

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

OFFICE OF THE SECRETARY

9 JAN 20 1996

SENATE

S. No. 2993

RECEIVED

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Introduced by **Senator FRANCIS G. ESCUDERO**

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**EXPLANATORY NOTE**

This bill is filed consistent with the policy on local government autonomy and empowerment.

The General Santos City, given its potential for growth, apart from having been placed in the world map so to speak by our "pambansang kamao," should be given the appropriate authority and resources to chart its own development.

*Sadly, the current disposition of its public lands has left the City no realizable income despite the clear provisions of its charter that it is the beneficial owner of such lands.*

Moreover, its desire to grow is unreasonably being hampered by certain agencies of government due to vagueness of certain laws and the absence of an unequivocal mandate.

Hence, this bill seeks to rectify and make clear the provisions found in the charter of General Santos City if only to address the foregoing and to keep it updated especially with the enactment of the Local Government Code which dates way back 1992.

Immediate passage of this bill is thus requested.

FRANCIS G. ESCUDERO

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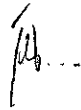
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9 JAN 20 AM '26

SENATE

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Introduced by Senator FRANCIS G. ESCUDERO

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 5412, AS AMENDED,**  
**OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF**  
**GENERAL SANTOS**

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

1           SECTION 1. Sections 98 and 101 of Republic Act No. 5412, as  
2 amended, are hereby further amended to read as follows:

3  
4           "Section 98.       THE OWNERSHIP OF ALL LANDS OF  
5 THE PUBLIC DOMAIN WITHIN THE CITY OF GENERAL  
6 SANTOS BELONGS TO THE CITY. AS SUCH, [T] The  
7 disposition of all lands of the public domain in the city shall be  
8 in accordance with the provisions of Commonwealth Act No.  
9 141, as amended, AND ALL OTHER PERTINENT LAWS,  
10 EXECUTIVE ISSUANCES, RULES AND REGULATIONS:  
11 Provided, That all incomes and receipts derived from such  
12 disposition, ADMINISTRATION AND MANAGEMENT OF  
13 ALL LANDS OF THE PUBLIC DOMAIN shall accrue  
14 exclusively AND TO BE TURNED OVER IMMEDIATELY  
15 WITHOUT NEED OF DEMAND to the city as provided in  
16 this Act; PROVIDED FURTHER, THAT THE CITY  
17 GOVERNMENT SHALL AT ALL TIMES BE CONSULTED  
18 AND INFORMED OF SUCH DISPOSITION,  
19 ADMINISTRATION AND MANAGEMENT; AND  
20 PROVIDED FINALLY, THAT THE APPROVAL OF THE  
21 CITY GOVERNMENT SHALL BE A MANDATORY

1           CONDITION   PRIOR   TO   ANY   DISPOSITION,  
2           ADMINISTRATION AND MANAGEMENT OF SUCH  
3           PUBLIC LANDS."

4           "Section 101. *Ownership of waterworks, electric light and*  
5           *power and telephone systems, roads, streets, etc.* - Any provisions  
6           of law to the contrary notwithstanding, all existing  
7           waterworks, electric light and power, and/or telephone  
8           systems presently operated by the Municipality of General  
9           Santos shall be owned by the city, and revenues therefrom  
10          shall accrue to the general fund of the city.

11          All existing municipal and provincial roads, streets,  
12          bridges, docks, piers, wharves, machineries, equipment and  
13          other public works improvements shall be owned by the city,  
14          and all the funds and assets of the Municipality of General  
15          Santos shall be owned by the city and its liabilities shall be  
16          assumed by the city, any provision of law to the contrary  
17          notwithstanding.

18          **NOTWITHSTANDING THE PROVISIONS OF**  
19          **REPUBLIC ACT NOS. 8371 AND 6657, AS AMENDED, THE**  
20          **CITY GOVERNMENT SHALL BE INFORMED AND ITS**  
21          **APPROVAL SHALL BE SOUGHT ON ALL MATTERS**  
22          **RELATING TO LANDS BY AGENCIES OF**  
23          **GOVERNMENT CONCERNED WHICH THE CITY**  
24          **COUNCIL DETERMINES FOR THE USE OF THE CITY."**

25  
26          **SEC 2.** Within Sixty (60) days from the date of the effectivity of this  
27          Act, all concerned agencies of government shall submit a comprehensive and  
28          detailed report of all dispositions of public lands in the city to the City  
29          Government.

30  
31          **SEC. 3.** The provisions of this Act rendered ineffective by virtue of  
32          Republic Act No. 7160 or the Local Government Code, as amended,

1 specifically paragraph (f), Section 534 thereof, are hereby deemed repealed  
2 and superseded accordingly.

3

4       **SEC 4.** Any person who shall violate the provisions of this Act shall, in  
5 addition to the administrative, civil or criminal liability imposable under  
6 other existing laws, suffer the penalty of six (6) months imprisonment:  
7 Provided, That in the case of a government official or personnel, he/she shall  
8 likewise suffer the penalty of perpetual disqualification to hold public office.

9

10       **SEC. 5.** If any provision or part hereof is held invalid or  
11 unconstitutional, the remainder of the law or the provision not otherwise  
12 affected shall remain valid and subsisting.

13

14       **SEC. 6.** All laws, presidential decrees, executive orders, proclamations  
15 and/or administrative regulations which are inconsistent with the provisions  
16 of this Act are hereby amended, modified, superseded or repealed  
17 accordingly.

18

19       **SEC 7.** To effectively implement the provision of this Act, the City  
20 Council of General Santos City in coordination with the agencies of  
21 government concerned shall promulgate the necessary implementing rules  
22 and regulations within sixty (60) days from the date of the effectivity of this  
23 act.

24

25       **SEC. 8.** This Act shall take effect fifteen (15) days from its publication  
26 in at least two (2) newspapers of national circulation.

27

28       Approved,