



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

**TWENTIETH CONGRESS
FIRST REGULAR SESSION**

HOUSE BILL NO. **9372**



**Introduced by Representatives
FERDINAND L. HERNANDEZ, YEVGENY VINCENTE B. EMANO, ZIAUR-
RAHMAN "ZIA" ALONTO ADIONG, YASSER ALONTO BALINDONG,
JONATHAN KEITH T. FLORES, MUNIR N. ARBISON JR.,**

EXPLANATORY NOTE

The Bangsamoro peace process rests on the faithful implementation of commitments freely accepted by the State and the Bangsamoro people. One of these commitments is the effective inclusion of communities that voted to become part of the Bangsamoro Autonomous Region in Muslim Mindanao.

On 6 February 2019, sixty-three barangays from the municipalities of Carmen, Kabacan, Midsayap, Pigcawayan, Pikit, and Aleosan in the Province of Cotabato voted in a plebiscite for their inclusion in the Bangsamoro Autonomous Region in Muslim Mindanao. This democratic choice was made pursuant to Republic Act No. 11054, otherwise known as the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

Thereafter, the Bangsamoro Parliament enacted Bangsamoro Autonomy Act Nos. 41, 42, 43, 44, 45, 46, 47, and 48, reconstituting the sixty-three barangays into eight municipalities: Pahamuddin, Kadayangan, Nabalawag, Old Kaabakan, Kapalawan, Malidegao, Tugunan, and Ligawasan. These municipalities now comprise the Special Geographic Area of the Bangsamoro Autonomous Region in Muslim Mindanao.

However, while these communities validly chose to join the Bangsamoro region, they remain without a corresponding provincial structure. They are no longer part of the Province of Cotabato for purposes of full local political organization, yet they have not been constituted as a province within the BARMM. This creates an exceptional governance gap affecting representation, fiscal administration, local service delivery, and political accountability.

Section 5, Article VI of the 1987 Constitution provides that each province shall have at least one representative. Section 10, Article X of the Constitution further 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 approval by a majority of the votes cast in a plebiscite in the political units directly affected.

The Bangsamoro Parliament may create, divide, merge, abolish, or substantially alter boundaries of local government units in the Bangsamoro Autonomous Region in accordance with the Bangsamoro Organic Law and the Bangsamoro Local Governance

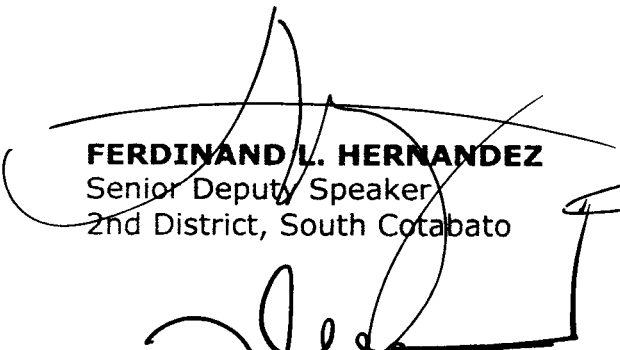
Code. However, the creation of a province carrying with it representation in the House of Representatives requires an act of Congress.

This bill therefore seeks to create the Province of the Bangsamoro Special Geographic Area, composed of the municipalities of Pahamuddin, Kadayangan, Nabalawag, Old Kaabakan, Kapalawan, Malidegao, Tugunan, and Ligawasan. The measure provides for its basic charter, provincial offices, legislative district, fiscal and administrative transition, plebiscite, and continuing application of the Constitution, the Bangsamoro Organic Law, the Bangsamoro Local Governance Code, and the Local Government Code of 1991.

The proposed province is justified by the unique constitutional, historical, and political circumstances of the Special Geographic Area. Its creation will protect the right of suffrage, strengthen local autonomy, ensure the more efficient delivery of basic services, and complete the democratic will expressed by the affected communities in the plebiscites that brought them into the Bangsamoro Autonomous Region.

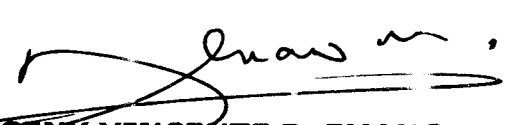
The creation of this province is a necessary act of representation, inclusion, and faithful implementation of the Bangsamoro peace process.

