. Resource management and delivery of basic public services will be more efficient as more government officials, both elected and appointed, will work on programs for the betterment of their constituents. With the approval of the proposed division, a progressive Palawan will be realized in the nearest future.

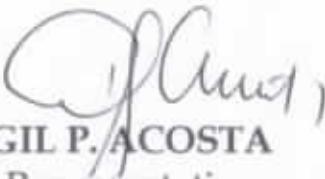
On the basis of the above premises, immediate passage of this vital piece of legislation is earnestly sought.



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1 **AN ACT CREATING THE PROVINCES OF PALAWAN DEL**
2 **NORTE, PALAWAN ORIENTAL, AND PALAWAN DEL SUR,**
3 **APPROPRIATING FUNDS THEREFOR AND FOR OTHER**
4 **PURPOSES**

5
6 Be it enacted by the Senate and House of Representatives in Congress
7 assembled:

8 **ARTICLE I**
9 **GENERAL PROVISIONS**

10 **Section 1. Title.** – This Act shall be known as the “*Charter of the Provinces*
11 *of Palawan.*”

12 **Section 2. Composition.**

13 The Province of Palawan is hereby divided into three provinces to be
14 known as Palawan Del Norte, Palawan Oriental, and Palawan Del Sur, in
15 the following manner:

16 The Province of Palawan Del Norte shall consist of that portion of the
17 present Province of Palawan which comprises the Municipalities of
18 Coron, Culion, Busuanga, Linapacan, Taytay, and El Nido;

23 The Province of Palawan Oriental, shall consist of the north eastern
24 portion of the present Province of Palawan, which comprises the
25 Municipalities of Roxas, Araceli, Dumaran, Cuyo, Agutaya, Magsaysay,
26 Cayancillo, and San Vicente;

27
28 The Province of Palawan Del Sur shall consist the remaining portion of
29 the present Province of Palawan which comprises the Municipalities of
30 Aborlan, Narra, Quezon, Rizal, Espanola, Brooke's Point, Bataraza,
31 Balabac, and Kalayaan.

32
33 **Section 3. Territorial Jurisdiction.**

34
35 Palawan Del Norte, Palawan Oriental, and Palawan Del Sur, as
36 territorial and political subdivisions of the Republic of the Philippines,
37 shall enjoy genuine and meaningful local autonomy and shall exercise
38 powers as political subdivisions of the national government within its
39 terrestrial and maritime jurisdiction as defined herein.

40
41 Palawan Del Norte, Palawan Oriental, and Palawan Del Sur comprises
42 all the islands of the present Province of Palawan that includes the area
43 defined by Presidential Decree No. 1596 and the Philippine Treaty
44 Limits; along the West Philippine Sea, the waters around, between, and
45 connecting the said islands that are treated as part of the National
46 Territory defined by Article I of the 1987 Constitution that includes the
47 Philippine Treaty Limits; along Mindoro Strait to the north and along
48 Sulu Sea to the east, an equidistant maritime boundary measured from
49 the low-tide mark of islands, rocks and reefs of the present Province of
50 Palawan and the coastal provinces of the said areas; and, along Balabac
51 Strait to the south, it extends to the Philippine Treaty Limits.

52
53 The boundaries of the provinces of Palawan Del Norte, Palawan
54 Oriental, and Palawan Del Sur for purposes of Section 6 of Article X of
55 the 1987 Constitution shall start from the common land boundaries
56 extending perpendicularly to the limits of the Exclusive Economic Zone
57 or Extended Continental Shelf to the west, and common maritime
58 boundaries in the north, east and south stated in the preceding
59 paragraph.

60
61 The terrestrial boundaries of each of the newly created provinces shall
62 be within the present metes and bounds of all the municipalities that

63 comprise the respective provinces but shall be without prejudice to the
64 resolution by the appropriate agency or forum of existing boundary
65 disputes or cases involving questions of territorial jurisdiction between
66 each province and adjoining local government units (LGUs): Provided,
67 That the territorial boundaries of the disputed area or areas shall remain
68 with the LGU, which has existing administrative supervision over said
69 area or areas until final resolution of the case.

70

71 **Section 4. Capital Town and Seat of Government.**

72

73 The capital town and seat of government of the new Palawan Del Norte
74 shall be the Municipality of Taytay.

75

76 The capital town and seat of government for the new Palawan Oriental
77 shall be the Municipality of Roxas.

78

79 The capital town and seat of government for the new Palawan Del Sur
80 shall be the Municipality of Brooke's Point.

81

82 **Section 5. Corporate Powers of the Provinces.**

83

84 Each province constitutes a political body corporate and as such is
85 endowed with the attributes of perpetual succession and possessed of
86 the powers which pertain to a provincial corporation to be exercised in
87 conformity with the provision of this Charter and the 1991 Local
88 Government Code, as amended. Each province shall have the following
89 corporate powers:

90

91 (a) To have a continuous succession in its corporate name;

92

93 (b) To sue and be sued;

94

95 (c) To have and use a corporate seal;

96

97 (d) To acquire, hold and convey real or personal property;

98

99 (e) To enter into contracts and/or agreements; and

100

101 (f) To exercise such other powers, prerogatives or authority subject to
102 the limitations provided in this Act or other laws.

103
104 **Section 6. General Powers.**
105
106 Each province shall have a common seal and may alter the same at its
107 pleasure: Provided, That any change of corporate seal shall be registered
108 with the Department of the Interior and Local Government (DILG). Each
109 province shall have the power to create its sources of revenue and to
110 levy taxes, fees and charges; to close and open roads, streets, alleys,
111 parks or squares; to take, purchase, receive, hold, lease, convey and
112 dispose of real and personal property for the general interests of the
113 province; to expropriate or condemn private property for public use; to
114 contract and to be contracted with; to sue and be sued; to prosecute and
115 defend to final judgment and execution suits wherein the province is
116 involved or interested in and to exercise all the powers as are granted to
117 corporations or as hereinafter granted, subject to the provisions of the
118 1991 Local Government Code, as amended.
119

120 **Section 7. Liability for Damages.**
121

122 Each province and their officials shall not be exempt from liability for
123 death or injury to persons or damage to property.
124

125 **Section 8. Legislative Districts.**
126

127 The newly created provinces of Palawan and the highly urbanized City
128 of Puerto Princesa shall each have its own legislative district effective
129 upon the election and qualification of its representative to be held on the
130 second Monday of May in the year 2022 simultaneous with the election
131 of the provincial officials of the three provinces.
132

133 Henceforth, the Legislative District of Palawan Del Norte shall comprise
134 of the Municipalities of Coron, Culion, Busuanga, Linapacan, Taytay,
135 and El Nido; the Legislative District of Palawan Oriental Province shall
136 comprise of the Municipalities of Roxas, Araceli, Dumaran, Cuyo,
137 Agutaya, Magsaysay, Cayancillo, and San Vicente; the Legislative
138 District of Palawan Del Sur shall comprise of the Municipalities of
139 Aborlan, Narra, Quezon, Rizal, Espanola, Brooke's Point, Bataraza,
140 Balabac, and Kalayaan; and the Legislative District of Puerto Princesa
141 City, for the highly urbanized City.
142

143 **Section 9. National Wealth.**

144

145 As political subdivisions of the national government, Palawan Del
146 Norte, Palawan Oriental, and Palawan Del Sur shall be entitled to
147 equitable shares in the proceeds of the utilization and development of
148 the national wealth within its terrestrial and maritime jurisdiction. The
149 term national wealth shall mean all natural resources situated along the
150 West Philippine Sea extending up to the limits of the Exclusive
151 Economic Zone or Extended Continental Shelf as defined by the United
152 Nations Convention on the Law of the Seas (UNCLOS) including lands
153 of public domain, waters, minerals, coal, petroleum, mineral oils,
154 potential energy forces, gas and oil deposits, forest products, wildlife,
155 flora and fauna, fishery and aquatic resources, and all quarry products.

156

157 To give more power to Palawan Del Norte, Palawan Oriental, and
158 Palawan Del Sur in accelerating economic development and upgrading
159 the quality of life of the people, Palawan Del Norte, Palawan Oriental,
160 and Palawan Del Sur, in addition to the internal revenue allotment, shall
161 have a combined share of not less than forty percent (40%) of the gross
162 collection derived by the National Government from the preceding fiscal
163 year from the following:

164

165 (a) Mining taxes, royalties, forestry and fishery charges, and such other
166 taxes, fees, or charges, including related surcharges, interests, or fines,
167 and from its share in any co-production, joint venture or production
168 sharing agreement in the utilization and development of the national
169 wealth within their territorial jurisdiction.

170

171 (b) Administrative charges enumerated herein accruing to the National
172 Government whether collected by the National Government collecting
173 agencies or, in certain cases, by Palawan Del Norte, Palawan Oriental, or
174 Palawan Del Sur.

175

176 (c) Proceeds from the development and utilization of national wealth
177 where Palawan Del Norte, Palawan Oriental, or Palawan Del Sur
178 actually collect and automatically retains its share of at least forty
179 percent (40%) of such proceeds shall not form part of the revenue base in
180 the computation of the forty percent (40%) share.

181

182 Palawan Del Norte, Palawan Oriental, and Palawan Del Sur shall each
183 have a share based on the preceding fiscal year from the proceeds
184 derived by any NGA or GOCC engaged in the utilization and
185 development of the national wealth based on the following formula
186 whichever will produce higher share for Palawan Del Norte, Palawan
187 Oriental, and Palawan Del Sur:

188
189 (a) One percent (1%) of the gross sales or receipts of the preceding
190 calendar year; or

191
192 (b) Forty percent (40%) of the mining taxes, royalties, forestry and
193 fishery charges and such other taxes, fees or charges, including related
194 surcharges, interests, or fines the NGA or GOCC would have paid if it
195 were not otherwise exempt.

196
197 The shares referred to in the preceding paragraphs shall be divided
198 equally among Palawan Del Norte, Palawan Oriental, and Palawan Del
199 Sur and automatically released. The share of each province shall further
200 be divided in favor of municipalities and barangays, which should also
201 be automatically released, as follows:

202
203 (a) Province: 60%;

204
205 (b) Municipality: 24%; and,

206
207 (c) Barangay: 16%

208
209 **Section 10. Jurisdiction of each Province.**

210
211 The jurisdiction of each Province, for police purposes only, shall be
212 coextensive with its respective territorial boundary and for the purpose
213 of protecting and ensuring the purity of the water supply of each
214 province, such police jurisdiction shall also extend over all the territory
215 within the drainage area of such water supply source, or within one
216 hundred (100) meters of any reservoir, conduit, canal, aqueduct or
217 pumping station used in connection with each province's water service.

218
219 The Regional Trial Courts and other courts of adjoining municipalities
220 shall continue to try crimes and misdemeanors committed within the
221 mandated jurisdiction of the new provinces.

222
223 Any license that may be issued within said zone, area or space shall be
224 granted by the proper authorities of the province or municipality
225 concerned, and the fees arising therefrom shall accrue to the treasury of
226 the said province or municipality, as the case may be.

227
228 **ARTICLE II**
229 **PROVINCIAL OFFICIALS IN GENERAL**
230

231 **Section 11. Officials of the Provincial Government.**

232
233 (a) There shall be in each of the newly created Province: a provincial
234 governor, a provincial vice governor, the regular members of the
235 sangguniang panlalawigan, a secretary to the sangguniang
236 panlalawigan, a provincial treasurer, a provincial assessor, a provincial
237 accountant, a provincial budget officer, a provincial planning and
238 development coordinator, a provincial engineer, a provincial health
239 officer, a provincial administrator, a provincial legal officer, a provincial
240 agriculturist, a provincial social welfare and development officer, a
241 provincial veterinarian and a provincial general services officer.

242
243 (b) In addition thereto, the provincial governor may appoint a provincial
244 architect, a provincial population officer, a provincial environment and
245 natural resources officer, a provincial cooperatives officer and a
246 provincial information officer.

247
248 (c) The sangguniang panlalawigan may:

249
250 (1) Maintain existing offices not mentioned in subsections (a) and (b)
251 hereof;

252
253 (2) Create such other offices as may be necessary to carry out the
254 purposes of the provincial government; or

255
256 (3) Consolidate the functions of any office with those of another in the
257 interest of efficiency and economy.

258
259 Unless otherwise provided herein or in the 1991 Local Government
260 Code, as amended, the heads of departments and offices shall be
261 appointed by the provincial governor with the concurrence of a majority

262 of all the sangguniang panlalawigan members, subject to civil service
263 law, rules and regulations. The sangguniang panlalawigan shall act on
264 the appointment within fifteen (15) days from the day of its submission;
265 otherwise, the same shall be deemed confirmed.

