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**AN ACT
PROVIDING FOR THE ORGANIC LAW
FOR THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO,
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6734,
ENTITLED “AN ACT PROVIDING FOR AN ORGANIC ACT
FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO,”
AS AMENDED BY REPUBLIC ACT NO. 9054,
ENTITLED “AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT
FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO”**

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

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PREAMBLE

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Imploring the aid of Almighty God, in recognition of the aspirations of the Bangsamoro people and other inhabitants in the autonomous region in Muslim Mindanao to establish an enduring peace on the basis of justice, balanced society and asserting their right to conserve and develop their patrimony, reflective of their system of life as prescribed by their faith, in harmony with their customary laws, cultures and traditions, within the framework of the Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines, and the accepted principles of human rights, liberty, justice, democracy, and the norms and standards of international law, and affirming their distinct historical identity and birthright to their ancestral homeland and their right to chart their political future through a democratic process that will secure their identity and posterity, and allow genuine and meaningful self-governance, the Filipino people, by the act of the Congress of the Philippines, do hereby ordain and promulgate this Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.

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**Article I
NAME AND PURPOSE**

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SECTION 1. **Short Title.** – This law shall be known as the “*Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao.*”

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SEC. 2. **Name.** – The political entity under this Organic Law shall be known as the Bangsamoro Autonomous Region in Muslim Mindanao, hereinafter referred to as the “*Bangsamoro Autonomous Region.*”

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SEC. 3. **Purpose.** – The purpose of this Organic Law is to establish a political entity, provide for its basic structure of government in recognition of the justness and legitimacy of the cause of the Bangsamoro people and the aspirations of Muslim Filipinos and all indigenous cultural communities in the Bangsamoro Autonomous Region in Muslim Mindanao to secure their identity and posterity, allowing for meaningful self-governance within the framework of

1 the Constitution and the national sovereignty as well as territorial integrity of the Republic of
2 the Philippines.

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5 **Article II**
6 **BANGSAMORO IDENTITY**
7

8 SEC. 1. **Bangsamoro People.** – Those who, at the advent of the Spanish colonization,
9 were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its
10 adjacent islands, whether of mixed or of full blood, shall have the right to identify themselves,
11 their spouses and descendants, as Bangsamoro.
12

13 SEC. 2. **Bangsamoro Symbol.** – The Bangsamoro Parliament, hereinafter referred to as
14 the “*Parliament*,” shall adopt the official flag, emblem, and hymn of the Bangsamoro
15 Autonomous Region. The flag of the Republic of the Philippines shall always be displayed
16 alongside the Bangsamoro flag. Whenever the Bangsamoro hymn is sung, it shall always be
17 preceded by the singing of the Philippine National Anthem.
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20 **Article III**
21 **TERRITORIAL JURISDICTION**
22

23 SEC. 1. **Territorial Jurisdiction.** – Territorial jurisdiction is the land mass as well as
24 the waters over which the Bangsamoro Autonomous Region has jurisdiction, which shall
25 always be an integral, indivisible, and inseparable part of the national territory of the Republic
26 of the Philippines as defined by the Constitution and existing laws.
27

28 SEC. 2. **Composition.** – The territorial jurisdiction of the Bangsamoro Autonomous
29 Region, subject to the plebiscite as provided in Section 3, Article XV of this Organic Law,
30 shall be composed of:
31

32 (a) The present geographical area known as the Autonomous Region in Muslim
33 Mindanao created under Republic Act No. 6734, as amended by Republic Act No. 9054, which
34 shall subsist as such until this Organic Law is ratified through a plebiscite;
35

36 (b) The municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan, and Tangkal
37 in the Province of Lanao del Norte that voted for inclusion in the Autonomous Region in
38 Muslim Mindanao during the 2001 plebiscite;
39

40 (c) The following thirty-nine (39) barangays in the municipalities of Aleosan,
41 Carmen, Kabacan, Midsayap, Pigkawayan, and Pikit in the Province of North Cotabato that voted
42 for inclusion in the Autonomous Region in Muslim Mindanao during the 2001 plebiscite:
43

- 44 (1) Dungan, Lower Mingading, and Tapodoc in the Municipality of Aleosan
45 (3);
46
47 (2) Manarapan and Nasapian in the Municipality of Carmen (2);
48
49 (3) Nanga-an, Simbuhay, and Sanggadong in the Municipality of Kabacan
50 (3);

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2 (4) Damatulan, Kadigasan, Kadingilan, Kapinpilan, Kudarangan, Central
3 Labas, Malingao, Mudseng, Nabalawag, Olandang, Sambulawan, and
4 Tugal in the Municipality of Midsayap (12);

5
6 (5) Lower Baguer, Balacayon, Buricain, Datu Binasing, Kadingilan, Matilac,
7 Patot, and Lower Pangangkalan in the Municipality of Pigkawayan (8);
8 and

9
10 (6) Bagoinged, Balatican, S. Balong, S. Balongis, Batulawan, Buliok,
11 Gokotan, Kabasalan, Lagunde, Macabual, and Macasendeg in the
12 Municipality of Pikit (11);

13
14 (d) The City of Cotabato;

15
16 (e) The City of Isabela in the Province of Basilan; and

17
18 (f) All other contiguous areas where a resolution of the local government unit or a
19 petition of at least ten percent (10%) of the registered voters in the area seeks for their inclusion
20 at least two (2) months prior to the conduct of the ratification of this Organic Law.

21
22 The establishment of the territorial jurisdiction of the Bangsamoro Autonomous Region
23 shall take effect upon ratification of this Organic Law by majority of the votes cast in the above-
24 mentioned territorial jurisdiction in a plebiscite conducted for the purpose: *Provided*, That in
25 all cases, the political units directly affected shall vote favorably in the plebiscite, as provided
26 in Section 3, Article XV of this Organic Law.

27
28 SEC. 3. ***Inland Waters.*** – All inland waters such as lakes, rivers, river systems, and
29 streams within its territorial jurisdiction shall form part of the Bangsamoro Autonomous
30 Region inland waters. The preservation and management of the inland waters shall be under
31 the Bangsamoro Government as provided for in Section 22, Article XIII of this Organic Law.

32
33 SEC. 4. ***Bangsamoro Municipal and Regional Waters.*** – The municipal and regional
34 waters of the Bangsamoro Autonomous Region shall extend up to fifteen (15) kilometers and
35 nineteen (19) kilometers, respectively, from the low-water mark of the coasts that are part of
36 the Bangsamoro territorial jurisdiction.

37
38 Where a constituent local government unit of the Bangsamoro Autonomous Region and
39 an adjoining local government unit are so situated on opposite shores such that there is thirty
40 (30) kilometers of waters or less between them, a line equally distant from the opposite shores
41 shall be drawn to demarcate the Bangsamoro waters and the municipal waters of the adjoining
42 local government unit.

43
44 In case the constituent local government unit of the Bangsamoro Autonomous Region
45 and an adjoining local government unit are so situated on opposite shores that there is more
46 than thirty (30) kilometers but less than thirty-four (34) kilometers of waters between them, a
47 line shall be drawn at the edge of the fifteen-kilometer municipal waters of the adjoining local
48 government unit to demarcate it from the Bangsamoro waters.

