

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. **8469**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

The Indigenous Peoples Rights Act of 1997 guarantees the right of indigenous cultural communities/ indigenous peoples to pursue freely and effectively their economic, social, and cultural development.

Despite this welcome development, indigenous cultural communities are not given enough leeway to realize such objectives because of either the various complications that arise in the assertion and exercise of such rights and objectives or the rigidity and conflicting provisions of pertinent laws. As a result, indigenous cultural communities' ability to promote and protect their preferential rights to public services and cultural integrity is jeopardized.

The municipality serves as the basic unit for the coordination and delivery of basic, regular, and direct services and effective governance of the people within its jurisdiction. As such, the task of ensuring the economic, social, and cultural well-being of indigenous peoples lies primarily in the municipality. However, due to strict requirements for the establishment of a regular municipality, indigenous peoples are unable to determine for themselves a municipality of their own, which would better serve their peculiar needs and wants.

This proposed measure seeks to lift the strict requirements for a regular municipality, where the proposed municipality is inhabited by a large and significant number of indigenous peoples.

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

Rep. Gary C. Alejano

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1 **AN ACT**
2 **AMENDING SECTION 442 OF REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE**
3 **KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991**
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
6 *assembled,*
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8 **SECTION 1.** A new subsection (E) shall be added under Section 442 of R.A. 7160, as
9 amended and shall be read as follows:
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13 **“(E) THE POPULATION REQUIREMENT PRESCRIBED HEREIN SHALL**
14 **NOT APPLY IF THE MAJORITY OF THE INAHBITANTS OF THE PROPOSED**
15 **MUNICIPALITY ARE INDIGENOUS PEOPLES: *PROVIDED, HOWEVER, THAT***
16 **THE TOTAL POPULATION SHALL BE AT LEAST FIVE THOUSAND (5,000).”**
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18 xxx
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20 **SEC. 2. *Repealing Clause.***—All laws, executive orders, executive issuances, or letters of
21 instructions, or any part thereof, inconsistent with or contrary to the provisions of this Act, are
22 hereby repealed, amended, or modified accordingly.
23

24 **SEC. 3. *Effectivity.***—This Act shall take effect fifteen (15) days after its publication in at
25 least two (2) newspapers of general circulation.

Approved,