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



FERDINAND L. HERNANDEZ

Senior Deputy Speaker
2nd District, South Cotabato



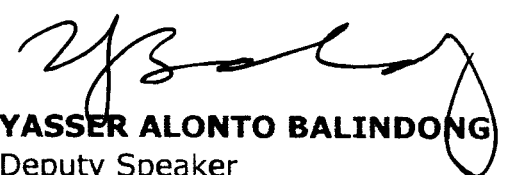
YEVGENY VINCENTE B. EMANO

Deputy Speaker
2nd District, Misamis Oriental



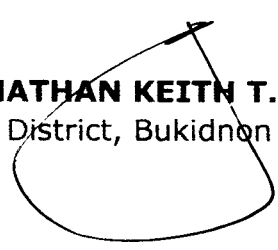
ZIAUR-RAHMAN ALONTO ADIONG

Co-Chairperson, PCBP
1st District, Lanao del Sur



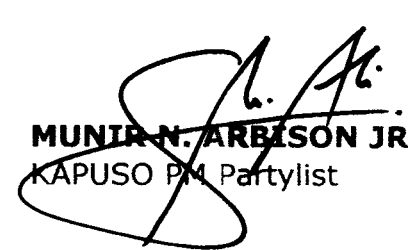
YASSER ALONTO BALINDONG

Deputy Speaker
2nd District, Lanao del Sur



JONATHAN KEITH T. FLORES

2nd District, Bukidnon



MUNIR N. ARBISON JR.

KAPUSO PM Partylist



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**AN ACT
CREATING THE PROVINCE OF THE BANGSAMORO SPECIAL GEOGRAPHIC
AREA IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM
MINDANAO, PROVIDING FOR ITS CHARTER, AND FOR OTHER PURPOSES**

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Short Title. This Act shall be known as the "Charter of the Province of the Bangsamoro Special Geographic Area."

SECTION 2. Declaration of Policy. It is hereby declared the policy of the State to promote local autonomy, ensure effective democratic representation, strengthen the delivery of basic services, and faithfully implement the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

Consistent with the Constitution, Republic Act No. 11054, otherwise known as the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao, the Bangsamoro Local Governance Code, and Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the State shall ensure that the communities comprising the Special Geographic Area are provided with an effective provincial government and appropriate representation in the House of Representatives.

SECTION 3. Creation of the Province. There is hereby created a province in the Bangsamoro Autonomous Region in Muslim Mindanao to be known as the Province of the Bangsamoro Special Geographic Area, subject to approval by a majority of the votes cast in a plebiscite to be conducted in accordance with this Act.

SECTION 4. Composition. The Province of the Bangsamoro Special Geographic Area shall be composed of the following municipalities:

- a. Pahamuddin;
- b. Kadayangan;
- c. Nabalawag;
- d. Old Kaabakan;
- e. Kapalawan;
- f. Malidegao;
- g. Tugunan; and
- h. Ligawasan.

SECTION 5. Territorial Jurisdiction. The territorial jurisdiction of the Province of the Bangsamoro Special Geographic Area shall comprise the present territorial jurisdiction, metes, and bounds of the municipalities enumerated in the immediately preceding section.

Nothing in this Act shall be construed to prejudice the resolution by the proper authority, agency, court, or tribunal of any existing or future boundary dispute involving the province or any of its component municipalities.

Pending the final resolution of any boundary dispute, the status quo shall be maintained, and the local government unit exercising existing administrative supervision over the disputed area shall continue to do so, unless otherwise ordered by competent authority.

SECTION 6. Capital and Seat of Government. The capital and seat of government of the Province of the Bangsamoro Special Geographic Area shall be the Municipality of Pahamuddin.

The Sangguniang Panlalawigan may, by ordinance and subject to applicable law, authorize the holding of sessions or the establishment of satellite offices in any component municipality of the province when public service so requires.

