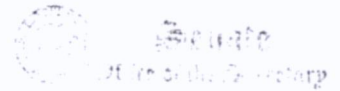


SENATE

S. No. 1678



'18 FEB -1 P2:47

Introduced by Senator Juan Miguel Zubiri

**AN ACT
ESTABLISHING THE AUTONOMOUS REGION OF THE CORDILLERA
(ARC)**

EXPLANATORY NOTE

The 1987 Constitution provides for the autonomy of the Cordillera region, as provided in Section 15 of Article X which states:

There shall be created autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities, and geographic areas sharing common and distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics within the framework of this Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines.

Thirty one years since the promulgation of the Constitution, the region of Cordillera has yet to achieve real autonomy. The establishment of an autonomous region of Cordillera is important to provide a basic structure of government in the region and to secure the identity and cultural heritage of the people of Cordillera.

The Cordillera Administrative Region is home to a number of indigenous tribes collectively known as the *Igorot*. There are 12 ethnolinguistic groups in the Cordillera Administrative Region, namely the Applai, Balangao (sometimes known as Baliwon), Bontok, Kankanaey, Iwak, Karao, Ibaloy, Kalanguya, Ifugao, Isnag, Kalinga and Tingguian.¹ According to data from the National Commission on Indigenous Peoples, there are 1,252,962 indigenous peoples residing in the region.² This is a huge percentage of the total recorded population of the region in 2015 which was recorded at 1,722,006.³

¹ <http://ncipcar.ph/index.php/about-ips>

² <https://www.ncipro67.com.ph/indigenous-peoples-of-the-philippines/>

³ <https://psa.gov.ph/content/population-cordillera-administrative-region-based-2015-census-population>

In 2015, CAR has contributed 1.8 percent to the country's Gross Domestic Product. Palay, corn and cabbage were the major crops produced in CAR contributing 41.42 percent to the region's agricultural output. CAR remained as the top producer of cabbage. The region was placed 9th in corn production and 14th in palay production. Hog and chicken were other leading commodities in which CAR was ranked 15th in production.⁴

Through the establishment of an Autonomous Region of Cordillera, the people from the Cordilleras will have the opportunity to decide on what policies and programs will best fit the region and at the same time have the freedom to pursue their political, economic, social and cultural development within the framework of the national sovereignty and in consonance with their local practices and cultural heritage and identity. Furthermore, through regional autonomy, underdevelopment and poverty in the Cordilleras can be more effectively addressed.

In view of the foregoing, approval of this bill is earnestly sought.



JUAN MIGUEL F. ZUBIRI

⁴ <http://countrystat.psa.gov.ph/?cont=16&r=14>

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S. No. 1678

'18 FEB -1 P2:47

Introduced by Senator **JUAN MIGUEL F. ZUBIRI**

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AN ACT
ESTABLISHING THE AUTONOMOUS REGION OF THE CORDILLERA
(ARC)

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

PREAMBLE

We, the Cordillerans, imploring the will of Divine Providence, exercising our fundamental and Constitutional right to self-determination, faithful to the pursuit of our forebears for the defense, protection, conservation and development of our patrimony and cultural heritage, in order to secure for ourselves and our posterity a region of peace and prosperity founded on truth, freedom, justice, love and human solidarity through a Regional Autonomous Government that shall ensure our human rights, our human development, and our active participation as citizens in the affairs of a united Philippine State, do proclaim this Organic Act of the Autonomous Region of the Cordillera.

ARTICLE I
NAME AND PURPOSE

Section 1. Name. - There is hereby established an autonomous region in the Cordillera to be known as the "**Autonomous Region of the Cordillera**" (**ARC**).

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Section 2. Purpose. - The purpose of this law is to establish a political entity, provide for its basic structure of government in recognition of the justness and cause of the Cordillerans and to secure their identity and posterity and allow for meaningful governance.

ARTICLE II
TERRITORY OF THE AUTONOMOUS REGION OF THE CORDILLERA

Section 3. Area of the Autonomous Region of the Cordillera. - The area of the Autonomous Region of the Cordillera shall consist of the city and provinces that shall vote favorably in the plebiscite called for the ratification of this Organic Act pursuant to Sec. 18, Article X of the Constitution. The area of the plebiscite shall be the provinces of Abra, Apayao, Benguet, Ifugao, Kalinga, Mountain Province, and the chartered City of Baguio.

Section 4. Cordilleran Identity. - The term Cordilleran shall apply to all citizens of the Philippines who are domiciled within the territory of the Autonomous Region of the Cordillera.

ARTICLE III
DECLARATION OF POLICIES AND PRINCIPLES

Section 5. Integral Part of the Republic. - The Autonomous Region of the Cordillera shall remain an integral and inseparable part of the national territory of the Republic as defined by the Constitution and existing laws. The autonomous region shall be governed and administered in accordance with the laws enacted by the Regional Assembly and by this Organic act.

Section 6. Equitable share in the National Budget and Development Assistance. - The central government or national government shall provide the autonomous region a proportionate and equitable share in the annual national budget and foreign assisted projects in addition to other financial assistance, support and subsidies to accelerate its development. Whenever the Commission on Audit finds that the internal controls set up in the region are inadequate, it may require pre-audit and shall likewise conduct seminars in the

1 communities concerned explaining the benefits and proper use of the internal
2 revenue allotments.

3
4 **Section 7. Self-Governance.** - In the exercise of their right to genuine
5 autonomy and meaningful self-governance, Cordillerans are free to pursue their
6 political, economic, social and cultural development within the framework of
7 national sovereignty.

8
9 **Section 8. Democratic Political System.** - The Regional Government
10 is a democratic political system allowing the people to participate in the political
11 processes.

12
13 **Section 9. Prior and preferential right.** - Cordillerans shall have prior
14 and preferential right to the natural, material, and fiscal resources of the region.

15
16 **Section 10. Fundamental Rights and Duties of People.** - The
17 fundamental rights and duties of the people in the autonomous region are those
18 defined in the Constitution and this Organic Act, the Geneva Convention, the
19 United Nations Charter, the United Nations Declaration on the Rights of
20 Indigenous Peoples, the International Declaration on Human Rights, as well as
21 those prescribed in the laws, practices, and principles binding upon members of
22 the community of nations, and the Indigenous Peoples Rights Act (IPRA).

23
24 **Section 11. Rights to Initiatives, Consultations, Referenda and**
25 **Plebiscites.** - Without prejudice to other rights guaranteed by the Constitution,
26 the rights of the people to the autonomous region to initiate measures for the
27 passage, amendment or repeal of regional or local legislation; to be consulted on
28 matters that affect their environment; to call for a referendum on important
29 issues affecting their lives; and, to recall regional or local officials as provided by
30 Republic Act 7160, the Local Government Code of 1991, are hereby recognized.

31
32 **Section 12. Accountability of Public Officers.** - The Regional
33 Government, to meet the priority needs and service requirements of its
34 constituents shall adopt the principles of integrity, transparency and
35 accountability in order to ensure an accountable, efficient and dynamic
36 organizational structure.

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Section 13. Upholding Human Rights. - The Regional Government shall take measures to prevent torture, cruel, inhuman and degrading punishment, illegal detention and extra-judicial killings.

Section 14. Establishment of Peace Zones. - The regional government adheres to the policy of peace and shall establish peace zones within the region.

Section 15. Civilian Government. - Governance in the Autonomous Region is the responsibility of the duly constituted civilian government.

Section 16. Devolution of Powers. - The regional government shall adopt a policy on local autonomy whereby regional powers shall be devolved to LGUs particularly in areas such as but not limited to education, health, human resources, science and technology, and people empowerment. Until a law implementing this provision is enacted by the Regional Assembly, RA 7160, the Local Government Code of 1991, shall continue to apply to all provinces, cities, municipalities, and barangay within the autonomous region.

The regional assembly may not pass any law to diminish, lessen or reduce the powers, functions, and shares in the internal revenue taxes of the said local government units as provided by RA 7160.

Section 17. Sustainable Use and Management of Resources. - The Regional Government shall share with the national government in the exploration, development and utilization of its natural resources, the dynamic conservation and protection of natural resources by promoting the sustainable use and management thereof, by adopting the use of environmentally sound and appropriate technology and indigenous knowledge systems in the management of natural resources.

Section 18. Community Responsive Education. The Regional Government with the active involvement of State Colleges and Universities shall establish a system of education that responds to the needs of the Cordillera communities which respects and promotes indigenous knowledge, core values,

1 systems, institutions, culture and practice; encourages the use of indigenous
2 languages and methods of education; promotes science and appropriate
3 technology and methodologies that encourage creative and critical thinking of
4 the Cordilleran youth.

5
6 **Section 19. Protection and empowerment of the Cordilleran**
7 **youth and children.** - The Regional Government shall formulate plans and
8 programs for the youth that empowers them by guaranteeing their effective
9 participation and representation in all aspects of public affairs. Further, laws shall
10 be enacted and measures adopted to protect children against all forms of
11 neglect, cruelty, and exploitation which are harmful to their moral, physical, or
12 mental health.

13
14 **Section 20. Regional Arrangements.** - The Autonomous Region of the
15 Cordillera shall pursue a policy of interregional development planning,
16 coordination and mutual cooperation in order to sustain the use, development as
17 well as the protection and conservation of its resources which benefits other
18 regions.

19
20 **Section 21. Equal Access and non-discrimination.** - The Regional
21 Government shall ensure equal access by Cordillerans to resources, employment
22 opportunities and services regardless of ethnic origin, gender, language, political
23 conviction, economic, social status and/or religious belief.

24
25 **Section 22. Social Justice.** The Regional Government shall minimize
26 disparities between the rich and the poor, rural and urban areas within the
27 region by providing, maintaining and ensuring the equitable delivery of basic and
28 responsive health programs, quality education, appropriate services, livelihood
29 opportunities, affordable and progressive housing projects and water resource
30 development.

31
32 **Section 23. Safeguards on foreign investments.** The Regional
33 Government shall provide incentives to investors, corporations and other
34 businesses, but shall adopt measures to prevent the abuse of human rights and
35 exploration of natural resources. To this end, the regional government shall

1 adopt local and international safeguards to review and audit the impact of all
2 forms of foreign aid, loans special projects and the like.

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4
5 **ARTICLE IV**

6 **THE AUTONOMOUS REGION OF THE CORDILLERA**

7
8 **A. Powers of the Autonomous Region of the Cordillera**

9
10 **Section 24. Powers and Functions.** - The regional government shall
11 exercise powers and functions necessary for the proper governance and
12 development of all provinces, cities, municipalities, and barangays within the
13 autonomous region consistent with the declared constitutional policy on regional
14 and local autonomy and decentralization: Provided, that nothing in this Act shall
15 be construed as to authorize the diminution of the powers and functions already
16 enjoyed by local government units.

17
18 **Section 25. Devolved Powers.** - The autonomous region is a corporate
19 entity with jurisdiction in all matters devolved to it by the Constitution and this
20 Organic Act as herein enumerated:

21 (1) Administrative organization such as but not limited to:

- 22 a. Declaration of holidays,
23 b. Public administration and bureaucracy for the region, and
24 c. Identification, generation, and mobilization of international human
25 resources for capacity-building and other activities involving the same
26 within the region.

27 (2) Creation of sources of revenues such as but not limited to:

- 28 a. Authority to regulate power generation, transmission and distribution
29 operating exclusively in the autonomous region and not connected to
30 the national transmission grid, and
31 b. Imposition of taxes to which are not already taxed by the national and
32 local government.

