



HOUSE OF REPRESENTATIVES

H. No. 7406

BY REPRESENTATIVES GO (M.), YAP (C.) AND ROBES, PER COMMITTEE REPORT NO. 383

AN ACT

AMENDING SECTIONS 23, 50, 52 AND 50 OF REPUBLIC ACT NO. 11689
OTHERWISE KNOWN AS THE "REVISED CHARTER OF THE CITY OF
BAGUIO"

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

1 **SECTION 1.** Section 23 of Republic Act No. 11689 otherwise known as the
2 "Revised Charter of the City of Baguio" is hereby amended to read as follows:

3
4 "Section 23. *Secretary to the Sangguniang Panlungsod.* – (a) There shall be
5 a Secretary to the Sangguniang Panlungsod who shall be a career official with the
6 rank and salary equal to a head of a department or office.

7
8 (b) The Secretary to the Sangguniang Panlungsod must be a citizen of the
9 Philippines, a resident of the City of Baguio, of good moral character, a holder of a
10 college degree preferably in law, commerce, or public administration from a
11 recognized college or university, and a first grade civil service eligible or its
12 equivalent.

13
14 (c) The Secretary to the Sangguniang Panlungsod shall take charge of the
15 office of the Sangguniang Panlungsod, and shall:

16
17 (1) Attend meetings of the Sangguniang Panlungsod and keep a
18 journal of its proceedings;

19 (2) Keep the seal of the City and affix it with signature to all
20 ordinances, resolutions and official acts of the Sangguniang
21 Panlungsod and present the same for the signature of the presiding
22 officer;

23 (3) Forward to the City Mayor, for approval, copies of ordinances
24 enacted by the Sangguniang Panlungsod duly certified by the
25 presiding officer, in the manner provided in Section 54 of the Local
26 Government Code of 1991, as amended;

27 "[(4) Forward to the Sangguniang Panlalawigan copies of duly
28 approved ordinances in the manner provided in Sections 56 and 57 of
29 the Local Government Code of 1991, as amended;]

1 “[(5)] (4) Furnish, upon the request of any interested party, certified
2 copies of records of public character in custody, upon payment to the
3 City Treasurer of such fees as may be prescribed by ordinance;

4
5 “[(6)] (5) Record in a book kept for the purpose, all ordinances and
6 resolutions enacted or adopted by the Sangguniang Panlungsod, with
7 the dates of passage and publication thereof;

8 “[(7)] (6) Keep the office and all non-confidential records therein open
9 to the public during usual business hours;

10 “[(8)](7) Translate into the dialect used by the majority of the
11 inhabitants all ordinances and resolutions immediately after their
12 approval and cause the publication of the same together with the
13 original version in the manner provided under the Local Government
14 Code of 1991, as amended;

15 “[(9)] (8) Take custody of the local archives and where applicable, the
16 local library, and annually account for the same; and

17 “[(10)] (9) Perform other duties and functions, and exercise such other
18 powers as provided under the Local Government Code of 1991, as
19 amended, and those that are prescribed by law or ordinance.”
20

21 **SEC. 2.** Section 50 of the Revised Charter of the City of Baguio is hereby amended to
22 read as follows:

23
24 “Section 50. *Alienable and Disposable Lands.* – All alienable and disposable
25 lands within the Baguio Townsite Reservation shall be disposed of and awarded by
26 the DENR through the grant of residential free patent, townsite sales, or other modes
27 of disposition pursuant to Republic Act No. 10023; Commonwealth Act No. 141,
28 otherwise known as “The Public Land Act,” as amended; Republic Act No. 11573;
29 and such other laws authorizing the disposition of the lands to qualified applicants.
30

31 “TOWNSITE SALES APPLICATIONS (TSA) SHALL BE CLEARED AND
32 APPROVED JOINTLY BY DENR AND THE CITY GOVERNMENT. PROCEEDS
33 FROM TOWNSITE AND MISCELLANEOUS SALES SHALL ACCRUE TO THE
34 CITY GOVERNMENT AND A PORTION OF WHICH SHALL BE ALLOCATED
35 TO DENR FOR OPERATING EXPENSES.”
36

37 “The application of Republic Act No. 10023 shall always consider the zoning
38 ordinance and the city land use plan. Hence, alienable and disposable public land
39 covered by a townsite sales application filed with the DENR covering areas exceeding
40 two hundred (200) square meters may be subdivided for processing under a residential
41 free patent application, and the excess area thereof shall be processed through
42 townsite sales.
43

44 “Alienable and disposable lands between roads and titled properties and lands
45 adjoining legal easements along creeks and rivers with an area of two hundred (200)
46 square meters, or less, and which are not occupied by houses nor covered by vested
47 rights, shall be immediately delineated, marked and corners monumented not later
48 than twelve (12) months from the effectivity of this Act, and shall form part of the
49 greenbelt areas of Baguio City and not to be awarded to private individuals.”

1 **SEC. 3.** Section 52 of the Revised Charter of the City of Baguio is hereby amended to
2 read as follows:

3
4 **“Section 52. *Special Committee on Lands.*** – There shall be created a Special
5 Committee on Lands to assist the DENR and to serve as venue for the resolution of all
6 land-related issues in the City. It shall protect the interest of the City and its long-time
7 occupants, especially in the review of (i) all ancestral land claims but such review
8 shall not include the delineation processes facilitated by the National Commission on
9 Indigenous Peoples (NCIP) pursuant to Republic Act No. 8371, otherwise known as
10 “The Indigenous Peoples’ Rights Act of 1997”; (ii) the conversion of lands; and (iii)
11 the disposition of public lands including, if possible, the streamlining of the modes of
12 disposition to those most appropriate for the City in order to achieve a balanced
13 development while ensuring land tenure security and equity.

14
15 The Special Committee on Lands shall be chaired by the City Mayor, City
16 Vice Mayor, or the City Committee on Urban Planning, Lands, and Housing, with the
17 DENR as co-chair; the NCIP as vice-chair, and the John Hay Management
18 Corporation (JHMC) AS VICE-CHAIR INsofar AS LANDS WITHIN THE
19 CAMP JOHN HAY RESERVATION ARE CONCERNED, AND THE
20 DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT
21 (DHSUD) AS MEMBERS.”

22
23 **SEC. 4.** Section 55 of the Revised Charter of the City of Baguio is hereby amended to
24 read as follows:

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26 **“Section 55. *Camp John Hay Reservation.*** – The Camp John Hay Reservation
27 covering a total land area of six million two hundred fifty-four thousand one hundred five
28 square meters (6,254,105 sqm.) subject to final survey, which was transferred to the BCDA
29 by virtue of Republic Act No. 7227, as amended, otherwise known as the “Bases Conversion
30 and Development Act of 1992,” as amended, AND AS PROVIDED BY PROCLAMATION
31 NO. 198 S.1993 AND PROCLAMATION NO. 420 S.1994, is not part of the Baguio
32 Townsite Reservation.”

33
34 **SEC. 5. *Separability Clause.*** – If any part or provision of this Act is declared invalid
35 or unconstitutional, the other parts or provisions hereof shall remain valid and effective.

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37 **SEC. 6. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations, or other
38 issuances or parts inconsistent with the provisions of this Acts are hereby repealed or
39 modified accordingly.

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41 **SEC. 7. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
42 in the *Official Gazette* or in a newspaper of general circulation.

Approved,