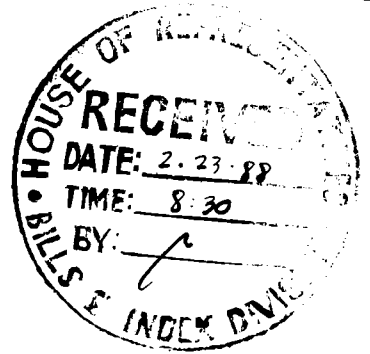


Congress of the Philippines )  
 First Regular Session )

S E N A T E

S. NO. 162



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 Introduced by Senators Pimentel, Jr. and Shahani, and  
 the Committee on Local Government, per Committee  
 Report No. 114  
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AN ACT  
 ORGANIZING THE REGIONAL CONSULTATIVE COMMISSION, DESCRIBING  
 ITS POWERS, FUNCTIONS AND DUTIES, PROVIDING FUNDS THEREFOR,  
 AND FOR OTHER PURPOSES

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

- 1           SECTION 1. Title of the Act. - This Act shall be  
 2 known as the Regional Consultative Commission Act of 1988.
- 3           SEC. 2. Purpose of the Commission. - It is  
 4 the purpose of the Regional Consultative Commission to  
 5 assist in the enactment by Congress of the Organic Act  
 6 for the Autonomous Region in Muslim Mindanao.
- 7           SEC. 3. Composition of the Commission. - To carry  
 8 out the above purpose, and considering ethno-linguistic,  
 9 geographical, sectoral, educational and cultural factors,  
 10 there is hereby created the Regional Consultative  
 11 Commission, hereinafter referred to as the "Commission,"  
 12 which shall be composed of not more than fifty-five (55)  
 13 members, twenty-seven (27) of whom shall be appointed by  
 14 the President of the Philippines from a list of nominees  
 15 proposed by the different multisectoral bodies coming from  
 16 the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del  
 17 Sur, Zamboanga del Norte, North Cotabato, Maguindanao,  
 18 Sultan Kudarat, Lanao del Norte, Lanao del Sur, Davao  
 19 del Sur, South Cotabato, and Palawan, as well as the  
 20 chartered city of Zamboanga and the component cities  
 21 therein: Provided, That each of the twenty-seven (27)

1 legislative districts in the abovementioned provinces and  
2 city shall have one (1) representative: Provided, further,  
3 That the enumeration of the aforementioned provinces and  
4 city shall not mean that all or any of them constitute  
5 Muslim Mindanao as the term appears in Sections 15 and  
6 19 of Article X of the Constitution: Provided,  
7 furthermore, That the President may, at her own  
8 discretion, appoint not more than twenty-eight (28) other  
9 sectoral representatives to the Commission from the  
10 proposed area of autonomy: Provided, finally, That all  
11 nominees to the Regional Consultative Commission shall  
12 be subject to confirmation by the Commission on  
13 Appointments.

14 SEC. 4. Qualifications. - No person shall be  
15 appointed member of the Commission unless he is a  
16 natural-born citizen of the Philippines, at least  
17 eighteen (18) years of age at the time of his  
18 appointment, a resident of the region for at least  
19 five (5) years immediately preceding the appointment, a  
20 qualified voter or one who would qualify as such, and  
21 of recognized probity, integrity, independence and  
22 nationalism.

23 SEC. 5. Disqualifications. - The following are dis-  
24 qualified from being members of the Commission:

25 a) Persons who are not qualified for  
26 appointment to a government office under Sections  
27 6 and 7, Heading B, of Article IX of the  
28 Constitution, and other existing laws;

29 b) Persons convicted of a crime involving  
30 moral turpitude.

