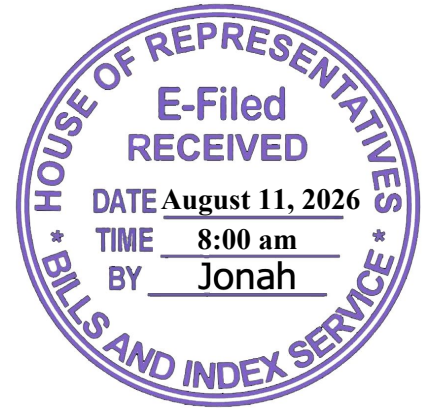


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10693



Introduced by the Hon. Dibu S. Tuan

EXPLANATORY NOTE

This bill seeks to create three (3) Municipal Trial Courts (MTCs) in the Province of South Cotabato, one each for the municipalities of Sto. Niño, Lake Sebu, and T'boli.

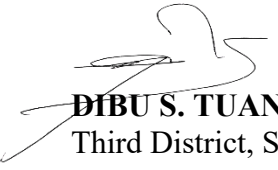
For this purpose, the existing Municipal Circuit Trial Court (MCTC) for Norala-T'boli-Sto. Niño shall be decircuitized and hereinafter denominated as MTC in the Municipality of Norala. Similarly, the existing Municipal Circuit Trial Court (MCTC) for Surallah-Lake Sebu shall be decircuitized and hereinafter denominated as MTC in the Municipality of Surallah.

The creation of an MTC for T'boli is justified by the large population of Indigenous Peoples (IPs) in the municipality and the fact that T'boli is very far from Norala where the existing MCTC is situated. Although accessible, the transportation cost is burdensome for most litigants because one needs to cross over Surallah and Sto. Niño in going to Norala. The driving distance from T'boli to Norala is approximately 40.6 kilometers.

The same goes for Lake Sebu which while accessible to Surallah, where the present MCTC is located, would still require a separate MTC for the former in view of the significant IP population. The distance of 22.5 kilometers (14 miles) from Lake Sebu to Surallah would also be challenging for most IPs.

If we are indeed going to transform our country into an oasis of freedom and justice, we need to ensure that “those who have less in life should have more in law.” Those who are in the margins of our society, which counts our indigenous peoples, need greater access to the pathways of justice for the redress of their grievances.

For these and other similar compelling reasons, the early approval of this measure is earnestly sought.


DIBU S. TUAN
Third District, South Cotabato

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

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10693

Introduced by the Hon. Dibu S. Tuan

AN ACT

CREATING THREE (3) ADDITIONAL MUNICIPAL TRIAL COURTS (MTCs), ONE (1) MUNICIPAL TRIAL COURT FOR STO. NIÑO, ONE (1) MUNICIPAL TRIAL COURT FOR LAKE SEBU AND ONE (1) MUNICIPAL TRIAL COURT FOR T'BOLI, ALL SITUATED IN THE PROVINCE OF SOUTH COTABATO, IN THE ELEVENTH JUDICIAL REGION, AMENDING FOR THE PURPOSE SECTION 30 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

SECTION 1. Three (3) additional Municipal Trial Courts (MTCs), in the Eleventh Judicial Region are hereby created and stationed in the Province of South Cotabato as follows:

- (a) One (1) MTC in the Municipality of Sto. Niño;
- (b) One (1) MTC in the Municipality of Lake Sebu; and
- (c) One (1) MTC in the Municipality of T'boli.

The existing Municipal Circuit Trial Court (MCTC) of Norala-T'boli-Sto. Niño stationed in Norala shall be decircuitized and hereinafter denominated as Municipal Trial Court (MTC) in the Municipality of Norala.

The existing Municipal Circuit Trial Court (MCTC) of Surallah-Lake Sebu stationed in Surallah shall be decircuitized and hereinafter denominated as Municipal Trial Court (MTC) in the Municipality of Surallah.

SEC. 2. The Chief Justice of the Supreme Court, in coordination with the Secretary of the Department of Justice, shall immediately include in the Court's program the operationalization of the three (3) additional MTCs in the municipalities of Sto. Niño, Lake Sebu and T'boli in the Province of South Cotabato. The Supreme Court shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 3. The funds necessary for the implementation of this Act, including appropriations for personnel services such as salaries, benefits and emoluments for judges and court personnel, court operations under maintenance and other operating expenses (MOOE), and provisions for Halls of Justice or courtrooms to accommodate judges and court staff, as well as funds necessary for the implementation of automatically-created prosecutor positions pursuant to Section 13 of Republic Act No. 10071 or the “Prosecution Service Act of 2010” and appointment of public attorneys pursuant to Section 7 of Republic Act No. 9406 or the Act Reorganizing and Strengthening the Public Attorney’s Office (PAO), resulting from the creation of these courts, including appropriations for personnel services such as salaries, benefits, and emoluments for prosecutors and public attorneys, shall be included in the annual General Appropriations Act.

The funds necessary for the operation of the courts herein created shall be appropriated and released only upon the actual organization of the court and the appointment of its personnel.

SEC. 4. Section 30 of Batas Pambansa Blg. 129, otherwise known as “The Judiciary Reorganization Act 1980”, as amended, and all other laws, rules and regulations which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,