33 (3) Ancestral domain and natural resources such as but not limited to:

- 34 a. Protection of the ancestral domain and ancestral lands of indigenous
35 cultural communities (ICCs). All lands and natural resources in the
36 autonomous region that have been possessed or occupied by ICCs

1 -since time immemorial, except when prevented by war, force majeure,
2 or other forms of forcible usurpation, shall form part of the ancestral
3 domain. Such ancestral domain shall include pasture lands, worship
4 areas, burial grounds, forests and fields, mineral resources, except
5 strategic minerals such as uranium, coal, petroleum; and other fossil
6 fuels, mineral oils, and all sources of potential energy; lakes, rivers,
7 and lagoons; and national reserves and marine parks, as well as forest
8 and watershed reservations.

9 b. Authority to grant franchises and concessions and may by law
10 empower the Regional Governor to grant leases, permits, and licenses
11 over agricultural, forest, or mineral lands. The said leases, permits,
12 franchises, or concessions shall, however, cover areas not exceeding
13 the limits allowed by the Constitution and shall subsist for a period not
14 exceeding 25 years. Except as provided in this Organic Act, existing
15 leases, permits, licenses, franchises, and concessions shall be
16 respected until their expiration unless legally terminated earlier as
17 provided by law, enacted by Congress or the Regional Assembly.

18 c. Declaration and disestablishment of nature reserves and aquatic parks,
19 forests, and watershed reservations, and other protected areas in the
20 autonomous region.

21 d. Authority, power, and right to the control and supervision over the
22 exploration, utilization, development, and protection of the lands,
23 forests, water, minerals and other natural resources within the
24 autonomous region in accordance with the Constitution and the
25 pertinent provisions of this Organic Act except for the strategic
26 minerals such as uranium, petroleum, and other fossil fuels, mineral
27 oil, and all sources of potential energy, provided that the autonomous
28 government shall be consulted. Permits and licenses and the granting
29 of contracts for this purpose shall be within the powers of the ARC.

30 e. Regulation of small-scale mining to the end that the ecological
31 balance, safety and health, and the interests of the affected
32 communities, the miners, the indigenous peoples, and the local
33 government units of the place where such operations are conducted
34 are duly protected and safeguarded.

35 f. Enactment of a law that regulates the grant of franchises and
36 concessions, and empowers the Regional Governor to grant leases,

1 permits, and licenses over agricultural lands and for forest
2 management, subject to the provisions of the Constitution.

3 (4) Personal, family and property relations shall be governed by but not
4 limited to customary justice and laws;

5 (5) Regional urban and rural planning development such as but not limited to:

6 a. Adoption and implementation of a comprehensive urban land reform
7 and land use program,

8 b. Land management, land distribution, and agricultural land use
9 reclassification, and

10 c. Authority to conduct cadastral survey.

11 (6) Economic, social and tourism development such as but not limited to:

12 a. Establishment of transportation and communication facilities to
13 expedite the economic development of the autonomous region,

14 b. Promotion of tourism with the autonomous region, and

15 c. Regulation of games and amusement operations within the ARC.

16 (7) Educational policies such as but not limited to education and skills
17 training, research councils and scholarships.

18 (8) Preservation and development of the cultural heritage such as but not
19 limited to the establishment of its own libraries and museums, and
20 declaration of historical and cultural sites; and culture and language.

21 (9) Patents, trademark, trade names, and copyrights; and such other matters
22 for the promotion of the general welfare of the people of the region.

23
24 **Section 26. Eminent Domain.** - The Regional Government may
25 exercise the power of eminent domain.

26 27 **B. Intergovernmental Relations**

28
29 **Section 27. General Supervision.** - Consistent with the principle of
30 autonomy, the President shall exercise general supervision over the Regional
31 Government to ensure that laws are faithfully executed.

32
33 **Section 28. Powers of Regional line agencies whose functions are**
34 **covered by Sec. 25.** - The Regional Line Agencies whose functions are covered
35 by Sec. 25 shall continue to exist without diminution of their mandated authority
36 and perform their functions.

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Section 29. Powers of Regional Line Agencies whose functions are devolved under Sec 25. -

- a. Regional Line Agencies and offices shall perform those functions devolved by the Constitution to autonomous regions as enumerated in Section 25 of this Organic Act;
- b. Regional line agency officials and employees shall continue to be paid in accordance with Sec. 33. There shall be no diminution of their compensation and other benefits due its officials and employees.

Existing assets and properties of the regional line agencies and offices shall remain under their custody and accountability.

Section 30. Tenure of Civil Service Employees. - Except for just cause and after due process, Civil Service officials and employees of the regional line agencies and offices in the region shall not be laid off, dismissed or removed as a result of any reorganization attendant to the establishment of the Autonomous Region of the Cordillera.

Section 31. Priority in Hiring. - Civil service officials and employees of the regional autonomous government and the regional line agencies in the autonomous region shall be hired in accordance with appropriate Civil Service rules and regulations, but priority shall be accorded to qualified Cordillerans.

Section 32. Appointment to Third Level Positions. - The Regional Governor shall fill up third level positions from among at least three (3) recommendees of the regional Personnel Selection Board (PSB) that shall be duly constituted. Filling up of third level positions of regional line agencies and offices shall be subject to the Career Executive Service Board (CESB) requirements, where applicable. Otherwise, the selection requirements of the concerned agency shall apply. Filling up of vacant regional director and assistant regional director positions of regional line agencies and offices in the autonomous region shall follow the existing screening procedure of the concerned agency or office and the guidelines provided by the Career Executive Service Board (CESB). The Regional Governor shall recommend a minimum of three (3) applicants from those who applied and who were screened from whom the President shall select

1 and appoint. Regional directors posted in the autonomous region shall be as
2 equally qualified like those in other regions for promotion to higher positions in
3 the various departments, line agencies and offices of the national government.

4
5 **Section 33. Budget Preparation.** - Regional line agencies and offices
6 whose functions are devolved to the regional government under Sec. 25 shall
7 prepare their respective budgets separate and distinct from the budget of the
8 Regional Government. Their budgets shall however be attached and form part of
9 the whole budget of the Regional Government when presented to Congress to
10 ensure that plans and priorities of the autonomous region are harmonized and
11 properly considered in the budgeting processes. Provided however, after the full
12 implementation of Sec. 167, the budget of the absorbed RLAs and offices shall
13 continue to be funded by the national government.

14
15 **Section 34. Management of ODA Funds.** - The autonomous region
16 may, upon authority of the Regional Assembly, avail of Official Development
17 Assistance (ODA)-funded projects and other foreign financial grants or donations
18 and shall undertake these projects through the regional line agencies,
19 government-owned and controlled corporations (GOCCs), state colleges and
20 universities, local government units or whichever is deemed appropriate.

21
22 **Section 35. GOCCS.** - Government Owned and Controlled Corporations
23 (GOCCs) such as Government Service Insurance System (GSIS), the Social
24 Security System (SSS), the Pagtutulungan-Ikaw, Bangko, Industriya't Gobyerno
25 (PAG-IBIG), PhilHealth and others shall continue to be governed by their
26 respective charters and other pertinent laws.

27
28 **Section 36. Autonomy of Local Government Units.** - The local
29 government units shall continue to be independent from each other and shall
30 have the same set of local officials and employees and shall enjoy autonomy and
31 continue to exercise the powers granted them under the Local Government Code
32 and other existing laws. The Local Government Code shall apply to all provinces,
33 cities, municipalities and barangays in the autonomous region until the Regional
34 Assembly shall enact a regional Local Government Code. Nothing herein provided
35 shall be construed in any manner as to diminish the powers and functions as well
36 as benefits and privileges already being enjoyed by the local government units.

1
2 **Section 37. Supervision of local government units through the**
3 **Regional Governor.** - Consistent with the basic policy on local autonomy, the
4 President, through the Regional Governor shall exercise direct supervision over
5 provinces and highly urbanized cities in the autonomous region to ensure that
6 their acts are within the scope of their prescribed powers and functions.
7

8 **Section 38. Revenues and Taxes accruing to LGUs.** - Revenues,
9 taxes, fees and charges generated by the local government units and the
10 regional government from their respective local tax ordinances shall exclusively
11 accrue to them.
12

13 **Section 39. Just share in National Taxes.** - The local government
14 units in the autonomous region, including the Regional Government, shall have a
15 just share in the national taxes and applicable revenues which shall be
16 automatically released to them.
17

18 **Section 40. Equitable Share in Utilization of Resources.** - The local
19 government units in the autonomous region including the Regional Government
20 shall be entitled to an equitable share in the proceeds of the utilization and
21 development of the national wealth within their respective areas, in the manner
22 provided by law and this Organic Act.
23

24 **Section 41. City Charters.** - Any chartered city within the autonomous
25 region shall be governed primarily by its Charter.
26

27 **Section 42. Creation of special political subdivisions.** - Special
28 metropolitan political subdivisions may, by law, be created by the Regional
29 Assembly, subject to a plebiscite. The component cities and municipalities shall
30 retain their basic autonomy and shall be entitled to their own local executive and
31 legislative bodies. The jurisdiction of the metropolitan authority that will thereby
32 be created shall be limited to basic services requiring coordination.
33

34 **Section 43. Right of LGU's to aggregate.** - The local government
35 units in the autonomous region may group themselves, consolidate or coordinate

1 their efforts, services, and resources for purposes commonly beneficial to them
2 in accordance with law.

3
4 **ARTICLE V**
5 **ELECTIVE OFFICIALS OF THE AUTONOMOUS REGIONAL GOVERNMENT**
6 **—**
7 **THEIR QUALIFICATIONS, TERMS OF OFFICE, VACANCIES AND**
8 **SUCCESSION AND ACCOUNTABILITY**
9

10 **Section 44. Elective Officials.** - The elective officials of the
11 Autonomous Region of the Cordillera are the (a) Regional Governor, (b) Regional
12 Vice-Governor, and (c) Members of the Regional Assembly.

13
14 **Section 45. Qualifications.** -

- 15 a. Candidates for Regional Governor and Vice-Governor positions must be a
16 citizen of the Philippines and a Cordilleran, at least thirty-five (35) years of
17 age on election day, a registered voter in the region and a resident
18 thereof for a period of at least five (5) years immediately preceding the
19 day of election, able to read and write Filipino or English or any 2 other
20 local languages in the region.
- 21
22 b. Candidates for the position of Member of the Regional Assembly must be
23 a citizen of the Philippines and a Cordilleran, at least thirty (30) years of
24 age on election day, a registered voter in the provincial district or city and
25 a resident thereof for a period of at least five (5) years immediately
26 preceding the day of election, able to read and write Filipino or English or
27 any other local language in the region.

28
29 **Section 46. Disqualifications.** - In addition to the disqualifications
30 provided under Book I, Title Two, Chapter 1, Section 40 of the Local Government
31 Code, candidates for Regional Governor, Vice-Governor and members of the
32 Regional Assembly must not be related to the incumbent elected regional officials
33 within the 4th degree of consanguinity or affinity.

34
35 **Section 47. Manner of Election.** -

1 a. The Regional Governor and Vice-Governor shall be elected at large by
2 direct vote of the registered voters of the Autonomous Region of the
3 Cordillera.

4
5 b. Each province and city shall elect their own representatives to the
6 Regional Assembly. Any chartered city in the autonomous region is
7 entitled to two (2) representatives to the Regional Assembly. Any
8 component city shall be entitled to one (1) representative. Each province
9 shall be entitled to two (2) representatives, one (1) per provincial district.
10 Provided, that any political subdivision created after the effectivity of this
11 Organic Act shall be entitled to representation to the Regional Assembly
12 as may be provided by law.

13
14 c. Unless otherwise provided, the regular election of the Regional Governor,
15 Vice Governor, and members of the Regional Assembly shall be held on
16 the second Monday of May.