266
267 **Section 12. Residence and Office.** During the incumbency of the
268 provincial governor, he or she shall have his or her official residence and
269 office in the capital of the province. All elective and appointive
270 provincial officials shall hold office in the provincial capital: Provided,
271 That, upon the resolution of the sangguniang panlalawigan, elective and
272 appointive provincial officials may hold office in any component city or
273 municipality within the province for a period of not more than seven (7)
274 days for any given month.

275
276 Elective and appointive provincial officials shall receive such
277 compensation, allowances and other emoluments as may be determined
278 by law or ordinance, subject to the budgetary limitations on personal
279 services prescribed under Title V, Book II of the Local Government Code
280 of 1991, as amended: Provided, That, no increase in compensation shall
281 take effect until after the expiration of the full term of all the elective
282 officials approving such increase.

ARTICLE III ELECTIVE PROVINCIAL OFFICIALS

287 **Section 13. The Provincial Governor.** (a) The provincial governor, as the
288 chief executive of the provincial government, shall exercise such powers
289 and perform such duties and functions as provided for in the Local
290 Government Code of 1991, as amended, and other laws.

291 (b) For efficient, effective and economical governance, the purpose of
292 which is the general welfare of the province and its inhabitants pursuant
293 to Section 16 of the Local Government Code of 1991, as amended, the
294 provincial governor shall:

296
297 (1) Exercise general supervision and control over all programs, projects,
298 services and activities of the provincial government and, in this
299 connection shall:

301 (i) Determine the guidelines of provincial policies and be responsible to
302 the sangguniang panlalawigan for the program of the government;

304 (ii) Direct the formulation of the provincial development plan, with the
305 assistance of the provincial development council and upon approval
306 thereof by the sangguniang panlalawigan, implement the same;

308 (iii) Present the program of government and propose policies and
309 projects for the consideration of the sangguniang panlalawigan at the
310 opening of the regular session of the sangguniang panlalawigan every
311 calendar year and as often as may be deemed necessary as the general
312 welfare of the inhabitants and the needs of the provincial government
313 may require;

315 (iv) Initiate and propose legislative measures to the sangguniang
316 panlalawigan and as often as may be deemed necessary, provide such
317 information and data needed or requested by said sangguniang
318 panlalawigan in the performance of its legislative functions;

320 (v) Appoint all officials and employees whose salaries and wages are
321 wholly or mainly paid out of provincial funds and whose appointments
322 are not otherwise provided for in this Act as well as those he or she may
323 be authorized by law to appoint;

325 (vi) Represent the province in all its business transactions and sign in its
326 behalf all bonds, contracts and obligations, and such other documents
327 upon the authority of the sangguniang panlalawigan or pursuant to law
328 or ordinance;

330 (vii) Carry out such emergency measures as may be necessary during
331 and in the aftermath of man-made and natural disasters and calamities;

333 (viii) Determine the time, manner and place of payment of salaries or
334 wages of the provincial officials and employees, in accordance with law
335 or ordinance;

337 (ix) Allocate and assign office space to the provincial and other officials
338 and employees who, by law or ordinance, are entitled to such space in
339 the provincial capitol and other buildings owned or leased by the
340 provincial government;

341
342 (x) Ensure that all executive officials and employees of the province
343 faithfully discharge their duties and functions as provided for by law
344 and the Local Government Code of 1991, as amended, and cause to be
345 instituted administrative or judicial proceedings against any official or
346 employee of the province who may have committed an offense in the
347 performance of his or her official duties;

348
349 (xi) Examine the books, records and other documents of all offices,
350 officials, agents or employees of the province and, in aid of his or her
351 executive powers and authority, require all national officials and
352 employees stationed in the province to make available to him or her
353 such books, records and other documents in their custody, except those
354 classified by law as confidential;

355
356 (xii) Furnish copies of executive orders issued by him or her to the Office
357 of the President within seventy-two (72) hours after their issuance;

358
359 (xiii) Visit component cities and municipalities of the province at least
360 once every six (6) months to deepen his or her understanding of
361 problems and conditions, listen and give appropriate counsel to local
362 officials and inhabitants, inform the officials and inhabitants of
363 component cities and municipalities of general laws and ordinances
364 which especially concern them, and otherwise conduct visits and
365 inspections to ensure that the governance of the province will improve
366 the quality of life of the inhabitants;

367
368 (xiv) Act on leave applications of officials and employees appointed by
369 him or her and the commutation of the monetary value of their leave
370 credits in accordance with law;

371
372 (xv) Authorize official trips of provincial officials and employees outside
373 of the province for a period not exceeding thirty (30) days;

374
375 (xvi) Call upon any national official or employee stationed in or assigned
376 to the province to advise him or her on matters affecting the province
377 and to make recommendations thereon; coordinate with the said official
378 or employee in the formulation and implementation of plans, programs
379 and projects; and, when appropriate, initiate an administrative or
380 judicial action against a national government official or employee who

381 may have committed an offense in the performance of his or her duties
382 while stationed in or assigned to the province;

383

384 (xvii) Authorize payment for medical care, necessary transportation,
385 subsistence, hospital or medical fees of provincial officials and
386 employees who are injured while in the performance of their official
387 duties and functions, subject to the availability of funds;

388

389 (xviii) Represent the province in inter-provincial or regional sports
390 councils or committees, and coordinate the efforts of component cities or
391 municipalities in the regional or national palaro or sports development
392 activities;

393

394 (xix) Conduct an annual palarong panlalawigan, which shall feature
395 traditional sports and disciplines included in national and international
396 games, in coordination with the Department of Education (DepED); and

397

398 (xx) Submit to the Office of the President the following reports: an
399 annual report containing a summary of all matters pertinent to the
400 management, administration and development of the province and all
401 information and data relative to its political, social and economic
402 conditions; and supplemental reports when unexpected events and
403 situations arise at any time during the year, particularly when man-
404 made or natural disasters or calamities affect the general welfare of the
405 province, region or country;

406

407 (2) Enforce all laws and ordinances relative to the governance of the
408 province and the exercise of the appropriate corporate powers provided
409 for in Section 22 of the Local Government Code of 1991, as amended;
410 implement all approved policies, programs, projects, services and
411 activities of the province; and, in addition to the foregoing, shall:

412

413 (i) Ensure that the acts of the component cities and municipalities of the
414 province and of its officials and employees are within the scope of their
415 prescribed powers, duties and functions;

416

417 (ii) Call conventions, conferences, seminars or meetings of any elective
418 and appointive officials of the province and its component cities and
419 municipalities, including national officials and employees stationed in or
420 assigned to the province, at such time and place and on such subject as

421 he or she may deem important for the promotion of the general welfare
422 of the province and its inhabitants;

423

424 (iii) Issue such executive orders for the faithful and appropriate
425 enforcement and execution of laws and ordinances;

426

427 (iv) Be entitled to carry the necessary firearms within his or her
428 territorial jurisdiction;

429

430 (v) In coordination with the mayors of component cities and
431 municipalities and the National Police Commission, formulate the peace
432 and order plan of the province and upon its approval, implement the
433 same in accordance with Republic Act No. 6975; and

434

435 (vi) Call upon the appropriate national law enforcement agencies to
436 suppress disorder, riot, lawless violence, rebellion or sedition or to
437 apprehend violators of the law when public interest so requires and the
438 police forces of the component city and municipality where the disorder
439 or violation is happening are inadequate to cope with the situation or
440 the violators;

441

442 (3) Initiate and maximize the generation of resources and revenues, and
443 apply the same to the implementation of development plans, program
444 objectives and priorities as provided for under Section 18 of the Local
445 Government Code of 1991, as amended, particularly those resources and
446 revenues programmed for agro-industrial development and
447 countrywide growth and progress and, relative thereto, shall;

448

449 (i) Require each head of an office or department to prepare and submit
450 an estimate of appropriations for the ensuing calendar year, in
451 accordance with the budget preparation process under Title V, Book II of
452 the Local Government Code of 1991, as amended;

453

454 (ii) Prepare and submit to the sangguniang panlalawigan for approval
455 the executive and supplemental budgets of the province for the ensuing
456 calendar year in the manner provided for under Title V, Book II of the
457 Local Government Code of 1991, as amended;

458

459 (iii) Ensure that all taxes and other revenues of the province are
460 collected, and that provincial funds are applied to the payment of

461 expenses and the settlement of obligations of the province, in accordance
462 with law or ordinance;

463

464 (iv) Issue licenses and permits and suspend or revoke the same for any
465 violation of the conditions upon which said licenses or permits had been
466 issued, pursuant to law or ordinance;

467

468 (v) Adopt adequate measures to safeguard and conserve land, mineral,
469 marine, forest and other resources of the province, in coordination with
470 the mayors of component cities and municipalities;

471

472 (vi) Provide efficient and effective property and supply management in
473 the province; and protect the funds, credits, rights and other properties
474 of the province; and

475

476 (vii) Institute or cause to be instituted administrative or judicial
477 proceedings for violations of ordinances in the collection of taxes, fees or
478 charges, and for the recovery of funds and property, and cause the
479 province to be defended against all suits to ensure that its interests,
480 resources and rights shall be adequately protected;

481

482 (4) Ensure the delivery of basic services and the provision of adequate
483 facilities as provided for under Section 17 of the Local Government Code
484 of 1991, as amended and, in addition thereto, shall:

485

486 (i) Ensure that the construction and repair of roads and highways
487 funded by the national government shall be, as far as practicable, carried
488 out in a spatially contiguous manner and in coordination with the
489 construction and repair of the roads and bridges of the province and of
490 its component cities and municipalities; and

491

492 (ii) Coordinate the implementation of technical services by national
493 offices for the province and its component cities and municipalities,
494 including public works and infrastructure programs of the provincial
495 government and its component cities and municipalities; and

496

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

499

500 The provincial governor shall receive a minimum monthly
501 compensation corresponding to Salary Grade Thirty (30) as prescribed
502 under Republic Act No. 6758, as amended, and the implementing
503 guidelines issued pursuant thereto.

504

505 **Section 14. The Provincial Vice Governor.**

506

507 (a) The provincial vice governor shall:

508

509 (1) Be the presiding officer of the sangguniang panlalawigan and sign all
510 warrants drawn on the provincial treasury for all expenditures
511 appropriated for the operation of the sangguniang panlalawigan;

512

513 (2) Subject to civil service law, rules and regulations, appoint all officials
514 and employees of the sangguniang panlalawigan, except those whose
515 manner of appointment is specifically provided for under existing laws;

516

517 (3) Assume the office of the provincial governor for the unexpired term
518 of the latter in the event of permanent vacancy as provided for in Section
519 44, Book I of the Local Government Code of 1991, as amended;

520

521 (4) Exercise the powers and perform the duties and functions of the
522 provincial governor in case of temporary vacancy as provided for in
523 Section 46, Book I of the Local Government Code of 1991, as amended;
524 and

525

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

528

529 (b) The provincial vice governor shall receive a monthly compensation
530 corresponding to Salary Grade Twenty-eight (28) as prescribed under
531 Republic Act No. 6758, as amended, and the implementing guidelines
532 issued pursuant thereto.

533

534 **ARTICLE IV**
535 **THE SANGGUNIANG PANLALAWIGAN**

536

537 **Section 15. Composition.**

538

539 (a) The sangguniang panlalawigan, the legislative body of the province,
540 shall be composed of the provincial vice governor as the presiding
541 officer, the regular sangguniang panlalawigan members, the president
542 of the provincial chapter of the liga ng mga barangay, the president of
543 the panlalawigang pederasyon ng mga sangguniang kabataan, the
544 president of the provincial federation of sanggunian members of
545 municipalities and component cities and the three (3) sectoral
546 representatives, as members, who shall come from the following sectors:
547 one (1) from the women sector; and, as shall be determined by the
548 sangguniang panlalawigan within ninety (90) days prior to the holding
549 of the local elections, one (1) from the agricultural or industrial workers
550 sector; and one (1) from the other sectors, including the urban poor,
551 indigenous cultural communities or persons with disability.

552
553 (b) The regular members of the sangguniang panlalawigan and the
554 sectoral representatives shall be elected in the manner as provided for by
555 law, and shall receive a monthly compensation corresponding to Salary
556 Grade Twenty-seven (27) as prescribed under Republic Act No. 6758, as
557 amended, and the implementing guidelines issued pursuant thereto.

