



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1542



Introduced by **Representative Francisco “Lalo” T. Matugas**

EXPLANATORY NOTE

This legislative measure seeks to rationalize the land area requirement for the creation of a province by clarifying that such requirement shall not apply in cases where the proposed province is composed entirely of one or more islands.

Sections 442(b) and 450(b) of the the Local Government Code of 1991 (Republic Act No. 7160), which govern the creation of municipalities and cities respectively, include a special clause – “The requirement on land area shall not apply where the municipality [or city] to be created is composed of one (1) or more islands.” However, under the current provisions of Section 461, on the creation of a province, no such exemption is mentioned.

The exemption is rooted in the recognition that geographical limitations and natural features of island groups often make it impractical to meet the land area requirement. Isolated or dispersed island municipalities may be large in population and income, yet their combined land mass falls short of the minimum area. Despite this, they face the same challenges and governance needs as mainland provinces—if not more—due to issues such as connectivity, service delivery, and disaster response.

Thus, this measure underscores the intent of the law to treat island communities differently when it comes to territorial requirements, acknowledging their unique geographical and administrative context. The rationalization aims to prevent the disenfranchisement of island populations from accessing the benefits of provincial autonomy and localized development just because they do not meet an arbitrary land area threshold.

By affirming that land area shall not be a bar to the creation of a province composed of islands, we promote inclusive governance, improved service delivery, and enhanced autonomy for geographically isolated island municipalities.

This bill was filed in the 18th and 19th Congresses by Hon. Francisco Jose “Bingo” F. Matugas II. It was approved on Second Reading during the last Congress.

Approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to be 'Lalo' with a stylized 'T' or 'M' at the end, enclosed within a faint rectangular border.

FRANCISCO “LALO” T. MATUGAS

Representative

First District, Surigao del Norte



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AN ACT
RATIONALIZING THE LAND AREA REQUIREMENT FOR
THE CREATION OF A PROVINCE, AMENDING FOR THE
PURPOSE SECTION 461 (B) OF REPUBLIC ACT NO. 7160,
AS AMENDED, OTHERWISE KNOWN AS THE “LOCAL
GOVERNMENT CODE OF 1991”

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

1 SECTION 1. Section 461 (b) of Republic Act. No. 7160, as amended, otherwise
2 known as the “Local Government Code of 1991,” is hereby amended to read as follows:

3 "Section 461. Requisites for Creation. - (a) A province may be
4 created if it has an average annual income, as certified by the Department
5 of Finance, of not less than Twenty million pesos (P20,000,000.00) based
6 on 1991 constant prices and either of the following requisites:

7 (i) a contiguous territory of at least two thousand (2,000)
8 square kilometers, as certified by the Lands Management
9 Bureau; or

10 (ii) a population of not less than two hundred fifty thousand
11 (250,000) inhabitants as certified by the National Statistics
12 Office:

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

4 b) THE TERRITORIAL JURISDICTION OF A NEWLY-CREATED
5 PROVINCE SHALL BE PROPERLY IDENTIFIED BY METES AND
6 BOUNDS. THE REQUIREMENT ON LAND AREA SHALL NOT
7 APPLY WERE THE PROVINCE PROPOSED TO BE CREATED IS
8 COMPOSED OF ONE (1) OR MORE ISLANDS. The territory need not
9 be contiguous if it comprises two (2) or more islands or is separated by a
10 chartered city or cities which do not contribute to the income of the
11 province.

12 (c) The average annual income shall include the income accruing to
13 the general fund, exclusive of special funds, trust funds, transfers and
14 non-recurring income.”

15 SEC. 2. The Department of Interior and Local Government (DILG) shall issue
16 the necessary rules and regulations within sixty (60) days after the effectivity of this
17 Act.

18 SEC. 3. All laws, decrees, executive orders, rules and regulations which are
19 inconsistent with this Act are hereby repealed, amended, or modified accordingly.

20 SEC. 4. This Act shall take effect fifteen (15) days after its publication in the
21 Official Gazette or in a newspaper of general circulation.

22 Approved,