SECTION 7. Corporate Existence and Powers. The Province of the Bangsamoro Special Geographic Area shall be a political subdivision and body corporate. As such, it shall have perpetual succession and shall exercise the powers expressly granted to provinces under this Act, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

It shall have the power to:

- a. Sue and be sued;
- b. Have and use a corporate seal;
- c. Acquire, hold, lease, encumber, alienate, or otherwise dispose of real and personal property;
- d. Enter into contracts;
- e. Exercise the power of eminent domain in accordance with law;
- f. Create its own sources of revenue and levy taxes, fees, and charges, subject to the Constitution and applicable laws;
- g. Receive grants, donations, aids, and other forms of lawful assistance; and
- h. Exercise such other powers as may be necessary, appropriate, or incidental to its existence as a province.

SECTION 8. General Welfare The province shall exercise the powers necessary and incidental to the promotion of the general welfare of its inhabitants. Within its territorial jurisdiction, the province shall ensure and support the preservation and enrichment of culture, promotion of health and safety, enhancement of the right of the people to a balanced ecology, development of appropriate and self-reliant scientific and technological capabilities, improvement of public morals, enhancement of economic prosperity and social justice, maintenance of peace and order, and preservation of the comfort and convenience of its inhabitants.

SECTION 9. Liability for Damages. The province and its officials shall not be exempt from liability for death or injury to persons or damage to property, in accordance with applicable laws.

ARTICLE II

LEGISLATIVE DISTRICT AND REPRESENTATION

SECTION 10. Legislative District. The Province of the Bangsamoro Special Geographic Area shall constitute one legislative district for purposes of representation in the House of Representatives.

The first Representative of the legislative district of the Province of the Bangsamoro Special Geographic Area shall be elected in the next regular national and local elections following the effectivity and ratification of this Act, unless otherwise provided by law.

Nothing in this Act shall be construed to shorten the term of any incumbent Member of the House of Representatives.

SECTION 11. Election of Provincial Officials. The elective officials of the Province of the Bangsamoro Special Geographic Area shall be elected in the next regular local elections following the effectivity and ratification of this Act.

The Commission on Elections shall issue the necessary rules and regulations to implement this section and to ensure the orderly election of the first set of provincial officials.

ARTICLE III

PROVINCIAL GOVERNMENT

SECTION 12. Officials of the Provincial Government. The provincial government shall have the following elective officials:

- a. Provincial Governor;
- b. Provincial Vice Governor; and
- c. Members of the Sangguniang Panlalawigan.

The provincial government shall also have the following appointive officials:

- a. Secretary to the Sangguniang Panlalawigan;
- b. Provincial Treasurer;
- c. Provincial Assessor;
- d. Provincial Accountant;

- e. Provincial Budget Officer;
- f. Provincial Planning and Development Coordinator;
- g. Provincial Engineer;
- h. Provincial Health Officer;
- i. Provincial Administrator;
- j. Provincial Legal Officer;
- k. Provincial Agriculturist;
- l. Provincial Social Welfare and Development Officer;
- m. Provincial Veterinarian;
- n. Provincial General Services Officer; and
- o. Such other officials as may be required by law.

The Provincial Governor may appoint, subject to law and availability of funds, the following optional officials:

- a. Provincial Architect;
- b. Provincial Population Officer;
- c. Provincial Environment and Natural Resources Officer;
- d. Provincial Cooperatives Officer;
- e. Provincial Information Officer; and
- f. Other offices or officers as may be authorized by law or ordinance.

SECTION 13. Qualifications, Powers, Duties, and Compensation of Officials.

The qualifications, powers, duties, functions, appointments, tenure, compensation, allowances, and benefits of elective and appointive provincial officials shall be governed by this Act, the Bangsamoro Local Governance Code, the Local Government Code of 1991, civil service laws, compensation laws, and other applicable laws.

Unless otherwise provided by law, department heads and other appointive officials shall be appointed by the Provincial Governor, with the concurrence of a majority of all members of the Sangguniang Panlalawigan, subject to civil service laws, rules, and regulations.

The Sangguniang Panlalawigan shall act on appointments requiring concurrence within fifteen days from submission. Failure to act within such period shall be deemed concurrence.

SECTION 14. Official Station. The official station of the Provincial Governor, Provincial Vice Governor, Sangguniang Panlalawigan, and provincial offices shall be in the capital of the province.

In the interest of public service, the provincial government may establish satellite offices in any component municipality of the province, subject to law and availability of funds.

