

[**PRESIDENTIAL DECREE No. 1618, July 25, 1979**]

IMPLEMENTING THE ORGANIZATION OF THE SANGGUNIAN PAMPOK AND THE LUPONG TAGAPAGPAGANAP NG POK IN REGION IX AND REGION XII AND FOR OTHER PURPOSES

WHEREAS, on February 14, 1977, Presidential Decree No. 1092, as amended, was promulgated calling for a referendum-plebiscite on April 17, 1977 in the thirteen provinces of Southern Philippines;

WHEREAS, on February 15, 1977, the Batasang Bayan passed Resolution No. 11 recommending the promulgation of a decree attached to such resolution, providing for the functions, powers and composition of the Sangguniang Pampook (Regional Assembly) and for other purposes;

WHEREAS, on March 25, 1977, Proclamation No. 1628 was issued declaring autonomy in Southern Philippines;

WHEREAS, included in the aforementioned referendum plebiscite as Question No. 10 was the proposal of the Batasang Bayan in its Resolution No. 11 to create a Sangguniang Pampook and a Lupong Tagapagpaganap ng Pook (Regional Executive Council);

WHEREAS, on April 17, 1977, the aforementioned Question No. 10 was overwhelmingly approved by the qualified voters of the thirteen provinces in Southern Philippines with 2,499,375 affirmative votes; 65,612 negative votes; and 21,176 abstentions;

WHEREAS, on May 7, 1977, Proclamation No. 1628-A was issued proclaiming the adoption and implementation of the results of the referendum-plebiscite of April 17, 1977, particularly the Batasang Bayan proposal contained in its Resolution No. 11 and included as Question No. 10 of the said referendum-plebiscite;

WHEREAS, on March 23, 1979, in pursuance of such Proclamation No. 1628-A, Batas Pambansa Blg. 20 was enacted providing for the organization of the Sangguniang Pampook in each of Regions IX and XII, providing funds therefor, and for other purposes;

WHEREAS, on May 7, 1979, by authority of the said Batas Pambansa Blg. 20, the election of the representative to the Sangguniang Pampook in Regions IX and XII was held and the successful candidates thereto have already been proclaimed and duly qualified;

WHEREAS, in order to fully comply with the mandate of the people expressed through the referendum-plebiscite in Southern Philippines and the provisions of Batas Pambansa Blg. 20, there is need for a Presidential issuance to provide the framework of the organization of the Sangguniang Pampook and the Lupong Tagapagpaganap ng Pook in Regions IX and XII;

WHEREAS, the establishment of the Autonomous Regions will enhance the attainment of peace and order, the acceleration of socio-economic development, and the resettlement of displaced persons and families in Region IX and XII;

WHEREAS, consistent with the provisions of autonomy, it would be desirable to effect the turnover of responsibility for undertaking development activities particularly at the community level to the Autonomous Regions; and

WHEREAS, it is likewise consonant with the concept of autonomy to grant such powers and authority to the Autonomous Regions as would enable them to adopt and implement regional policies and legislation which are germane to their particular needs and social and cultural values.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order the following:

Chapter I GENERAL PROVISIONS

SECTION 1. Definitions. When used in this Decree:

- (1) Constitution means the Constitution of the Republic of the Philippines.
- (2) President means the President of the Republic of the Philippines.
- (3) The Autonomous Regions means Region IX and Region XII.
- (4) Sangguniang Pampook means the Regional Assembly for each Autonomous Region.
- (5) Lupong Tagapagpaganap ng Pook means the Regional Executive Council for each Autonomous Region.
- (6) Lupon Chairman means the head of the Lupong Tagapagpaganap ng Pook.
- (7) Provided by law means provided by national law.

Chapter II AUTONOMOUS REGION

SEC. 2. Territorial Coverage of the Autonomous Regions. (a) Region IX shall comprise the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Norte including the Cities of Dipolog and Dapitan, and Zamboanga del Sur including the Cities of Pagadian and Zamboanga.