17
18 **Section 48. Term of Office. -**

19 a. The term of office of all elective regional officials elected after the
20 effectivity of this Organic Act shall be three (3) years which shall begin at
21 noon on the 30th day of June next following the day of election and shall
22 end at noon of the same date three (3) years thereafter. No Regional
23 Governor, Vice-Governor, or Member of the Regional Assembly shall serve
24 for more than three (3) consecutive terms.

25
26 b. Voluntary renunciation of, or removal from, office for any length of time
27 shall not be considered as an interruption in the continuity of the service
28 for the full term for which officials were elected.

29
30 **Section 49. Oath of Office. -** The Regional Governor, Vice-Governor
31 and Members of the Regional Assembly on assuming office shall take the
32 following oath or affirmation:

33
34 *"I do solemnly swear (or affirm) that I will faithfully and conscientiously*
35 *fulfill my duties as Governor/Vice-Governor/Member of the Regional*
36 *Assembly of the Autonomous Region of the Cordillera, preserve and*

1 *defend the Constitution of the Republic of the Philippines and the Organic*
2 *Act of the Autonomous Region of the Cordillera, execute these laws, do*
3 *justice to all and consecrate myself to the service of the nation and the*
4 *Autonomous Region of the Cordillera. So help me God.” (In case of*
5 *affirmation, the last sentence will be omitted.)*
6

7 **Section 50. Prohibitions. -**

- 8 a. The Regional Governor and Vice-Governor shall not, during their tenure,
9 engage in the practice of any profession or hold any other office or
10 employment, except as otherwise provided in this Act.
- 11 b. The spouse and other relatives by consanguinity or affinity within the
12 fourth civil degree of the Regional Governor and the Regional Vice-
13 Governor shall not, during their tenure, be appointed officers or
14 employees of the Regional Government, except as members of their
15 confidential staff.
- 16 c. No members of the Regional Assembly may hold any other office or
17 employment in the government or any subdivision, agency or
18 instrumentality thereof, including government-owned or controlled
19 corporations, or their subsidiaries, during their term without forfeiting
20 their seat. Neither shall he/she be appointed to any office which has been
21 created or the emoluments whereof increased by the Regional Assembly
22 during the term for which he/she was elected.
- 23 d. The Regional Governor, and Regional Vice-Governor, and members of the
24 Regional Assembly shall not personally appear as counsel before any court
25 of justice or before the Electoral Commission or quasi-judicial and other
26 administrative bodies.
- 27 e. The Regional Governor, Regional Vice-Governor, and members of the
28 Regional Assembly shall not participate directly or indirectly in any
29 contract with or in any franchise or special privilege granted by the
30 Regional Government or any subdivision, agency or instrumentality
31 thereof, including any government-owned or-controlled corporations or in
32 any of their subsidiaries. They shall not intervene in any matter before any
33 office of the Autonomous Region of the Cordillera for their pecuniary
34 benefit or where they may be called upon to act on account of their office.

35
36 **Section 51. Vacancies and Succession. -**

- 1 a. In the event that the position of the Regional Governor becomes
2 permanently vacant, the Regional Vice-Governor shall automatically
3 become the Regional Governor.
- 4 b. If the position of the Regional Vice-Governor becomes permanently
5 vacant, the member of the assembly garnering the highest percentage of
6 votes in the district represented shall become the vice-governor or in case
7 of his/her permanent disability, the next higher shall assume said position.
- 8 c. In case of a permanent vacancy in the assembly where automatic
9 succession does not apply, the Regional Governor shall appoint to the
10 position so vacated the nominee of the political party to which the
11 member who caused the vacancy belonged at the time of his election.
12 Provided, however, that the appointee has all the qualifications and none
13 of the disqualifications as provided by this Organic Act. Provided, that
14 should the one causing the vacancy did not belong to any political party
15 shall be filled by nomination by majority members of the assembly.
16 Provided further, that in both cases, he/she comes from the same district
17 represented by the member who caused the vacancy.
- 18 d. For purposes of this article, a permanent vacancy arises when the
19 incumbent elective official concerned dies, voluntarily resigns, is removed
20 from office, fills up a higher vacant office, refuses to assume office, fails
21 to qualify, or is otherwise permanently incapacitated to exercise the
22 powers and discharge the functions of his office.

23
24 **Section 52. Temporary Vacancies. -**

- 25 a. When the Regional Governor is temporarily incapacitated to perform his
26 duties for physical or legal reasons such as, but not limited to, leave of
27 absence, travel abroad, and suspension from office, the regional vice
28 governor shall automatically exercise the powers and perform the duties
29 and functions of the former except the power to appoint, suspend or
30 dismiss employees which can only be exercised if the period of temporary
31 incapacity exceeds thirty (30) working days.
- 32 b. Said temporary incapacity shall terminate upon submission to the Regional
33 Assembly of a written declaration by the Regional Governor that he has
34 reported back to office. In cases where the temporary incapacity is due to
35 legal causes, the regional official concerned shall also submit necessary
36 documents showing that said legal causes no longer exist.

- 1 c. When the incumbent Regional Governor is traveling within the country but
2 outside his territorial jurisdiction for a period not exceeding three (3)
3 consecutive days, he may designate in writing, the officer-in-charge of the
4 said office. Such authorization shall specify the powers and functions that
5 the regional official concerned shall exercise except the power to appoint,
6 suspend or dismiss employees.
- 7 d. In the event, however, that the Regional Governor concerned fails or
8 refuses to issue such authorization, the Regional Vice-Governor shall have
9 the right to assume the powers, duties and functions of the said office on
10 the fourth (4th) day of absence of the Regional Governor, subject to the
11 limitations provided in subsection c, hereof.
- 12 e. Except as provided above, the Regional Governor shall in no case
13 authorize any regional official to assume the powers, duties and functions
14 of the office, other than the Regional Vice-Governor or the highest ranking
15 Member of the Regional Assembly, as the case may be.
- 16

17 **Section 53. Approval of Leaves of Absence. -**

18 Leaves of absence of elective officials of the Autonomous Region of the Cordillera
19 shall be approved as follows:

- 20 a. Leaves of absence of regional officials, provincial governor, mayor of a
21 highly urbanized city or an independent component city shall be approved
22 by the Regional Governor or his duly authorized representative;
- 23 b. Applications for leaves of absence of other officials and employees other
24 than those enumerated above shall follow those stipulated in the Local
25 Government Code;
- 26 c. Application for leave of the Regional Governor shall be approved by the
27 President.
- 28

29 **Section 54. Compensation. -**

- 30 a. Unless otherwise provided by law or regional ordinance, the Regional
31 Governor and Regional Vice-Governor shall receive an annual salary
32 equivalent to that of a department secretary and undersecretary,
33 respectively, of the national government, which shall not be decreased
34 during their tenure. No increase in the salary of the Regional Governor
35 and Regional Vice-Governor shall take effect until after the expiration of

1 the term of the Regional Governor and Regional Vice-Governor approving
2 the same.

3 b. Unless otherwise provided by a regional ordinance, a member of the
4 Regional Assembly shall receive an annual salary not lower than that of an
5 assistant secretary of the national government. No increase in salary
6 provided for by ordinance shall take effect until after the expiration of the
7 term of office of all members of the Regional Assembly approving the
8 same.

9 c. They shall not receive during their tenure any other emoluments from the
10 government or any other sources.

11

12 **Section 55. Accountability. -**

13 a. *Disclosure.* All regional officials shall, upon their assumption of office,
14 make a full disclosure of their financial and business interests, including
15 those of their spouses and unmarried children under eighteen (18) years
16 of age living in their households. Members of the Regional Assembly shall
17 notify the Regional Assembly of any potential conflict of interest that may
18 arise from the filing of measures of which they are authors. This section
19 shall be governed by R.A. 6713 or the Code of conduct and ethical
20 standards for public officials and employees.

21 b. Discipline of Regional Elective Officials shall be governed by Chapter 4,
22 Title Two of Book I of R.A 7160 and other applicable laws.

23 c. *Recall.* Regional Elective Officials may be recalled on grounds and
24 procedures as provided for by Chapter 5, Title Two of Book I of R.A. 7160
25 and other applicable laws.

26

27

28

ARTICLE VI

29

THE REGIONAL EXECUTIVE DEPARTMENT

30

31 **Section 56. Executive Authority. -** The executive power in the region
32 shall be vested in a Regional Governor. He shall exercise such powers and
33 perform such duties and functions as provided by this Organic Act and other
34 laws.

35

1 **Section 57. Scope of Executive Authority.** - As chief executive of the
2 Regional Government, the Regional Governor shall exercise control and
3 supervision over all programs, projects, services and activities of the Regional
4 Government and regional line agencies and offices absorbed by the regional
5 government; and supervision over local government units within the autonomous
6 region.

7
8 **Section 58. Extent of Representation by Regional Governor.** - The
9 Regional Governor shall represent the Autonomous Region of the Cordillera,
10 including the absorbed regional line agencies and offices and the local
11 government units within the autonomous region in Cabinet meetings called by
12 the President and other affairs involving the region.

13
14 **Section 59. Regional Governor and Regional Assembly.** - The
15 Regional Governor shall deliver the State of the Region Address to the Regional
16 Assembly at the opening of its regular sessions. He/she may also appear before
17 it at any time.

18
19 **Section 60. Regional Governor to submit Budget.** - The Regional
20 Governor shall submit to the Regional Assembly within thirty (30) days from the
21 opening of every regular session, as the basis of the regional appropriations bill,
22 budget of expenditures and sources of financing, including receipts from existing
23 and proposed revenue measures.

24
25 **Section 61. Administrative Support.** – The Regional Governor and the
26 different regional departments shall have sufficient administrative and support
27 staff to efficiently and effectively carry out their mandates and the purposes of
28 the regional government.

29
30 **Section 62. Mandatory Staff.** – The regional autonomous government
31 shall have the following mandatory staff: (1) Regional Executive Secretary, (2)
32 Regional Accountant, (3) Regional Budget Officer, (4) Regional Administrator, (5)
33 Regional Legal Officer, (6) Regional Treasurer, and (7) Regional General Services
34 Officer. In addition thereto, the Regional Governor may, subject to the approval
35 of the Regional Assembly and availability of funds, create other offices deemed
36 necessary.

1
2 The Regional Executive Secretary and the heads of the various regional
3 offices and employees under the executive department shall be appointed by the
4 Regional Governor. The appointment of the heads of regional offices requires the
5 concurrence of the majority of the members of the Regional Assembly and
6 compliance to civil service law, rules and regulations and this Organic Act. The
7 Regional Assembly shall act on said appointment within fifteen (15) days from
8 the date of submission otherwise the same shall be deemed confirmed.

9
10 The rank and salary grade level of the heads of the different regional
11 departments shall be equivalent to the regional directors of regional line
12 agencies. They shall receive compensation, allowances and other emoluments
13 and benefits allowed by law or ordinance. With the exception of the Regional
14 Executive Secretary, the heads of the regional departments shall be mandatory.

15
16 The qualifications of regional appointive officials, their duties and
17 functions, are as follows:

18
19 **1) Regional Executive Secretary. –**

20 (a) The Regional Executive Secretary of the Autonomous Region of the
21 Cordillera shall be a citizen of the Philippines and a Cordilleran, of good
22 moral character, a holder of a college degree preferably in law,
23 administration or any other related course from a recognized college or
24 university. He/she must have acquired experience in management work
25 for at least five (5) years.

26 (b) The term of office of the Regional Executive Secretary shall be co-
27 terminus with that of the appointing authority.

