

13th Congress of the Republic)
of the Philippines)
First Regular Session)

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SENATE
S.B. 1673

RECEIVED BY: _____ *a*

Introduced by Senator Aquilino Q. Pimentel, Jr.

EXPLANATORY NOTE

The Organic Act for the Autonomous Region in Muslim Mindanao (R.A. No. 9054) provides for the holding of the first regular elections for elective regional officials on the second Monday of September, 2001 (Article XVIII, Section 7). However, this provision was subsequently amended with the enactment of R.A. No. 9140, which set the first regular elections for Regional Governor, Regional Vice-Governor, and Members of the Regional Legislative Assembly of the ARMM on the last Monday of November, 2001 (i.e., 26 November 2001). The ARMM officials elected under R.A. 9140 commenced their terms of office on 4 December 2001.

The bill proposed herein conforms with the mandate of Section 8, Article X of the 1987 Constitution, which expressly mandates that "the term of office of local officials...shall be three years", and of Section 7, Article VII of R.A. No. 9054 as well, which provides for the terms of office of the elective officials of the ARMM for a period of three (3) years.

In this bill, the date of the first regular elections (i.e., last Monday of November, 2001) as provided in R.A. 9140 and the date when elected officials therein commenced their term have been put into consideration so that the incumbent officials elected under R.A. 9140 may be able to serve their full three-year term in consonance with the Constitution and the Organic Act. Hence, the date for the second regular elections for elective officials of the ARMM is herein set *for* the last Monday of November, 2004 and date of assumption of office of the elective officials to be elected under this proposed bill is set *for* the first Monday of December, 2004. Subsequent elections are accordingly set three (3) years thereafter the second regular elections.

Approval of this bill is therefore earnestly sought.


AQUILINO Q. PIMENTEL, JR.

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AN ACT

FIXING THE DATE OF THE REGULAR ELECTIONS OF REGIONAL GOVERNOR, REGIONAL VICE-GOVERNOR, AND MEMBERS OF THE REGIONAL LEGISLATIVE ASSEMBLY OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9140 ENTITLED "AN ACT FIXING THE DATE OF THE PLEBISCITE FOR THE APPROVAL OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734 AND SETTING THE DATE OF THE REGULAR ELECTIONS FOR ELECTIVE OFFICIALS OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO ON THE LAST MONDAY OF NOVEMBER 2001, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9054, ENTITLED 'AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED 'AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO,' AS AMENDED, AND FOR OTHER PURPOSES", AND FOR OTHER PURPOSES

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

SECTION 1. *Amendment to Section 2 of Republic Act No. 9140.* Section 2 of Republic Act No. 9140 is hereby amended by setting the date of regular elections for elective officials of the Autonomous Region in Muslim Mindanao (ARMM), and hence fixing the term of office of the said officials elected on 26 November 2001 first regular elections in the ARMM, to read as follows:

"Section 2. *Regular Elections.* There shall be regular elections for Regional Governor, Regional Vice Governor, and Members of the Regional Legislative Assembly of the Autonomous Region in Muslim Mindanao (ARMM). The second regular elections shall be held on the last Monday of November, 2004. Subsequent elections shall be held every three (3) years thereafter."

SEC. 2. *Term of Office.* The terms of office of elected Regional Governor, Regional Vice Governor, and Members of the Regional Legislative Assembly of the ARMM shall be three (3) years pursuant to Article X, Section 8 of the Constitution.

SEC. 3. *Assumption of Office.* The term of office of the Regional Governor, Regional Vice Governor, and Members of the Regional Legislative Assembly of the ARMM elected under this Act shall commence at noon of the first Monday of December next following their election and shall expire at noon of the first Monday of December, three (3) years thereafter. The same shall also apply to the term of office of ARMM official selected in subsequent elections.

SEC. 4. The incumbent Regional Governor, Regional Vice-Governor and Members of the Regional Legislative Assembly of the Autonomous Region in Muslim Mindanao shall continue in office, unless sooner removed or suspended for cause, pursuant to existing laws and until their successors shall have been duly elected and qualified.

SEC. 5 *Rules and Regulations.* The Commission on Elections shall promulgate the necessary rules and regulations to carry the purpose of this Act.

SEC. 6. *Separability Clause.* If any of the provision of this Act is held unconstitutional, the provisions not affected thereby shall remain valid and binding.

SEC. 7. *Repealing Clause.* All laws, acts, decrees, executive orders, administrative regulations and all other issuances or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 8. *Effectivity.* This Act shall take effect upon publication in at least two (2) national newspapers of general circulation, and one (1) local newspaper of general circulation in the Autonomous Region in Muslim Mindanao.

Approved,