1 political identity. There shall be no discrimination on the basis of identity, religion, and
2 ethnicity.
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5 **Article V**
6 **POWERS OF GOVERNMENT**
7

8 **SEC. 1. *Powers of the National Government.*** – All powers, functions, and
9 responsibilities not granted by the Constitution or by national law to the Bangsamoro
10 Government shall be vested in the National Government.
11

12 **SEC. 2. *Powers of the Bangsamoro Government.*** – Subject to Section 20, Article X of
13 the Constitution and this Organic Law, the Bangsamoro Government shall exercise its authority
14 over the following matters without prejudice to the general supervision of the President of the
15 Republic of the Philippines:
16

- 17 (a) Administration of justice;
- 18 (b) Administrative organization;
- 19 (c) Agriculture, livestock, and food security;
- 20 (d) Ancestral domain and natural resources;
- 21 (e) Barter trade and countertrade;
- 22 (f) Budgeting;
- 23 (g) Business name registration;
- 24 (h) Cadastral land survey;
- 25 (i) Civil service;
- 26 (j) Classification of public lands;
- 27 (k) Cooperatives and social entrepreneurship;
- 28 (l) Creation, division, merger, abolition or alteration of boundaries of
29 municipalities and barangays;
- 30 (m) Creation of government-owned or controlled corporations and pioneer firms;
- 31 (n) Creation of sources of revenues;
- 32 (o) Cultural exchange, and economic and technical cooperation;
- 33 (p) Culture and language;
- 34 (q) Customary laws;
- 35 (r) Development programs and laws for women, labor, the youth, the elderly, the
36 differently-abled, and indigenous peoples;
- 37 (s) Disaster risk reduction and management;
- 38 (t) Ecological solid waste management and pollution control;
- 39 (u) Economic zones, industrial centers, and free ports;
- 40 (v) Education and skills training;
- 41 (w) Eminent domain;
- 42 (x) Environment, parks, forest management, wildlife, and nature reserves
43 conservation;
- 44 (y) Fishery, marine, and aquatic resources;
- 45 (z) Grants and donations;
- 46 (aa) *Hajj and Umrah*;
- 47 (bb) Health;
- 48 (cc) Housing and human settlements;
- 49 (dd) Humanitarian services and institutions;
- 50 (ee) Human rights;

- 1 (ff) Indigenous peoples' rights;
- 2 (gg) Inland waters;
- 3 (hh) Inland waterways for navigation;
- 4 (ii) Islamic banking and finance;
- 5 (jj) Labor, employment, and occupation;
- 6 (kk) Libraries and museums, and historical, cultural and archaeological sites;
- 7 (ll) Loans, credits, and other forms of indebtedness;
- 8 (mm) Mechanisms for consultations for women and marginalized sectors;
- 9 (nn) People's organizations;
- 10 (oo) Power sector investments;
- 11 (pp) Public utilities' operations;
- 12 (qq) Public works and infrastructure;
- 13 (rr) Quarantine regulations;
- 14 (ss) Registration of births, marriages, and deaths, copies to be furnished the
- 15 Philippine Statistics Authority;
- 16 (tt) Regulation of the manufacture and distribution of food, drinks, drugs, and
- 17 tobacco;
- 18 (uu) Science and technology, research councils and scholarship programs;
- 19 (vv) Social services, social welfare, and charities;
- 20 (ww) Sports and recreation;
- 21 (xx) Technical cooperation for human resource development;
- 22 (yy) Tourism development;
- 23 (zz) Trade and industry;
- 24 (aaa) Urban and rural planning development;
- 25 (bbb) Urban land reform and land use; and
- 26 (ccc) Water supply and services, flood control, and irrigation systems.

27

28 SEC. 3. **General Welfare.** – The Bangsamoro Government shall exercise the powers
 29 expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate,
 30 or incidental for its efficient and effective governance and those which are essential to the
 31 promotion of general welfare. Within its territorial jurisdiction, the Bangsamoro Government shall
 32 ensure and support, among other things, the preservation and enrichment of culture, promote health
 33 and safety, enhance the right of the people to a balanced ecology, encourage and support the
 34 development of appropriate and self-reliant scientific and technological capabilities, improve
 35 public morals, enhance economic prosperity and social justice, promote full employment among
 36 its residents, maintain peace and order, and preserve the comfort and convenience of its inhabitants.

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Article VI INTERGOVERNMENTAL RELATIONS

40

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42 SEC. 1. **General Supervision.** – The President shall exercise general supervision over
 43 the Bangsamoro Government to ensure that laws are faithfully executed. The President may
 44 suspend the Chief Minister for a period not exceeding six (6) months for willful violation of
 45 the Constitution, national laws, or this Organic Law.

46

47 SEC. 2. **Intergovernmental Relations Mechanism.** – There is hereby created a National
 48 Government - Bangsamoro Government Intergovernmental Relations Body, hereinafter
 49 referred to as “*Intergovernmental Relations Body*,” to coordinate and resolve issues on

1 intergovernmental relations through regular consultation and continuing negotiation in a non-
2 adversarial manner.

3
4 The Intergovernmental Relations Body shall exhaust all means to resolve issues
5 brought before it. Unresolved issues shall be elevated to the President, through the Chief
6 Minister.

7
8 The National Government and the Bangsamoro Government shall each appoint
9 representatives to the Intergovernmental Relations Body. The Intergovernmental Relations
10 Body shall be supported by a joint secretariat.

11
12 **SEC. 3. *Philippine Congress – Bangsamoro Parliament Forum.*** – There shall be created
13 a Philippine Congress – Bangsamoro Parliament Forum for purposes of cooperation and
14 coordination of legislative initiatives.

15
16 **SEC. 4. *Intergovernmental Fiscal Policy Board.*** – There is hereby created an
17 Intergovernmental Fiscal Policy Board that shall address revenue imbalances and fluctuations
18 in regional financial needs and revenue-raising capacity of the Bangsamoro Government,
19 whose functions and composition are provided for in Sections 37 to 38, Article XII of this
20 Organic Law.

21
22 **SEC. 5. *Joint Body for the Zones of Joint Cooperation.*** – There is hereby created a
23 Joint Body for the Zones of Joint Cooperation, which shall be responsible for formulating
24 policies relating to the Zones of Joint Cooperation in the Sulu Sea and Moro Gulf as provided for
25 in Section 19, Article XIII of this Organic Law.

26
27 **SEC. 6. *Intergovernmental Infrastructure Development Board.*** – There is hereby
28 created an Intergovernmental Infrastructure Development Board, which shall be responsible
29 for coordinating and synchronizing national and Bangsamoro infrastructure development
30 plans.

31
32 The Intergovernmental Infrastructure Development Board shall be composed of the
33 heads or representatives of the appropriate ministries and offices in the Bangsamoro
34 Government. The National Government shall likewise be represented in the Intergovernmental
35 Infrastructure Development Board by the Secretary of Public Works and Highways and such
36 other officials as may be necessary to be designated by the Secretary of Public Works and
37 Highways.

38
39 **SEC. 7. *Intergovernmental Energy Board.*** – There is hereby created an
40 Intergovernmental Energy Board. It shall resolve all matters specified in Section 36, Article
41 XIII of this Organic Law and other energy issues referred to it by the Intergovernmental
42 Relations Body. It shall be composed of the representatives of the National Government and
43 the Bangsamoro Government from their respective energy regulatory commissions and
44 electrification administrations.

45
46 **SEC. 8. *Bangsamoro Sustainable Development Board.*** – The Parliament shall create a
47 Bangsamoro Sustainable Development Board composed of representatives from the National
48 Government and the Bangsamoro Government. The Bangsamoro Sustainable Development
49 Board shall ensure the integration and harmonization of economic, social, and environmental

1 considerations as vital dimensions of sustainable development policy and practice in the
2 Bangsamoro Autonomous Region.

3
4 The funding support for the Bangsamoro Sustainable Development Board shall be
5 included in the annual budget of the Bangsamoro Government. However, if there are revenues
6 collected from the exploration, development, and utilization of any natural resources within the
7 Bangsamoro Autonomous Region, a certain percentage of the revenues shall be allocated for
8 the operation of the Bangsamoro Sustainable Development Board, as may be provided in a law
9 to be passed by the Parliament.

10
11 **SEC. 9. Council of Leaders.** – There shall be a Council of Leaders that shall advise the
12 Chief Minister on matters of governance in the Bangsamoro Autonomous Region. It shall consist
13 of the following members:

14
15 (a) Chief Minister as head of the council;

16
17 (b) Members of the Congress of the Philippines from the Bangsamoro Autonomous
18 Region;

19
20 (c) Provincial governors, and mayors of chartered cities in the Bangsamoro
21 Autonomous Region;

22
23 (d) Representatives of traditional leaders, non-Moro indigenous communities,
24 women, settler communities, the Ulama, youth, and Bangsamoro communities outside of the
25 Bangsamoro Autonomous Region; and

26
27 (e) Representatives of other sectors.

28
29 The mechanism of representation and number of representatives in paragraphs (d) and
30 (e) shall be determined by the Parliament. The representation of the non-Moro indigenous
31 communities shall be pursuant to their customary laws and indigenous processes.

32
33 **SEC. 10. Bangsamoro Government and its Constituent Local Government Units.** – The
34 authority of the Bangsamoro Government to regulate the affairs of its constituent local
35 government units shall be guaranteed in accordance with this Organic Law and a Bangsamoro
36 local government code to be enacted by the Parliament. The privileges already enjoyed by local
37 government units under Republic Act No. 7160, otherwise known as the “*Local Government*
38 *Code of 1991*,” as amended, and other existing laws shall not be diminished.

