



Republic of the Philippines  
Bangsamoro Autonomous Region in Muslim Mindanao  
**BANGSAMORO PARLIAMENT**  
Bangsamoro Government Center, Cotabato City



**BANGSAMORO TRANSITION AUTHORITY  
(THIRD REGULAR SESSION)**

**BANGSAMORO AUTONOMY ACT NO. 22**

Begun and held in Cotabato City, on Friday, the 29th day of March, 2019.

**AN ACT  
APPROPRIATING THE SUM OF TEN BILLION PESOS  
(P10,000,000,000.00) FROM THE 2020 AND 2021 SPECIAL  
DEVELOPMENT FUND, AND FOR OTHER PURPOSES**

Be it enacted by the Bangsamoro Transition Authority in Parliament assembled:

**Section 1. Appropriations.** – The sum of Five Billion Pesos (P5,000,000,000.00) is hereby appropriated as 2020 Special Development Fund (SDF), and the sum of Five Billion pesos (P5,000,000,000.00) as 2021 SDF, pursuant to Section 2, Article XIV of Republic Act No. 11054, or the Bangsamoro Organic Law (BOL).

**Section 2. Use and Release of Funds.** – The amounts appropriated herein shall be used for the rebuilding, rehabilitation, and development of conflict-affected communities in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). The utilization of the funds shall be in accordance with the Bangsamoro Development Plan 2020-2022, as adopted and approved by the Bangsamoro Economic and Development Council (BEDC) and the Bangsamoro Transition Authority (BTA) Parliament on June 5, 2020 and July 3, 2020, respectively.

Releases from this Fund shall be made by the Ministry of Finance and Budget and Management (MFBM) directly to the appropriate implementing ministries/offices subject to the approval of the Chief Minister and upon submission of the Special Budget Request and the necessary supporting documents. The MFBM shall formulate and issue guidelines on the release of the SDF.

**Section 3. Cash Budgeting System.** All appropriations authorized in this Act shall be available for release and disbursement for the purpose specified until December 31, 2022.

Appropriations for infrastructure capital outlays shall be valid for obligation until December 31, 2022, while the completion of construction, inspection, and payment shall be made not later than June 30, 2023. On the other hand, appropriations for MOOE and other

capital outlays items shall likewise be valid for obligation until December 31, 2022, while the delivery, inspection and payment shall be made not later than March 31, 2023.

The MFBM is authorized to issue the necessary guidelines for the effective implementation of the cash budgeting system.

**Section 4. Additional Requirements for Implementation of Infrastructure Projects.**

The following requirements shall be observed in the implementation of infrastructure projects:

- (a) The location, areas or sites of all infrastructure projects are not included in the critical geo-hazard areas or no-build zones identified or certified by the Ministry of Environment, Natural Resources and Energy (MENRE), or any other competent authority;
- (b) The standards of construction, rehabilitation, improvement or repair of all infrastructure projects in all areas and zones are consistent with the rules determined by the Ministry of Public Works (MPW), which shall consider, among others, the structural strength and climate resilience required for infrastructure projects in all areas and zones; and
- (c) The planning and construction of all infrastructure projects to be implemented within the National Integrated Protected Area System (NIPAS) are done in a way that eliminates or minimizes the risk of biodiversity loss while the specifications thereon are in accordance with those determined by the MPW, in coordination with the MENRE or any competent authority. Major infrastructure projects may only be undertaken in said areas if intended to enhance biodiversity. The MPW shall consider climate data and risk assessment and green building standards in the planning, designing, construction, engineering and renovation of government buildings and facilities.

**Section 5. Transparency in Infrastructure Projects.** Ministries and Offices shall post the following on their respective websites, within the period indicated:

- (a) The project title, location and detailed description; detailed estimates in arriving at the Approved Budget for the Contract; and winning contractor and the detailed estimates of the bid as awarded, within thirty (30) calendar days from entering into contract;
- (b) The detailed actual cost of the project; and variation orders issued, if any, within thirty (30) calendar days from the issuance of a certificate of completion; and
- (c) The ministers and heads of offices, and web administrators or their equivalent shall be responsible for ensuring compliance with this Section.