31 SEC. 6. Oath or Affirmation. - Members of the Com-  
32 mission shall qualify and assume office by taking the

1 following oath or affirmation:

2 "I (name), having been appointed to the  
3 position of Member of the Regional Consultative  
4 Commission, do solemnly swear (or affirm) that I  
5 will well and faithfully discharge to the best of  
6 my ability the duties of my present position to  
7 assist Congress in the enactment of an organic act  
8 for Muslim Mindanao that is truly reflective of  
9 the ideals and aspirations of the people of Muslim  
10 Mindanao, that I will support and defend the  
11 Constitution of the Philippines; that I will obey  
12 the laws and legal orders promulgated by the duly  
13 constituted authorities and maintain true faith  
14 and allegiance to the Republic of the  
15 Philippines; and that I impose this obligation  
16 upon myself voluntarily, without mental  
17 reservation or purpose of evasion."

18 SEC. 7. Organization. - (a) The President shall  
19 designate the person or persons in charge of all arrange-  
20 ments for the convening of the Regional Consultative Com-  
21 mission.

22 (b) The Commission shall be convened by authority  
23 of the President on the second Monday of March 1988, in the  
24 City of Zamboanga at 10:00 o'clock in the morning, or on  
25 such other date, or in such other place as may be fixed by  
26 the President.

27 (c) The person designated by the President shall  
28 preside at its opening session until a presiding officer is  
29 elected by the Commission. The Commission shall be deemed  
30 organized upon the election and qualification of a Chairman  
31 and presiding officer.

32 (d) A majority of all its members shall

1 constitute a quorum to do business, but a smaller number  
2 may meet, adjourn from day to day, and compel the  
3 attendance of absent members in such manner and under such  
4 penalties as the Commission may provide.

5 (e) The Commission may determine the rules of its  
6 proceedings, punish its members for disorderly behavior,  
7 and, with the concurrence of two-thirds of all its members,  
8 expel a member.

9 (f) While not attending sessions, the Commis-  
10 sioners shall hold office in their respective districts.  
11 The Commission Secretariat shall be based in the City of  
12 Zamboanga, or in such other place as may be fixed by the  
13 Commission.

14 (g) The plenary sessions of the Commission shall  
15 be public and duly recorded. It shall hold its sessions in  
16 the City of Zamboanga, or in such other place as may be  
17 fixed by the Commission, provided that the Commission or  
18 any of its committees may also hold sessions in the City of  
19 Cotabato or in such other place in the Philippines that  
20 the Commission or any of its committees may determine.

21 Consultations with committees of either House of  
22 Congress shall be held at their respective seats in Metro-  
23 politan Manila.

24 (h) The buildings of the Sangguniang Panpook  
25 and their premises in the cities of Zamboanga and Cotabato  
26 are hereby made available for the use of the  
27 Commission. All civilian government entities, agencies and  
28 instrumentalities in the proposed area of autonomy shall  
29 place at the disposal of the Commission without cost,  
30 refund or additional pay such of their personnel,  
31 premises and furniture as can, in their judgment, be  
32 spared without detriment to public service.

1           SEC. 8. Filling of Vacancies. - Whenever a vacancy  
2 occurs in the Commission, the President may, upon due  
3 certification by the Chairman of the Commission, fill  
4 the vacancy by appointment, with the consent of the  
5 Commission on Appointments, after consultation with  
6 the group or sector represented by the member whose seat  
7 has become vacant.

8           SEC. 9. Parliamentary Immunities. - (a) A member  
9 of the Commission shall, in all offenses punishable by not  
10 more than six (6) years imprisonment, be privileged from  
11 arrest while the Commission is in session.

12           (b) A member of the Commission shall not be  
13 questioned nor held liable in any other place for any  
14 speech or debate in the Commission, in any committee  
15 thereof, or in any public hearing conducted by the  
16 Commission or any committee thereof whenever held.

17           (c) The penalties imposed in Articles 143, 144  
18 and 145 of the Revised Penal Code, as amended, for  
19 offenses defined therein shall apply to any person  
20 committing an offense against the Commission or its  
21 committees or subcommittees, or the members thereof.