558
559 **Section 16. Powers, Duties, Functions and Compensation.**

560
561 (a) The sangguniang panlalawigan, as the legislative body of the
562 province, shall enact ordinances, approve resolutions and appropriate
563 funds for the general welfare of the province and its inhabitants
564 pursuant to Section 16 of the Local Government Code of 1991, as
565 amended, and in the proper exercise of the corporate powers of the
566 province as provided for under Section 22 of the Local Government
567 Code of 1991, as amended, and shall:

568
569 (1) Approve all ordinances and pass resolutions necessary for an
570 efficient and effective provincial government and, in this connection,
571 shall:

572
573 (i) Review all ordinances approved by the sanggunians of component
574 cities and municipalities and executive orders issued by the mayors of
575 said component units to determine whether these are within the scope of
576 the prescribed powers of the sanggunian and of the mayor;

577

578 (ii) Maintain peace and order by enacting measures to prevent and
579 suppress lawlessness, disorder, riot, violence, rebellion or sedition and
580 impose penalties for the violation of said ordinances;

581

582 (iii) Approve ordinances imposing a fine not exceeding Five thousand
583 pesos (P5,000.00) or an imprisonment not exceeding one (1) year, or
584 both, in the discretion of the court, for the violation of a provincial
585 ordinance;

586

587 (iv) Adopt measures to protect the inhabitants of the province from the
588 harmful effects of man-made or natural disasters and calamities, and to
589 provide relief services and assistance for victims during and in the
590 aftermath of said disasters and calamities and their return to productive
591 livelihood following said events;

592

593 (v) Enact ordinances intended to prevent, suppress and impose
594 appropriate penalties for habitual drunkenness in public places,
595 vagrancy, mendicancy, prostitution, the establishment and maintenance
596 of houses of ill repute, gambling and other prohibited games of chance,
597 fraudulent devices and ways to obtain money or property, drug
598 addiction, maintenance of drug dens, drug pushing, juvenile
599 delinquency, the printing, distribution or exhibition of obscene or
600 pornographic materials or publication, and such other activities inimical
601 to the welfare and morals of the inhabitants of the province;

602

603 (vi) Protect the environment and impose appropriate penalties for acts
604 which endanger the environment, such as dynamite fishing and other
605 forms of destructive fishing, illegal logging and smuggling of logs,
606 smuggling of natural resources products and of endangered species of
607 flora and fauna, slash-and-burn farming and such other activities which
608 result in pollution, acceleration of eutrophication of rivers and lakes, or
609 of ecological imbalance;

610

611 (vii) Subject to the provisions of the Local Government Code of 1991, as
612 amended, and pertinent laws, determine the powers and duties of
613 officials and employees of the province;

614

615 (viii) Determine the positions and salaries, wages, allowances and other
616 emoluments and benefits of officials and employees paid wholly or
617 mainly from provincial funds and provide for expenditures necessary

618 for the proper conduct of programs, projects, services and activities of
619 the provincial government;

620
621 (ix) Authorize the payment of compensation to a qualified person not in
622 the government service who fills in a temporary vacancy or grant
623 honorarium to any qualified official or employee designated to fill a
624 temporary vacancy in a concurrent capacity at the rate authorized by
625 law;

626
627 (x) Provide mechanism and the appropriate funds therefore to ensure
628 the safety and protection of all provincial government property, public
629 documents or records such as those relating to property inventory, land
630 ownership, records of births, marriages, deaths, assessments, taxation,
631 accounts, business permits and such other records and documents of
632 public interest in the offices and departments of the provincial
633 government; and

634
635 (xi) When the finances of the provincial government allow, provide for
636 additional allowances and other benefits to judges, prosecutors, public
637 elementary and high school teachers, and other national government
638 officials stationed or assigned to the province;

639
640 (2) Generate and maximize the use of resources and revenues for the
641 development plans, program objectives and priorities of the province as
642 provided for under Section 18 of the Local Government Code of 1991, as
643 amended, with particular attention to agro-industrial development and
644 countrywide growth and progress and, relative thereto, shall:

645
646 (i) Enact the annual and supplemental appropriations of the provincial
647 government and appropriate funds for specific programs, projects,
648 services and activities of the province, or for other purposes not contrary
649 to law, in order to promote the general welfare of the province and its
650 inhabitants;

651
652 (ii) Subject to the provisions of Book II of the Local Government Code of
653 1991, as amended and applicable laws and, upon the majority vote of all
654 the members of the sangguniang panlalawigan, enact ordinances
655 levying taxes, fees and charges, prescribing the rates thereof for general
656 and specific purposes and granting tax exemptions, incentives or reliefs;

657

658 (iii) Subject to the provisions of Book II of the Local Government Code of
659 1991, as amended and applicable laws and, upon the majority vote of all
660 the members of the sangguniang panlalawigan, authorize the provincial
661 governor to negotiate and contract loans and other forms of
662 indebtedness;

663

664 (iv) Subject to the provisions of Book II of the Local Government Code of
665 1991, as amended and applicable laws and, upon the majority vote of all
666 the members of the sangguniang panlalawigan, enact ordinances
667 authorizing the floating of bonds or other instruments of indebtedness,
668 for the purpose of raising funds to finance development projects;

669

670 (v) Appropriate funds for the construction and maintenance or the rental
671 of buildings for the use of the province and, upon the majority vote of all
672 the members of the sangguniang panlalawigan, authorize the provincial
673 governor to lease to private parties such public buildings held in a
674 proprietary capacity, subject to existing laws, rules and regulations;

675

676 (vi) Prescribe reasonable limits and restraints on the use of property
677 within the jurisdiction of the province;

678

679 (vii) Review the comprehensive land use plans and zoning ordinances of
680 component cities and municipalities and adopt a comprehensive
681 provincial land use plan, subject to existing laws; and

682

683 (viii) Adopt measures to enhance the full implementation of the national
684 agrarian reform program in coordination with the Department of
685 Agrarian Reform (DAR);

686

687 (3) Subject to the provisions of Book II of the Local Government Code of
688 1991, as amended, grant franchises, approve the issuance of permits or
689 licenses, or enact ordinances levying taxes, fees and charges upon such
690 conditions and for such purposes intended to promote the general
691 welfare of the inhabitants of the province and, pursuant to the legislative
692 authority, shall:

693

694 (i) Fix and impose reasonable fees and charges for all services rendered
695 by the provincial government to private persons or entities; and

696

697 (ii) Regulate and fix the license fees for such activities as provided for
698 under the Local Government Code of 1991, as amended;

699

700 (4) Approve ordinances which shall ensure the efficient and effective
701 delivery of the basic services and facilities as provided in Section 17 of
702 the Local Government Code of 1991, as amended, and, in addition to
703 said services and facilities, shall:

704

705 (i) Adopt measures and safeguards against pollution and for the
706 preservation of the natural ecosystem in the province, in consonance
707 with approved standards on human settlements and environmental
708 sanitation;

709

710 (ii) Subject to applicable laws, facilitate or provide for the establishment
711 and maintenance of a waterworks system or district waterworks for
712 supplying water to inhabitants of component cities and municipalities;

713

714 (iii) Subject to the availability of funds and to existing laws, rules and
715 regulations, provide for the establishment and operation of vocational
716 and technical schools and similar post-secondary institutions and, with
717 the approval of the DepED and subject to existing laws on tuition fees,
718 fix reasonable tuition fees and other school charges in educational
719 institutions supported by the provincial government;

720

721 (iv) Establish a scholarship fund for the poor but deserving students in
722 schools located within its jurisdiction or of students residing within the
723 province;

724

725 (v) Approve measures and adopt quarantine regulations to prevent the
726 introduction and spread of diseases within its territorial jurisdiction;

727

728 (vi) Provide for the care of paupers, the aged, the sick, persons of
729 unsound mind, abandoned minors, abused children, disabled persons,
730 juvenile delinquents, drug dependents, and other needy and
731 disadvantaged persons, particularly children and youth below eighteen

732 (18) years of age; subject to the availability of funds, establish and
733 support the operation of centers and facilities for said needy and
734 disadvantaged persons; and facilitate the efforts to promote the welfare
735 of families below the poverty threshold, the disadvantaged and the
736 exploited;

737

738 (vii) Establish and provide for the maintenance and improvement of jails
739 and detention centers, institute a sound jail management program and
740 appropriate funds for the subsistence of detainees and convicted
741 prisoners in the province;

742

743 (viii) Establish a provincial council whose purpose is the promotion of
744 culture and the arts, coordinate with government agencies and
745 nongovernmental organizations and, subject to the availability of funds,
746 appropriate funds for the support and development of the same; and

747

748 (ix) Establish a provincial council for the elderly which shall formulate
749 policies and adopt measures mutually beneficial to the elderly and to the
750 province; subject to the availability of funds, appropriate funds to
751 support programs and projects for the elderly; and provide incentives
752 for nongovernmental agencies and entities to support the programs and
753 projects of the elderly; and

754

755 (5) Exercise such other powers and perform such other duties and
756 functions as provided for under the Local Government Code of 1991, as
757 amended, and as may be prescribed by law or ordinance.

758

759

760

761

ARTICLE V
PROCESS OF LEGISLATION

762

Section 17. Internal Rules of Procedure.

763

764 (a) On the first regular session following the election of its members and
765 within ninety (90) days thereafter, the sangguniang panlalawigan shall
766 adopt or update its existing rules of procedure.

767

768 (b) The rules of procedure shall provide for the following:

769

770 (1) The organization of the sanggunian and the election of its officers as
771 well as the creation of standing committees which shall include, but
772 shall not be limited to, the committees on appropriations, women and
773 family, human rights, youth and sports development, environment
774 protection, peace and order and traffic, and cooperatives; the general
775 jurisdiction of each committee; and the election of the chairman and
776 members of each committee;

777
778 (2) The order and calendar of business for each session;
779
780 (3) The legislative process;
781
782 (4) The parliamentary procedures which include the conduct of
783 members during sessions;
784
785 (5) The discipline of members for disorderly behavior and absences
786 without justifiable cause for four (4) consecutive sessions for which they
787 may be censured, reprimanded or excluded from the session, suspended
788 for not more than sixty (60) days, or expelled: Provided, That the penalty
789 of suspension or expulsion shall require the concurrence of at least two-
790 thirds (2/3) of all the sanggunian members: Provided, further, That a
791 member convicted by final judgment to imprisonment of at least one (1)
792 year for any crime involving moral turpitude shall be automatically
793 expelled from the sanggunian; and
794
795 (6) Such other rules as the sanggunian may adopt.

796
797 **Section 18. Full Disclosure of Financial and Business Interests of**
798 **Sangguniang Panlalawigan Members.**

799
800 (a) Every sangguniang panlalawigan member shall, upon assumption to
801 office, make a full disclosure of his or her business and financial
802 interests. He or she shall also disclose any business financial,
803 professional relationship or any relation by affinity or consanguinity
804 within the fourth civil degree, which he or she may have with any
805 person, firm or entity affected by any ordinance or resolution under
806 consideration by the sanggunian of which he or she is a member, which
807 relationship may result in conflict of interest. Such relationship shall
808 include:

809
810 (1) Ownership of stocks or capital, or investment in the entity or firm to
811 which the ordinance or resolution may apply; and
812
813 (2) Contracts or agreement with any person or entity which the
814 ordinance or resolution under consideration may affect.

816 In the absence of a specific constitutional or statutory provisions
817 applicable to this situation, "conflict of interest" refers in general to one
818 where it may be reasonably deduced that a member of a sangguniang
819 panlalawigan may not act in the public interest due to some private,
820 pecuniary or other personal considerations that may tend to affect his or
821 her judgment to the prejudice of the service or the public.

822
823 (b) The disclosure required under this Act shall be made in writing and
824 submitted to the secretary of the sanggunian or the secretary of the
825 committee of which he or she is a member. The disclosure shall, in all
826 cases, form part of the record of the proceedings and shall be made in
827 the following manner:

828
829 (1) Disclosure shall be made before the member participates in the
830 deliberations on the ordinance or resolution under consideration:
831 Provided, That if the member did not participate during the
832 deliberations, the disclosure shall be made before voting on the
833 ordinance or resolution on second and third readings; and

834
835 (2) Disclosure shall be made when a member takes a position or makes a
836 privilege speech on a matter that may affect the business interest,
837 financial connection or professional relationship described herein.

838
839 **Section 19. Sessions.**

840
841 (a) On the first day of session immediately following the election of its
842 members, the sangguniang panlalawigan shall, by resolution, fix the
843 day, time and place of its regular sessions. The minimum number of
844 regular sessions of the sangguniang panlalawigan shall be once a week.

