

# [ PRESIDENTIAL DECREE NO. 1092, February 14, 1977 ]

## **CALLING A REGIONAL PLEBISCITE IN REGIONS IX AND XII AND IN THE PROVINCES OF PALAWAN, DAVAO DEL SUR AND SOUTH COTABATO, TO CONSIDER THEIR INCLUSION IN AN AUTONOMOUS REGION, PRESCRIBING THE MECHANICS AND APPROPRIATING FUNDS THEREFOR**

**WHEREAS**, there is a proposal to merge Regions IX and XII as an autonomous region, and to include the provinces of Palawan, Davao del Sur and South Cotabato as part of that region;

**WHEREAS**, it is necessary that the people in Region IX and XII and in the provinces of Palawan, Davao del Sur and South Cotabato should participate in deciding this proposal;

**WHEREAS**, there is a need to prescribe the mechanism on the manner by which such regional plebiscite shall be conducted;

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

**SECTION 1. *Plebiscite.*** — There is hereby called on February 21, 1977, a regional plebiscite through the barangays in the provinces and cities of Regions IX and XII and in the provinces of Palawan, Davao del Sur and South Cotabato to resolve the questions stated in the next section.

**SECTION 2. *Questions to be resolved.*** — The questions to be resolved by the constituencies indicated hereunder shall be as follows:

For Voters of Regions 9 and 12

"Do you approve the merger of Region 9 and 12 into one autonomous region?"

For Voters of Palawan, Davao del Sur and South Cotabato

"Do you approve the inclusion of your province as part of an autonomous region in Southwestern Philippines (Regions 9 and/or 12)?"

**SECTION 3. *Supervision and control of plebiscite and implementation of this Decree by the Commission on Elections.*** — For purposes of this plebiscite, the Commission on Elections shall, in addition to the powers conferred upon it by the Constitution, supervise the conduct of voting and canvass of ballots, and exercise such other powers and functions as may be necessary to implement this Decree.

**SECTION 4. *Who are entitled to vote.*** — All qualified barangay voters duly registered in the October, 1976 referendum-plebiscite shall be entitled to vote in the plebiscite herein provided.

Any person who is not a registered barangay voter but who has all the necessary qualifications and none of the disqualifications under the law may apply for registration in accordance with the provisions of Presidential Decree No. 210.

**SECTION 5.** *List of barangay voters.* — The list of Barangay Voters of the October, 1976 referendum-plebiscite shall be used in this plebiscite, together with the list of new voters.

**SECTION 6.** *Barangay plebiscite committee.* — Without prejudice to the authority of the Commission on Elections to replace or appoint the members of a barangay plebiscite committee, the members of the referendum-plebiscite committees that functioned as such during the October, 1976 referendum-plebiscite in the areas concerned shall compose the plebiscite committees for this plebiscite.

**SECTION 7.** *Powers of the barangay plebiscite committee.* — For purposes of this plebiscite, the barangay plebiscite committee shall have the following powers and functions:

- a) Supervise the voting and the canvass of voters in their respective barangay plebiscite centers;
- b) Act as deputies of the Commission in the supervision and control of the plebiscite processes in their respective centers to assure the holding of a free, orderly and honest plebiscite; and
- c) Perform such other functions prescribed by this Decree and by the rules and regulations or instructions promulgated or issued by the Commission.

**SECTION 8.** *Barangay plebiscite centers.* — Without prejudice to the establishment of new barangay plebiscite centers, or the transfer or splitting of existing ones, the barangay voting centers which functioned as such during the October, 1976 referendum-plebiscite in the areas concerned shall be used as the barangay plebiscite centers for this plebiscite.

**SECTION 9.** *Creation of new barangay plebiscite centers.* — In places where there are no existing barangay voting centers and there are at least two hundred voters, the Commission shall establish new barangay plebiscite centers. Said centers shall, as far as practicable, be located in public schools buildings or other public buildings upon consultation with barangay or sanggunian officials.

**SECTION 10.** *Canvass and proclamation by the Commission.* — Canvass shall be made by the Commission in any convenient place within the regions and provinces concerned. Sitting en banc, it shall meet not later than seven o'clock in the evening of the day of the plebiscite to canvass the plebiscite results that may have already been received. It shall meet continuously from day to day until the canvass is completed and may adjourn only for the purpose of awaiting the other plebiscite returns from other places. To facilitate the canvass, the Commission may create committees or subcommittees.

**SECTION 11.** *Observers.* — Civic, religious, youth and other similar organizations may designate not more than two observers each, under written authority to be accredited by the election registrar, to observe the registration of voters, casting of votes, and counting of the votes in the barangay plebiscite centers.

The observers shall have the right to stay in the space reserved for them within the barangay plebiscite center, to witness and inform themselves of the proceedings of the committee, to take note of what they may see or hear, to file a protest against any irregularity which they believe may have been committed by the committee