39
40 The Parliament may create, divide, merge, abolish, or substantially alter boundaries of
41 municipalities or barangays in accordance with a law enacted by the Parliament. The
42 municipalities or barangays created, divided, merged, or whose boundaries are substantially
43 altered, shall be entitled to their appropriate share in the national taxes or Internal Revenue
44 Allotment: *Provided*, That the criteria laid down in Republic Act No. 7160, as amended, and
45 other national laws shall be satisfied: *Provided, Further*, that it shall be approved by a majority
46 of the votes cast in a plebiscite in the political units directly affected.

47
48 When such acts require the creation of a legislative district, the Bangsamoro
49 Government shall cooperate and coordinate with the National Government through the

1 Philippine Congress – Bangsamoro Parliament Forum to prioritize the deliberations on the
2 creation of a legislative district.

3
4 Nothing in this Organic Law shall be construed to allow the Bangsamoro Government
5 to create legislative districts.

6
7 **SEC. 11. *Bangsamoro Participation in National Government.*** – As far as practicable,
8 the Bangsamoro Government shall be represented in the departments, offices, commissions,
9 agencies and bureaus of the National Government that implement and enforce policies,
10 programs, and projects of the National Government in the Bangsamoro Autonomous Region.

11
12 **SEC. 12. *Assistance to Other Bangsamoro Communities.*** – The National Government
13 shall ensure the protection of the rights of the Bangsamoro people residing in communities outside
14 the Bangsamoro Autonomous Region and undertake programs for their rehabilitation and
15 development. The Bangsamoro Government, in coordination with the local government units
16 where these communities are located and the appropriate national government agencies, shall
17 provide assistance to enhance their economic, social, and cultural development.

18
19 **SEC. 13. *National Programs and Projects.*** – National programs and projects such as
20 the *Pantawid Pamilyang Pilipino* Program, Health Facility Enhancement Program, School
21 Building Program, retained hospitals of the Department of Health, PhilHealth, social pension
22 for senior citizens, and the Task Force *Bangon* Marawi shall continue to be funded by the
23 National Government, without prejudice to the power of the Bangsamoro Government to
24 provide for supplemental funding for such programs and projects.

25
26
27 **Article VII**
28 **BANGSAMORO GOVERNMENT**

29
30 **SEC. 1. *Seat of Government.*** – The Parliament shall fix by law the permanent seat of the
31 Bangsamoro Government anywhere within the territorial jurisdiction of the Bangsamoro
32 Autonomous Region taking into consideration accessibility and efficiency in which its mandate
33 may be carried out under this Organic Law.

34
35 **SEC. 2. *Powers of Government.*** – The powers of government shall be vested in the
36 Parliament which shall exercise those powers and functions expressly granted to it in this
37 Organic Law, and those necessary for, or incidental to, the proper governance and development
38 of the Bangsamoro Autonomous Region. It shall set policies, legislate on matters within its
39 authority, and elect a Chief Minister who shall exercise executive authority on its behalf.

40
41 **SEC. 3. *Legislative Authority.*** – The Parliament shall have the authority to enact laws
42 on matters that are within the powers and competencies of the Bangsamoro Government.

43
44 **SEC. 4. *Executive Authority.*** – The executive function and authority shall be exercised
45 by the Cabinet which shall be headed by a Chief Minister. The Chief Minister shall be elected
46 by a majority vote of all the members of the Parliament.

47
48 The Chief Minister shall nominate two (2) Deputy Chief Ministers who shall be elected
49 by the Parliament, as provided for in Section 35 of this Article, and appoint the members of the
50 Cabinet, majority of whom shall come from the Parliament.

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Bangsamoro Parliament

SEC. 5. ***Powers.*** – The Parliament shall have the following powers:

(a) Enact laws to promote, protect, and ensure the general welfare of the Bangsamoro people and other inhabitants in the Bangsamoro Autonomous Region;

(b) Call for a referendum on important issues affecting the Bangsamoro Autonomous Region;

(c) Enact a law on initiatives;

(d) Conduct inquiries in aid of legislation in accordance with its rules. The rights of persons appearing in or affected by such inquiry shall be respected;

(e) Enact a law that allows the Chief Minister, Speaker of the Parliament, and the Presiding Justice of the *Shari'ah* High Court to augment any item in the general appropriations law for their respective offices from savings in other items of their respective appropriations;

(f) Enact a law within the competencies of the Bangsamoro Government to regulate the grant of regional franchises and concessions, and empower the Chief Minister to grant leases, permits, and licenses over agricultural lands and for forest management;

(g) Discipline its members as provided in Sec. 26, Article VII of this Organic Law;

(h) Enact laws declaring Bangsamoro holidays; and

(i) Be consulted on matters affecting the environment.

SEC. 6. ***Composition.*** – The Parliament shall be composed of eighty (80) members, unless otherwise increased by the Congress of the Philippines.

SEC. 7. ***Classification and Allocation of Seats.*** – The seats in the Parliament shall be classified and allocated as follows:

(a) ***Party Representatives.*** – One-half of the members of the Parliament shall be representatives of political parties who are elected through a system of proportional representation based on the Bangsamoro territorial jurisdiction.

Any organized group in the Bangsamoro Autonomous Region may register as a political party with the Bangsamoro Electoral Office, with qualifications to be prescribed by the Bangsamoro Electoral Code.

Each registered political party shall submit to the Bangsamoro Electoral Office before the election a manifestation of intent to participate in the parliamentary election of party representatives in the Bangsamoro Autonomous Region, incorporating therein a list of nominees, ranked from one (1) to forty (40), from which party representatives shall be chosen in case they obtain the required number of votes. No person shall be nominated in more than one (1) list.

1
2 The number of seats allocated for each political party shall be based proportionately on
3 the percentage of votes obtained by each political party as against the total votes cast in the
4 Bangsamoro Autonomous Region for the election of party representatives.

5
6 Any elected party representative who changes political party affiliation during the
7 representative's term of office shall forfeit the seat in the Parliament: *Provided*, That if the
8 elected party representative changes political party affiliation within six (6) months before an
9 election, the same person shall not be eligible for nomination as party representative under the
10 new party or organization.

11
12 (b) *Parliamentary District Seats.* – Not more than forty percent (40%) of the
13 members of Parliament shall be elected from single member parliamentary districts
14 apportioned for the areas and in the manner provided for by the Parliament. For the first
15 parliamentary election following the ratification of this Organic Law, the allocation of the
16 parliamentary district seats shall be determined by the Bangsamoro Transition Authority as
17 provided for in Section 4, Article XVI of this Organic Law. In the allocation of district seats,
18 the Bangsamoro Transition Authority shall adhere to the standards set in Section 10, Article
19 VII of this Organic Law.

20
21 The Parliament may undertake by law new redistricting in order to ensure a more
22 equitable representation of the constituencies in the Parliament.

23
24 The district representatives shall be elected through direct plurality vote by the
25 registered voters in the parliamentary districts.

26
27 (c) *Reserved Seats and Sectoral Representatives.* – Reserved seats and sectoral
28 representatives shall constitute at least ten percent (10%) of the members of the Parliament,
29 which shall include two (2) reserved seats each for non-Moro indigenous peoples and settler
30 communities. Women, youth, traditional leaders, and the *Ulama* shall have one sectoral seat
31 each: *Provided*, That the reserved seats and sectoral representatives shall in no case be less
32 than eight (8) seats.

33
34 The Parliament shall determine the manner of election of the reserved seats and sectoral
35 representatives.

36
37 For the first parliamentary election following the ratification of this Organic Law, the
38 allocation of reserved and sectoral representative seats shall be determined by the Bangsamoro
39 Transition Authority as provided for in Section 4, Article XVI of this Organic Law.