845
846 (b) When the public interest so demands, special sessions may be called
847 by the provincial governor or by a majority of the members of the
848 sanggunian.

849
850 (c) All sanggunian sessions shall be open to the public unless a closed-
851 door session is ordered by an affirmative vote of a majority of the
852 members present, there being a quorum, in the public interest or for
853 reasons of security, decency or morality. No two (2) sessions, regular or
854 special, may be held in a single day.

856 (d) In the case of special sessions of the sanggunian, a written notice to
857 the members shall be served personally at the members' usual place of
858 residence at least twenty-four (24) hours before the special session is
859 held.

860

861 Unless otherwise concurred in by two-thirds (2/3) vote of the
862 sanggunian members present, there being a quorum, no other matters
863 may be considered at a special session except those stated in the notice.

864

865 (e) The sanggunian shall keep a journal and a record of its proceedings
866 which may be published upon resolution of the sangguniang
867 panlalawigan.

868

869 **Section 20. Quorum.**

870

871 (a) A majority of all the members of the sanggunian who have been
872 elected and qualified shall constitute a quorum to transact official
873 business. Should a question of quorum be raised during the session, the
874 presiding officer shall immediately proceed to call the roll of the
875 members and thereafter announce the results.

876

877 (b) Where there is no quorum, the presiding officer may declare a recess
878 until such time a quorum is constituted, or a majority of the members
879 present may adjourn from day to day and may compel the immediate
880 attendance of any member absent without justifiable cause by
881 designating a member of the sanggunian, to be assisted by a member or
882 members of the police force assigned in the territorial jurisdiction of the
883 province, to arrest the absent member and present him or her at the
884 session.

885

886 (c) If there is still no quorum despite the enforcement of the immediately
887 preceding subsection, no business shall be transacted. The presiding
888 officer, upon proper motion duly approved by the members present,
889 shall then declare the session adjourned for lack of quorum.

890

891 **Section 21. Approval of Ordinances.**

892

893 (a) Every ordinance enacted by the sangguniang panlalawigan shall be
894 presented to the provincial governor. If the provincial governor
895 approves the same, he or she shall affix his or her signature on each and

896 every page thereof; otherwise, he or she shall veto it and return the same
897 with his or her objections to the sanggunian, which may proceed to
898 reconsider the same. The sanggunian may override the veto of the
899 provincial governor by two-thirds (2/3) vote of all its members, thereby
900 making the ordinance or resolution effective for all legal intents and
901 purposes.

902
903 (b) The veto shall be communicated by the provincial governor to the
904 sangguniang panlalawigan within fifteen (15) days; otherwise, the
905 ordinance shall be deemed approved as if he or she had signed it.

906
907 **Section 22. Veto Power of the Provincial Governor.**

908
909 (a) The provincial governor may veto any ordinance of the sangguniang
910 panlalawigan on the ground that it is prejudicial to the public welfare,
911 stating his or her reasons thereof in writing.

912
913 (b) The provincial governor shall have the power to veto any particular
914 item or items of an appropriation ordinance, an ordinance or resolution
915 adopting a local development plan and public investment program or an
916 ordinance directing the payment of money or creating liability. In such
917 case, the veto shall not affect the item or items which are not objected to.
918 The vetoed item or items shall not take effect unless the sangguniang
919 panlalawigan overrides the veto in the manner herein provided;
920 otherwise, the item or items in the appropriations ordinance of the
921 previous year corresponding to those vetoed, if any, shall be deemed
922 reenacted.

923
924 (c) The provincial governor may veto an ordinance or resolution only
925 once. The sanggunian may override the veto of the provincial governor
926 by two-thirds (2/3) vote of all its members, thereby making the
927 ordinance effective even without the approval of the provincial
928 governor.

929
930 **ARTICLE VI**
931 **SUCCESSION FOR ELECTIVE PROVINCIAL OFFICIALS**
932

933 **Section 23. Permanent Vacancy in the Office of the Provincial
934 Governor.**

936 (a) If a permanent vacancy occurs in the office of the provincial
937 governor, the provincial vice governor shall become the provincial
938 governor or in case of his or her permanent inability, the highest ranking
939 sanggunian member shall become the provincial governor. If a
940 permanent vacancy occurs in the office of the provincial vice governor,
941 the highest ranking sangguniang panlalawigan member shall become
942 the provincial vice governor or, in case of his or her permanent
943 incapacity, the highest ranking sangguniang panlalawigan member shall
944 become the provincial vice governor. Subsequent vacancies shall be
945 filled automatically by other sanggunian members according to their
946 ranking as defined herein:

947 (1) A tie between or among the highest ranking sangguniang
948 panlalawigan members shall be resolved by drawing of lots;

950 (2) The successors as defined herein shall serve only the unexpired terms
951 of the predecessors;

952 (3) For purposes of this Act, a permanent vacancy arises when an
953 elective official fills a higher vacant office, refuses to assume office, fails
954 to qualify, dies, is removed from office, voluntarily resigns or is
955 otherwise permanently incapacitated to discharge the functions of his or
956 her office; and

957 (4) For purposes of succession as provided for in this Act, ranking in the
958 sangguniang panlalawigan shall be determined on the basis of the
959 proportion of votes obtained by each winning candidate to the total
960 number of registered voters in the province in the immediately
961 preceding local elections.

962 **Section 24. Permanent Vacancies in the Sangguniang Panlalawigan.**

963 (a) Permanent vacancies in the sangguniang panlalawigan where
964 automatic succession as provided does not apply shall be filled by
965 appointment by the President, through the Executive Secretary.

966 (b) Only the nominee of the political party under which the sanggunian
967 member concerned had been elected and whose elevation to the position
968 next higher in rank created the last vacancy in the sanggunian shall be
969 appointed in the manner herein provided. The appointee shall come

976 from the same political party as that of the sanggunian member who
977 caused the vacancy and shall serve the unexpired term of the vacant
978 office.

979
980 In the appointment herein mentioned, a nomination and a certificate of
981 membership of the appointee from the highest official of the political
982 party concerned are conditions sine qua non, and any appointment
983 without such nomination and certification shall be null and void ab
984 initio and shall be a ground for administrative action against the official
985 responsible therefor.

986
987 (c) In case the permanent vacancy is caused by a sanggunian member
988 who does not belong to any political party, the provincial governor
989 shall, upon recommendation of the sangguniang panlalawigan, appoint
990 a qualified person to fill in the vacancy.

991
992 (d) In case of vacancy in the representation of the sangguniang kabataan,
993 the sangguniang barangay and the provincial league of councilors in the
994 sangguniang panlalawigan, said vacancy shall be filled in automatically
995 by the official next-in-rank of the organization concerned.?r?l??

996
997 **Section 25. Temporary Vacancy in the Office of the Provincial
998 Governor.**

1000
1001 (a) When the provincial governor is temporarily incapacitated to
1002 perform his or her duties for physical or legal reasons such as, but not
1003 limited to, leave of absence, travel abroad and suspension from office,
1004 the provincial vice governor shall automatically exercise the powers and
1005 perform the duties and functions of the provincial governor, except the
1006 power to appoint, suspend or dismiss employees which can only be
1007 exercised if the period of temporary incapacity exceeds thirty (30)
1008 working days.

1009
1010 (b) Said temporary incapacity shall terminate upon submission to the
1011 sangguniang panlalawigan of a written declaration by the provincial
1012 governor that he or she has reported back to office. In case where the
1013 temporary incapacity is due to legal cause, the provincial governor shall
1014 also submit necessary documents showing that the said legal cause no
1015 longer exists.

1016 (c) When the provincial governor is traveling within the country but
1017 outside territorial jurisdiction for a period not exceeding three (3)
1018 consecutive days, he or she may designate in writing the officer-in-
1019 charge of his or her office. Such authorization shall specify the powers
1020 and functions that the local official concerned shall exercise in the
1021 absence of the provincial governor, except the power to appoint,
1022 suspend or dismiss employees.

1024 (d) In the event, however, that the provincial governor fails or refuses to
1025 issue such authorization, the provincial vice governor shall have the
1026 right to assume the powers, duties and functions of the said office on the
1027 fourth (4th) day of absence of the provincial governor, subject to the
1028 limitations provided for in subsection (c) hereof.

1030 (e) Except as provided above, the provincial governor shall, in no case,
1031 authorize any local official to assume the powers, duties and functions
1032 of the office other than the provincial vice governor.

1034 **ARTICLE VII**
1035 **APPOINTIVE PROVINCIAL OFFICIALS:**
1036 **THEIR QUALIFICATIONS, POWERS AND DUTIES**

1038 **Section 26. The Secretary to the Sangguniang Panlalawigan.**

1040 (a) There shall be a secretary to the sangguniang panlalawigan who shall
1041 be a career official with the rank and salary equal to a head of a
1042 department or office.

1044 (b) No person shall be appointed secretary to the sanggunian unless he
1045 or she is a citizen of the Philippines, a resident of the province, of good
1046 moral character, a holder of a college degree preferably in law,
1047 commerce or public administration from a recognized college or
1048 university, and a first grade civil service eligible or its equivalent.

1050 (c) The secretary to the sanggunian shall take charge of the office of the
1051 sangguniang panlalawigan, and shall:

1053 (1) Attend meetings of the sanggunian and keep a journal of its
1054 proceedings;

1056 (2) Keep the seal of the LGU and affix the same with his or her signature
1057 to all ordinances, resolutions and other official acts of the sanggunian
1058 and present the same to the presiding officer for his or her signature;

1060 (3) Forward to the provincial governor, for approval, copies of
1061 ordinances enacted by the sanggunian and duly certified by the
1062 presiding officer, in the manner provided for in Section 54 of the Local
1063 Government Code of 1991, as amended;

1065 (4) Forward to the sangguniang bayan or sangguniang panlungsod, as
1066 the case may be, copies of duly approved ordinances in the manner
1067 provided for in Sections 56 and 57 of the Local Government Code of
1068 1991, as amended;

1070 (5) Furnish, upon the request of any interested party, certified copies of
1071 records of public character in his or her custody, upon payment to the
1072 treasurer of such fees as may be prescribed by ordinance;

1074 (6) Record in a book kept for the purpose, all ordinances and resolutions
1075 enacted or adopted by the sanggunian, with the dates of passage and
1076 publication thereof;

1078 (7) Keep his or her office and all nonconfidential records therein open to
1079 the public during usual business hours;

1081 (8) Translate into the dialect used by the majority of the inhabitants, all
1082 ordinances and resolutions immediately after their approval, and cause
1083 the publication of the same together with the original version in the
1084 manner provided for under the Local Government Code of 1991, as
1085 amended; and

1087 (9) Take custody of the local archives and, where applicable, the local
1088 library and annually account for the same.

1090 (d) Exercise such powers and perform such other duties and functions as
1091 may be prescribed by law or ordinance relative to his or her
1092 position.?r?l??

1093 **Section 27. The Provincial Treasurer.**

1096 (a) The provincial treasurer shall be appointed by the Secretary of
1097 Finance from a list of at least three (3) ranking eligible recommendees of
1098 the provincial governor, subject to civil service law, rules and
1099 regulations.

1100
1101 (b) The provincial treasurer shall be under the administrative
1102 supervision of the provincial governor, to whom he or she shall report
1103 regularly on the tax collection efforts in the LGU.

1104
1105 (c) No person shall be appointed provincial treasurer unless he or she is
1106 a citizen of the Philippines, a resident of the province, of good moral
1107 character, a holder of a college degree preferably in commerce, public
1108 administration or law from a recognized college or university, and a first
1109 grade civil service eligible or its equivalent. He or she must have
1110 acquired experience in treasury or accounting service for at least five (5)
1111 years.

1112
1113 The appointment of the provincial treasurer shall be mandatory.