(b) Region XII shall comprise the provinces of Lanao del Norte including the City of Iligan, Lanao del Sur including the City of Marawi, Maguindanao including the City of Cotabato, North Cotabato, and Sultan Kudarat.

SEC. 3. Internal Autonomy. Within the framework of the national sovereignty and territorial integrity of the Republic of the Philippines and its Constitution, internal autonomy shall be established in the Autonomous Regions with legislative and executive machinery to exercise the powers and responsibilities herein specified in accordance with the provisions of the Constitution and the laws of the Republic of the Philippines.

SEC. 4. Scope of Internal Autonomy. The Autonomous Regions shall undertake all internal administrative matters for the respective regions. They shall not act on

matter which are within the jurisdiction and competence of the National Government, which include, but are not limited to, the following:

- (1) National defense and security;
- (2) Foreign relations;
- (3) Foreign trade;
- (4) Currency, monetary affairs, foreign exchange, banking and quasi-banking, and external borrowing;
- (5) Disposition, exploration, development, exploitation or utilization of all natural resources;
- (6) Air and sea transport;
- (7) Postal matters and telecommunications;
- (8) Customs and quarantine;
- (9) Immigration and deportation;
- (10) Citizenship and naturalization;
- (11) National economic, social and educational planning; and
- (12) General auditing

SEC. 5. Control of Security and/or Police Forces. All security and/or police forces in the Autonomous Regions shall be organized, maintained and utilized in accordance with applicable laws, policies and rules and regulations, and shall be under the supervision and control of the National Government.

Chapter III SANGGUNIAN PAMPOK

SEC. 6. The Sanggunian Pampook. The Sanggunian Pampook in each region which is composed of twenty-one members, shall include seventeen representatives elected from the different provinces and component cities in each region, as follows:

Region IX The provinces of Basilan, one representative; Sulu, three representatives; Tawi-Tawi, one representative; Zamboanga del Norte including the Cities of Dipolog and Dapitan, four representatives; Zamboanga del Sur including the Cities of Pagadian and Zamboanga, eight representatives;

Region XII The provinces of Lanao del Norte including the City of Iligan, three representatives; Lanao del Sur including the City of Marawi, four representatives; Maguindanao including the City of Cotabato, four representatives; North Cotabato, four representatives; and Sultan Kudarat, two representatives; and sectoral representative each from among the youth agricultural workers, non-agricultural workers and professionals of the region.

The President shall appoint an additional five representatives whenever in his judgment any other sector is not properly represented in the Sanggunian Pampook as a result of the election.

SEC. 7. Powers of the Sangguniang Pampook. The Sangguniang Pampook shall exercise local legislative powers over regional affairs within the framework of national development plans, policies and goals, in the following areas:

- (1) Organization of regional administrative system;
- (2) Economic, social and cultural development of the Autonomous Region;
- (3) Agricultural, commercial and industrial programs for the Autonomous Region;
- (4) Infrastructure development for the Autonomous Region;
- (5) Urban and rural planning for the Autonomous Region;
- (6) Taxation and other revenue-raising measures as provided for in this Decree;
- (7) Maintenance, operation and administration of schools established by the Autonomous Region;
- (8) Establishment, operation and maintenance of health, welfare and other social services, programs and facilities;
- (9) Preservation and development of customs, traditions, languages and culture indigenous to the Autonomous Region; and
- (10) Such other matters as may be authorized by law, including the enactment of such measures as may be necessary for the promotion of the general welfare of the people in the Autonomous Region.

The President shall exercise such powers as may be necessary to assure that enactment and acts of the Sangguniang Pampook and the Lupong Tagapagpaganap ng Pook are in compliance with this Decree, national legislation, policies, plans and programs.

The Sangguniang Pampook shall maintain liaison with the Batasang Pambansa.