ARTICLE IV

THE PROVINCIAL GOVERNOR AND VICE GOVERNOR

SECTION 15. Provincial Governor. The Provincial Governor shall be the chief executive of the province and shall exercise the powers and perform the duties and functions provided under this Act, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

The Provincial Governor shall:

- a. Exercise general supervision and control over all programs, projects, services, and activities of the provincial government;
- b. Ensure the delivery of basic services and the provision of adequate facilities;
- c. Enforce all laws and ordinances relative to the governance of the province;
- d. Direct the formulation of the provincial development plan, in coordination with the Provincial Development Council;
- e. Prepare and submit the executive and supplemental budgets of the province;
- f. Represent the province in all business transactions and legal matters, unless otherwise provided by law;
- g. Ensure the faithful discharge of duties by provincial officials and employees;
- h. Coordinate with the Bangsamoro Government, national government agencies, component municipalities, and other local government units;
- i. Implement measures for disaster risk reduction, emergency response, rehabilitation, and recovery; and
- j. Exercise such other powers and perform such other duties as may be provided by law or ordinance.

SECTION 16. Provincial Vice Governor. The Provincial Vice Governor shall be the presiding officer of the Sangguniang Panlalawigan and shall exercise the powers and perform the duties and functions provided under this Act, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

The Provincial Vice Governor shall:

- a. Preside over the sessions of the Sangguniang Panlalawigan;
- b. Sign warrants drawn on the provincial treasury for expenditures appropriated for the operation of the Sangguniang Panlalawigan;
- c. Appoint officials and employees of the Sangguniang Panlalawigan, subject to civil service laws;
- d. Assume the office of Provincial Governor in case of permanent vacancy, as provided by law;
- e. Exercise the powers and perform the duties of the Provincial Governor in case of temporary incapacity, as provided by law; and
- f. Perform such other functions as may be provided by law or ordinance.

ARTICLE V

THE SANGGUNIANG PANLALAWIGAN

SECTION 17. Composition. The Sangguniang Panlalawigan shall be the legislative body of the province. It shall be composed of:

- a. The Provincial Vice Governor, as presiding officer;
- b. The regular members of the Sangguniang Panlalawigan;
- c. The President of the Provincial Chapter of the Liga ng mga Barangay;
- d. The President of the Provincial Federation of the Sangguniang Kabataan;
- e. The President of the provincial federation or league of municipal councilors, if applicable; and
- f. Sectoral representatives, as may be provided by law.

SECTION 18. Powers, Duties, and Functions. The Sangguniang Panlalawigan shall enact ordinances, approve resolutions, and appropriate funds for the general welfare of the province and its inhabitants.

It shall exercise the powers and perform the duties and functions provided under this Act, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws, including the authority to:

- a. Approve ordinances and resolutions necessary for efficient and effective governance;
- b. Enact the annual and supplemental appropriations of the province;
- c. Levy taxes, fees, and charges, subject to law;
- d. Review ordinances and executive orders of component municipalities, when required by law;
- e. Approve the provincial development plan, investment program, land use framework, and other development instruments;
- f. Adopt measures for peace and order, public safety, disaster resilience, environmental protection, and social welfare;
- g. Establish mechanisms for transparency, accountability, and public participation;
- h. Authorize the Provincial Governor to enter into contracts, loans, and other obligations, subject to law; and
- i. Exercise such other powers and perform such other duties as may be provided by law or ordinance.

SECTION 19. Internal Rules of Procedure. On its first regular session following the election and qualification of its members, and within ninety days thereafter, the Sangguniang Panlalawigan shall adopt or update its internal rules of procedure.

The rules shall provide for:

- a. Organization of the Sanggunian;
- b. Election of officers;
- c. Creation of standing and special committees;
- d. Order and calendar of business;
- e. Legislative process;
- f. Parliamentary procedure;
- g. Discipline of members;
- h. Disclosure of conflicts of interest; and
- i. Such other matters necessary for the orderly discharge of legislative functions.

SECTION 20. Sessions. The Sangguniang Panlalawigan shall hold regular sessions at least once a week.

Special sessions may be called by the Provincial Governor or by a majority of all members of the Sangguniang Panlalawigan when public interest requires.