40
41 **SEC. 8. *Election for Reserved Seats for Non-Moro Indigenous Peoples.*** –
42 Notwithstanding the immediately preceding sections, reserved seats for non-Moro indigenous
43 peoples, such as Teduray, Lambangian, Dulangan Manobo, B'laan, and Higaonon, shall adhere
44 to their customary laws and indigenous processes based on the following:

- 45
46 (a) Primacy of customary laws and practices;
47
48 (b) Primacy of consensus building;
49
50 (c) Acceptability to the community;

- 1
2 (d) Inclusivity and full participation;
3
4 (e) Representation of the collective interests and aspirations of non-Moro
5 indigenous peoples;
6
7 (f) Sustainability and strengthening of indigenous political structures;
8
9 (g) Track record and capability; and
10
11 (h) Gender equality.
12

13 SEC. 9. **Regional Parties.** – A free and open regional party system shall be allowed to
14 evolve according to the free choice of the people. Towards this end, only regional political parties
15 duly accredited by the Bangsamoro Electoral Office, as approved by the Commission on
16 Elections, shall participate in the parliamentary elections in the Bangsamoro Autonomous
17 Region. The Bangsamoro Government shall ensure the inclusion of women’s agenda and the
18 involvement of women and the youth in the electoral nominating process of the political parties.
19

20 SEC. 10. **Redistricting for Parliamentary Membership.** – The Parliament shall have the
21 power to reconstitute by law the parliamentary districts apportioned among the provinces, cities,
22 municipalities, and geographical areas of the Bangsamoro Autonomous Region to ensure
23 equitable representation in the Parliament. The redistricting, merging, or creation of parliamentary
24 districts shall be based on the number of inhabitants and additional provinces, cities, municipalities,
25 and geographical areas, which shall become part of the Bangsamoro territorial jurisdiction.
26

27 For the purpose of redistricting, parliamentary districts shall be apportioned based on
28 population and geographical area: *Provided*, That each district shall comprise, as far as
29 practicable, contiguous, compact, and adjacent territorial jurisdiction; *Provided, Further*, that
30 each district shall have a population of at least one hundred thousand (100,000).
31

32 SEC. 11. **Term of Office.** – The term of office of the members of the Parliament shall be
33 three (3) years: *Provided*, That no member shall serve for more than three (3) consecutive terms.
34 Voluntary renunciation of office for any length of time or the dissolution of the Parliament by the
35 *Wali* shall not be considered as an interruption in the continuity of the service for the full term for
36 which the member was elected.
37

38 SEC. 12. **Qualifications.** – No person shall be a member of the Parliament unless the
39 person is a citizen of the Philippines, at least twenty-five (25) years of age on the day of the election,
40 able to read and write, and a registered voter in the Bangsamoro Autonomous Region.
41

42 A candidate for youth representative shall not be less than eighteen (18) years and not
43 more than thirty (30) years of age at the time of election.
44

45 A candidate for district representative must be a registered voter of the district in which
46 the person is a candidate, and has resided in the district for at least one (1) year immediately
47 preceding the day of the election.
48

49 SEC. 13. **Salaries of Members of the Parliament.** – The Parliament shall determine the
50 salaries and emoluments of its members: *Provided*, That the salaries and emoluments of the

1 members of the Parliament shall not be higher than those of a Provincial Governor: *Provided,*
2 *Further,* That the salaries and emoluments of the Deputy Chief Ministers and the Speaker of
3 the Parliament shall be one salary grade higher than those of the members: *Provided,*
4 *Furthermore,* That the salaries and emoluments of the Chief Minister shall not be higher than
5 those of the Members of the Congress of the Philippines.
6

7 The Parliament shall adopt the Revised Compensation and Position Classification System
8 of the National Government as provided for in Republic Act No. 6758, as amended, and relevant
9 executive issuances. *Provided, Furthermore,* That no increase in the compensation shall take
10 effect until after the expiration of the full term of all the members of the Parliament approving
11 such increase.
12

13 For the first Parliament, the salaries and emoluments of its members shall be determined
14 by a law to be passed by the Bangsamoro Transition Authority.
15

16 Members of the Parliament shall not receive during their tenure other salary and
17 emoluments from the Bangsamoro Government or from the National Government.
18

19 **SEC. 14. *Disclosure.*** – Members of the Parliament shall, upon their assumption of
20 office, make a full disclosure of their financial and business interests, including those of their
21 spouses and children. They shall notify the Parliament of any potential conflict of interest that may
22 arise from the filing of bills or resolutions of which they are authors.
23

24 **SEC. 15. *Prohibition Against Conflict of Interest.*** – The Chief Minister, Deputy Chief
25 Ministers, members of the Cabinet, and members of the Parliament, during their term, shall not
26 engage, directly or indirectly, in any business or commercial enterprise in the Bangsamoro
27 Autonomous Region where there may be a conflict of interest in the exercise of their functions.
28

29 **SEC. 16. *Prohibited Business and Pecuniary Interest.*** –
30

31 (a) It shall be unlawful for the Chief Minister, Deputy Chief Ministers, members of
32 the Cabinet, and members of the Parliament to directly or indirectly:
33

- 34 (1) Engage in any business transaction with the Bangsamoro Government or
35 with any of its authorized boards, officials, agents, or attorneys, whereby
36 money is to be paid, or property or any other thing of value is to be
37 transferred, directly or indirectly, out of the resources of the Bangsamoro
38 Government to such person or firm;
39
- 40 (2) Hold such interests in any cockpit or other games licensed by the
41 Bangsamoro Government;
42
- 43 (3) Purchase any real estate or other property forfeited in favor of the
44 Bangsamoro Government for unpaid taxes or assessment, or by virtue of
45 a legal process at the instance of the Bangsamoro Government;
46
- 47 (4) Be a surety for any person contracting or doing business with the
48 Bangsamoro Government for which a surety is required; and
49

1 (5) Possess or use any public property of the Bangsamoro Government for
2 private purposes.
3

4 (b) All other prohibitions governing the conduct of national public officers relating
5 to prohibited business and pecuniary interest so provided for under Republic Act No. 6713,
6 otherwise known as the "*Code of Conduct and Ethical Standards for Public Officials and*
7 *Employees*" and other national laws shall also be applicable to the Chief Minister, Deputy Chief
8 Ministers, members of the Cabinet, and members of the Parliament.
9

10 **SEC. 17. *Practice of Profession.* –**
11

12 (a) The Chief Minister, Deputy Chief Ministers, and members of the Cabinet are
13 prohibited from practicing their profession or engaging in any occupation other than the
14 exercise of their functions as officials of the Bangsamoro Government.
15

16 (b) Members of the Parliament who are not holding Cabinet positions may practice
17 their professions, engage in any occupation, or teach in schools except during session hours:
18 *Provided*, That members of the Parliament who are also members of the Philippine Bar shall
19 not:
20

21 (1) Appear as counsel before any court in any civil case wherein the
22 Bangsamoro Government or any office, agency, or instrumentality of the
23 government is the adverse party;
24

25 (2) Appear as counsel in any criminal case wherein an officer or employee of
26 the National Government or the Bangsamoro Government is accused of
27 an offense committed in relation to the office;
28

29 (3) Collect any fee for appearance in administrative proceedings involving the
30 Bangsamoro Government; and
31

32 (4) Use property and personnel of the government except when the member
33 concerned is defending the interest of the government.
34

35 (c) Doctors of medicine may practice their profession even during official hours of
36 work only on occasions of emergency: *Provided*, That the members concerned do not derive
37 monetary compensation therefrom.
38

39 **SEC. 18. *Statement of Assets, Liabilities and Net Worth.* –** Officials and employees of
40 the Bangsamoro Government shall file sworn statements of assets, liabilities, and net worth,
41 lists of relatives within the fourth civil degree of consanguinity or affinity in government
42 service, financial and business interests, and personnel data sheets as required by national law.
43

44 **SEC. 19. *Forfeiture of Seat.* –** The seat of a member of the Parliament shall be forfeited
45 under any of the following circumstances:
46

47 (a) Voluntary resignation in the form of either a written or oral declaration in the
48 Parliament;
49

1 (b) Conviction of a grave offense by a regular court or a finding of guilt of a grave
2 offense as defined by the rules of the Parliament for treason, high crimes, heinous crimes,
3 crimes against morality, or other crimes punishable by more than six (6) years of imprisonment;
4

5 (c) Permanent physical or mental incapacity that makes the Member unable to
6 discharge the duties of a member, or death;
7

8 (d) Substitution by the party to which the member belongs with another member of
9 the same party, the member having been elected under the proportional representation system;
10

11 (e) Expulsion by the Parliament for disorderly behavior, with the concurrence of
12 two-thirds of all its members; and
13

14 (f) Such other grounds as may be provided in the Bangsamoro Electoral Code.
15