**Section 6. Reporting and Posting Requirements:**

- a. **Quarterly Financial and Physical Reports.** The implementing Ministries and Offices shall submit quarterly reports on its financial and physical accomplishments, within thirty (30) days after the end of every quarter, through the following:

- 1. Unified Reporting System (URS) or other electronic means for submission of reports;

2. Hardcopy to be submitted to the MFBM; and
3. Implementing Ministry/Office's website.

The implementing ministries and offices shall send written notice when said reports have been submitted or posted on their websites to the MFBM and other offices where the submission of reports is required under existing laws, rules and regulations. The date of notice by said Ministries and Offices shall be considered the date of compliance with this requirement.

Failure to comply with any of the foregoing shall result in the automatic suspension of the salaries of the responsible official or employee until they have complied with the above mentioned requirements pursuant to Section 57, Chapter 6, Book VI of E.O. No. 292, as may be applicable, and other existing laws and guidelines issued thereon.

Repeated failure or refusal of said official or employee to submit the above mentioned reports without any justifiable cause may be a ground for administrative disciplinary action, subject to pertinent Civil Service rules and regulations. The Minister or Head of Office shall be responsible for ensuring compliance with this penal provision.

**b. Monthly Financial Reports.** Ministries and Offices shall submit monthly reports on appropriations, allotments, obligations and disbursements of current appropriations, as well as the monthly report of disbursement, on or before the tenth (10th) day of the month immediately following the covered period, through the following:

1. Unified Reporting System (URS) or other electronic means for submission of reports;
2. Hardcopy to be submitted to the MFBM; and
3. Ministry or Office's websites

The Ministries or Offices concerned shall send written notice when said reports have been submitted or posted on their website to the MFBM and other offices where the submission of reports is required under existing laws, rules and regulations. The date of notice by said ministries and offices shall be considered the date of compliance with this requirement.

**Section 7. Flexibility and Adjustments in Project Implementation.** Implementing agencies shall be given maximum flexibility in the use of their cash allocations, provided that the authorized allotment for a specific purpose is not exceeded. This may include adjustments in the project design due to changes in scope, location, beneficiaries, and implementation period. The adjustments are subject to the endorsement of the Director General of the Bangsamoro Planning and Development Authority (BPDA) and approval of the Chief Minister.

The MFBM shall formulate and issue guidelines on the use of funds and project adjustments.

**Section 8. Special Development Fund - Technical Working Group.** There is hereby created a Technical Working Group (TWG) which shall be Chaired by the Senior Minister, with members to be determined by the Chief Minister, with the BPDA as its Secretariat.

To ensure that the programs, projects, and activities are gender-responsive, the Bangsamoro Women Commission's chairperson shall be an ex officio member of the TWG.

The TWG shall facilitate the preparation and consolidation of programs, projects, and activities that shall be funded under this Act.

The TWG shall then submit to the BPDA the consolidated Special Development Fund – Projects Programs and Activities (SDF-PPA) for review and evaluation to ensure that it is consistent with the Bangsamoro Development Plan.

The Director General of the BPDA shall submit the SDF-PPA for approval of the Chief Minister.

**Section 9. Separability Clause.** If, for any reason or reasons, any part or provision of this Act be declared as unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 10. Repealing Clause.** All provisions of existing laws, orders, rules and regulations, or parts thereof, which are in conflict or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**Section 11. Effectivity.** This Act shall take effect immediately upon its publication in a newspaper of general circulation in the region.

  
ATTY. ALI PANGALIAN M. BALINDONG  
Speaker

This Act was passed by the Bangsamoro Parliament on Rabi ul Awwal 1, 1443/October 8, 2021.

  
PROF. RABY B. ANGKAL  
Secretary-General

APPROVED:

  
AHOD BALAWAG EBRAHIM  
Chief Minister

Date: OCTOBER 25, 2021