All sessions shall be open to the public, except when a closed-door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, for reasons of security, decency, morality, or public interest.

SECTION 21. Quorum. A majority of all members of the Sangguniang Panlalawigan who have been elected and qualified shall constitute a quorum to transact official business.

SECTION 22. Approval and Veto of Ordinances. Every ordinance enacted by the Sangguniang Panlalawigan shall be presented to the Provincial Governor for approval.

The Provincial Governor may approve the ordinance or veto it on the ground that it is ultra vires, prejudicial to public welfare, or inconsistent with law.

The veto shall be communicated to the Sangguniang Panlalawigan within fifteen days from receipt of the ordinance. Otherwise, the ordinance shall be deemed approved.

The Sangguniang Panlalawigan may override the veto by a vote of at least two-thirds of all its members.

SECTION 23. Disclosure of Interest. Every member of the Sangguniang Panlalawigan shall, upon assumption of office and when required by law, disclose business, financial, professional, or personal interests that may give rise to a conflict of interest in any matter under consideration by the Sanggunian.

The disclosure shall be made in writing and entered into the records of the proceedings.

ARTICLE VI

SUCCESSION AND VACANCIES

SECTION 24. Permanent Vacancy in the Office of Provincial Governor. In case of permanent vacancy in the Office of the Provincial Governor, the Provincial Vice Governor shall become Provincial Governor for the unexpired portion of the term.

If a permanent vacancy occurs in the Office of the Provincial Vice Governor, the highest-ranking member of the Sangguniang Panlalawigan shall become Provincial Vice Governor, in accordance with law.

SECTION 25. Permanent Vacancies in the Sangguniang Panlalawigan. Permanent vacancies in the Sangguniang Panlalawigan shall be filled in accordance with the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

Where the vacating member belongs to a political party, the replacement shall, as far as practicable and as required by law, come from the same political party.

SECTION 26. Temporary Vacancy or Incapacity. In case of temporary incapacity of the Provincial Governor, the Provincial Vice Governor shall exercise the powers and perform the duties and functions of the Provincial Governor, subject to the limitations provided by law.

ARTICLE VII

PROVINCIAL OFFICES AND SERVICES

SECTION 27. Mandatory Provincial Offices. The province shall establish and maintain the mandatory provincial offices required under this Act, the Bangsamoro

Local Governance Code, the Local Government Code of 1991, civil service laws, and other applicable laws.

These offices shall include, at minimum:

- a. Office of the Provincial Governor;
- b. Office of the Provincial Vice Governor;
- c. Office of the Sangguniang Panlalawigan;
- d. Office of the Provincial Treasurer;
- e. Office of the Provincial Assessor;
- f. Office of the Provincial Accountant;
- g. Office of the Provincial Budget Officer;
- h. Office of the Provincial Planning and Development Coordinator;
- i. Office of the Provincial Engineer;
- j. Office of the Provincial Health Officer;
- k. Office of the Provincial Administrator;
- l. Office of the Provincial Legal Officer;
- m. Office of the Provincial Agriculturist;
- n. Office of the Provincial Social Welfare and Development Officer;
- o. Office of the Provincial Veterinarian; and
- p. Office of the Provincial General Services Officer.

SECTION 28. Optional Provincial Offices. Subject to law, public necessity, and availability of funds, the province may establish optional offices, including:

- a. Office of the Provincial Architect;
- b. Office of the Provincial Population Officer;
- c. Office of the Provincial Environment and Natural Resources Officer;
- d. Office of the Provincial Cooperatives Officer;
- e. Office of the Provincial Information Officer; and
- f. Other offices authorized by law or ordinance.

SECTION 29. Qualifications and Appointment of Appointive Officials. The qualifications and manner of appointment of provincial appointive officials shall be governed by civil service laws, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

No person shall be appointed to any provincial office unless qualified under law.

SECTION 30. Functions of Provincial Offices. The provincial offices shall perform the functions assigned to them under the Bangsamoro Local Governance Code, the Local Government Code of 1991, this Act, and other applicable laws.

They shall coordinate with the Bangsamoro Government, national government agencies, component municipalities, civil society organizations, and other stakeholders for the effective delivery of services.