16 **SEC. 20. *Filling of Vacancy.*** – In case of a vacancy of a proportional representation
17 seat, the party to which that seat belongs shall fill the vacancy.
18

19 In case of a vacancy of a district seat by an affiliated member of the Parliament, the party
20 to which the member belongs shall, within thirty (30) days from the occurrence of such vacancy,
21 nominate a new members who shall be appointed by the Chief Minister subject to the
22 Bangsamoro Electoral Code.
23

24 In case of a vacancy in the seat occupied by an unaffiliated member of the Parliament
25 occurring at least one (1) year before the expiration of the term of office, a special election may
26 be called to fill such vacancy in the manner prescribed by a law enacted by the Parliament.
27

28 The appointed or elected member of the Parliament, as the case may be, shall serve the
29 unexpired term of the vacant office.
30

31 **SEC. 21. *Privileges and Immunities.*** – Any member of the Parliament who commits an
32 offense within the Bangsamoro territorial jurisdiction that is punishable by not more than six (6)
33 years imprisonment, shall be privileged from arrest while the Parliament is in session.
34

35 No member of the Parliament shall be questioned or be held liable in any other place for
36 any speech or debate in the Parliament or in any of its committees.
37

38 **SEC. 22. *Sessions of the Parliament.*** – The Parliament shall conduct its regular session
39 forty-five (45) days after the election of the Parliament up to thirty (30) days before the opening
40 of its next regular session, unless earlier dissolved by a vote of no confidence. A special or
41 emergency session may be called by the Speaker, upon the request of the Chief Minister or by a
42 majority of all the members of the Parliament.
43

44 **SEC. 23. *Officers of the Parliament.*** – On the first day of session of the Parliament
45 following their election, the members shall elect by a majority vote of all its members the
46 Speaker, a Deputy Speaker, and the other officers of the Parliament, as the rules of the Parliament
47 may provide.
48

1 In case of death, removal, resignation, or permanent disability or legal incapacity of the
2 Speaker, the Deputy Speaker shall act as Speaker until a new Speaker shall have been elected
3 by the Parliament.
4

5 SEC. 24. **Presiding Officer.** – The Speaker, Deputy Speaker, or any other person presiding
6 over the Parliament shall:
7

- 8 (a) Secure the honor and dignity of the Parliament;
- 9
- 10 (b) Ensure the rights and privileges of all the members; and
- 11
- 12 (c) Assure public access to the proceedings of the Parliament and its committees.
13

14 SEC. 25. **Rules of the Parliament.** – The Parliament shall adopt its own rules for the
15 conduct of its business.
16

17 (a) Every bill passed by the Parliament shall embrace only one subject which shall
18 be expressed in the title thereof.
19

20 (b) No bill shall become a law in the Bangsamoro Autonomous Region unless it
21 has passed three (3) readings on separate days and printed copies thereof in its final form have
22 been distributed to members of the Parliament three (3) days before its passage, except when
23 the Chief Minister certifies to the necessity of its immediate enactment to meet a public
24 calamity or emergency.
25

26 (c) Every bill passed by the Parliament shall, before it becomes a law, be presented
27 to the Chief Minister. The Chief Minister shall sign the bill within thirty (30) days after the
28 date of its receipt, otherwise, it shall become a law as if the Chief Minister had signed it.
29

30 (d) The Speaker of the Parliament shall, within ten (10) working days from their
31 approval thereof, submit to the President and to the Congress of the Philippines a certified true
32 copy of all laws and resolutions approved by the Parliament.
33

34 (e) The rules of the Parliament or any amendment thereto shall be effective fifteen
35 (15) days following its complete publication in a regional newspaper of general circulation.
36

37 SEC. 26. **Proceedings.** – A majority of all the members of the Parliament shall
38 constitute a quorum to do business, but a smaller number may adjourn from day to day and
39 may compel the attendance of absent members in such manner, and under such penalties as the
40 Parliament may provide.
41

42 The Parliament may punish its members for disorderly behavior, and with the
43 concurrence of two-thirds of all its members, suspend or expel a member. A penalty of
44 suspension, when imposed, shall not exceed sixty (60) days.
45

46 The Parliament shall keep a Journal of its proceedings, and from time to time publish
47 the same, excepting such parts as may, in its judgment affect national and/or regional security;
48 and the *yays* and *nays* on any question shall, at the request of one-fifth of the members present
49 be entered into the Journal. The Parliament shall also keep a record of its proceedings.
50

1
2 (f) Represent the Bangsamoro Government in the affairs of the Bangsamoro
3 Autonomous Region;

4
5 (g) Proclaim a state of calamity whenever typhoons, flash floods, earthquakes,
6 tsunamis, or other natural or man-made calamities that cause widespread damage or destruction
7 to life or property in the Bangsamoro Autonomous Region; and

8
9 (h) Exercise such other powers and functions inherent to the office.

10
11 SEC. 33. **Administration of the Oath of Office.** – The *Wali* shall administer the oath
12 of office of the Chief Minister and all the members of the Parliament upon their election.

13
14 SEC. 34. **Membership in Other Offices.** – The Chief Minister shall be a member of the
15 Mindanao Development Authority. The Chief Minister shall be an *ex officio* member of the
16 National Security Council and the National Economic and Development Authority Board on
17 matters concerning the Bangsamoro Autonomous Region.

18
19 SEC. 35. **Deputy Chief Ministers.** – There shall be two (2) Deputy Chief Ministers who
20 shall be nominated by the Chief Minister and elected by members of the Parliament.

21
22 The Bangsamoro Autonomous Region shall have three (3) subregions, namely: south
23 western Mindanao, north central Mindanao, and south central Mindanao, all within the
24 Bangsamoro territorial jurisdiction. To ensure representation of all the subregions, the two (2)
25 Deputy Chief Ministers shall come from the other two (2) subregions different from that of the
26 Chief Minister.

27
28 For purposes of this provision, the coverage of each subregion shall be determined by
29 the Parliament.

30
31 The Deputy Chief Ministers may each hold a cabinet position.

32
33 In case of death, permanent physical or mental incapacity, removal from office, or
34 resignation of the Chief Minister, the Deputy Chief Minister, more senior in age, shall act as
35 the Chief Minister until the Parliament shall have elected a new Chief Minister. The election
36 shall be held within thirty (30) days from the occurrence of the vacancy.

37
38 SEC. 36. **Dissolution of Parliament Upon a Vote of No Confidence.** – Within seventy-
39 two (72) hours upon a vote of no confidence of at least two-thirds (2/3) of all the members of
40 the Parliament against the government of the day, the Chief Minister shall advise the *Wali* to
41 dissolve the Parliament and call for a new parliamentary election. The election for a new
42 parliament shall be held not later than one hundred twenty (120) days from the date of
43 dissolution.

44
45 The incumbent Chief Minister and the Cabinet shall continue to conduct the affairs of
46 the Bangsamoro Government until a new Parliament is convened and a new Chief Minister is
47 elected and qualified.

48
49 In no case shall the *Wali* countermand the advice of the Chief Minister.
50

1
2 **SEC. 1. *Appointment of Wali.*** – Consistent with a parliamentary form of government,
3 there shall be a *Wali* who shall serve as the ceremonial head of the Bangsamoro Government.
4

5 The Parliament shall issue a resolution reflecting its consensus on the selection of the *Wali*
6 from a list of names of eminent residents of the Bangsamoro Autonomous Region submitted by
7 the Council of Leaders.
8

9 **SEC. 2. *Qualifications of the Wali.*** –The *Wali* shall possess the following qualifications
10 at the time of his nomination:
11

- 12 (a) Natural-born citizen of the Philippines;
- 13
- 14 (b) Able to read and write in Filipino, English, or Arabic;
- 15
- 16 (c) At least forty (40) years of age;
- 17
- 18 (d) A resident of the Bangsamoro Autonomous Region for at least fifteen (15)
19 years; and
- 20
- 21 (e) No prior conviction for any criminal or administrative offense by any court or
22 quasi-judicial body.
23

24 **SEC. 3. *Ceremonial and Ministerial Duties of the Wali.*** – The *Wali* shall only perform
25 ceremonial duties such as opening the session of the Parliament, administering the oath of
26 office, dissolving the Parliament upon the advice of the Chief Minister after a vote of no
27 confidence against the government of the day, calling for election of a new Parliament, and
28 attending to public ceremonies.
29

30 **SEC. 4. *Oath and Term of Office of the Wali.*** –The first *Wali*, who shall hold office
31 for three (3) years, shall be appointed by the Bangsamoro Transition Authority through a
32 resolution reflecting its consensus. *The Wali* shall take his oath of office before a duly
33 authorized officer. Each succeeding *Wali* shall hold office for a term of six (6) years.
34

35 **SEC. 5. *Per Diem of the Wali.*** – The *Wali* shall receive *per diem*, subject to existing
36 rules and regulations on the grant of *per diems*.
37

38 The *per diem* shall be sourced from the funds of the Bangsamoro Government and shall
39 be provided for in its annual appropriations law.
40

41 **SEC. 6. *Grounds for Removal of the Wali.*** –The *Wali* may be removed from office by the
42 Parliament on any of the following grounds:
43

- 44 (a) Failure to dissolve the Parliament after a vote of no confidence;
- 45
- 46 (b) Conviction of a crime involving moral turpitude;
- 47
- 48 (c) Failure to perform the functions of a *Wali* ; and
- 49
- 50 (d) Such other grounds as the Parliament may provide.