28 (c) The Regional Executive Secretary shall, subject to the control and
29 supervision of the Regional Governor, carry out the functions and duties
30 delegated to him/her and shall:

- 31
32 1. Directly assist the Regional Governor in the management of the
33 affairs pertaining to the Autonomous Region of the Cordillera.
34 2. Implement directives, orders and decisions.
35 3. Decide, for and in behalf of the Regional Governor, matters not
36 requiring personal attention of the Regional Governor.

- 1 4. Exercise supervision and control over the various units in the Office
2 of the Regional Governor including their internal administrative
3 requirements.
- 4 5. Exercise supervision, in behalf of the Regional Governor, over the
5 various agencies under the Office of the Regional Governor.
- 6 6. Provide overall coordination in the operation of the Regional
7 Executive Office.
- 8 7. Determine and assign matters to the appropriate units in the Office
9 of the Regional Governor.
- 10 8. Have administrative responsibility for matters in the Office of the
11 Regional Governor coming from the various regional offices and
12 agencies of government.
- 13 9. Exercise primary authority to sign papers "By authority of the
14 Regional Governor", attest executive orders and other issuances
15 unless attestation is specifically delegated to other officials by him
16 or by the Regional Governor.
- 17 10. Determine, with the approval of the Regional Governor, the
18 appropriate assignment of offices not placed by law under any
19 specific regional executive department.
- 20 11. Provide consultative, research, fact-finding and advisory service to
21 the Regional Governor.
- 22 12. Assist the Regional Governor in the performance of functions
23 pertaining to legislation.
- 24 13. Assist the Regional Governor in the administration of special
25 projects.
- 26 14. Take charge of matters pertaining to protocol in the Regional
27 Government and ceremonial functions.
- 28 15. Provide secretarial and clerical services for the Regional Governor
29 and other bodies.
- 30 16. Promulgate such rules and regulations necessary to carry out the
31 objectives, policies and functions of the Office of the Regional
32 Governor.
- 33 17. Perform such other functions as the Regional Governor may direct.

34
35 **2) Regional Accountant. –**

- 1 (a) The Regional Accountant shall be a citizen of the Philippines and a
2 Cordilleran, of good moral character, and a certified public accountant.
3 He/she must have acquired experience in the treasury or accounting
4 service for at least five (5) years.
- 5 (b) The incumbent chief accountant in the office of the treasurer shall be
6 given preference in the appointment to the position of the regional
7 accountant.
- 8 (c) The regional accountant shall take charge of both the accounting and
9 internal audit services of the autonomous region and shall:
- 10 1. Install and maintain an internal audit system in the autonomous
11 region.
 - 12 2. Prepare and submit financial statements to the Regional Governor
13 and to the Regional Assembly.
 - 14 3. Apprise the Regional Assembly and other government officials on
15 the financial condition and operations of the autonomous region.
 - 16 4. Certify to the availability of budgetary allotment to which
17 expenditures and obligations may be properly charged.
 - 18 5. Review supporting documents before preparation of vouchers to
19 determine completeness of requirements.
 - 20 6. Prepare statements of cash advances, liquidation, salaries,
21 allowances, reimbursements and remittances pertaining to the
22 autonomous region.
 - 23 7. Prepare statements of journal vouchers and liquidation of the same
24 and other adjustments related thereto.
 - 25 8. Post individual disbursements to the subsidiary ledger and index
26 cards.
 - 27 9. Maintain individual ledgers for officials and employees of the
28 autonomous region pertaining to payrolls and deductions.
 - 29 10. Record and post in index cards details of purchased furniture,
30 fixtures, and equipment, including disposal thereof, if any.
 - 31 11. Account for all issued requests for obligations and maintain and
32 keep all records and reports related thereto.
 - 33 12. Prepare journals and the analysis of obligations and maintain and
34 keep all records and reports related thereto.
 - 35 13. Exercise such other powers and perform such other duties and
36 functions as may be provided by law or ordinance.

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3) Regional Budget Officer. –

- (a) The Regional Budget Officer shall be a citizen of the Philippines and a Cordilleran, of good moral character, a holder of a college degree preferably in accounting, economics, public administration or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent.
- (b) He/she must have acquired experience in government budgeting for at least five (5) years.
- (c) The budget officer shall take charge of the budget office and shall:
 - 1. Prepare forms, orders, and circulars embodying instructions on budgetary and appropriation matters for the signature of the Regional Governor;
 - 2. Review and consolidate the budget proposals of different departments and offices of the Regional Government;
 - 3. Assist the Regional Governor in the preparation of the budget and during budget hearings;
 - 4. Study and evaluate budgetary implications of proposed legislation and submit comments and recommendations thereon;
 - 5. Submit periodic budgetary reports to the Department of Budget and Management;
 - 6. Coordinate with the treasurer, accountant, and the planning officer for the purpose of budgeting;
 - 7. Assist the Regional Assembly in reviewing the approved budgets of the provincial and highly urbanized cities;
 - 8. Coordinate with the regional planning officer in the formulation of the regional development plan; and
 - 9. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

4) Regional Administrator. –

- (a) The Regional Administrator shall be a citizen of the Philippines and a Cordilleran, of good moral character, and a holder of a college degree preferably in law, public administration or any other related course from a recognized college or university. He/she must have acquired experience in management and administration work for at least five (5) years.

1 (b) The term of office of the Regional Administrator shall be coterminus with
2 that of the appointing authority.

3 (c) Subject to the control and supervision of the Regional Governor, the
4 Regional Administrator shall:

- 5 1. Develop plans and strategies and upon approval thereof by the
6 Regional Governor, implement the same particularly those which
7 have to do with the management and administration-related
8 programs and projects which the Regional Governor is empowered
9 to implement and which the Regional Assembly is empowered to
10 provide for under this Organic Act.
- 11 2. Assist in the coordination of the work of all the officials of the
12 autonomous region, under the supervision, direction, and control of
13 the Regional Governor, and for this purpose, he may convene the
14 chiefs of offices and other officials of the autonomous region.
- 15 3. Establish and maintain a sound personnel program for the
16 autonomous region designed to promote career development and
17 uphold the merit principle in the local government service.
- 18 4. Conduct a continuing organizational development of the
19 autonomous region with the end in view of instituting effective
20 administrative reforms.
- 21 5. Be in the frontline of the delivery of administrative support services,
22 particularly those related to the situations during and in the
23 aftermath of man-made and natural disasters and calamities.
- 24 6. Recommend to the Regional Assembly and advise the Regional
25 Governor, as the case may be, on all other matters relative to the
26 management and administration of the regional autonomous
27 government.
- 28 7. Exercise such other powers and perform such other duties and
29 functions as may be 15 prescribed by law or by ordinance.

30
31 **5) Regional Legal Officer. –**

32 (a) The Regional Legal Officer shall be a citizen of the Philippines and a
33 Cordilleran, of good moral character, and a member of the Philippine Bar.
34 He must have practiced his profession or at least five (5) years.

35 (b) The term of office of the Regional Legal Officer shall be coterminus with
36 that of the appointing authority.

1 (c) The Regional Legal Officer, the chief legal counsel of the regional
2 autonomous government, shall take charge of the office of legal services
3 and shall:

- 4 1. Formulate measures for the consideration of the Regional Assembly
5 and provide legal assistance and support to the Regional Governor,
6 as the case may be, in carrying out the delivery of basic services
7 and provisions of adequate facilities necessary.
- 8 2. Develop plans and strategies and upon approval thereof by the
9 Regional Governor, as the case may be, implement the same,
10 particularly those which have to do with programs and projects
11 related to legal services which the Regional Governor is empowered
12 to implement and which the Regional Assembly is empowered to
13 provide for under this Organic Act.
- 14 3. Recommend measures and advise the Regional Governor on all
15 other matters related to upholding the rule of law.
- 16 4. Be in the frontline of protecting human rights and prosecuting any
17 violations thereof, particularly those which occur during and in the
18 aftermath of man-made or natural disasters or calamities.
- 19 5. Exercise such other powers and perform such other duties and
20 functions as may be prescribed by law or ordinance.
- 21 6. In addition to the foregoing duties and functions, the legal officer
22 shall:
 - 23 i. Represent the regional autonomous government in all civil
24 actions and special proceedings wherein the autonomous
25 region or any official thereof, in his official capacity, is a party.
 - 26 ii. When required by the Regional Governor, draft ordinances,
27 contracts, bonds, leases and other instruments, involving any
28 interest of the autonomous region and provide comments and
29 recommendations on any instrument already drawn.
 - 30 iii. Render his/her opinion in writing on any question of law when
31 requested to do so by the Regional Governor.
 - 32 iv. Investigate or cause to be investigated any Regional
33 Government official or employee for administrative neglect or
34 misconduct in office, and recommend appropriate action to the
35 Regional Governor as the case may be.

- 1 v. Investigate or cause to be investigated any person, firm or
2 corporation holding any franchise or exercising any public
3 privilege for failure to comply with any term or condition in the
4 grant of such franchise or privilege by the Regional
5 Government, and recommending appropriate action to the
6 Regional Governor, as the case may be.
- 7 vi. When directed by the Regional Governor, initiate and prosecute
8 in the interest of the autonomous region any civil action on any
9 bond, lease or other contract upon any breach or violation
10 thereof.
- 11 vii. Review and submit recommendations on ordinances approved
12 and execute orders issued.
- 13

14 **6) Regional Treasurer. –**

- 15 (a) The Regional Treasurer shall be a citizen of the Philippines and a
16 Cordilleran, of good moral character, and a holder of a college degree
17 preferably in commerce, public administration or law from a recognized
18 college or university. He/she must have acquired experience in treasury or
19 accounting service for at least five (5) years.
- 20 (b) The Regional Treasurer shall take charge of the Treasury Office, perform
21 the duties provided for under Book II of the Local Government Code, and
22 shall:
- 23 1. Advise the Regional Governor and other Regional Government
24 officials concerned regarding the disposition of government funds,
25 and on such other matters relative to public finance.
 - 26 2. Take custody of and exercise proper management of the funds of
27 the autonomous region.
 - 28 3. Take charge of the disbursement of all Regional Government funds
29 and such other funds the custody of which may be entrusted to
30 him/her by law or other competent authority.
 - 31 4. Maintain and update the tax information system of the autonomous
32 region.
 - 33 5. Exercise such other powers and perform such other duties and
34 functions as may be prescribed by law or ordinance.
- 35

36 **7) Regional General Services Officer. –**

1 (a) The Regional General Services Officer shall be a citizen of the Philippines
2 and a Cordilleran, of good moral character, and a holder of a college
3 degree preferably on public administration, business administration and
4 management or any other related course from a recognized college or
5 university. He/she must have acquired experience in general services,
6 including management of supply, property, solid waste disposal, and
7 general sanitation, for at least five (5) years.

8 (b) The Regional General Services Officer shall take charge of the Office on
9 General Services and shall:

10 1. Formulate measures for the consideration of the Regional Governor
11 and provide him technical assistance and support in carrying out
12 measures to ensure the delivery of basic services and provision of
13 adequate facilities pursuant to the Local Government Code and this
14 Organic Act which require general services expertise and technical
15 support services.

16 2. Develop plans and strategies and upon approval thereof by the
17 Regional Governor implement the same, particularly those which have
18 to do with the general services supportive of the welfare of the
19 inhabitants which the Regional Governor is empowered to implement.

20 3. Be in the frontline of general services related activities, such as the
21 possible or imminent destruction or damage to records, supplies,
22 properties, and structures and the orderly and sanitary clearing up of
23 waste materials or debris, particularly during and in the aftermath of
24 man-made and natural calamities and disasters.

25 4. Recommend and advise the Regional Governor on all matters relative
26 to general services.