ARTICLE VIII

NATIONAL AND REGIONAL GOVERNMENT SERVICES

SECTION 31. Provincial Fire Services. The Bureau of Fire Protection, in coordination with the Department of the Interior and Local Government, the Bangsamoro Government, and the provincial government, shall establish and maintain adequate fire protection services in the province, consistent with applicable laws.

The provincial government shall provide or assist in identifying appropriate sites for fire stations, subject to availability of land and funds.

SECTION 32. Provincial Jail Facility. The Bureau of Jail Management and Penology, in coordination with the Department of the Interior and Local Government, the Bangsamoro Government, and the provincial government, shall establish and maintain an adequate, secure, sanitary, and humane jail facility for the province, consistent with applicable laws and human rights standards.

SECTION 33. Provincial Schools Division. The Department of Education, in coordination with the Ministry of Basic, Higher and Technical Education of the BARMM and other appropriate agencies, shall take the necessary steps to establish an appropriate schools division or administrative education structure for the province, consistent with the Bangsamoro Organic Law and applicable education laws.

SECTION 34. Provincial Prosecution Service. The Department of Justice, in coordination with the Bangsamoro Government and other appropriate agencies, shall establish and maintain a prosecution service for the province, headed by a Provincial Prosecutor and assisted by such number of prosecutors and personnel as may be necessary, subject to law and availability of appropriations.

SECTION 35. Courts, Law Enforcement, and Other Services. The establishment, organization, and jurisdiction of courts, law enforcement offices, and other national or regional government services in the province shall be governed by applicable laws.

The appropriate national and Bangsamoro agencies shall ensure that the creation of the province does not impair the continuity of public services.

ARTICLE IX

FISCAL PROVISIONS

SECTION 36. Share in National Taxes and Other Revenues. The Province of the Bangsamoro Special Geographic Area shall be entitled to its just share in national taxes and other lawful revenues in accordance with the Constitution, the Bangsamoro Organic Law, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

SECTION 37. Local Revenue Powers. The province may create its own sources of revenue and levy taxes, fees, and charges, subject to the Constitution, the Bangsamoro Organic Law, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

SECTION 38. Tax Moratorium. For a period of five years from the commencement of its corporate existence, the province shall not increase the rates of local taxes existing in the component municipalities, unless otherwise authorized by law and after compliance with consultation and publication requirements.

This section shall not prevent the province from imposing reasonable regulatory fees and charges necessary for the delivery of services, subject to law.

SECTION 39. Assets, Liabilities, and Obligations. Upon the commencement of corporate existence of the province, the assets, liabilities, obligations, records, and properties directly pertaining to or necessary for the administration of the component municipalities shall be identified, inventoried, and transferred or allocated in accordance with law.

The Commission on Audit, in coordination with the Department of Budget and Management, Department of the Interior and Local Government, Ministry of the Interior and Local Government of the BARMM, the Province of Cotabato, the Bangsamoro Government, and the component municipalities, shall recommend the proper disposition, allocation, or transfer of such assets, liabilities, obligations, records, and properties.

SECTION 40. Initial Funding. The amount necessary for the initial implementation of this Act shall be charged against available appropriations of the appropriate national government agencies and the Bangsamoro Government, subject to existing budgeting, accounting, and auditing laws, rules, and regulations.

Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act, the Bangsamoro Appropriations Act, and the annual budget of the province, as may be appropriate.

ARTICLE X

PLEBISCITE AND TRANSITORY PROVISIONS

SECTION 41. Plebiscite. The Province of the Bangsamoro Special Geographic Area shall be created upon approval by a majority of the votes cast in a plebiscite to be conducted and supervised by the Commission on Elections in the political units directly affected, in accordance with Section 10, Article X of the Constitution.

The plebiscite shall be conducted within one hundred twenty days from the effectivity of this Act, unless the Commission on Elections determines that a longer period is necessary for legal, logistical, security, or administrative reasons.

The Commission on Elections shall promulgate the rules and regulations necessary to conduct the plebiscite.

SECTION 42. Commencement of Corporate Existence. The corporate existence of the Province of the Bangsamoro Special Geographic Area shall commence upon:

- a. Ratification of this Act by a majority of the votes cast in the plebiscite; and
- b. Qualification and assumption of office of the interim or elected Provincial Governor, Provincial Vice Governor, and a majority of the members of the Sangguniang Panlalawigan.