1114
1115 (d) He or she shall take charge of the treasury office, and perform the
1116 duties as provided for under Book II of the Local Government Code of
1117 1991, as amended, and shall:

1118
1119 (1) Advise the provincial governor or the sanggunian, as the case may
1120 be, and other local government and national officials concerned
1121 regarding disposition of local government funds and on such other
1122 matters relative to public finance;

1123
1124 (2) Take custody of and exercise proper management of the funds of the
1125 LGU concerned;

1126
1127 (3) Take charge of the disbursement of all local government funds and
1128 such other funds, the custody of which may be entrusted to him or her
1129 by law or other competent authority;

1130
1131 (4) Inspect private commercial and industrial establishments within the
1132 jurisdiction of the province in relation to the implementation of tax
1133 ordinances, pursuant to the provisions under Book II of the Local
1134 Government Code of 1991, as amended;

1136 (5) Maintain and update the tax information system of the LGU; and
1137
1138 (6) Exercise technical supervision over all treasury offices of component
1139 cities and municipalities.
1140
1141 (e) Exercise such other powers and perform such other duties and
1142 functions as may be prescribed by law or ordinance.?r?l??
1143

1144 **Section 28. The Provincial Assessor.**

1145
1146 (a) No person shall be appointed provincial assessor unless he or she is a
1147 citizen of the Philippines, a resident of the province, of good moral
1148 character, a holder of a college degree preferably in civil or mechanical
1149 engineering, commerce or any other related course from a recognized
1150 college or university, and a first grade civil service eligible or its
1151 equivalent. He or she must have acquired experience in real property
1152 assessment work or in any related field for at least five (5) years.
1153

1154 The appointment of the provincial assessor shall be mandatory.
1155

1156 (b) The provincial assessor shall take charge of the assessor's office and
1157 perform the duties as provided for under Book II of the Local
1158 Government Code of 1991, as amended, and shall:
1159

1160 (1) Ensure that all laws and policies governing the appraisal and
1161 assessment of real properties for taxation purposes are properly
1162 executed;
1163

1164 (2) Initiate, review and recommend changes in policies and objectives,
1165 plans and programs, techniques, procedures and practices in the
1166 valuation and assessment of real properties for taxation purposes;
1167

1168 (3) Establish a systematic method of real property assessment;
1169

1170 (4) Install and maintain a real property identification and accounting
1171 system;
1172

1173 (5) Prepare, install and maintain a system of tax mapping, showing
1174 graphically all property subject to assessment and gather all data
1175 concerning the same;

1176
1177 (6) Conduct frequent physical surveys to verify and determine whether
1178 all real properties within the province are properly listed in the
1179 assessment rolls;

1180
1181 (7) Exercise the functions of appraisal and assessment primarily for
1182 taxation purposes of all real properties in the province;

1183
1184 (8) Prepare a schedule of the fair market value for the different classes of
1185 real properties in accordance with Title 2, Book II of the Local
1186 Government Code of 1991, as amended;

1187
1188 (9) Issue, upon request of any interested party, certified copies of
1189 assessment records of real properties and all other records relative to its
1190 assessment, upon payment of a service charge or fee to the provincial
1191 treasurer;

1192
1193 (10) Submit every semester a report of all assessments, as well as
1194 cancellations and modifications of assessments to the provincial
1195 governor and the sangguniang panlalawigan; and

1196
1197 (11) Exercise technical supervision and visitorial functions over all
1198 component city and municipal assessors, coordinate with component
1199 city or municipal assessors in the conduct of tax mapping operations
1200 and all other assessment activities, and provide all forms of assistance
1201 therefor: Provided, however, That, upon full provision by the
1202 component city or municipality concerned to its assessor's office of the
1203 minimum personnel, equipment and funding requirements as may be
1204 prescribed by the Secretary of Finance, such functions shall be delegated
1205 to the said municipal assessor.

1206
1207 (c) Exercise such other powers and perform such other duties and
1208 functions as may be prescribed by law or ordinance.?r?l??

1209
1210 **Section 29. The Provincial Accountant.**

1211
1212 (a) No person shall be appointed provincial accountant unless he or she
1213 is a citizen of the Philippines, a resident of the province, of good moral
1214 character and a certified public accountant. He or she must have

1215 acquired experience in the treasury or accounting service for at least five
1216 (5) years.

1217
1218 The appointment of a provincial accountant is mandatory.

1219
1220 (b) The provincial accountant shall take charge of both the accounting
1221 and internal audit services of the province, and shall:

1222 (1) Install and maintain an internal audit system in the province;

1223 (2) Prepare and submit financial statements to the provincial governor
1224 and to the sangguniang panlalawigan;

1225 (3) Apprise the sanggunian and other local government officials on the
1226 financial condition and operations of the provincial government;

1227 (4) Certify to the availability of budgetary allotment from which
1228 expenditures and obligations may be properly charged;

1229 (5) Review supporting documents before the preparation of vouchers to
1230 determine completeness of requirements;

1231 (6) Prepare statements of cash advances, liquidations, salaries,
1232 allowances, reimbursements and remittances pertaining to the
1233 provincial government;

1234 (7) Prepare statements of journal vouchers and liquidations of the same
1235 and other adjustments related thereto;

1236 (8) Post individual disbursements to subsidiary ledgers and index cards;

1237 (9) Maintain individual ledgers for officials and employees of the
1238 provincial government pertaining to payrolls and deductions;

1239 (10) Record and post in index cards details of purchased furniture,
1240 fixtures and equipment, including disposal thereof, if any;

1241 (11) Account for all issued requests for obligations and maintain and
1242 keep all records and reports related thereto;

1255 (12) Prepare journals and the analysis of obligations and maintain and
1256 keep all records and reports related thereto; and

1257
1258 (13) Exercise such other powers and perform such other duties and
1259 functions as may be provided by law or ordinance.

1260
1261 **Section 30. The Provincial Budget Officer.**

1262
1263 (a) No person shall be appointed provincial budget officer unless he or
1264 she is a citizen of the Philippines, a resident of the province, of good
1265 moral character, a holder of a college degree preferably in accounting,
1266 economics, public administration or any related course from a
1267 recognized college or university, and a first grade civil service eligible or
1268 its equivalent. He or she must have acquired experience in government
1269 budgeting or in any related field for at least five (5) years.

1270
1271 The appointment of the provincial budget officer shall be mandatory.

1272
1273 (b) The provincial budget officer shall take charge of the budget office,
1274 and shall:

1275
1276 (1) Prepare forms, orders and circulars embodying instructions on
1277 budgetary and appropriation matters for the signature of the provincial
1278 governor;

1279
1280 (2) Review and consolidate the budget proposals of different
1281 departments and offices of the province;

1282
1283 (3) Assist the provincial governor in the preparation of the budget and
1284 during the budget hearings;

1285
1286 (4) Study and evaluate budgetary implications of proposed legislation
1287 and submit comments and recommendations thereon;

1288
1289 (5) Submit periodic budgetary reports to the Department of Budget and
1290 Management (DBM);

1291
1292 (6) Coordinate with the provincial treasurer, the provincial accountant
1293 and the provincial planning and development coordinator for the
1294 purpose of budgeting;

1295
1296 (7) Assist the sangguniang panlalawigan in reviewing the approved
1297 budgets of the component cities and municipalities; and

1298
1299 (8) Coordinate with the provincial planning and development
1300 coordinator in the formulation of the provincial development plan.

1301
1302 (c) Exercise such other powers and perform such other duties and
1303 functions as may be prescribed by law or ordinance.

1304
1305 (d) The appropriations for personal services of the budget officer shall be
1306 provided for in full in the annual budget of the provincial government.

1307
1308 **Section 31. The Provincial Planning and Development Coordinator.**

1309
1310 (a) No person shall be appointed provincial planning and development
1311 coordinator unless he or she is a citizen of the Philippines; a resident of
1312 the province; of good moral character; a holder of a college degree
1313 preferably in urban planning, development studies, economics, public
1314 administration or in any related course from a recognized college or
1315 university, and a first grade civil service eligible or its equivalent. He or
1316 she must have acquired experience in development planning or in any
1317 related field for at least five (5) years.

1318
1319 The appointment of a provincial planning and development coordinator
1320 shall be mandatory to the provincial government.

1321
1322 (b) The provincial planning and development coordinator shall take
1323 charge of the planning and development office, and shall:

1324
1325 (1) Formulate integrated economic, social, physical and other
1326 development plans and policies for consideration of the local
1327 government development council;

1328
1329 (2) Conduct continuing studies, researches and training programs
1330 necessary to evolve plans and programs for implementation;

1331
1332 (3) Integrate and coordinate all sectoral plans and studies undertaken by
1333 the different functional groups and agencies;

1335 (4) Monitor and evaluate the implementation of the different
1336 development programs, projects and activities in the province in
1337 accordance with the approved development plan;

1339 (5) Prepare comprehensive plans and other development planning
1340 documents for the consideration of the provincial development council;

1342 (6) Analyze the income and expenditure patterns, and formulate and
1343 recommend fiscal plans and policies for the consideration of the finance
1344 committee of the province as provided under Title V, Book II of the
1345 Local Government Code of 1991, as amended;

1346 (7) Promote people's participation in development planning within the
1347 province; and

1350 (8) Exercise supervision and control over the secretariat of the provincial
1351 development council.

1353 (c) Exercise such other powers and perform such other functions and
1354 duties as may be prescribed by law or ordinance.??

1356 **Section 32. The Provincial Engineer.**

1358 (a) No person shall be appointed provincial engineer unless he or she is
1359 a citizen of the Philippines, a resident of the province, of good moral
1360 character and a licensed civil engineer. He or she must have acquired
1361 experience in the practice of his or her profession for at least five (5)
1362 years.

1363 The appointment of the provincial engineer shall be mandatory.

1366 (b) The provincial engineer shall take charge of the engineering office,
1367 and shall:

1369 (1) Initiate, review and recommend changes in policies and objectives,
1370 plans and programs, techniques, procedures and practices in
1371 infrastructure development and public works in general of the province;

1373 (2) Advise the provincial governor on infrastructure, public works and
1374 other engineering matters;

1375
1376 (3) Administer, coordinate, supervise and control the construction,
1377 maintenance, improvement and repair of roads, bridges and other
1378 engineering and public works projects of the province;
1379
1380 (4) Provide engineering services to the province, including
1381 investigations and surveys, engineering designs, feasibility studies and
1382 project management; and
1383
1384 (5) Exercise technical supervision over all engineering offices of the
1385 component cities and municipalities.
1386
1387 (c) Exercise such other powers and perform such other duties and
1388 functions as may be prescribed by law or ordinance.

1390 **Section 33. The Provincial Health Officer.**

1391
1392 (a) No person shall be appointed provincial health officer unless he or
1393 she is a citizen of the Philippines, a resident of the province, of good
1394 moral character and a licensed medical practitioner. He or she must
1395 have acquired experience in the practice of his or her profession for at
1396 least five (5) years.
1397
1398 The appointment of a provincial health officer shall be mandatory.
1399
1400 (b) The provincial health officer shall take charge of the office on health
1401 services, and shall:
1402
1403 (1) Supervise the personnel and staff of the said office, formulate
1404 program implementation guidelines and rules and regulations for the
1405 operation of the said office for the approval of the provincial governor in
1406 order to assist him or her in the efficient, effective and economical
1407 implementation of health services program geared to the
1408 implementation of health-related projects and activities;
1409
1410 (2) Formulate measures for the consideration of the sangguniang
1411 panlalawigan and provide technical assistance and support to the
1412 provincial governor in carrying out activities to ensure the delivery of
1413 basic services and the provision of adequate facilities relative to health

1414 services provided for under Section 17 of the Local Government Code of
1415 1991, as amended;

1416
1417 (3) Develop plans and strategies and, upon approval thereof by the
1418 provincial governor, implement the same, particularly those which have
1419 to do with health programs and projects which the provincial governor
1420 is empowered to implement and which the sanggunian is empowered to
1421 provide for under the Local Government Code of 1991, as amended;

1422
1423 (4) In addition to the foregoing duties and functions, the provincial
1424 health officer shall:

1425
1426 (i) Formulate and implement policies, plans, programs and projects to
1427 promote the health of the people of the province;

1428
1429 (ii) Advise the provincial governor and the sanggunian on matters
1430 pertaining to health;

1431
1432 (iii) Execute and enforce all laws, ordinances and regulations relating to
1433 public health;

1434
1435 (iv) Recommend to the sanggunian, through the provincial health board,
1436 the passage of such ordinances as he or she may deem necessary for the
1437 preservation of public health;

1438
1439 (v) Recommend the prosecution of any violation of sanitary laws,
1440 ordinances and regulations;

1441
1442 (vi) Direct the sanitary inspection of all business establishments selling
1443 food items or providing accommodations, such as hotels, motels,
1444 lodging houses, pension houses and the like, in accordance with the
1445 Sanitation Code of the Philippines;

1446
1447 (vii) Conduct health information campaigns and render health
1448 intelligence services;

1449
1450 (viii) Coordinate with other government agencies and nongovernmental
1451 organizations involved in the promotion and delivery of health services;
1452 and

1453

1454 (ix) Exercise general supervision over health offices of component cities
1455 and municipalities; and

1457 (5) Be in the frontline of the delivery of health services, particularly
1458 during and in the aftermath of man-made and natural disasters or
1459 calamities.