27 5. In addition to the foregoing duties and functions, the General Services
28 Officer shall:

29 i. Take custody of and be accountable for all properties, real or
30 personal, owned by the autonomous government and those
31 granted to it in the form of donation, reparation, assistance and
32 counterpart of joint projects.

33 ii. With the approval of the Regional Governor, assign building or
34 land space to regional officials, who by law, are entitled to such
35 space. Recommend to the Regional Governor reasonable rental

1 rates for Regional Government properties, whether real or
2 personal, which will be leased to public or private entities.

3 iii. Recommend to the Regional Governor reasonable rental rates of
4 private properties which may be leased for the official use of the
5 Regional Government.

6 iv. Maintain and supervise janitorial, security, government public
7 buildings and other real property, whether owned or leased by
8 the Regional Government.

9 v. Collate and disseminate information regarding prices, shipping
10 and other costs of supplies and other items commonly used by
11 the Regional Government.

12 vi. Perform archival and record management with respect to
13 records of offices and departments of the Regional Government.

14 vii. Perform all other functions pertaining to supply and property
15 management heretofore performed by the Regional Government
16 Treasurer and enforce policies on records creation,
17 maintenance, and disposal.

18 viii. Exercise such other powers and perform such other duties and
19 functions as may be prescribed by law or ordinance.
20

21 **Section 63. Regional Development Council.** – There shall be a
22 Regional Development Council (RDC) which shall function as the main planning
23 and advisory body of the autonomous government, setting the direction of
24 economic and social development of the autonomous region and through which
25 regional development efforts shall be coordinated.
26

27 **Section 64. Composition of the RDC.** – The Regional Development
28 Council, which shall be headed by the Regional Governor, shall be composed of
29 the Regional Governor as chair, Private Sector Representative as co-chair, the
30 Regional Director of NEDA as vice-chair, and the following as members:

31 (a) All the provincial governors, the city and capital town mayors.

32 (b) Two (2) members of the Regional Assembly to be designated by its
33 presiding officer.

34 (c) Private sector representatives of duly accredited private sector and non-
35 government organizations/people's organizations, Provided that their
36 composition shall not be more than one-fourth of the total membership.

1 (d) Regional heads of line agencies who are members of the NEDA Board.

2 (e) The RDC may designate special non-voting members (SNVMs) coming
3 from both the public and private sectors, upon concurrence of the
4 majority of its regular members.

5
6 **Section 65. RDC Secretariat.** - The regional office of the National
7 Economic and Development Authority (NEDA) shall serve as the secretariat and
8 technical operations arm of the RDC.

9
10 **Section 66. Functions of the RDC.** - The Regional Development
11 Council shall:

12 (a) Coordinate the preparation, implementation, monitoring and evaluation of
13 short- and long- term regional development plans and investment
14 programs, regional physical framework plans and special development
15 plans, including the formulation of policy recommendations.

16 (b) Integrate approved development plans of provinces and cities, line
17 agencies, state universities and colleges, government owned and
18 controlled corporations and special development authorities in the
19 autonomous region into the regional development plan.

20 (c) Review, prioritize, and endorse to the autonomous government the annual
21 and multi-year sectoral investment programs of the autonomous region
22 for funding and implementation.

23 (d) Review and endorse to the national government the annual budgets of
24 agency regional offices, state colleges and universities and special
25 development authorities.

26 (e) Promote and direct the inflow and allocation of private investments in the
27 autonomous region to support regional development objectives, policies,
28 strategies.

29 (f) Review and endorse national plans, programs and projects proposed for
30 implementation in the autonomous region.

31 (g) As required by the Investment Coordinating Committee (ICC), review and
32 endorse projects of national government agencies that have impact on the
33 region and projects of LGUs in the region requiring national government
34 exposure which may come in the form of guarantees, national
35 government budget appropriations or subsidies, among others.

- 1 (h) Initiate and coordinate the development, funding and implementation of
2 regional and special development projects such as those involving several
3 agencies or LGUs.
- 4 (i) Coordinate the monitoring and evaluation of development projects
5 undertaken by government agencies, local government units, state
6 colleges and universities, government-owned and/or controlled
7 corporations and special development authorities in the autonomous
8 region.
- 9 (j) Perform other related functions and activities as may be necessary to
10 promote and sustain the socio-economic development of the autonomous
11 region.

12
13 **Section 67. Creation of Committees.** – The RDC shall create
14 appropriate technical and sectoral committees to assist in its work.

15
16 **Section 68. Existing committees placed under the RDC.** - Existing
17 regional coordinating committees that are created by various laws and currently
18 attached to specific agencies, and ad-hoc program/project-based steering
19 committees, such as, but not limited to Development Administration Committee,
20 Economic Development Committee, Social Development Committee,
21 Infrastructure Development Committee, Watershed and Environmental
22 Management Committee, Committee on Indigenous Peoples' Concerns, Regional
23 Land Use Committee, Regional Gender and Development Committee, Regional
24 Project Monitoring Committee, Regional Competitiveness Committee, Regional
25 Development Budget Coordinating Committee, Regional Statistical Coordination
26 Committee, and the Cordillera Geographic Information System Network, shall be
27 placed under the umbrella of the RDC. Secretariat work of these inter-agency
28 committees shall continue to be provided by their mother agency.

29
30 **Section 69. Attendance of Representatives to the RDC.** - When the
31 need arises, the RDC shall invite the Congressmen of the provinces and cities of
32 the autonomous region.

33
34 **ARTICLE VII**
35 **THE REGIONAL VICE-GOVERNOR**
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Section 74. Administrative Support. - The Regional Assembly shall have an administrative and support staff. Each member shall have at least three (3) confidential Legislative Assistants whose qualifications, rank and salary grade level shall be equivalent to regional executive assistants. Their term of service shall however be coterminous with their overseer.

Section 75. Regular and Special Sessions. - The Regional Assembly shall start its regular session on the first Monday of July, and by resolution fix the day, time and place of its regular sessions, which shall be held at least once a week. However, the Assembly may be called to a special session by the Chairperson or the Regional Governor whenever necessary and a notice of meeting shall be sent to the member's place of residence at least twenty-four (24) hours before the special session is held. Unless otherwise concurred in by two-thirds (2/3) votes of the members, there being a quorum, no other matters may be considered at a special session except those stated in the notice. The Regional Assembly may invite the President and other government officials to address it.

Section 76. Sessions and Quorum. -

- (a) A majority of all the members of the Regional Assembly shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties as the Assembly may provide.
- (b) On the first regular session following the election of its members, and within ninety (90) days thereafter, the Regional Assembly shall adopt or update its rules of proceedings which shall include, among other things, the organization of the Assembly and the election of its officers, creation of standing committees, the time, place and manner of convening its regular and special sessions, the conduct and discipline of its members, the conduct and discipline of every person present during its session, the preparation and publication of its journal, the determination of quorum, and the necessary votes to pass any measure, and recall proceedings in accordance with the Local Government Code.

1 **Section 77. Ordinance. -**

- 2 (a) Every ordinance shall embrace only one (1) subject which shall be
3 expressed in the title thereof.
- 4 (b) No ordinance shall become a law unless it has passed three readings on
5 separate days, and printed copies thereof in its final form have been
6 distributed to the members three (3) days before its passage, except
7 when the Governor certifies to the necessity of its immediate enactment
8 to meet a public calamity or emergency affecting the region, or the
9 component provinces, cities, municipalities or barangays.
- 10 (c) Upon the last reading of an ordinance, no amendment thereto shall be
11 allowed, and the vote thereon shall be taken immediately thereafter, and
12 the yeas and nays entered in the Journal.
- 13 (d) Every ordinance passed by the Regional Assembly shall, before it becomes
14 a law, be presented to the Regional Governor. If he/she approves the
15 same, he/she shall sign it. Otherwise, he/she shall veto it and return the
16 same with his objections to the Regional Assembly, which shall enter the
17 objections in its Journal and proceed to reconsider it. If, after such
18 reconsideration, two-thirds (2/3) of all the members of the Regional
19 Assembly shall agree to pass the ordinance, it shall become a law. The
20 Regional Governor shall communicate his veto of any ordinance to the
21 Regional Assembly within ten (10) days from receipt thereof otherwise; it
22 shall become a law as if he/she had signed it.
- 23 (e) The Regional Governor shall have the power to veto any particular item or
24 items in an appropriation or revenue, but the veto shall not affect the item
25 or items to which he/she does not object.

26
27 **Section 78. People's Question Hour. -**

- 28
29 (a) There shall be a people's hour at least once a month or as often as the
30 rules of the Regional Assembly may provide, which shall be included in the
31 Order of Business, during which any member of the Cabinet may, upon
32 his own initiative, with the consent of the Regional Governor, or upon the
33 request of the Regional Assembly, appear and answer questions and
34 interpellations by members of the Assembly on any matter pertaining to
35 his department.

1 (b) The Regional Assembly or any of its committees may conduct inquiries in
2 aid of legislation in accordance with its duly published rules of procedure.
3 The rights and dignity of persons appearing in or affected by such
4 inquiries shall be respected.
5

6 **Section 79. Immunity from suit.** - No member shall be questioned or
7 be held liable in any other place for any speech or debate in the Regional
8 Assembly or in any committee thereof.
9

10 **Section 80. Appropriations Ordinance.** - The Regional Assembly shall
11 pass an appropriations ordinance for the ensuing year at or before the end of
12 each year, based on the budget of expenditures and sources of funds submitted
13 to it by the Regional Governor.

14 (a) No provision or enactment shall be embraced in the regional
15 appropriations ordinance, unless it relates specifically to some particular
16 appropriations therein. Any such provision or enactment shall be limited in
17 its operation to the appropriation to which it relates.

18 (b) The procedure in approving appropriations for the Regional Assembly shall
19 strictly follow the same procedure for approving appropriations for the
20 regional executive department.

21 (c) A special appropriations ordinance shall specify the purpose for which it is
22 intended, and shall be supported by funds actually available as certified by
23 the Regional Treasurer or to be raised by a corresponding revenue
24 proposal therein.

25 (d) No ordinance shall be passed authorizing any transfer of appropriations.
26 However, the Regional Governor and the presiding officer of the Assembly
27 may, by ordinance, be authorized to augment any item in the general
28 appropriations ordinance for their respective departments from savings in
29 other items of their respective appropriations.

30 (e) The Regional Assembly may not increase the appropriations
31 recommended by the Regional Governor for the operation of the Regional
32 Government as specified in the budget. The form, content and manner of
33 preparation of the budget shall be prescribed by regional law: Provided,
34 however, that pending the enactment of such a regional law, the
35 budgeting process of the Regional Government shall be governed by

1 existing national laws and rules and regulations prescribed by the
2 Department of Budget and Management.

3
4 **Section 81. Expenditure of Public Funds. -**

5 (a) No money shall be paid out of the regional treasury except in pursuance
6 of an appropriation made by regional law.

7 (b) No money or property shall be appropriated, applied, paid or used,
8 directly or indirectly, for the use, benefit or support, of any sect, church,
9 denomination, sectarian institution, or system of religion or for the use,
10 benefit or support of any priest, preacher, minister or other religious
11 teacher or dignitary as such, except when such priest, preacher, minister
12 or dignitary is assigned to the regional police or government orphanage
13 and rehabilitation centers or similar institutions.

14 (c) All money collected on any regional tax levied for a special purpose shall
15 be treated as a special fund and paid out for such purpose only. If the
16 purpose for which a special fund was created has been fulfilled or
17 abandoned, the balance, if any, shall be transferred to the general fund of
18 the Regional Government.

19
20 **Section 82. Certified True Copies of Ordinance. -** The Regional
21 Assembly shall, within ten (10) working days from approval thereof, submit to
22 the President and to both Houses of Congress a certified true copy of all
23 ordinances and resolutions it passed.