SECTION 43. Interim Provincial Government. Upon ratification of this Act and pending the election and qualification of the first elective provincial officials, the President of the Philippines, in consultation with the Chief Minister of the Bangsamoro Autonomous Region in Muslim Mindanao, shall appoint an Interim Provincial Governor, Interim Provincial Vice Governor, and Interim Members of the Sangguniang Panlalawigan.

The interim officials shall serve until the first elected provincial officials shall have qualified and assumed office.

The interim provincial government shall exercise only such powers as are necessary to organize the provincial government, ensure the continuity of public services, prepare the first provincial budget, coordinate the transfer of assets and records, and perform urgent acts necessary for governance and public welfare.

SECTION 44. First Regular Election of Provincial Officials. The first regular election of the Provincial Governor, Provincial Vice Governor, and Members of the Sangguniang Panlalawigan shall be held in the next regular local elections following the ratification of this Act.

The officials elected shall serve until their successors shall have been duly elected and qualified.

SECTION 45. Organization of Provincial Offices. All mandatory provincial offices shall be organized within one hundred eighty days from the commencement of corporate existence of the province.

The interim or elected Provincial Governor shall prepare an organizational structure and staffing pattern for approval by the Sangguniang Panlalawigan, subject to civil service, budgetary, compensation, and auditing laws.

SECTION 46. Continuity of Existing Municipal Governments. The creation of the province shall not affect the corporate existence, powers, functions, and responsibilities of its component municipalities.

Until modified by law or ordinance, existing municipal offices, personnel, programs, contracts, permits, licenses, records, and obligations shall continue to be valid and effective.

SECTION 47. Continuity of Public Services. All national government agencies, Bangsamoro Government ministries and offices, and local government units concerned shall ensure the uninterrupted delivery of public services during the transition.

The creation of the province shall not impair existing public services, benefits, programs, projects, or lawful obligations in the component municipalities.

SECTION 48. Personnel Absorption. Qualified personnel performing functions related to provincial services in the affected areas may be absorbed by the Province of the Bangsamoro Special Geographic Area, subject to civil service laws, qualification standards, staffing patterns, and availability of funds.

No employee shall be separated from service except for lawful cause and in accordance with due process.

SECTION 49. Records and Property Transfer. All records, documents, maps, surveys, plans, tax declarations, fiscal records, personnel records, and other public

documents necessary for the administration of the province shall be transferred, copied, or made available to the provincial government by the appropriate offices, subject to law.

SECTION 50. Development and Transition Plan. Within one year from the commencement of corporate existence, the provincial government shall prepare a Provincial Development and Transition Plan.

The plan shall include:

- a. Organization of provincial offices;
- b. Fiscal administration and revenue generation;
- c. Delivery of basic services;
- d. Infrastructure priorities;
- e. Health, education, agriculture, social welfare, and livelihood programs;
- f. Disaster risk reduction and climate resilience;
- g. Peace and order coordination;
- h. Cultural preservation and community participation; and
- i. Coordination with the Bangsamoro Government and national government agencies.

ARTICLE XI

FINAL PROVISIONS

SECTION 51. Applicability of Laws. The Province of the Bangsamoro Special Geographic Area shall be governed by the Constitution, Republic Act No. 11054, the Bangsamoro Local Governance Code, the Local Government Code of 1991, and other applicable laws.

The Local Government Code of 1991 shall apply suppletorily where not inconsistent with the Bangsamoro Organic Law, the Bangsamoro Local Governance Code, and this Act.

SECTION 52. Implementing Rules and Regulations. Within ninety days from the effectivity of this Act, the Department of the Interior and Local Government, Commission on Elections, Department of Budget and Management, Commission on Audit, Department of Finance, Department of Justice, and other concerned national government agencies, in coordination with the Bangsamoro Government, shall issue the necessary rules and regulations to implement this Act.

SEC. 53. Separability Clause. If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain valid and effective.

SECTION 54. Repealing Clause. All laws, decrees, executive orders, proclamations, rules and regulations, issuances, or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 55. Effectivity. This Act shall take effect fifteen days after its publication in the Official Gazette or in a newspaper of general circulation.