1461 (c) Exercise such other powers and perform such other duties and
1462 functions as may be prescribed by law or ordinance.

1463 **Section 34. The Provincial Administrator.**

1466 (a) No person shall be appointed provincial administrator unless he or
1467 she is a citizen of the Philippines; a resident of the province; of good
1468 moral character; a holder of a college degree preferably in public
1469 administration, law or any related course from a recognized college or
1470 university; and a first grade civil service eligible or its equivalent. He or
1471 she must have acquired experience in management and administration
1472 work for at least five (5) years.

1474 The term of the provincial administrator is coterminous with that of his
1475 or her appointing authority.

1477 The appointment of the provincial administrator shall be mandatory.

1479 (b) The provincial administrator shall take charge of the office of the
1480 administrator, and shall:

1482 (1) Develop plans and strategies and, upon approval thereof by the
1483 provincial governor, implement the same, particularly those which have
1484 to do with the management and administration-related programs and
1485 projects which the provincial governor is empowered to implement and
1486 which the sanggunian is empowered to provide for under the Local
1487 Government Code of 1991, as amended;

1489 (2) In addition to the foregoing duties and functions, the provincial
1490 administrator shall:

1492 (i) Assist in the coordination of the work of all the officials of the
1493 province under the supervision, direction and control of the provincial

1494 governor and, for this purpose, he or she may convene the chiefs of
1495 offices and other officials of the province;

1496
1497 (ii) Establish and maintain a sound personnel program for the province
1498 designed to promote career development and uphold the merit principle
1499 in the province; and

1500
1501 (iii) Conduct a continuing organizational development of the province
1502 with the end in view of instituting effective administrative reforms;

1503
1504 (3) Be in the frontline of the delivery of administrative support services,
1505 particularly those related to the situations during and in the aftermath of
1506 man-made and natural disasters and calamities;

1507
1508 (4) Recommend to the sanggunian and advise the provincial governor
1509 on all other matters relative to the management and administration of
1510 the province; and

1511
1512 (5) Exercise such other powers and perform such other duties and
1513 functions as may be prescribed by law or ordinance.

1514
1515 **Section 35. The Provincial Legal Officer.**

1516
1517 (a) No person shall be appointed provincial legal officer unless he or she
1518 is a citizen of the Philippines, a resident of the province, of good moral
1519 character and a member of the Philippine Bar. He or she must have
1520 practiced his or her profession for at least five (5) years.

1521
1522 The term of the provincial legal officer shall be coterminous with that of
1523 his or her appointing authority.

1524
1525 The appointment of the provincial legal officer shall be mandatory.

1526
1527 (b) The provincial legal officer, the chief legal counsel of the province,
1528 shall take charge of the office for legal services, and shall:

1529
1530 (1) Formulate measures for the consideration of the sanggunian and
1531 provide legal assistance and support to the provincial governor in
1532 carrying out the delivery of basic services and the provisions of

1533 adequate facilities as provided for under Section 17 of the Local
1534 Government Code of 1991, as amended;

1535
1536 (2) Develop plans and strategies and, upon approval thereof by the
1537 provincial governor, implement the same, particularly those which have
1538 to do with the programs and projects related to legal services which the
1539 provincial governor is empowered to implement and which the
1540 sanggunian is empowered to provide for under the Local Government
1541 Code of 1991, as amended;

1542
1543 (3) In addition to the foregoing duties and functions, the provincial legal
1544 officer shall:

1545
1546 (i) Represent the province in all civil actions and special proceedings
1547 wherein the province or any official thereof, in his or her official
1548 capacity, is a party: Provided, That actions or proceedings where a
1549 component city or municipality is a party adverse to the provincial
1550 government or to another component city or municipality, a special legal
1551 officer may be employed to represent the adverse party;

1552
1553 (ii) When required by the provincial governor or the sanggunian, draft
1554 ordinances, contracts, bonds, leases and other instruments, involving
1555 any interest of the province and provide comments and
1556 recommendations on any instrument already drawn;

1557
1558 (iii) Render his or her opinion in writing on any question of law when
1559 requested to do so by the provincial governor or the sanggunian;

1560
1561 (iv) Investigate or cause to be investigated any provincial official or
1562 employee for administrative neglect or misconduct in office and
1563 recommend appropriate action to the provincial governor, or the
1564 sangguniang panlalawigan;

1565
1566 (v) Investigate or cause to be investigated any person, firm or
1567 corporation holding any franchise or exercising any public privilege for
1568 failure to comply with any term or condition in the grant of such
1569 franchise or privilege, and recommend appropriate action to the
1570 provincial governor or the sanggunian;

1572 (vi) When directed by the provincial governor or the sanggunian, initiate
1573 and prosecute, in the interest of the province, any civil action on any
1574 bond, lease or other contract upon any breach or violation thereof; and
1575

1576 (vii) Review and submit recommendations on ordinances approved and
1577 executive orders issued by the component cities and municipalities;

1579 (4) Recommend measures to the sangguniang panlalawigan and advise
1580 the provincial governor on all other matters related to the upholding of
1581 the rule of law; and

1583 (5) Be in the frontline of protecting human rights and prosecuting any
1584 violation thereof, particularly those which occur during and in the
1585 aftermath of man-made or natural disasters and calamities.

1586 (c) Exercise such other powers and perform such other duties and
1588 functions as may be prescribed by law or ordinance.

1590 **Section 36. The Provincial Agriculturist.**

1592 (a) No person shall be appointed provincial agriculturist unless he or she
1593 is a citizen of the Philippines, a resident of the province, of good moral
1594 character, a holder of a college degree in agriculture or in any related
1595 course from a recognized college or university, and a first grade civil
1596 service eligible or its equivalent. He or she must have practiced his or
1597 her profession in agriculture or acquired experience in a related field for
1598 at least five (5) years.

1600 The appointment of the provincial agriculturist shall be mandatory.

1602 (b) The provincial agriculturist shall take charge of the office for
1603 agricultural services, and shall:

1605 (1) Formulate measures for the approval of the sanggunian and provide
1606 technical assistance and support to the provincial governor in carrying
1607 out said measures to ensure the delivery of basic services and the
1608 provision of adequate facilities relative to agricultural services as
1609 provided for under Section 17 of the Local Government Code of 1991, as
1610 amended;

1612 (2) Develop plans and strategies and, upon approval thereof by the
1613 provincial governor, implement the same, particularly those which have
1614 to do with the agricultural programs and projects which the provincial
1615 governor is empowered to implement and which the sanggunian is
1616 empowered to provide for under the Local Government Code of 1991, as
1617 amended;

1618 (3) In addition to the foregoing duties and functions, the provincial
1619 agriculturist shall:

1620 (i) Ensure that maximum assistance and access to resources in the
1621 production, processing and marketing of agricultural and aquacultural
1622 and marine products are extended to farmers, fishermen and local
1623 entrepreneurs;

1624 (ii) Conduct or cause to be conducted location-specific agricultural
1625 researches and assist in making available the appropriate technology
1626 arising out of and disseminating information on basic research on crops,
1627 preventive control of plant diseases and pests, and other agricultural
1628 matters which will maximize productivity;

1629 (iii) Assist the provincial governor in the establishment and extension
1630 services of demonstration farms on aquaculture and marine products;

1631 (iv) Enforce rules and regulations relating to agriculture and
1632 aquaculture; and

1633 (v) Coordinate with government agencies and nongovernmental
1634 organizations which promote agricultural productivity through
1635 appropriate technology compatible with environmental integrity;

1636 (4) Be in the frontline of delivery of basic agricultural services,
1637 particularly those needed for the survival of the inhabitants during and
1638 in the aftermath of man-made and natural disasters or calamities; and

1639 (5) Recommend to the sanggunian and advise the provincial governor
1640 on all matters related to agriculture and aquaculture which will improve
1641 the livelihood and living conditions of the inhabitants.

1651 (c) Exercise such other powers and perform such other duties and
1652 functions as may be prescribed by law or ordinance.

1653

1654 **Section 37. The Provincial Social Welfare and Development Officer.**

1655

1656 (a) No person shall be appointed provincial social welfare and
1657 development officer unless he or she is a citizen of the Philippines, a
1658 resident of the province, of good moral character, a duly licensed social
1659 worker, or a holder of a college degree preferably in sociology or in any
1660 related course from a recognized college or university, and a first grade
1661 civil service eligible or its equivalent. He or she must have acquired
1662 experience in the practice of social work for at least five (5) years.

1663

1664 The appointment of a provincial social welfare and development officer
1665 shall be mandatory.

1666

1667 (b) The provincial social welfare and development officer shall take
1668 charge of the office on social welfare and development services, and
1669 shall:

1670

1671 (1) Formulate measures for the approval of the sanggunian and provide
1672 technical assistance and support to the provincial governor in carrying
1673 out measures to ensure the delivery of basic services and the provision
1674 of adequate facilities relative to social welfare and development services
1675 as provided for under Section 17 of the Local Government Code of 1991,
1676 as amended;

1677

1678 (2) Develop plans and strategies and, upon approval thereof by the
1679 provincial governor, implement the same, particularly those which have
1680 to do with the social welfare programs and projects which the provincial
1681 governor is empowered to implement and which the sanggunian is
1682 empowered to provide for under the Local Government Code of 1991, as
1683 amended;

1684

1685 (3) In addition to the foregoing duties, the provincial social welfare and
1686 development officer shall:

1687

1688 (i) Identify the basic needs of the needy, the disadvantaged and the
1689 impoverished and develop and implement appropriate measures to
1690 alleviate their problems and improve their living conditions;

1691
1692 (ii) Provide relief and appropriate crisis intervention for victims of abuse
1693 and exploitation and recommend appropriate measures to deter further
1694 abuse and exploitation;

1695
1696 (iii) Assist the provincial governor in implementing the barangay level
1697 program for the total development and protection of children up to six
1698 (6) years of age;

1699
1700 (iv) Facilitate the implementation of welfare programs for the disabled,
1701 the elderly and victims of drug addiction, the rehabilitation of prisoners
1702 and parolees, the prevention of juvenile delinquency and such other
1703 activities which would eliminate or minimize the ill-effects of poverty;

1704
1705 (v) Initiate and support welfare programs that will enhance the role of
1706 the youth in nation-building; and

1707
1708 (vi) Coordinate with government agencies and nongovernmental
1709 organizations which have for their purpose the promotion and the
1710 protection of all the needy, disadvantaged, underprivileged or
1711 impoverished groups or individuals, particularly those identified to be
1712 vulnerable and high-risk to exploitation, abuse and neglect;

1713
1714 (4) Be in the frontline of service delivery, particularly those which have
1715 to do with the immediate relief and assistance during and in the
1716 aftermath of man-made and natural disasters or calamities; and

1717
1718 (5) Recommend to the sanggunian and advise the provincial governor
1719 on all other matters related to social welfare and development service
1720 which will improve the livelihood and living conditions of the
1721 inhabitants.

1722
1723 (c) Exercise such other powers and perform such other duties and
1724 functions as may be prescribed by law or ordinance.

1725
1726 **Section 38. The Provincial Environment and Natural Resources
1727 Officer.**

1728
1729 (a) No person shall be appointed provincial environment and natural
1730 resources officer unless he or she is a citizen of the Philippines, a

1731 resident of the province, of good moral character, a holder of a college
1732 degree preferably in environment, forestry, agriculture or any related
1733 course from a recognized college or university, and a first grade civil
1734 service eligible or its equivalent. He or she must have acquired
1735 experience in environmental and natural resources management,
1736 conservation and utilization for at least five (5) years.

1737
1738 The appointment of a provincial environment and natural resources
1739 officer shall be optional.