1
2
3 **Article IX**
4 **BASIC RIGHTS**
5

6 SEC. 1. **Transitional Justice.** – The Bangsamoro Parliament, taking into account the
7 report of the Transitional Justice and Reconciliation Commission, shall enact a transitional
8 justice mechanism to address the legitimate grievances of the Bangsamoro people and the
9 indigenous peoples, such as historical injustices, human rights violations, and marginalization
10 through unjust dispossession of territorial and proprietary rights and customary land tenure.
11

12 SEC. 2. **Reparation for Unjust Dispossession.** – The Parliament shall enact laws
13 providing for adequate reparation to the Bangsamoro people affected by unjust dispossession
14 of territorial and proprietary rights or customary land tenure, which may include payment of
15 just compensation to and relocation of such people. No land title issued by the National
16 Government under the Torrens System shall be invalidated.
17

18 SEC. 3. **Indigenous Peoples' Rights.** – The Bangsamoro Government recognizes the rights
19 of the indigenous peoples and shall adopt measures for the promotion and protection of the
20 following rights:
21

- 22 (a) Native titles or *fusaka inged*;
23
24 (b) Indigenous customs and traditions;
25
26 (c) Justice systems and indigenous political structures;
27
28 (d) Equitable share in revenues from the utilization of resources in their ancestral lands;
29
30 (e) Free, prior and informed consent;
31
32 (f) Political participation in the Bangsamoro Government including reserved seats for
33 the non-Moro indigenous peoples in the Parliament;
34
35 (g) Basic services; and
36
37 (h) Freedom of choice as to their identity.
38

39 The Bangsamoro Government shall create a ministry for indigenous peoples and shall
40 have the primary responsibility to formulate and implement policies, plans, and programs to
41 promote the well-being of all indigenous peoples in the Bangsamoro Autonomous Region in
42 recognition of their ancestral domain as well as their rights thereto.
43

44 Any measure enacted by the Parliament shall in no way diminish the rights and privileges
45 granted to indigenous peoples by virtue of the United Nations Declaration of the Rights of
46 Indigenous Peoples and the United Nations Declaration on Human Rights, and other laws
47 pertaining to indigenous peoples in the Bangsamoro Autonomous Region.
48

49 This Organic Law shall not in any manner diminish the rights and benefits of the non-
50 Moro indigenous peoples in the Bangsamoro Autonomous Region under the Constitution,

1 national laws, particularly Republic Act No. 8371, otherwise known as the “*Indigenous Peoples’*
2 *Rights Act of 1997.*”

3
4 **SEC. 4. *Customary Rights and Traditions.*** – The customs, beliefs, and traditions of the
5 Bangsamoro people are hereby recognized, protected, and guaranteed.

6
7 The Parliament shall adopt measures to ensure mutual respect and protection of the
8 distinct beliefs, customs, and traditions of the Bangsamoro people and the other inhabitants in the
9 Bangsamoro Autonomous Region.

10
11 No person in the Bangsamoro Autonomous Region shall be subjected to any form of
12 discrimination on account of creed, religion, ethnic origin, parentage, or gender.

13
14 **SEC. 5. *Religious Freedom.*** – The Bangsamoro Government shall guarantee religious
15 freedom and the free exercise thereof pursuant to the Constitution, national laws, and principles
16 of international law. The Bangsamoro Government shall protect all persons from harassment
17 or any undue pressure, coercion, and violence on account of religion. Any establishment and
18 institution shall be free to implement policies and undertake activities pursuant to their
19 respective religious beliefs and values.

20
21 **SEC. 6. *Human Rights.*** – The Bangsamoro Government shall fully respect human
22 rights.

23
24 **SEC. 7. *Bangsamoro Human Rights Commission.*** – There is hereby created a
25 Bangsamoro Human Rights Commission. The chairperson and two commissioners of the
26 Commission shall be appointed by the President upon recommendation of the Chief Minister.
27 The composition of the Commission shall reflect the ethnic distribution of the population of
28 the Bangsamoro Autonomous Region. The chairperson shall be a member of the Philippine
29 Bar and a resident of the Bangsamoro Autonomous Region. A commissioner shall preferably
30 be a member of the Philippine Bar or holder of bachelor degree from colleges or universities
31 recognized by the National Government, and a resident of the Bangsamoro Autonomous
32 Region.

33
34 The functions, duties, and responsibilities of the Commission shall be provided by law
35 to be enacted by the Parliament. It shall cooperate and closely coordinate with the national
36 Commission on Human Rights.

37
38 The Parliament shall fix the salaries and perquisites of the chairperson and the
39 commissioners of the Commission in consonance with Republic Act No. 6758, as amended.

40 41 ***Social Justice***

42
43 **SEC. 8. *Right of Access to Basic Services.*** – The Bangsamoro Government shall provide,
44 maintain, and ensure the delivery of basic and responsive health programs, quality education,
45 appropriate services, livelihood opportunities, affordable and progressive housing projects, power
46 and electricity, and water supply, among others, to the Bangsamoro people and other inhabitants
47 of the Bangsamoro Autonomous Region. It shall maintain appropriate disaster-preparedness units
48 for immediate and effective relief services to victims of natural and man-made calamities. It shall
49 also ensure the rehabilitation of calamity-affected areas and victims of calamities.

1 SEC. 9. *Housing and Human Settlements.* – The Parliament shall pass a law creating a
2 housing and human settlements agency to address the lack of shelters, settlements, and livelihood
3 for the disadvantaged and homeless, especially those victims of conflicts and atrocities. The
4 agency may directly solicit and receive assistance, donations, aids, and grants from donors for
5 its housing, settlements, and livelihood programs and development.
6

7 The Bangsamoro Government, in cooperation with the private sector, shall develop its own
8 housing and human settlement programs.
9

10 SEC. 10. *Rights of Labor.* – The Bangsamoro Government shall guarantee the
11 fundamental rights of all workers to self-organization, collective bargaining and negotiations,
12 and peaceful concerted activities, including the right to strike, in accordance with the
13 Constitution and the Labor Code of the Philippines. In this regard, the rights of workers, whether
14 publicly or privately employed, to form unions, associations, or federations shall not be
15 abridged.
16

17 The workers shall participate in policy and decision-making processes affecting their
18 rights and benefits, as may be provided by a law that shall be enacted by the Parliament. The
19 rights of workers to security of tenure, humane conditions of work, and a living wage shall be
20 guaranteed. No trafficking of persons and engagement of minors in any hazardous or
21 deleterious forms of employment shall be tolerated.
22

23 The Parliament may pass labor laws that expand or enhance the rights stated herein.
24

25 SEC. 11. *Participation of Women in the Bangsamoro Government.* – Aside from the
26 reserved seat for women in the Parliament, there shall be at least one (1) woman to be appointed to
27 the Bangsamoro Cabinet. The Parliament shall enact a law that gives recognition to the important
28 role of women in nation-building and regional development, ensuring the representation of
29 women in other decision-making and policy-determining bodies of the Bangsamoro
30 Government.
31

32 The Parliament shall create by law a commission on women and shall define its powers,
33 functions, and composition.
34

35 SEC. 12. *Protection of Women.* – The Bangsamoro Government shall uphold and
36 protect the fundamental rights of women, including the right to engage in lawful employment,
37 and to be protected from exploitation, abuse, or discrimination, as embodied in the Convention
38 on the Elimination of all Forms of Discrimination Against Women.
39