22           SEC. 10. Responsibilities and Functions of the  
23 Commission. - Pursuant to the mandate of the Constitution,  
24 Congress shall enact an organic act for the autonomous  
25 region in Muslim Mindanao with the assistance of the  
26 Regional Consultative Commission, and for this purpose:

27           (a) The Commission shall conduct public  
28 consultations and hearings at the district level and on  
29 regional basis, where the views and recommendations of  
30 various sectors, both governmental and non-governmental,  
31 shall be taken and recorded.

32           (b) The Commission may organize any number of

1 committees it may deem necessary for the purpose.

2 (c) The record of the deliberations during the  
3 public hearings, including draft resolutions submitted,  
4 shall be open to public inspection under such guidelines as  
5 the Commission may deem reasonable and necessary.

6 (d) Within one hundred fifty (150) days from its  
7 convening the Commission shall submit to Congress for its  
8 information and consideration, periodic reports aside  
9 from its final report relative to the proposed organic  
10 act: Provided, however, That after such period, Congress  
11 may start deliberations on said proposed organic act  
12 based on whatever sections or provisions the Regional  
13 Consultative Commission has already submitted. The final  
14 draft of the report of the Commission shall be approved  
15 by a majority of all the members of the Commission.

16 SEC. 11. Congressional Liaison. - In order to  
17 ensure coordination between Congress and the Commission,  
18 there is hereby created a special ad hoc committee composed  
19 of five (5) members each from the Senate and the House of  
20 Representatives to be designated by the President of the  
21 Senate and the Speaker of the House of Representatives,  
22 respectively. The ad hoc committee shall be co-chaired by  
23 the Chairman of the Senate Committee on Local Government  
24 and the Chairman of the House Committee on Local  
25 Government. It shall be the purpose and function of the  
26 committee to oversee the work of the Commission.

27 SEC. 12. Drafting and Enactment of the Organic  
28 Act. - Congress shall draft and enact an organic act,  
29 taking into account the report and recommendations  
30 submitted by the Commission. Nothing provided in this Act,

1 however, shall be interpreted to restrict or impair the  
2 power of Congress to accept, modify or reject any part or  
3 all the report and recommendations of the Commission.

4 SEC. 13. Tenure. - The Commission shall cease to  
5 exist sixty (60) days after the submission of its final  
6 report as provided in Section 10 hereof.

7 SEC. 14. Staffing.- The Commission shall be  
8 responsible for maintaining its own Secretariat as well  
9 as such other staff as it may deem necessary. Except those  
10 detailed from other government offices, the tenure of  
11 office of the regular staff of the Secretariat shall be  
12 coterminous with the tenure of the Commission.

13 Each Commissioner shall also be entitled to a  
14 personal staff of four (4) composed of an executive  
15 assistant, a secretary and two technical assistants:  
16 Provided, however, That the tenure of office of the  
17 regular personal staff of each Commissioner shall be  
18 coterminous with his own tenure of office.

19 SEC. 15. Compensation. - Each member shall be  
20 entitled to a per diem of five hundred pesos (P500.00)  
21 for each day of attendance in the Commission or any of its  
22 committees, or during district consultations, and a cost of  
23 living allowance of five thousand pesos (P5,000.00) per  
24 month, and actual travelling expenses not exceeding five  
25 thousand pesos (P5,000.00) per month.

26 SEC. 16. Funding. - The sum of twenty million  
27 pesos (P 20,000,000) is hereby appropriated out of any  
28 funds in the National Treasury not otherwise  
29 appropriated, to carry out the purposes for which this  
30 Commission is established.

31 SEC. 17. Separability Clause. - If any part or  
32 provision of this Act is declared invalid or

1 unconstitutional, the other parts or provisions thereof  
2 shall remain valid and effective.

3           **SEC. 18. Effectivity.** - This Act shall take effect  
4 upon its publication in at least two newspapers of general  
5 circulation.

Approved,



Senate Archives (LRAS)