1740
1741 (b) The provincial environment and natural resources officer shall take
1742 charge of the office on environment and natural resources, and shall:

1743
1744 (1) Formulate measures for the consideration of the sanggunian and
1745 provide technical assistance and support to the provincial governor in
1746 carrying out measures to ensure the delivery of basic services and the
1747 provision of adequate facilities relative to environment and natural
1748 resources services as provided for under Section 17 of the Local
1749 Government Code of 1991, as amended;

1750
1751 (2) Develop plans and strategies and, upon approval thereof by the
1752 provincial governor, implement the same, particularly those which have
1753 to do with the environment and natural resources programs and projects
1754 which the provincial governor is empowered to implement and which
1755 the sanggunian is empowered to provide for under the Local
1756 Government Code of 1991, as amended;

1757
1758 (3) In addition to the foregoing duties and functions, the environment
1759 and natural resources officer shall:

1760
1761 (i) Establish, maintain, protect and preserve communal forests,
1762 watersheds, tree parks, mangroves, greenbelts, commercial forests and
1763 similar forest projects like industrial tree farms and agro-forestry
1764 projects;

1765
1766 (ii) Provide extension services to beneficiaries of forest development
1767 projects and technical, financial and infrastructure assistance;

1768
1769 (iii) Manage and maintain seed banks and produce seedlings for forests
1770 and tree parks;

1771
1772 (iv) Provide extension services to beneficiaries of forest development
1773 projects and render assistance for natural resources-related conservation
1774 and utilization activities consistent with ecological balance;

1775
1776 (v) Promote small-scale mining and utilization of mineral resources,
1777 particularly the mining of gold; and

1778
1779 (vi) Coordinate with government agencies and nongovernmental
1780 organizations in the implementation of measures to prevent and control
1781 land, air and water pollution with the assistance of the Department of
1782 Environment and Natural Resources (DENR);

1783
1784 (4) Be in the frontline of the delivery of services concerning the
1785 environment and natural resources, particularly in the renewal and
1786 rehabilitation of the environment during and in the aftermath of man-
1787 made and natural disasters or calamities; and

1788
1789 (5) Recommend to the sanggunian and advise the provincial governor
1790 on all matters relative to the protection, conservation, maximum
1791 utilization, application of appropriate technology and other matters
1792 related to the environment and natural resources.

1793
1794 (c) Exercise such other powers and perform such other duties and
1795 functions as may be prescribed by law or ordinance.

1796
1797 **Section 39. The Provincial Veterinarian.**

1798
1799 (a) No person shall be appointed provincial veterinarian unless he or she
1800 is a citizen of the Philippines, a resident of the province, of good moral
1801 character and a licensed doctor of veterinary medicine. He or she must
1802 have practiced his or her profession for at least three (3) years.

1803
1804 The appointment of a provincial veterinarian shall be mandatory.

1805
1806 (b) The provincial veterinarian shall take charge of the office for
1807 veterinary services, and shall:

1808
1809 (1) Formulate measures for the consideration of the sanggunian and
1810 provide technical assistance and support to the provincial governor in

1811 carrying out measures to ensure the delivery of basic services and the
1812 provision of adequate facilities pursuant to Section 17 of the Local
1813 Government Code of 1991, as amended;

1814
1815 (2) Develop plans and strategies and, upon approval thereof by the
1816 provincial governor, implement the same, particularly those which have
1817 to do with the veterinary-related activities which the provincial
1818 governor is empowered to implement and which the sanggunian is
1819 empowered to provide for under the Local Government Code of 1991, as
1820 amended;

1821
1822 (3) In addition to the foregoing duties and functions, the provincial
1823 veterinarian shall:

1824
1825 (i) Advise the provincial governor on all matters pertaining to the
1826 slaughter of animals for human consumption and the regulation of
1827 slaughterhouses;

1828
1829 (ii) Regulate the keeping of domestic animals;

1830
1831 (iii) Regulate and inspect poultry, milk and dairy products for public
1832 consumption;

1833
1834 (iv) Enforce all laws and regulations for the prevention of cruelty to
1835 animals; and

1836
1837 (v) Take the necessary measures to eradicate, prevent or cure all forms of
1838 animal diseases;

1839
1840 (4) Be in the frontline of veterinary-related activities, such as in the
1841 outbreak of highly contagious and deadly diseases and in situations
1842 resulting in the depletion of animals for work and for human
1843 consumption, particularly those arising from and in the aftermath of
1844 man-made and natural disasters or calamities; and

1845
1846 (5) Recommend to the sanggunian and advise the provincial governor
1847 on all other matters relative to veterinary services which will increase
1848 the number and improve the quality of livestock, poultry and other
1849 domestic animals used for work or for human consumption.

1851 (c) Exercise such other powers and perform such other duties and
1852 functions as may be prescribed by law or ordinance.

1853

1854 **Section 40. The Provincial General Services Officer.**

1855

1856 (a) No person shall be appointed provincial general services officer
1857 unless he or she is a citizen of the Philippines, a resident of the province,
1858 of good moral character, a holder of a college degree in public
1859 administration, business administration and management from a
1860 recognized college or university, and a first grade civil service eligible or
1861 its equivalent. He or she must have acquired experience in general
1862 services, including the management of supply, property, solid waste
1863 disposal and general sanitation for at least five (5) years.

1864

1865 The appointment of a provincial general services officer shall be
1866 mandatory.

1867

1868 (b) The provincial general services officer shall take charge of the office
1869 of general services, and shall:

1870

1871 (1) Formulate measures for the consideration of the sanggunian and
1872 provide technical assistance and support to the provincial governor in
1873 carrying out measures to ensure the delivery of basic services and the
1874 provision of adequate facilities pursuant to Section 17 of the Local
1875 Government Code of 1991, as amended, and which require general
1876 services expertise and technical support services;

1877

1878 (2) Develop plans and strategies and, upon approval thereof by the
1879 provincial governor, implement the same, particularly those which have
1880 to do with general services supportive to the welfare of the inhabitants
1881 which the provincial governor is empowered to implement and which
1882 the sanggunian is empowered to provide for under the Local
1883 Government Code of 1991, as amended;

1884

1885 (3) In addition to the foregoing duties and functions, the provincial
1886 general services officer shall:

1887

1888 (i) Take custody of and be accountable for all properties, real or
1889 personal, owned by the provincial government and those granted to it in

1890 the form of donation, reparation, assistance and counterpart of joint
1891 projects;

1892
1893 (ii) With the approval of the provincial governor, assign building or land
1894 space to provincial officials or other public officials who, by law, are
1895 entitled to such space;

1896
1897 (iii) Recommend to the provincial governor, the reasonable rental rates
1898 for local government properties whether real or personal which will be
1899 leased to public or private entities by the provincial government;

1900
1901 (iv) Recommend to the provincial governor, the reasonable rental rates
1902 of private properties which may be leased for the official use of the
1903 provincial government;

1904
1905 (v) Maintain and supervise janitorial, security, landscaping and other
1906 related services on all local government public buildings and other real
1907 property, whether owned or leased by the provincial government;

1908
1909 (vi) Collate and disseminate information regarding prices, shipping and
1910 other costs of supplies and other items commonly used by the provincial
1911 government;

1912
1913 (vii) Perform archival and record management with respect to records of
1914 offices and departments of the province; and

1915
1916 (viii) Perform all other functions pertaining to supply and property
1917 management heretofore performed by the local government treasurer
1918 and to enforce policies on records creation, maintenance and disposal;

1919
1920 (4) Be in the frontline of general services-related activities, such as the
1921 possible or imminent destruction or damage to records, supplies,
1922 properties and structures and the orderly and sanitary clearing up of
1923 waste materials or debris, particularly during and in the aftermath of
1924 man-made and natural disasters or calamities; and

1925
1926 (5) Recommend to the sanggunian and advise the provincial governor
1927 on all matters relative to general services.

1929 (c) Exercise such other powers and perform such other duties and
1930 functions as may be prescribed by law or ordinance.

1931

1932 **Section 41. The Provincial Cooperatives Officer.**

1933

1934 (a) No person shall be appointed provincial cooperatives officer unless
1935 he or she is a citizen of the Philippines, a resident of the province, of
1936 good moral character, a holder of a college degree preferably in business
1937 administration course with special training in cooperatives or any
1938 related course from a recognized college or university, and a first grade
1939 civil service eligible or its equivalent. He or she must have acquired
1940 experience in cooperatives organization and management for at least
1941 five (5) years.

1942

1943 The appointment of a provincial cooperatives officer shall be optional.

1944

1945 (b) The provincial cooperatives officer shall take charge of the office for
1946 the development of cooperatives, and shall:

1947

1948 (1) Formulate measures for the consideration of the sanggunian and
1949 provide technical assistance and support to the provincial governor in
1950 carrying out measures to ensure the delivery of basic services and the
1951 provision of adequate facilities through the development of
1952 cooperatives, and in providing access to such services and facilities;

1953

1954 (2) Develop plans and strategies and, upon approval thereof by the
1955 provincial governor, implement the same, particularly those which have
1956 to do with the integration of cooperatives principles and methods in
1957 programs which the provincial governor is empowered to implement
1958 and which the sanggunian is empowered to provide for under the Local
1959 Government Code of 1991, as amended;

1960

1961 (3) In addition to the foregoing duties and functions, the provincial
1962 cooperatives officer shall:

1963

1964 (i) Assist in the organization of cooperatives;

1965

1966 (ii) Provide technical and the forms of assistance to existing cooperatives
1967 to enhance their viability as an economic enterprise and social
1968 organization; and

1969

1970 (iii) Assist cooperatives in establishing linkages with government
1971 agencies and nongovernmental organizations involved in the promotion
1972 and integration of the concept of cooperatives in the livelihood of the
1973 people and other community activities;

1974

1975 (4) Be in the frontline of cooperatives organization, rehabilitation or
1976 viability enhancement, particularly during and in the aftermath of man-
1977 made and natural disasters or calamities, to aid in their survival and, if
1978 necessary, subsequent rehabilitation; and

1979

1980 (5) Recommend to the sanggunian and advise the provincial governor
1981 on all other matters relative to cooperatives development and viability
1982 enhancement which will improve the livelihood and the quality of life of
1983 the inhabitants.

1984

1985 (c) Exercise such other powers and perform such other duties and
1986 functions as may be prescribed by law or ordinance.

1987

1988 **Section 42. The Provincial Architect.**

1989

1990 (a) No person shall be appointed provincial architect unless he or she is
1991 a citizen of the Philippines, a resident of the province, of good moral
1992 character and a duly licensed architect. He or she must have practiced
1993 his or her profession for at least five (5) years.

1994

1995 The appointment of a provincial architect shall be optional.

1996

1997 (b) The provincial architect shall take charge of the office on
1998 architectural planning and design, and shall:

1999

2000 (1) Formulate measures for the consideration of the sanggunian and
2001 provide technical assistance and support to the provincial governor in
2002 carrying out measures to ensure the delivery of basic services and the
2003 provision of adequate facilities relative to architectural planning and
2004 design as provided for under Section 17 of the Local Government Code
2005 of 1991, as amended;

2006

2007 (2) Develop plans and strategies and, upon approval thereof by the
2008 provincial governor, implement the same, particularly those which have

2009 to do with architectural planning and design programs and projects
2010 which the provincial governor is empowered to implement and which
2011 the sanggunian is empowered to provide for under the Local
2012 Government Code of 1991, as amended;

2013
2014 (3) In addition to the foregoing duties and functions, the provincial
2015 architect shall:

2016 (i) Prepare and recommend for consideration of the sanggunian the
2017 architectural plan and design for the province or a part thereof,
2018 including the renewal of slums and blighted areas, land reclamation
2019 activities, the greening of land and the appropriate planning of marine
2020 and foreshore areas;

2021
2022 (ii) Review and recommend for appropriate action of the sanggunian
2023 and the provincial governor, the architectural plan and design submitted
2024 by governmental and nongovernmental entities or individuals,
2025 particularly those for undeveloped, underdeveloped and poorly-
2026 designed areas; and

2027
2028 (iii) Coordinate with government agencies and nongovernmental
2029 entities and individuals involved in the aesthetics and the maximum
2030 utilization of the land and water within the jurisdiction of the province,
2031 compatible with environmental integrity and ecological balance;

2032
2033 (4) Be in the frontline of the delivery of basic services involving
2034 architectural planning and design, particularly those related to the
2035 redesigning of spatial distribution of basic facilities and physical
2036 structures during and in the aftermath of man-made and natural
2037 calamities or disasters; and

2038
2039 (5) Recommend to the sanggunian and advise the provincial governor
2040 on all other matters related to the architectural planning and design as it
2041 relates to the total socioeconomic development of the province.

2042
2043 (c) Exercise such other powers and perform such other duties and
2044 functions as may be prescribed by law or ordinance.

2045
2046 **Section 43. The Provincial Population Officer.**

2049 (a) No person shall be appointed provincial population officer unless he
2050 or she is a citizen of the Philippines, a resident of the province, of good
2051 moral character, a holder of a college degree with specialized training in
2052 population development from a recognized college or university, and a
2053 first grade civil service eligible or its equivalent. He or she must have
2054 experience in the implementation of programs on population
2055 development or responsible parenthood for at least five (5) years.

2056
2057 The appointment of a provincial population officer shall be optional.

