



SECOND REGULAR SESSION

RESOLUTION NO. 83

**RESOLUTION EXPRESSING THE SENSE OF THE
BANGSAMORO TRANSITION AUTHORITY (BTA) TO
SUPPORT THE DIVISION OF THE PROVINCE OF
MAGUINDANAO INTO NORTHERN MAGUINDANAO
AND SOUTHERN MAGUINDANAO AS REFLECTED IN
HOUSE BILL NO. 6413 AS APPROVED BY THE HOUSE
AND TRANSMITTED TO THE SENATE OF THE
PHILIPPINES**

WHEREAS, in 1967, Republic Act No. 4849 divided the Province of Cotabato, creating thereof the provinces of Cotabato and South Cotabato and on November 22, 1973, Presidential Decree No. 341 further divided the Province of Cotabato, creating thereof the provinces of Maguindanao, North Cotabato, and Sultan Kudarat;

WHEREAS, In 2017, the then Deputy Speaker Hon. Bai Sandra Sinsuat A. Sema filed before the 17th Congress the House Bill No. 5185, entitled: An Act Creating the Province of Maguindanao North, which sought to re-create, with certain modifications, the short-lived Province of Shariff Kabunsuan;

WHEREAS, the then Province of Shariff Kabunsuan was created by the will of the people of Muslim Mindanao pursuant to their autonomy as recognized by the 1987 Constitution and their legislative power under the Republic Act. No. 9054, however, the said creation was subsequently declared unconstitutional by the Supreme Court of the Philippines on the ground that the power to create provinces is vested only to the Congress as provided for under the Constitution;

WHEREAS, House Bill No. 4840, creating the Province of Western Mindanao, and House Bill No. 3405, creating the Province of Maguindanao North, were filed by 1st District of Maguindanao Representative Hon. Datu Roonie Q. Sinsuat and 2nd District of Maguindanao Representative Hon. Esmael "Toto" G. Mangudadatu, respectively, before the 18th Congress;

WHEREAS, House Bill No. 6413, entitled: An Act Dividing the Province of Maguindanao into Two (2) Provinces, Namely: Northern Maguindanao and Southern Maguindanao, which is the substitute bill for House Bills Nos. 3405 and 4840, authored by Hon. Esmael "Toto" G. Mangudadatu, Hon. Datu Roonie Q. Sinsuat, et al., was already approved by the 18th Congress on third and final reading last June 1, 2020, and transmitted to the Senate on June 3, 2020;

WHEREAS, Republic Act No. 7160, also known as "*The Local Government Code of 1991*", increased the responsibilities and resources of the Local Government Units in order to speed up the promotion of development, equitable share of wealth or internal revenue allotment and growth in the local level;

WHEREAS, Section 10, Article VI, of Republic Act. No. 11054, otherwise known as "*Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao*", provides:

"SEC. 10. Bangsamoro Government and its Constituent Local Government Units.- xxx xxx xxx

The Parliament may create, divide, merge, abolish, or substantially alter boundaries of municipalities or barangays created, divided, merged, or whose boundaries are substantially altered, shall be entitled to their appropriate share in the national taxes on Internal Revenue Allotment: Provided, That the criteria laid down in the Republic Act No. 7160, as amended, and other national laws shall be satisfied: Provided, further, That it shall be approved by a majority of the votes cast in a plebiscite in the political units directly affected.

When such acts require the creation of a legislative district, the Bangsamoro Government shall cooperate and coordinate with the National Government through the Philippine Congress – Bangsamoro Parliament Forum to prioritize the deliberations on the creation of a legislative district. (Emphasis supplied);"

WHEREAS, the creation of the provinces of Northern Maguindanao and Southern Maguindanao would result in more political stability as well as economic and social growth through the further distribution of political power and by greatly increasing the efficiency and effectivity of the delivery of public service to the Bangsamoro people since the projects, programs and aid from the national government, as well as from private organizations, will be localized and that the same will cater the people who will need it the most;

WHEREAS, there is a transcendental importance and paramount urgency and immediacy in the need to implement these projects, programs, and aid for the benefit and general welfare the Bangsamoro people as well as the Bangsamoro Government, and that the enactment into law of House Bill No. 6413 which divides the Province of Maguindanao into provinces of Northern Maguindanao and Southern Maguindanao will pave way to the said implementation.

NOW, THEREFORE, be it,

RESOLVED, as it is hereby resolved by the Bangsamoro Transition Authority (BTA), to express the sense of the Bangsamoro Transition Authority to support the division of the Province of Maguindanao into Northern Maguindanao and Southern Maguindanao as reflected in House Bill No. 6413 as approved by the House and transmitted to the Senate of the Philippines.

RESOLVED, FURTHER, to forward the foregoing Resolution to the Honorable Philippine Senate President Vicente "Tito" Sotto III, for information.

Adopted, July 22, 2020.

Certified Correct:


PROF. RABY B. ANGKAL
Secretary-General

Attested:


ATTY. ALI PANGALIAN M. BALINDONG
Speaker

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