40 The Parliament shall enact the necessary laws for the implementation of this section.
41

42 SEC. 13. *Rights of the Youth.* – The Bangsamoro Government shall recognize the vital
43 role of the youth in nation-building, promote and protect their physical, moral, spiritual,
44 intellectual, and social well-being. It shall inculcate patriotism and nationalism, encourage
45 involvement in public and civic affairs, and promote mental and physical fitness through sports.
46

47 The Parliament shall create by law a commission on youth affairs and shall define its
48 powers, functions, and composition.
49

Health

1
2
3 **SEC. 22. *Comprehensive and Integrated Health Service Delivery.*** – The Bangsamoro
4 Government shall adopt a policy on health that provides for a comprehensive and integrated
5 health service delivery for its constituents. It shall establish by law a general hospital system
6 to serve the health requirements of its people and ensure that the individual basic right to life
7 shall be attainable through the prompt intervention of excellent and affordable medical
8 services.
9

10 The Bangsamoro Government shall protect and promote the right to health of the people
11 and instill health consciousness among them. It shall also uphold the people’s right to have
12 access to essential goods, health, and other social services that promote their well-being. The
13 Parliament shall enact appropriate legislation towards this end, including the regulation of the
14 manufacture and distribution of food, drinks, drugs, and tobacco in accordance with the
15 policies, rules and regulations of the concerned national government agencies.
16

17 The Bangsamoro Government shall assist and cooperate with the National Government
18 in the provision of quarantine services for the prevention and control of epidemic and other
19 communicable diseases.
20

21 **SEC. 23. *Support for Persons with Special Needs, Senior Citizens, and***
22 ***Disadvantaged Groups.*** – The Bangsamoro Government shall establish a special agency,
23 support facilities and livelihood or skills training for persons with special needs, and other
24 disadvantaged persons for their rehabilitation and productive integration into mainstream
25 society.
26

27 The Bangsamoro Government shall coordinate all existing governmental and non-
28 governmental agencies concerned with the rehabilitation and education of these persons.
29

30 The Bangsamoro Government shall ensure the welfare of senior citizens by upholding
31 their rights and providing the benefits and privileges they presently enjoy.
32

Arts and Culture

33
34
35 **SEC. 24. *Preservation of the Cultural Heritage of the Bangsamoro People.*** – The
36 Bangsamoro Government shall preserve the history, culture, arts, traditions, and the rich
37 cultural heritage of the Bangsamoro people and their Sultanates, such as those of Sulu,
38 Maguindanao, Kabuntalan, Buayan, the Royal Houses of Ranao and of the Iranun, and the non-
39 Moro indigenous peoples of the Bangsamoro Autonomous Region. For this purpose, it shall
40 create the Bangsamoro Commission for the Preservation of Cultural Heritage in coordination
41 with the appropriate and relevant national government agencies.
42

43 **SEC. 25. *Primary Responsibility of the Bangsamoro Commission for the Preservation of***
44 ***Cultural Heritage.*** – The Bangsamoro Commission for the Preservation of Cultural Heritage shall
45 have the primary responsibility to write the history of the Bangsamoro people and to establish and
46 sustain the cultural institutions, programs, and projects in the Bangsamoro Autonomous
47 Region. The Commission shall coordinate and work closely with the National Commission for
48 Culture and the Arts, National Historical Commission of the Philippines, National Museum of the
49 Philippines, and other concerned cultural agencies for the preservation of cultural heritage, shall
50 establish libraries and museums, declare and restore historical shrines and cultural sites to

1 preserve the Bangsamoro heritage for posterity. The Commission shall ensure the inclusion of
2 Philippine history, culture, and heritage in the establishment of museums and similar
3 institutions, programs and projects to foster unity among the Filipinos.
4

5 **SEC. 26. *Management of Bangsamoro Historical and Cultural Sites.*** – The National
6 Government shall transfer the management of Bangsamoro historical and cultural sites
7 currently under the jurisdiction of the National Museum of the Philippines, National Historical
8 Commission of the Philippines, or other agencies of the National Government to the
9 Bangsamoro Commission for the Preservation of Cultural Heritage through the
10 intergovernmental relations mechanisms. The Bangsamoro Commission for the Preservation
11 of Cultural Heritage shall coordinate with relevant agencies of the National Government on the
12 regulation, excavation, and preservation of cultural artifacts and on the recovery of lost
13 historical and cultural heritage.
14

15
16 **Article X**
17 **BANGSAMORO JUSTICE SYSTEM**
18

19 **SEC. 1. *Justice System in the Bangsamoro.*** – The Bangsamoro justice system shall be
20 administered in accordance with the unique cultural and historical heritage of the Bangsamoro.
21

22 The dispensation of justice in the Bangsamoro Autonomous Region shall be in
23 consonance with the Constitution, *Shari'ah*, traditional or tribal laws, and other relevant laws.
24

25 *Shari'ah* or Islamic law forms part of the Islamic tradition derived from religious
26 precepts of Islam, particularly the *Qur'an* and *Sunnah*.
27

28 *Shari'ah* shall apply exclusively to cases involving Muslims. Where a case involves a
29 non-Muslim, *Shari'ah* law may apply only if the non-Muslim voluntarily submits to the
30 jurisdiction of the *Shari'ah* court.
31

32 The traditional or tribal laws shall be applicable to disputes of indigenous peoples
33 within the Bangsamoro Autonomous Region.
34

35 The provisions of this Article shall not prejudice the rights of non-Muslims and non-
36 indigenous peoples.
37

38 **SEC. 2. *Shari'ah Courts.*** – *Shari'ah* courts within the Bangsamoro territorial
39 jurisdiction shall form part of the Philippine judicial system subject to the supervision of the
40 Supreme Court. The regular courts within the Bangsamoro Autonomous Region shall continue
41 to function under the supervision of the Supreme Court.
42

43 The Congress of the Philippines may create additional *Shari'ah* courts in the
44 Bangsamoro Autonomous Region upon the recommendation of the Supreme Court. It may
45 also create *Shari'ah* courts outside the Bangsamoro Autonomous Region in areas where a
46 considerable number of Muslims reside.
47

48 **SEC. 3. *Sources of Shari'ah.*** – The following are the sources of *Shari'ah*:
49

50 *Principal Sources:*

- 1
2 (a) Al-Qur'an or the Koran;
3
4 (b) Al-Sunnah or traditions of Prophet Muhammad SAW;

5
6 *Secondary Sources:*

- 7
8 (a) Al-Ijma or Consensus; and
9
10 (b) Al-Qiyas or Analogy.

11
12 SEC. 4. ***Power of the Parliament to Enact Laws Pertaining to Shari'ah.*** - The
13 Parliament shall have the power to enact laws on personal, family, and property law
14 jurisdiction.

15
16 The Parliament has the power to enact laws governing commercial and other civil
17 actions not provided for under Presidential Decree No. 1083, as amended, otherwise known as
18 the "*Code of Muslim Personal Laws of the Philippines,*" and criminal jurisdiction on minor
19 offenses punishable by *arresto menor* or *ta'zir* which must be equivalent to *arresto menor* or
20 fines commensurate to the offense.