2058
2059 (b) The provincial population officer shall take charge of the office on
2060 population development, and shall:

2061
2062 (1) Formulate measures for the consideration of the sanggunian and
2063 provide technical assistance and support to the provincial governor in
2064 carrying out measures to ensure the delivery of basic services and the
2065 provision of adequate facilities relative to the integration of the
2066 population development principles and in providing access to said
2067 services and facilities;

2068
2069 (2) Develop plans and strategies and, upon approval thereof by the
2070 provincial governor, implement the same, particularly those which have
2071 to do with the integration of population development principles and
2072 methods in programs and projects which the provincial governor is
2073 empowered to implement and which the sanggunian is empowered to
2074 provide for under the Local Government Code of 1991, as amended; and
2075

2076 (3) In addition to the foregoing duties and functions, the provincial
2077 population officer shall:

2078
2079 (i) Assist the provincial governor in the implementation of the
2080 constitutional provisions relative to population development and the
2081 promotion of responsible parenthood;

2082
2083 (ii) Establish and maintain an updated data bank for program
2084 operations, development planning and an educational program to
2085 ensure the people's participation in and undertaking of population
2086 development; and

2088 (iii) Implement appropriate training programs responsive to the cultural
2089 heritage of the inhabitants.

2090 (c) Exercise such other powers and perform such other duties and
2091 functions as may be prescribed by law or ordinance.

2093 **Section 42. The Provincial Information Officer.**

2096 (a) No person shall be appointed provincial information officer unless he
2097 or she is a citizen of the Philippines, a resident of the province, of good
2098 moral character, a holder of a college degree preferably in journalism,
2099 mass communication or any related course from a recognized college or
2100 university, and a first grade civil service eligible or its equivalent. He or
2101 she must have acquired experience in writing articles and research
2102 papers, or in writing for print, television or broadcast media for at least
2103 three (3) years.

2104 The term of the provincial information officer is coterminous with that
2105 of his or her appointing authority.

2108 The appointment of a provincial information officer shall be optional.

2110 (b) The provincial information officer shall take charge of the office on
2111 public information, and shall:

2113 (1) Formulate measures for the consideration of the sanggunian and
2114 provide technical assistance and support to the provincial governor in
2115 providing the information and research data required for the delivery of
2116 basic services and the provision of adequate facilities so that the public
2117 becomes aware of the said service and may fully avail of the same;

2119 (2) Develop plans and strategies and, upon approval thereof by the
2120 provincial governor, implement the same, particularly those which have
2121 to do with public information and research data to support the
2122 programs and projects which the provincial governor is empowered to
2123 implement and which the sanggunian is empowered to provide for
2124 under the Local Government Code of 1991, as amended;

2126 (3) In addition to the foregoing duties and functions, the information
2127 officer shall:

2128
2129 (i) Provide relevant, adequate and timely information to the provincial
2130 government and its residents;

2131
2132 (ii) Maintain effective liaison with the various sectors of the community
2133 on matters and issues that affect the livelihood and the quality of life of
2134 the inhabitants and encourage support for programs of the local and
2135 national government; and

2136
2137 (iii) Furnish information and data on the province to government
2138 agencies or offices as may be required by law or ordinance and
2139 nongovernmental organizations to be furnished to said agencies and
2140 organizations;

2141
2142 (4) Be in the frontline of providing information during and in the
2143 aftermath of man-made and natural disasters or calamities, with special
2144 attention to the victims thereof, to help minimize injuries and casualties
2145 during and after emergency, and accelerate relief and rehabilitation; and

2146
2147 (5) Recommend to the sanggunian and advise the provincial governor
2148 on all other matters relative to public information and research data as it
2149 relates to the total socioeconomic development of the province.

2150
2151 (c) Exercise such other powers and perform such other duties and
2152 functions as may be prescribed by law or ordinance.

2153
2154
2155 **ARTICLE VIII**
2156 **THE PROVINCIAL FIRE STATION, THE PROVINCIAL**
2157 **JAIL, THE PROVINCIAL SCHOOLS DIVISION AND**
2158 **THE PROVINCIAL PROSECUTION SERVICE**

2159 **Section 44. The Provincial Fire Station Service.**

2160
2161 (a) There shall be established in the province at least five (5) fire stations
2162 with adequate personnel, firefighting facilities and equipment by the
2163 DILG, within two (2) months upon the commencement of the corporate
2164 existence of the new province. The provincial government shall provide
2165 the necessary land or site of the provincial fire stations.

2167 (b) The provincial fire station service shall be headed by a provincial fire
2168 marshal whose qualifications shall be as those provided for under
2169 Republic Act No. 9263, as amended, otherwise known as the "Bureau of
2170 Fire Protection and Bureau of Jail Management and Penology
2171 Professionalization Act of 2004".

2172
2173 (c) The provincial fire stations shall be responsible for the protection of
2174 various emergency services such as the rescue and evacuation of injured
2175 people at fire-related incidents and, in general, fire prevention and
2176 suppression measures to secure the safety of life and property of the
2177 citizenry.

2178
2179 **Section 45. The Provincial Jail Service.**

2180
2181 (a) There shall be established and maintained in the province, within
2182 two (2) months upon the commencement of the corporate existence of
2183 the new province by the DILG, a secured, clean, adequately equipped
2184 and sanitary jail facility for the custody and safekeeping of prisoners,
2185 any fugitive from justice, or person detained awaiting investigation or
2186 trial and/or transfer to the national penitentiary, and/or violent
2187 mentally ill person who endangers himself or the safety of others, duly
2188 certified as such by the proper medical health officer, pending the
2189 transfer to a mental institution.

2190
2191 (b) The provincial jail service shall be headed by a provincial jail warden
2192 whose qualifications shall be as those provided for under Republic Act
2193 No. 9263, as amended, otherwise known as the "Bureau of Fire
2194 Protection and Bureau of Jail Management and Penology
2195 Professionalization Act of 2004". He or she shall assist in the immediate
2196 rehabilitation of individuals or detention of prisoners. Great care must
2197 be exercised so that human rights of these prisoners are respected and
2198 protected, and their spiritual and physical well-being are properly and
2199 promptly attended to.

2200
2201 **Section 46. The Provincial Schools Division.**

2202
2203 (a) The DepED shall, within two (2) months upon the commencement of
2204 the corporate existence of the province herein created, establish and
2205 maintain a separate schools division in the province whose jurisdiction
2206 shall cover all the municipalities of the new province.

2207
2208 (b) The provincial schools division shall be headed by a division
2209 superintendent who must possess the necessary qualifications required
2210 by the DepED.

2211
2212 **Section 47. The Provincial Prosecution Service.**

2213
2214 (a) There shall be established and maintained a prosecution service by
2215 the Department of Justice (DOJ), within two (2) months upon the
2216 commencement of the corporate existence of the province herein
2217 created, who shall be headed by a provincial prosecutor and such
2218 number of assistant prosecutors as may be necessary, who shall be
2219 organizationally part of the DOJ, and under the supervision and control,
2220 of the Secretary of the DOJ, and whose qualifications, manner of
2221 appointment, rank, salary and benefits shall be governed by existing
2222 laws covering prosecutors in the DOJ.

2223
2224 (b) The provincial prosecutor shall handle the criminal prosecution in
2225 the municipal trial courts in the province as well as in the regional trial
2226 courts for criminal cases originating in the territory of the new province
2227 and shall render to and for the province such other services as are
2228 required by law or regulation of the DOJ.

2229
2230 **ARTICLE IX**
2231 **TRANSITORY AND FINAL PROVISIONS**

2232
2233 **Section 48. Plebiscite.**

2234
2235 Palawan Del Norte, Palawan Oriental and Palawan Del Sur shall be
2236 created upon approval by the majority of the votes cast by the voters of
2237 the affected areas in a plebiscite to be conducted and supervised by the
2238 Commission on Elections (COMELEC) on the second Monday of May
2239 2020 following the effectivity of this Charter. Provided, that its corporate
2240 existence shall commence on the date provided for by this Charter.

2241
2242 The amount necessary for the conduct of the plebiscite shall be borne by
2243 the COMELEC.

2244
2245 **Section 49. Commencement of Corporate Existence.**

2247 Palawan Del Norte, Palawan Oriental, and Palawan Del Sur shall
2248 commence its corporate existence upon the election and qualification of
2249 its provincial governor, provincial vice governor and majority of the
2250 members of the sangguniang panlalawigan.

2251
2252 The election of the provincial officials of the three provinces shall be
2253 held on the second Monday of May in the year 2022.

2254
2255 **Section 50. Officials of the newly created Provinces.**

2256
2257 The provincial officials who were duly elected and qualified in the
2258 election immediately preceding the May 2022 national and local
2259 elections shall continue to serve their unexpired terms in office until the
2260 provincial officials of the three provinces shall have been elected and
2261 shall have qualified; Provided, Further, That the residents of Puerto
2262 Princesa City shall not vote in the plebiscite and are hereafter
2263 disqualified to vote for candidates for provincial elective positions.

2264
2265 The congressional representatives who were duly elected and qualified
2266 in the election immediately preceding the May 2022 national and local
2267 elections of the present First Legislative District, Second Legislative
2268 District, and Third Legislative District shall continue representing the
2269 constituents of its original legislative districts until the representatives
2270 for the newly created legislative districts for the three provinces and the
2271 highly urbanized City of Puerto Princesa shall have been elected and
2272 qualified on the second Monday of May in the year 2022 simultaneous
2273 with the election of the provincial officials of the three provinces.

2274
2275 Subject to the one year residency requirement for elective local and
2276 congressional officials mandated by the Local Government Code and the
2277 1987 Constitution, candidacy for officials of the newly created provinces
2278 and legislative districts shall be deemed as candidacy for new posts
2279 under newly created offices and serving new sets of constituents.

2280
2281 **Section 51. Organization of the Provincial Government.**

2282
2283 All provincial appointive positions in the newly created provinces shall
2284 be filled within sixty (60) days upon commencement of its corporate
2285 existence. Subject to the provisions of Civil Service laws, rules and
2286 regulations on the creation, division, merger or abolition of government

2287 offices, the appointment of officials and employees of the present
2288 Province of Palawan who may wish to serve in any of the newly created
2289 provinces shall be at the discretion of the appointing power.

2290

2291 **Section 52. Present Provincial Properties.**

2292

2293 Following the plebiscite and creation of the provinces, the ownership of
2294 real properties and infrastructure projects of each LGU situated in the
2295 present Province of Palawan shall belong to the province where it is
2296 situated. Real properties located in the City of Puerto Princesa, owned
2297 by the present Province of Palawan or held in trust for the national
2298 government, shall be co-owned and/or co-managed by the three
2299 provinces for the mutual benefit of its constituents. Decision as to its use
2300 and disposition shall be made upon a consensus of at least two
2301 provinces to be embodied in a memorandum of agreement duly entered
2302 into in accordance with the Local Government Code.

2303

2304 **Section 53. Funds, Obligations and Assets of the Newly Created**
2305 **Provinces**

2306

2307 Following the plebiscite and creation of the provinces, the funds,
2308 obligations and assets of all kinds of the present Province of Palawan
2309 subsisting at the time of the effectivity of the creation the three provinces
2310 herein created shall be distributed among the three provinces
2311 proportionately with the income of the municipalities comprising the
2312 same: Provided, However, that if the obligation had been contracted to
2313 finance a project belonging to any one of the three provinces, the said
2314 province shall be responsible exclusively for such obligation.

2315

2316 Transitory projects and activities, such as land acquisition; office
2317 building construction; furnishing of offices; purchase of furniture,
2318 fixture and equipment; assignment of present properties; assignment of
2319 employees; hiring of new personnel; education and training of officials,
2320 employees and personnel; and all other projects and activities that will
2321 ensure the full and complete management, operations and service
2322 delivery of the provinces upon the commencement of its corporate
2323 existence, shall be financed and implemented by the present Provincial
2324 Government of Palawan.

2325

2326 **Section 54. Applicability of Laws.**

2327
2328 The provisions of Republic Act No. 7160, otherwise known as the Local
2329 Government Code of 1991, as amended, and other laws as are applicable
2330 to provinces shall govern the herein created province insofar as they are
2331 not inconsistent with the provisions of this Act.
2332
2333 **Section 55. Separability Clause.**
2334
2335 If any part of this Act is declared invalid or unconstitutional, the other
2336 parts or provisions thereof shall remain valid and effective.
2337
2338 **Section 56. Effectivity.**
2339
2340 This Act shall take effect fifteen (15) days upon its publication in at least
2341 two (2) newspapers of general and local circulation.
2342
2343 Approved,