

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4285



Introduced by
Rep. Gil "Kabarangay Jr" A. Acosta, Rep. Jose C. Alvarez
and Rep. Franz Vincent F. Legazpi

AN ACT
CREATING A TRIBAL BARANGAY TO BE KNOWN AS BARANGAY MANUEL CURSOD
FROM THE EXISTING ANCESTRAL DOMAIN OF TAGBANUA INDIGENOUS PEOPLES
IN THE MUNICIPALITY OF ABORLAN, PROVINCE OF PALAWAN

EXPLANATORY NOTE

Article XIV, Section 17 of the 1987 Constitution provides that *"the State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions."* It further mandates that such rights shall be considered in the formulation of national plans and policies.

In line with this, Section 18 of Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997, states that Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) residing in contiguous areas or communities where they form the predominant population—but which are situated within municipalities, provinces, or cities where they do not constitute the majority—may establish a separate barangay in accordance with the provisions of the Local Government Code concerning the creation of tribal barangays.

Similarly, Section 386 of Republic Act No. 7160, or the Local Government Code of 1991, provides that, in order to enhance the delivery of basic services to indigenous cultural communities, barangays may be created in such communities through an Act of Congress, notwithstanding the usual population requirements.

The tribal community of Sitio Daan, predominantly composed of members of the Tagbanua tribe, is located within the ancestral domain of the Tagbanua ICCs of Barangay Apurawan, Municipality of Aborlan. The area covers approximately 1,700 acres and comprises 238 households, 310 registered voters, and a population of 896 Tagbanua individuals.

On various occasions, the Tribal Council of Sitio Daan has proposed, deliberated, and endorsed several resolutions in support of the creation of a tribal barangay. These resolutions have likewise gained support for their eventual adoption by the Sangguniang Bayan of the Municipality of Aborlan, Province of Palawan.

In recognition of the inherent right of ICCs/IPs to self-governance and self-determination, and in respect of the integrity of their values, practices, and institutions, the approval of this bill is earnestly sought.



GIL "Kabarangay Jr" A. ACOSTA
Representative
3rd District of Palawan



JOSE C. ALVAREZ
Representative
2nd District of Palawan



FRANZ VINCENT F. LEGAZPI
Representative
Pinoy Workers

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

1 Section 1. *Creation.* – There is hereby created a tribal barangay to be
2 known as “Barangay Manuel Cursod”, which shall be carved out of the
3 ancestral domain of the Tagbanua Indigenous Cultural Communities located
4 in Barangay Apurawan, Municipality of Aborlan, Province of Palawan, as
5 classified and recognized by the National Commission on Indigenous Peoples
6 (NCIP).

7 The creation of said barangay is in recognition of the right to self-
8 governance and self-determination of the Tagbanua people pursuant to the
9 Indigenous Peoples’ Rights Act (IPRA) and is intended to enhance the delivery
10 of basic services to the concerned indigenous population.

11 Sec. 2. *Territory.* – The territorial jurisdiction of Barangay Manuel Cursod
12 shall encompass the area covered by the recognized ancestral domain of the
13 Tagbanua Indigenous Cultural Communities in Barangay Apurawan,
14 Municipality of Aborlan, Province of Palawan, as delineated and certified by
15 the NCIP.

16 Sec. 3. *Plebiscite.* – The creation of Barangay Manuel Cursod shall take
17 effect upon approval by a majority of the votes cast in a plebiscite to be
18 conducted within the affected area, specifically within the proposed territorial
19 jurisdiction of the barangay.

20 The Commission on Elections (COMELEC) shall conduct the plebiscite
21 within sixty (60) days from the effectivity of this Act, in coordination with the
22 Department of the Interior and Local Government (DILG), the NCIP, and the
23 municipal government of Aborlan.

1 *Sec. 4. Transfer of Assets and Liabilities.* – All public infrastructure, facilities,
2 and improvements existing within the territorial jurisdiction of Barangay Manuel
3 Cursod at the time of the approval of this Act shall be transferred to and shall
4 be administered by the newly created barangay without cost or
5 compensation.

6 *Sec. 5. National Tax Allotment Share.* – Barangay Manuel Cursod shall be
7 entitled to its share in the National Tax Allotment (NTA) pursuant to Section 285
8 of Republic Act No. 7160, otherwise known as the Local Government Code of
9 1991, and subsequent amendments or relevant laws.

10 *Sec. 6. Separability Clause.* — If any provision of this Act is declared
11 unconstitutional or invalid, the other provisions not affected thereby shall
12 remain in full force and effect.

13 *Sec. 7. Repealing Clause.* — All laws, presidential decrees, executive
14 orders, memoranda, circulars, and other issuances, or parts thereof, which are
15 inconsistent with the Act, are hereby repealed or modified accordingly.

16 *Sec. 8. Effectivity Clause.* — This Act shall take effect fifteen (15) days
17 after its publication in the Official Gazette or a newspaper of general
18 circulation.

19 *Approved,*