



THIRD REGULAR SESSION

RESOLUTION NO. 153

RESOLUTION CALLING THE OFFICE OF THE CHIEF MINISTER (OCM) TO NOMINATE REPRESENTATIVES OF THE BANGSAMORO GOVERNMENT TO THE GOVERNING BOARDS OF GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS (GOCCs) OPERATING WITHIN THE JURISDICTION OF THE BANGSAMORO AUTONOMOUS REGION

WHEREAS, Section 6, Article XII of the Bangsamoro Organic Law (BOL) provides that the Bangsamoro Government shall have the power to create its own sources of revenues and to levy taxes, fees, and charges, subject to the provisions of the Organic Law and consistent with the principles of equalization, equity, accountability, administrative simplicity harmonization and economic efficiency, and fiscal autonomy. Such taxes, fees, and charges shall accrue exclusively to the Bangsamoro Government;

WHEREAS, the same section enumerates the sources of revenues of the Bangsamoro Government, which include among others, the dividends from Bangsamoro GOCCs and other corporations, and share from the dividends of national government-owned or controlled corporations and their subsidiaries in the Bangsamoro Autonomous Region, as may be determined by the Intergovernmental Fiscal Policy Board (IFPB);

WHEREAS, Section 4, Article VI of the BOL provides for the creation of Intergovernmental Fiscal Policy that shall address revenue imbalances and fluctuations in the regional financial needs and revenue-raising capacity of the Bangsamoro Government;

WHEREAS, Section 31, Article XII of the BOL provides that the Bangsamoro Government shall have the authority and control over existing GOCCs operating exclusively in the Bangsamoro Autonomous Region after determination by the IFPB of their feasibility: Provided, that they shall have the option to transfer their operations outside of the Bangsamoro Autonomous Region, which shall be effected through the necessary changes in their governing boards;

WHEREAS, Section 32 of the same Article provides that the Bangsamoro Government shall be represented in the board of directors or in the policy-making bodies of GOCCs that operate substantial portion of their business directly or through their subsidiaries in the Bangsamoro Autonomous Region or where the Bangsamoro Government has a substantial interest;

It is also provided that the IFPB shall determine the extent of the participation of the Bangsamoro Government as well as its shares from the results of the operations of these corporations and their subsidiaries based on a formula that it shall determine: Provided, that the Bangsamoro Government shall have at least one (1) seat in the governing boards of the said corporations;

WHEREAS, Section 33 of the same Article provides that within six (6) months from the establishment of the Bangsamoro Transition Authority (BTA), the IFPB shall determine the participation of the Bangsamoro Government in the Al-Amanah Islamic Investment Bank of the Philippines and the Southern Philippines Development Authority (SPDA) as provided in Presidential Decree No. 690, as amended;

WHEREAS, there is a need to nominate representatives of the Bangsamoro Government to the governing boards of GOCCs that operate a substantial portion of their businesses directly or through their subsidiaries in the Bangsamoro Autonomous Region or where the Bangsamoro Government has a substantial interest:

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved by the Bangsamoro Transition Authority, to call the office of the Chief Minister (OCM) to nominate representatives of the Bangsamoro Government to the governing boards of Government-Owned and Controlled Corporations (GOCCS) operating within the jurisdiction of the Bangsamoro Autonomous Region.

RESOLVED FURTHER, to forward this Resolution to the office of the Chief Minister Hon. Ahod B. Ebrahim, for information and appropriate consideration.

ADOPTED, Safar 7, 1443/September 15, 2021.

Certified Correct:


PROF. RABY B. ANGKAL
Secretary General

Attested:


ATTY. ALI PANGALIAN M. BALINDONG
Speaker

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