24
25 **Section 83. Creation of Offices. -** The Regional Assembly may create
26 such other offices and positions as may be necessary to carry out the purpose of
27 the regional government subject to availability of funds.

28
29 **Section 84. Secretary to the Regional Assembly. -** There shall be a
30 Secretary to the Regional Assembly with a rank, status and salary grade level
31 equivalent to a head of a regional department. He must be a citizen of the
32 Philippines and a Cordilleran, of good moral character, and a holder of a college
33 degree preferably in law, commerce, public administration, or any other related
34 course from a recognized college or university. He must have at least three (3)
35 years of relevant experience.

1 provided there with and the Local Government Units as well as the
2 allocations already provided through the regional line agencies.

- 3 b. The national government shall consult and coordinate with the
4 autonomous Regional Government before programs and projects are
5 undertaken in the autonomous region.

6
7 **Section 89. Autonomous Region of the Cordillera Development**

8 **Plan.** - The Regional Government through the Regional Development Council
9 shall formulate its development plans taking into consideration the Cordillera's
10 unique needs and aspirations, consistent with national development goals. The
11 Development Plan shall include the promotion of growth and full employment,
12 human development, and address social and economic inequities that have
13 resulted from decades of neglect, historical injustice, poverty and inequality.

14
15 **Section 90. Control and Supervision over natural resources.** -

16 Regional Government shall have control and supervision over natural resources
17 in accordance to this Organic Act.

18
19 **Section 91. Preferential Rights of Cordilleras to utilize and**

20 **develop natural resources.** - The exploration, development, utilization, and
21 enjoyment of natural resources shall be allowed to citizens of the Philippines and
22 to private enterprises, including corporations, cooperatives, and similar collective
23 organizations with at least sixty percent (60%) of their capital investment or
24 capital stocks directly controlled or owned by Filipinos: Provided that the
25 implementation of programs, projects, and activities related to these natural
26 resources in the region shall comply with the provisions of the Constitution and
27 this Organic Act.

28
29 **Section 92. Comprehensive Framework for Sustainable**

30 **Development.** - The Regional Government shall develop a comprehensive
31 framework for sustainable development through the proper conservation,
32 utilization and development of natural resources. Such framework shall guide the
33 Regional Government in adopting programs and policies and establishing
34 mechanisms that focus on the environment dimensions of social and economic
35 interventions. It shall include measures for the reduction of vulnerability of
36 women and marginalized groups to climate change and variability.

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Section 93. Development of Lands 18° above in slope. - The Regional Government in partnership with the communities, especially the indigenous peoples or indigenous cultural communities, and their government units, and support of the national government shall adopt measures for the development of communities occupying lands eighteen degrees in slope or over, by providing the necessary infrastructure, financial and technical support.

Section 94. Transportation and communication system. - The Regional Government shall, in coordination with the national government, establish a transportation and communication system interconnecting the various areas of the autonomous region with each other and to other regions adjacent to the Cordilleras. Likewise, the Regional Government in close coordination with component local government units shall plan, construct, modernize and maintain rural and urban infrastructure facilities and utilities, including alternative transport systems within critical environments.

Section 95. Comprehensive Agrarian Reform Program. - Subject to ecological considerations, the Regional Government shall adopt and implement a comprehensive rural agrarian reform program, as well as an urban development program consistent with the Constitution and national laws and policies to ensure the just and sustainable utilization of land within its jurisdiction.

Section 96. Standards for environmental protection. - The Regional Government shall develop standards pertaining to the protection, conservation, and enhancement, of the environment and natural resources, appropriate to the socio- cultural and environmental uniqueness of the Cordillera.

Section. 97. Transfer of Existing Nature Reserves and Protected Areas. - The management and protection of nature reserves and aquatic parks, forests, watershed reservations, and other protected areas in the Autonomous Region that have already been defined by and under the authority of the National Government shall be transferred to the Regional Government.

The Regional Transition Committee composed of the Regional Governor, Department of Environment and Natural Resources, National Commission on

1 Indigenous Peoples, representatives of IPs and ICCs affected, as well as other
2 relevant government agencies shall cause the process of transferring these areas
3 including the conduct of surveys of all affected areas and the planning and
4 transition for each and every protected area. Such process shall be completed
5 within a period not exceeding two years.

6
7 **Section 98. Policies of the Autonomous Region of the Cordillera**
8 **on Renewable and other Energy Resources and Extractive Industries. -**

9 Policies on Renewable and other energy resources and extractive industries shall
10 be drawn up by the Legislative Assembly in accordance with its Comprehensive
11 Sustainable Development Plan, as well as its over-all medium-term and long-
12 term Regional Development Plan.

13
14 **Section 99. Financial and Technical Assistance Agreements. -** The
15 applications for financial and technical assistance agreements covering mineral
16 resources within the region shall be commenced at and recommended by the
17 Regional Government to the President.

18
19 The manner by which the Regional Government shall make the
20 recommendation shall be in accordance with Section 98.

21
22 **Section 100. Participation of the Autonomous Region of the**
23 **Cordillera in Government in National Development Planning. -** To ensure
24 that the Regional development plans are reflected in the national development
25 plans, the Regional Government shall participate in national development
26 planning. The Regional Governor shall be a full-fledged member of the Board of
27 the National Economic and Development Authority.

28
29 **ARTICLE X**

30 **SOURCES OF REVENUES AND OTHER FISCAL MATTERS**

31
32 **Section 101. Share from the National Revenues. -** To conserve,
33 protect and develop the national patrimony and heritage located in the
34 Autonomous Region of the Cordillera, and devolved to the region by this Organic
35 Act, and to fund the operations of the Regional Government, the Regional
36 Government shall, in addition to the existing shares of local government units,

1 regional line agencies and other government institutions, have a share of the
2 national revenues which include but not limited to the following:

3 (a) *Two and a half percent (2.5%) of the national Internal Revenue Taxes.*

4 The Regional Government shall have a share in the national internal
5 revenue taxes equivalent to 2.5 percent based on the collection of the
6 third fiscal year preceding the current fiscal year, in addition to the
7 internal revenue allotment shares of the local government units. Eighty
8 percent (80%) of such share shall be appropriated in the annual regional
9 budget for development projects. The internal revenue allotment share of
10 the Regional Government shall be released directly to the Regional
11 Government Treasurer and shall not be subject to any lien or holdback
12 that may be imposed by the national government for whatever purpose.

13
14 (b) *Forty percent (40%) Share of the National Wealth Tax.* The Regional
15 Government shall have a separate forty percent (40%) share of the gross
16 collections in the preceding fiscal year from mining taxes, royalties,
17 environmental services, forestry and fishery charges, energy production
18 charges, and such other taxes, fees and charges, including related
19 surcharges, interests and fines derived from the utilization and
20 development of the national wealth within its territorial jurisdiction.
21 Provided, that the Regional Government shall likewise be entitled to ten
22 percent (10%) share of the gross collections from the utilization of
23 national wealth sourced or emanating from the autonomous region by
24 persons, individual or juridical, operating outside the territorial jurisdiction
25 of the autonomous region. Provided that the share in national wealth shall
26 be used for the preservation and further development of the environment.

27
28 Local Government Units shall have a share of one and one-half percent
29 (1.5%) of the gross sales or receipts or fifty percent (50%) of the gross
30 collection, whichever is higher, derived from renewable energy taxes, mining
31 taxes, royalties, forestry and fishery charges, and such other taxes, fees and
32 charges, including related surcharges, interests or fines, and from its share in
33 any co-production, joint ventures or production sharing agreement in the
34 utilization and development of the national wealth within their territorial
35 jurisdiction. This provision shall be applicable to all corporations, partnership,
36 individuals and other entities including government agencies and government

1 owned or controlled corporations engaged in the utilization and development of
2 the national wealth within the region irrespective of existing contrary laws, rules
3 and regulations of national application.

4
5 (c) *Two percent (2%) share out of the Economic Zones Tax.* The Regional
6 Government shall have a separate two percent (2%) share out of the five
7 percent (5%) final tax on gross income earned or equivalent to forty
8 percent (40%) of total tax paid by businesses within the economic zones
9 found in the Cordillera, in addition to the existing shares of the local
10 government units of two percent (2%). The fund shall be used for Trade
11 and Industry programs.

12
13 Local government units shall have a separate two percent (2%) share out
14 of the five percent (5%) final tax on gross tax paid by businesses within the
15 economic zones.

16
17 (d) *Twenty percent (20%) Share of Excess in Value Added Tax.* The Regional
18 Government shall have a separate twenty percent (20%) share of the
19 excess in VAT collections from the immediately preceding year. The fund
20 shall support cottage industry programs.

21
22 Local Government Units shall have a separate twenty percent (20%) share
23 of the excess in VAT collections from the immediately preceding year.

24
25 (e) *Fifteen percent (15%) Share of Total Excise Tax.* The Regional
26 Government shall have a separate fifteen percent (15%) share of the total
27 excise tax collection on locally manufactured Virginia-type cigarettes
28 manufactured within the territorial jurisdiction of the autonomous region
29 for the second calendar year preceding the year of distribution, in addition
30 to the existing shares of the local government units. The fund shall be
31 used for agriculture programs.

32
33 Local Government Units shall have a separate fifteen percent (15%) share
34 from the total excise tax collection on locally manufactured Virginia-type
35 cigarettes for the second year preceding the year of distribution.

1 (f) *Fifteen percent (15%) Share of Incremental Excise Tax in Burley and*
2 *Native Tobacco Products.* The Regional Government shall have a separate
3 fifteen percent (15%) share of the excise tax collected on burley and
4 native tobacco products collected within the region.

5

6 Local Government Units shall have a separate fifteen percent (15%) share
7 of the excise tax collected on burley and native tobacco products.

8

9 (g) *Forty percent (40%) Share of Renewable and other energy Tax.* The
10 Regional Government shall have a separate forty percent (40%) of the
11 special privilege tax on Renewable and other energy resources developed
12 for the maintenance of watersheds and social and economic development
13 of the upstream host communities.

14

15 Local Government Units' share from the renewable and other energy
16 resources tax shall be based on the computation provided under the Local
17 Government Code (RA 7160).

18

19 (h) Three percent (3%) of net income of Philippine Amusement and Gaming
20 Corporation (PAGCOR) and Philippine Charity Sweepstakes Office (PCSO)
21 for construction and maintenance of school buildings, hospitals and
22 related structures and services.

23

24 (i) Shares in future tax impositions by the national government.

25

26 **Section 102. Sources of Regional Government Revenues.** - The
27 Regional Government shall have the power to create its own sources of revenues
28 and to levy fees, charges and taxes subject to such guidelines and limitations of
29 the Constitution and this Act, consistent with the basic policy of local autonomy
30 and which include but not limited to the following:

31

a. Taxes, except income taxes, imposed by the Regional Government;

32

b. Fees and charges imposed by the Regional Government;

33

c. Taxes, fees, or charges for the registration of motor vehicles and for the
34 issuances of all kinds of licenses or permit for the driving thereof, except
35 tricycles which shall be registered with the city or municipality within
36 whose territorial boundaries they are operated;

- 1 d. Shares and revenue generated from the operations of public utilities
2 within the autonomous region;
- 3 e. Appropriations, shares in the internal revenue taxes, block grants, and
4 other budgetary allocations coming from the central government or
5 national government, and
- 6 f. Block grants derived from economic agreements or conventions entered
7 into or authorized by the Regional Assembly, donations, endowments,
8 foreign assistance, and other forms of aid, subject to the pertinent
9 provisions of the Constitution.