SEC. 8. Staff Support. The technical and administrative support requirements of the Sangguniang Pampook shall be as provided in SEC. 15. The administrative organization of the Sangguniang Pampook shall be composed of the office of the presiding officer and shall be assisted by a secretariat.

SEC. 9. Rules of Proceedings. The Sangguniang Pampook shall adopt its own rules of proceedings by a majority vote of all its members, including the procedure for the selection of the presiding officer. Pending the adoption of said rules, the Rules of the Batasang Pambansa shall, as far as practicable, be made applicable to the Sangguniang Pampook.

SEC. 10. Salary of Members. Each member of the Sangguniang Pampook shall receive an annual salary of Twenty-Four Thousand Pesos (P24,000.00), chargeable against Sangguniang Pampook funds.

SEC. 11. Term of Office. The term of office of members of the Sangguniang Pampook shall be three years and they shall continue in office until their successors shall have been elected and qualified.

SEC. 12. Privileges. A member of the Sangguniang Pampook may engage in business or in the practice of his profession unless such activity will give rise to a

conflict of interest by reason of his position as such member, or unless he is concurrently the Lupon Chairman or member of the Lupon Tagapagpaganap ng Pook.

SEC. 13. Establishment of Schools in the Autonomous Region. The Autonomous Region may establish educational institutions such as schools, colleges and universities within the framework of the national system of education as defined in the Constitution and laws. Such educational institutions shall be operated and maintained by the Autonomous Region.

All state colleges and universities whose main campuses are located in the Autonomous Region shall assist and cooperate for the progress and development of the region. For this purpose, the Lupon Chairman shall designate his representative to sit as member of the governing boards of these institutions in addition to the present members thereof.

Chapter IV LUPONG TAGAPAGPAGANAP NG POOK

SEC. 14. Composition of the Lupon Tagapagpaganap ng Pook. The Lupon Tagapagpaganap ng Pook shall be composed of a Chairman and four members who shall be appointed by the President on recommendation of the Sangguniang Pampook and who may or may not be members thereof. Any elective official who is appointed Lupon Chairman or member of the Lupon Tagapagpaganap ng Pook shall vacate his elective position, except his being a member of the Sangguniang Pampook.

SEC. 15. Staff Support. The Lupon Tagapagpaganap ng Pook shall have a staff support organization which shall provide it with the necessary technical and administrative assistance in the performance of its duties. This organization shall likewise, initially provide the administrative and technical support requirements of the Sangguniang Pampook. The administrative organization of the Lupon Tagapagpaganap ng Pook shall initially be composed of the Office of the Lupon Tagapagpaganap ng Pook proper including (a) the Policy and Planning Service, (b) The Financial and Management Service, and (c) the Administrative Service; and the Local Governments Branch and the Regional Offices Branch. The Lupon Chairman shall appoint the personnel of the administrative organization of the Lupon Tagapagpaganap ng Pook.

SEC. 16. Term of Office. The Lupon Chairman and members of the Lupon Tagapagpaganap ng Pook shall have the same term as the members of the Sangguniang Pampook. The President, on recommendation of a vote not less than three-fourths (3/4) of all the members of the Sangguniang Pampook, and for cause, may remove the Lupon Chairman or any member of the Lupon Tagapagpaganap ng Pook.

SEC. 17. Salaries. The Lupon Chairman and each member of the Lupon Tagapagpaganap ng Pook shall receive an annual salary of Fifty Thousand Pesos (P50,000.00) and Forty-Five Thousand Pesos (P45,000.00), respectively. A member of the Sangguniang Pampook who is appointed Lupon Chairman or a member of the Lupon Tagapagpaganap ng Pook shall only receive the salary provided for herein.

SEC. 18. Powers and Functions of the Lupon Tagapagpaganap ng Pook. (a) The Lupon Tagapagpaganap ng Pook shall be the executive unit of the region. It shall