

RA BILL No. 45

**Republic of the Philippines
Autonomous Region in Muslim Mindanao
REGIONAL ASSEMBLY
Cotabato City**

**FIFTH LEGISLATIVE ASSEMBLY
(First Regular Session)**

[MUSLIM MINDANAO AUTONOMY ACT NO. 201]

Begun and held in Cotabato City, on Monday, the twenty-fourth day of October, two thousand five.

**AN ACT CREATING THE PROVINCE OF SHARIFF
KABUNSUAN, PROVIDING FUNDS THEREFOR,
AND FOR OTHER PURPOSES.**

Be it enacted by the Regional Assembly in session assembled:

Section 1. The municipalities of Barira, Buldon, Datu Odin Sinsuat, Kabuntalan, Matanog, Parang, Sultan Kudarat, Sultan Mastura and Upi are hereby separated from the Province of Maguindanao and constituted into a distinct and independent province, which is hereby created, to be known as the Province of Shariff Kabunsuan.

Any municipality that may hereafter be created within the jurisdiction of this province shall automatically form part of its constituent units.

The seat of the provincial government shall be the municipality of Datu Odin Sinsuat.

Sec. 2. The land area of the territorial jurisdiction of the Province of Shariff Kabunsuan is Four Thousand Twenty Eight Point Fifty Seven (4,028.57) Square Kilometers, which shall be designated by metes and bounds, according to the established boundaries, both natural and designated, of its different municipalities as are indicated in the Map of the province.

Sec. 3. Within one hundred twenty (120) days after the effectivity of this Act, there shall be a plebiscite for the purpose to be conducted and supervised by the Commission on Elections in the Province of Maguindanao.

The creation of the Province of Shariff Kabunsuan shall take effect when approved by the majority of the votes cast in said plebiscite.

Sec. 4. Unless otherwise provided by law, the members of the Sangguniang Panlalawigan of Shariff Kabunsuan are as follows: ten (10), regular members, president of the provincial federation of the sangguniang members of municipalities, president of the provincial chapter of the liga ng mga barangay, and president of the panlalawigan pederasyon ng mga sangguniang kabataan.

The sectoral representatives shall include: one (1) from women; one (1) from agricultural or industrial workers; and one (1) either from urban poor, indigenous cultural communities or disabled persons.

Sec. 5. The corporate existence of this province shall commence upon the appointment by the Regional Governor or election of the governor and majority of the regular members of the Sangguniang Panlalawigan.

The incumbent elective provincial officials of the Province of Maguindanao shall continue to serve their unexpired terms in the province that they will choose or where they are residents; Provided, that where an elective position in both provinces becomes vacant as a consequence of the creation of the Province of Shariff Kabunsuan, all incumbent elective provincial officials shall have preference for appointment to a higher elective vacant position and, for the time being, be appointed by the Regional Governor, and shall hold office until their successors shall have been elected and qualified in the next local elections; Provided, further, that they shall continue to receive the salaries they are receiving at the time of the approval of this Act until the new readjustment of salaries in accordance with law. Provided, furthermore, that there shall be no diminution in the number of the members of the Sangguniang Panlalawigan of the mother province.

Except as may be provided by national law, the existing legislative district, which includes Cotabato City as a part thereof, shall remain.

Sec. 6. The Constitution, RA 9054, pertinent provisions of RA 7160, MMA Act 25 and other existing laws shall, where necessary, be supplementary to this Act.

Sec. 7. The employees of the province of Maguindanao, who are residents of the province of Shariff Kabunsuan, shall be given priority in appointment to existing vacant plantilla positions in the new province, subject to civil service law, rules, and regulations.

The retirements of casual, regular or permanent employees shall be provided full benefits under the law by the province where such employees opted to join according to civil service law, accounting and auditing rules and regulations.

Sec. 8. The new province shall have an equitable share in assets and liabilities with the mother province, including capital equipment and other properties that are located within its territorial jurisdiction. A joint committee shall be created for the purpose.

The mother province shall likewise fund the initial operational requirements of the new province of its share of the Internal Revenue Allotment (IRA) for the ensuing FY- 2007 until the IRA of the new province shall have been determined, segregated and released by the DBM.

Sec. 9. Such expenses as may be necessary in the conduct of the plebiscite shall be appropriated out of any available funds in the ARMM Treasury and in the province of Maguindanao, not otherwise appropriated, subject to existing auditing and accounting rules and regulations.

Sec. 10. If any provision or part of this Act shall be declared unconstitutional or invalid, the other provisions or parts which are not affected thereby shall remain in force and effect.

Sec. 11. All laws, orders, rules and regulations inconsistent herewith are hereby repealed, revoked or modified accordingly.

Sec. 12. This Act shall take effect immediately upon its approval and publication in a newspaper of general circulation in Muslim Mindanao.

APPROVED.

(SGD.) PAISALIN P. TAGO
Speaker

This Act was passed by the Regional Assembly on August 28, 2006.

(SGD.) DATU MAMA M. AMPATUAN
Secretary-General

APPROVED:

(SGD.) DATU ZALDY PUTI UY AMPATUAN
Regional Governor
Date: September 6, 2006