10

11 **Section 103. Situs of Taxation.** - All corporations, partnerships, and
12 other entities, including government agencies, government-owned and -
13 controlled corporations directly engaged in business in the region shall pay their
14 corresponding taxes, fees, and charges to the province, city, municipality or
15 barangays where such establishments are conducting their business operations
16 irrespective of the location of their principal or main offices.

17

18 **Section 104. Appropriations.** - Appropriations from the national
19 government to be downloaded to the regional government

20 (a) *Regional line agencies.* The national government shall continue to provide
21 appropriations for the regular operations and programs of line agencies in
22 the region. In addition, each national government agency shall
23 appropriate not less than five percent (5%) of its annual budget to fund
24 priority programs in the region.

25 (b) *Regional structure.* The national government shall provide appropriations
26 for the mandatory organizational structure and positions of the Regional
27 Government.

28 (c) The Regional Government may access other special purpose funds
29 appropriated in the national budget.

30

31 **Section 105. Share from Fees and Charges.** - Eighty percent (80%)
32 share of national fees and charges collected within the region (e.g. DOTr, NBI,
33 PSA, BI, PEZA, DFA, DOH, DPWH, DENR, PRC, DOT, DICT, and other collecting
34 agencies) shall be directly remitted to the regional treasury and fifty percent
35 (50%) of this share shall be automatically retained by the collecting agencies to
36 augment their regular operating expenses.

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Section 113. Development of Water Resources. - The Regional Government shall give top priority to the conservation, protection, testing, utilization and development of water resources for agriculture, fisheries development, domestic water supply and power development. It shall enact appropriate legislation which shall enhance, develop, conserve, and protect natural fishery resources especially on specie endemic to the Cordillera.

Section 114. Promoting the rights of fisher folks. - The Regional Government shall recognize, promote, and protect the rights and welfare of fisher folks, their associations and cooperatives. The provinces and cities concerned shall support to subsistence fisher folk through adequate funds, appropriate technology and research, marketing assistance, and other support services like fishery processing facilities and access to credit.

Section 115. Agriculture Production. - The Regional Government shall pursue the following strategies to develop and increase agricultural productivity.

- (a) Pursue a multidisciplinary research, development and extension activities to produce and promote technologies and invent machinery and facilities, that will be used to improve productivity and product quality, reduce cost of production, enhance value-addition and improve processing, and enhance abilities to protect the environment and agricultural resources.
- (b) Initiate, encourage and give highest priority support to small and medium agribusiness enterprises and industries with linkages to agriculture. It shall ensure the allocation of adequate public investments to establish adequate support-agricultural infrastructure and facilities to sustain such ventures.
- (c) Formulate and implement product standards and regulatory rules that will ensure the production, processing, distribution and marketing of safe and globally-competitive products, and simultaneously promote environmental conservation.
- (d) Ensure that all sectors involved in the [production, processing and marketing of food and non- food products shall strictly adhere to appropriate existing laws and regulations on the proper utilization and

1 disposal of synthetic and chemical inputs and materials, and industrial and
2 toxic wastes. Relative to this, the Regional Government shall pursue and
3 encourage organic methods of agriculture. ; in a day
4

5 **Section 116. Prevent flight of labor and capital.** - To promote
6 investments and employment and to prevent flight of capital and labor from the
7 region, the Regional Government shall adopt measures:

8 (a) Against monopolies, cartels and unfair competition in public utilities,
9 development, trading and similar concerns. It may, in the interest of
10 regional welfare and security, establish and operate pioneering public
11 utilities. Upon payment of just compensation, it may transfer the
12 ownership of such utilities to cooperatives or other collective
13 organizations.

14 (b) To initiate, encourage and support industrialization in the region, taking
15 into account the culture and capabilities of the people of the area to
16 control or manage their resources, the ecological needs of the area and
17 the protection, conservation and development of resources.
18

19 **Section 117. Eco-cultural Tourism.** - Consistent with the preservation
20 of cultural heritage and the protection of ecology, the Regional Government shall
21 promote eco-cultural tourism in the region. Sites with historical, scientific,
22 cultural significance including natural and man-made landmarks and scenic vistas
23 shall likewise be preserved, maintained and protected.
24

25 **Section 118. Promote Economic Zones.** - The Regional Government
26 shall encourage, promote and support the establishment and development of
27 economic zones, industrial and trade centers, and airports, in strategic areas and
28 growth centers in the region, including the necessary support infrastructure in
29 accordance with land use and other environmental considerations.
30

31 **Section 119. Marketing and Exportation of Indigenous Products.**
32 - The Regional Government shall in coordination with the local government units,
33 encourage investments, development, marketing and exportation of indigenous
34 and other local products in accordance with its development goals and priorities.
35

1 educational institutions used actually, directly and exclusively for educational
2 purposes shall be exempt from taxes and duties.

3
4 **Section 124. Creation of Regional Scholarship Committee for**
5 **Education.** - The Regional Government shall assist the national government to
6 provide free basic education and shall likewise endeavor to provide free tertiary
7 education through scholarship programs, subsidies, research grants and other
8 incentives to poor, gifted, and deserving individuals. Towards this end, there
9 shall be created a Regional Scholarship Committee for Education.

10
11 **Section 125. Rights of Teachers and Parents to Organize.** - The
12 right of teachers, employees, students and parents to organize themselves and
13 to participate in school policy and decision-making shall be guaranteed.

14
15 **Section 126. Culture sensitive education.** - The educational system
16 in the region shall develop a program, research, instruction and extension that
17 will promote consciousness and appreciation of the ethnic identity of the people
18 in the region and shall provide a better understanding of their cultural heritage
19 for the attainment of national unity and harmony in all levels of education. It
20 shall provide, promote, enhance or adopt a curriculum in all levels that includes
21 Cordillera languages, customs and traditions and other indigenous knowledge
22 systems and practices, as may be applicable.

23
24 **Section 127. State colleges and universities. -**

25 (a) State colleges and universities in the region shall form part of the regional
26 educational sub-system of the autonomous region and shall continue to
27 enjoy fiscal and institutional autonomy, continue to be governed by their
28 respective charters and enjoy support of the Regional Government.

29 (b) The Regional Government shall be represented in the board of regents or
30 trustees in state universities and colleges in the region.

31 (c) The budget of state colleges and universities in the region while prepared
32 separately shall form part of the budget of the Regional Government when
33 presented to congress for approval. The state colleges and universities
34 shall continue to receive funding from the national government while the
35 Regional Government shall provide additional funding.

1 (d) The Regional Government shall capacitate state colleges and universities
2 in order to provide assistance to regional development.
3

4 **Section 128. School charters.** - Subject to the general supervision of
5 the Regional Government, all schools with charters shall continue to be governed
6 by their respective charters.
7

8 **Section 129. Priority on Indigenous and appropriate technology.**
9 - The management of scientific and indigenous research and appropriate
10 technology on all levels of education including research institutions shall be given
11 priority by the Regional Government.
12

13 **Section 130. Intellectual property rights.** - Incentives and
14 safeguards for intellectual property rights, and assistance in the registration of
15 patents and copyrights shall be accorded to Cordillera artists, writers, scientists,
16 researchers and inventors.
17

18 **Section 131. Medium of instruction.** - The Regional Government shall
19 retain English and Filipino as a medium of instruction in all levels of education.
20 Consistent with its regional and cultural identity, and whenever possible, it shall
21 adopt a system of multi-lingual or mother tongue-based approach in basic
22 education to strengthen and enrich the various languages and dialects in the
23 region as well as the national language as maybe appropriate.
24

25 **Section 132. Region-wide Physical Fitness.** - The Regional
26 Government shall design and implement region-wide physical fitness, sports
27 development programs, and indigenous games and sports which shall be a
28 cooperative responsibility of the school, the community, and the government.
29

30 **Section 133. Establishment of Council and Commissions and**
31 **Center on Research, Cultural Heritage and Research.** - The Regional
32 Government shall:

- 33 a. Establish a Regional Research Coordinating Council, which shall harmonize
34 the research and development efforts of the academe, research
35 institutions, citizen's research, other organizations and community initiated
36 research in the region.

1 b. Establish Cordillera Commission for the Preservation and Promotion of
2 Cultural Heritage Center for the promotion, research, documentation,
3 coordination with other groups and institutions and, establish and
4 maintain a data bank on all indigenous matters
5

6 **ARTICLE XIII**
7 **SOCIAL JUSTICE, HEALTH AND WELFARE**
8

9 **Section 134. Measures on Social Protection.** - The Regional
10 Government commits itself to social protection and shall among other things,
11 adopt measures to:

- 12 (a) Empower and improve the quality of life of the poor, disadvantaged,
13 marginalized, and vulnerable individuals, families, sectors and
14 communities of the region.
- 15 (b) Reduce or eradicate poverty to ensure that all Cordillerans are free from
16 all forms of deprivation, vulnerability, and abuse.
- 17 (c) Create equal opportunities for assistance and protection for all
18 Cordillerans.
- 19 (d) Promote gender and development (GAD) through the creation, adoption
20 and sustainability of programs and policies that are gender sensitive.
- 21 (e) Enact measures and develop programs that will protect the people from
22 any threat of violence and exploitation, eliminate trafficking in persons
23 and mitigate pressures for involuntary migration and servitude of persons,
24 not only to support trafficked persons but more importantly, to ensure
25 their recovery, rehabilitation and reintegration into the mainstream of
26 society.
27

28 **Section 135. Equality of Employment Opportunities.** - The Regional
29 Government shall undertake steps to protect the labor sector and promote
30 equality of employment opportunities for all. Towards this end, it shall, among
31 other things, provide for:

- 32 (a) Participation of the Regional Government in the regional wage board in
33 working out periodic adjustments and rational standardization of
34 compensation rates to ensure a sustainable and decent wage for all
35 workers.

- 1 (b) Profit and productivity gain-sharing schemes that recognize the right of
2 workers to a just share in the profits and productivity gains of businesses,
3 provide incentives thereof, and the right of the enterprise to reasonable
4 returns on investments.
- 5 (c) Protection of workers against unhealthy and unsafe working conditions.
- 6 (d) Mandatory corporate social responsibility towards employees and host
7 community.

8

9 **Section 136. Hiring of Qualified Cordillerans.** - The Regional
10 Government shall promote the hiring of qualified Cordillerans in government
11 projects and private businesses located in the autonomous region.

12

13 **Section 137. Health as Basic Human Right.** - The Regional
14 Government recognizes health as a basic human right and the attainment,
15 maintenance and protection thereof shall be its responsibility. It affirms health as
16 an instrument for and a product of socio-economic development. For this
17 purpose, it shall, among other things:

- 18 (a) Establish, maintain, and support an effective health care delivery system
19 utilizing primary health care as a comprehensive and integrated approach.
- 20 (b) Ensure that the health care system is governed by the principles of
21 service, social justice and equity.
- 22 (c) Promote health knowledge and skills that will enable its people to take
23 responsibility for their health.
- 24 (d) Give relevant training and appropriate standards for health workers and
25 professionals.
- 26 (e) Establish and maintain an effective food and drug regulatory system which
27 shall provide for the adoption of an essential drug list, encourage the use
28 of generic medicines or drugs, and promote the use of herbal medicines
29 and indigenous health resources.
- 30 (f) Conduct research on traditional healing methods and promote indigenous
31 health care practices.
- 32 (g) Evolve financing schemes to effectively lessen the costs of health care
33 without sacrificing the quality of health care services; and
- 34 (h) Prioritize health by allocating at least 5% of the Regional Annual Budget
35 to form the base of health budget.

36

1 **Section 138. Rights of Workers.** - The Regional Government shall, in
2 consonance with the Constitution, guarantee the rights of all workers to self-
3 organization, collective bargaining and negotiations, and peaceful concerted
4 activities, including those provided by law.

5
6 **Section 139. Rights of Vulnerable Sectors.** - The Regional
7 Government shall:

8 (a) Promote the well-being of differently-abled persons, the mentally
9 handicapped, the elderly, the homeless, widowed and orphans, retirees,
10 and veterans, adult offenders and children in conflict with the law and
11 victims.

12 (b) Assist victims of calamities, abused and depressed children and women in
13 crisis situations, including victims of adult offenders and children in conflict
14 with the law

15
16 **Section 140. Program for rebel returnees.** - The Regional
17 Government shall adopt a social integration program responsive to the needs of
18 rebel returnees including adult offenders and children in conflict with the law.

19
20 **Section 141. Social and Insurance measures.** - The Regional
21 Government shall adopt insurance and social security measures responsive to the
22 needs of its people to supplement existing privileges.

23
24 **Section 142. Housing Programs.** - The Regional Government, in
25 cooperation with the private sector, shall promote housing programs where
26 needed, which shall be financed under liberal credit terms and shall utilize
27 indigenous materials, architecture and technology. Participation of housing
28 cooperatives to administer the projects shall be encouraged.

29
30 **Section 143. Role of Cordilleran Women.** - The Regional Government
31 shall recognize and strengthen the role of the Cordillera women in nation-
32 building. It shall ensure the full implementation of the Magna Carta of Women
33 and all other existing laws that promote the welfare and protection of women.

34
35 **Section 144. Comprehensive program on Youth.** - The Regional
36 Government shall establish a comprehensive program on youth development,

1 create the structures to implement the same and appropriate adequate funds to
2 provide support for the program.

3
4 **Section 145. Support to Peoples' Organization.** - The Regional
5 Government shall promote and support duly established peoples' organizations
6 and encourage the formation of organizations, especially those of the
7 underprivileged.

8
9
10 **ARTICLE XIV**
11 **PEACE AND ORDER**

12
13 **Section 146. Peace and Order and Public Safety.** - The Regional
14 Government shall promote and maintain peace and order and public safety in the
15 region. It shall not allow private armies.

16
17 **Section 147. Defense and Security.** - The defense and security of the
18 autonomous region shall be the responsibility of the national government with
19 due recognition to recommendations from the Regional Government.

20
21 **Section 148. Peace-keeping Programs.** - The Regional Government
22 shall have co-management over peace-keeping programs and initiatives and
23 undertake close coordination with the Philippine National Police as well as the
24 Armed Forces of the Philippines and other National Law Enforcement Agencies.

25
26 **Section 149. Military Assistance.** - The provisions of the preceding
27 sections notwithstanding, the Regional Governor may request the President of
28 the Philippines to call upon the Armed Forces of the Philippines:

- 29 (a) To prevent or suppress lawlessness, violence, invasion or rebellion, when
30 the public safety so requires, in accordance with the provisions of the
31 Constitution.
- 32 (b) To suppress the danger to or breach of peace in the autonomous region,
33 when the police forces of the autonomous region are not able to do so.
- 34 (c) To avert any imminent danger to public order and security in the
35 autonomous region.

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Section 158. Property. - Acquisition and encumbrance of property in accordance with customary laws of the place shall be recognized and protected.

Section 159. Dispute Settlement for Property Rights and Ownership. - Upon agreement of the parties, settlement of disputes involving property rights and ownership shall be governed by the customary laws of the place where the property is located.

**ARTICLE XVII
AMENDMENTS OR REVISIONS**

Section 160. Amendment Requirement. - Any amendment to, or revision of this Act may be made by Congress upon recommendation of the majority of all members of the Regional Assembly.

Section 161. Ratification. - Any amendment to or revision of this Organic Act shall become effective when ratified by a majority of the votes cast in a plebiscite called for the purpose which shall be held not earlier than sixty (60) days nor later than ninety (90) days after the approval of such amendment or revisions.

**ARTICLE XVIII
TRANSITORY PROVISIONS**

Section 162. Coverage of the Plebiscite. - The coverage of the plebiscite shall be the provinces of Abra, Apayao, Benguet, Ifugao, Kalinga, Mountain Province, and the chartered City of Baguio. Any two or more provinces and/or cities voting favorably for this Organic Act in the plebiscite shall comprise the Autonomous Region of the Cordillera while those voting unfavorably for this Organic Act in the plebiscite shall remain within their current region.

Section 163. Date of Election. - Unless otherwise provided by law, the date of election of the first set of officials of the Regional Government shall be in the next local election following the ratification of this Organic Act in the plebiscite. Subsequent elections shall coincide with the nationwide local elections.

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Section 164. Residency Requirement. - For purposes of the first regional election, candidates must have actually resided and a registered voter in the region for at least seven (7) years immediately preceding the election. Provided that they meet all other qualifications and none of the disqualifications under Article V of this Organic Act.

Section 165. Abolition of Offices. - Except for the regional line agencies, the Cordillera Executive Board, the Cordillera Regional Assembly, and the Cordillera Bodong Administration as a commission, created under Executive Order No. 220, and the Cordillera Regional Development Council created by Executive Order 30 after the de-activation of the above-mentioned Cordillera bodies, shall cease to exist immediately upon the assumption of office of the Regional Governor.

Section 166. Seat of Regional Government. - The seat of the Regional Government of ARC shall be determined by the majority of all members of the Regional Assembly: Provided, however, that the interim seat of the Regional Government shall be in the City of Baguio.

Section 167. Oversight Committee. - Within one (1) month from the organization of the Regional Government, an Oversight Committee composed of the executive secretary as Chairperson, the secretary of the Department of Budget and Management, the Cordillera Regional Governor, the presiding officer of the Cordillera Legislative Assembly, two (2) senators to be designated by the Senate President, two (2) representatives to be designated by the Speaker of the House of Representatives, the incumbent Chairperson and Co-Chairperson of the Regional Development Council, the Secretary of the Department of the Interior and Local Government, the Chairperson of NCIP as members, shall be organized for the purpose of supervising the transfer to the autonomous region of such powers and functions vested in it by this Organic Act and the appropriations of the offices or agencies including the transfer of properties, assets and liabilities, and all personnel of the line agencies and government-owned or –controlled corporations that may be absorbed by the Regional Government and, with respect to the latter, also the terms and conditions of their turnover, without diminution of their compensation and other benefits. Provided, the salaries of

1 these absorbed personnel shall continue to be funded by the national
2 government.

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4 Within six (6) months after its organization, the oversight committee shall
5 submit its report and recommendation to the President of the Philippines who
6 shall act on the report and recommendations within ninety (90) days after
7 receipt thereof: Provided, however, that if the President fails to act within said
8 period, the recommendations of the Oversight Committee shall be deemed
9 approved.

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11 **Section 168. Financial Assistance.** - Over and above [that] THE
12 regularly given to Local Government Units and regional line agencies, the
13 national government shall continue its annual allotment to the Regional
14 Government. In addition, the national government shall provide the Autonomous
15 Region of the Cordillera an annual assistance of Ten billion pesos
16 (P10,000,000,000.00) for the first five (5) years and Five billion pesos
17 (P5,000,000,000.00) for the next five (5) years to be allocated in the following
18 manner:

19 (a) Twenty percent (20%) of the annual subsidy for the Regional Government
20 shall be for regional infrastructure, livelihood and revenue generating
21 projects.

22 (b) Six percent (6%) of the annual subsidy shall remain with the Regional
23 Government as Trust Fund.

24 (c) The remaining seventy-four percent (74%) of the annual subsidy shall be
25 allocated as follows:

26 1. Twenty-three percent (23%) of the seventy-four percent (74%) shall
27 be divided equally among the Provinces and Highly Urbanized Cities
28 which shall be for infrastructure, livelihood and revenue generating
29 projects.

30 2. Two percent (2%) of the seventy-four percent (74%) for Component
31 Cities which shall be for infrastructure, livelihood and revenue
32 generating projects.

33 3. Thirty-five percent (35%) of the seventy-four percent (74%) shall be
34 divided equally among the Municipalities which shall be for
35 infrastructure, livelihood and revenue generating projects.

1 4. Forty percent (40%) of the seventy-four (74%) shall be divided
2 equally among the barangays for infrastructure, livelihood and revenue
3 generating projects.
4

5 In the case of a chartered city, barangays shall take their shares from the
6 city government. Provided, that the projects shall be in accordance with the
7 Regional and Local Development Plans and Budgets as approved by their
8 respective legislative bodies.
9

10 **Section 169. Disclosure and transparency.** - Funds shall be available
11 exclusively for the specific purpose for which they have been appropriated. Any
12 officer of the Autonomous Region of the Cordillera whose duty permits or
13 requires the possession, custody and disbursement of the funds shall be
14 accountable and responsible thereof. Financial records shall be kept, audited and
15 made public annually or as often as maybe necessary.
16

17 **Section 170. Local Government Share.** - The share of each local
18 government unit shall be released without need of any further action, directly to
19 the provincial, city, municipal or barangay treasurer, as the case may be on a
20 quarterly basis within five (5) days after the end of each quarter, and which shall
21 not be subject to any lien or hold back that may be imposed by the Regional
22 Government for whatever purpose.
23

24 **Section 171. Plebiscite.** - The creation of the Autonomous Region of
25 the Cordillera shall take effect when approved by a majority of the votes cast by
26 the constituent units provided in Section 3, Article II of this Act, in a plebiscite
27 which shall be held not earlier than three (3) months but not later than six (6)
28 months after this Act takes effect: Provided, that only the provinces and cities
29 voting favorably in such plebiscite shall be included in the ARC.
30

31 The sum of Two billion six hundred ninety five million (P2,695,000,000) is
32 hereby appropriated for the following purposes:

33 (a) Twenty million pesos (PhP20,000,000.00) to be allotted to the Regional
34 Development Council for the conduct of a well-coordinated inter-sectoral
35 and inter-agency Regional, Provincial, Municipal and Barangay information
36 campaign on this Act.

1 (b) Seventy million pesos (PhP70,000,000.00) shall be equitably divided
2 among the provinces and the city for the conduct of IEC purposes.

3 (c) Twenty Five million pesos (PhP25,000,000.00) to be allotted to the
4 Commission on Elections.

5 (d) Eighty million pesos (PhP80,000,000.00) to be allotted to the Regional
6 Government for its initial organizational requirements.

7 (e) Two billion five hundred million (P2,500,000,000) for the construction of
8 the regional government center.

9
10 Par (a) and (b) shall be released upon the effectivity of this Organic Act.
11

12 The Regional Development Council with the assistance of the Philippine
13 Information Agency, and in consultation with the provincial/city governments,
14 the Cordillera Association of Regional Executives, and other key stakeholders,
15 shall determine the manner of campaigning and the deputization of government
16 agencies, non-government organizations and other stakeholders for purposes of
17 conducting a well-coordinated information campaign within the first three
18 months after the passage of this Act.
19

20 The amount of Two billion six hundred ninety-five million
21 (P2,695,000,000) as herein appropriated shall be charged against the contingent
22 fund. Any deficiency thereof shall be taken from any available funds of the
23 national government.
24

25 **Section 172. Separability Clause.** - Any provision or part of this
26 Organic Act found to be invalid or unconstitutional shall not invalidate the
27 provisions or parts thereof not affected thereby.
28

29 **Section 173. Repealing Clause.** - All laws inconsistent with this
30 Organic Act are hereby repealed or modified accordingly.
31

32 **Section 174. Local Government Center.** - Creation of a Local
33 Government Center for the Cordillera.
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35 **ARTICLE XIX**
36 **EFFECTIVITY**

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Section 175. Effectivity Clause. - This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers and all local newspapers of general circulation in the autonomous region.

Approved,