21
22 SEC. 5. ***Jurisdiction of the Shari'ah Circuit Courts.*** – The *Shari'ah* Circuit Courts in
23 the Bangsamoro Autonomous Region shall exercise exclusive original jurisdiction over the
24 following cases where either or both parties are Muslims: *Provided*, That the non-Muslim party
25 voluntarily submits to its jurisdiction:

26
27 (a) All cases involving offenses defined and punished under Presidential Decree
28 No. 1083, where the act or omission has been committed in the Bangsamoro Autonomous
29 Region;

30
31 (b) All civil actions and proceedings between parties residing in the Bangsamoro
32 Autonomous Region who are Muslims or have been married in accordance with Article 13 of
33 Presidential Decree No. 1083, involving disputes relating to:

- 34
35 (1) Marriage;
36
37 (2) Divorce;
38
39 (3) Betrothal or breach of contract to marry;
40
41 (4) Customary dower or mahr;
42
43 (5) Disposition and distribution of property upon divorce;
44
45 (6) Maintenance and support, and consolatory gifts; and
46
47 (7) Restitution of marital rights;
48
49 (c) All cases involving disputes relative to communal properties;
50

1 (d) All cases involving Ta'zir offenses defined and punishable under *Shari'ah* law
2 enacted by the Parliament punishable by arresto menor or the corresponding fine, or both;

3
4 (e) All civil actions under *Shari'ah* law enacted by the Parliament involving real
5 property in the Bangsamoro Autonomous Region where the assessed value of the property does
6 not exceed Four hundred thousand pesos (P400,000.00); and
7

8 (f) All civil actions, if they have not specified in an agreement which law shall
9 govern their relations, where the demand or claim does not exceed Two hundred thousand
10 pesos (P200,000.00).
11

12 **SEC. 6. *Jurisdiction of the Shari'ah District Courts.*** – The *Shari'ah* District Courts in
13 the Bangsamoro Autonomous Region shall exercise exclusive original jurisdiction over the
14 following cases where either or both are Muslims: *Provided*, That the non-Muslim party
15 voluntarily submits to its jurisdiction:
16

17 (a) All cases involving custody, guardianship, legitimacy, and paternity and
18 filiation arising under Presidential Decree No. 1083;
19

20 (b) All cases involving disposition, distribution, and settlement of the estate of
21 deceased Muslims, probate of wills, issuance of letters of administration, or appointment of
22 administrators or executors regardless of the nature or the aggregate value of the property;
23

24 (c) Petitions for the declaration of absence and death, and for the cancellation or
25 correction of entries in the Muslim Registries mentioned in Title VI of Book Two of
26 Presidential Decree No. 1083;
27

28 (d) All actions arising from customary and *Shari'ah* compliant contracts in which
29 the parties are Muslims, if they failed to specify the law governing their relations;
30

31 (e) All petitions for mandamus, prohibition, injunction, certiorari, habeas corpus,
32 and all other auxiliary writs and processes in aid of its appellate jurisdiction;
33

34 (f) Petitions for the constitution of a family home, change of name, and
35 commitment of an insane person to an asylum;
36

37 (g) All other personal and real actions not falling under the jurisdiction of the
38 *Shari'ah* Circuit Courts wherein the parties involved are Muslims, except those for forcible
39 entry and unlawful detainer, which shall fall under the exclusive original jurisdiction of the
40 Municipal Trial Court;
41

42 (h) All special civil actions for interpleader or declaratory relief wherein the parties
43 are Muslims residing in the Bangsamoro Autonomous Region or the property involved belongs
44 exclusively to Muslims and is located in the Bangsamoro Autonomous Region;
45

46 (i) All civil actions under *Shari'ah* law enacted by the Parliament involving real
47 property in the Bangsamoro Autonomous Region where the assessed value of the property
48 exceeds Four hundred thousand pesos (P400,000.00); and
49

1 (j) All civil actions, if they have not specified in an agreement which law shall
2 govern their relations where the demand or claim exceeds Two hundred thousand pesos
3 (P200,000.00).
4

5 The *Shari'ah* District Court in the Bangsamoro Autonomous Region shall exercise
6 appellate jurisdiction over all cases decided upon by the *Shari'ah* Circuit Courts in the Bangsamoro
7 Autonomous Region within its territorial jurisdiction, as provided under Article 144 of
8 Presidential Decree No. 1083, as amended.
9

10 **SEC. 7. *Shari'ah High Court.*** – There is hereby created within the Bangsamoro
11 territorial jurisdiction, as part of the Philippine judicial system, a *Shari'ah* High Court. It shall
12 exercise exclusive original jurisdiction over the following cases where either or both parties
13 are Muslims: *Provided*, That the non-Muslim party voluntarily submits to its jurisdiction:
14

15 (a) All petitions for mandamus, prohibition, injunction, certiorari, habeas corpus,
16 and all other auxiliary writs and processes, in aid of its appellate jurisdiction; and
17

18 (b) All actions for annulment of judgments of *Shari'ah* District Courts.
19

20 The *Shari'ah* High Court shall exercise exclusive appellate jurisdiction over cases
21 under the jurisdiction of the *Shari'ah* District Courts within or outside the Bangsamoro
22 Autonomous Region.
23

24 The decisions of the *Shari'ah* High Court shall be final and executory except on
25 questions of law which may be raised before the Supreme Court following the procedure for
26 appeals from the Court of Appeals to the Supreme Court.
27

28 Nothing contained herein shall affect the original and appellate jurisdiction of the
29 Supreme Court as provided in the Constitution.
30

31 Pending the complete organization of the *Shari'ah* High Court, the decisions of the
32 *Shari'ah* District Courts shall be appealable to the Court of Appeals.
33

34 **SEC. 8. *Qualifications of Shari'ah Judges.*** –
35

36 (a) *Shari'ah* Circuit Court. – No person shall be appointed judge of the *Shari'ah*
37 Circuit Court unless a citizen of the Philippines who is a Muslim, a regular member of the
38 Philippine Bar, at least thirty (30) years of age, must have been engaged in the practice of law
39 for five (5) years or more, and has completed at least two (2) years of *Shari'ah* or Islamic
40 Jurisprudence.
41

42 (b) *Shari'ah* District Court. – No person shall be appointed judge of the *Shari'ah*
43 District Court unless a citizen of the Philippines who is a Muslim, a regular member of the
44 Philippine Bar, at least thirty-five (35) years of age, must have been engaged in the practice of
45 law for ten (10) years or more, and has completed at least two (2) years of *Shari'ah* or Islamic
46 Jurisprudence.
47

48 (c) *Shari'ah* High Court. — No person shall be appointed justice of the *Shari'ah*
49 High Court unless a natural-born citizen of the Philippines who is a Muslim, a regular member
50 of the Philippine Bar, at least forty (40) years of age, must have been engaged in the practice

1 of law for fifteen (15) years or more, and has completed at least two (2) years of Shari’ah or
2 Islamic Jurisprudence.

3
4 A *Shari’ah* Justice or Judge must be a person of competence, integrity, probity, and
5 independence.

6
7 The Supreme Court may grant the incumbent *Shari’ah* District and Circuit Court judges
8 who are not regular members of the Philippine Bar a reasonable period within which to qualify,
9 pending which they shall be allowed to continue discharging their duties.

10
11 **SEC. 9. *Composition of the Shari’ah High Court.*** –The *Shari’ah* High Court shall be
12 composed of five (5) Justices, including the Presiding Justice.

13
14 **SEC. 10. *Compensation, Benefits, Tenure, and Privileges.*** – Justices of the *Shari’ah*
15 High Court shall have the same rank, prerogatives, salaries, allowances, benefits, tenure, and
16 privileges as the Justices of the Court of Appeals.

17
18 Judges of the *Shari’ah* District Courts shall have the same rank, prerogatives, salaries,
19 allowances, benefits, tenure, and privileges as judges of the Regional Trial Court.

20
21 Judges of the *Shari’ah* Circuit Courts shall have the same rank, prerogatives, salaries,
22 allowances, benefits, tenure, and privileges as judges of the Municipal Trial Court.

23
24 **SEC. 11. *Shari’ah Rules of Court.*** – The existing Special Rules of Procedure in *Shari’ah*
25 courts shall continue to be in force and effect until the Supreme Court promulgates a new *Shari’ah*
26 Rules of Court.

27
28 **SEC. 12. *Special Bar Examinations for Shari’ah.*** – The Supreme Court shall
29 administer *Shari’ah* Special Bar Examinations for admission of applicants to the Philippine
30 Bar as special members thereof to practice law in the *Shari’ah* courts. A successful examinee
31 who has qualified for special membership in the Philippine Bar shall be duly conferred the title
32 of counselor-at-law.

33
34 **SEC. 13. *Practice of Law Before Shari’ah Courts.*** – The following are eligible to practice
35 before *Shari’ah* courts:

36
37 (a) A *Shari’ah* counselor-at-law; and

38
39 (b) A regular member of the Philippine Bar: Provided, That a Muslim, or a non-
40 Muslim who submits to the jurisdiction of the *Shari’ah* court, who acts on one’s behalf as
41 counsel, shall be allowed to appear as such before any *Shari’ah* court.

42
43 **SEC. 14. *Appointment and Discipline of Shari’ah Court Personnel.*** –The Supreme
44 Court shall appoint the *Shari’ah* court personnel and shall have the power to discipline them.

45
46 **SEC. 15. *Bangsamoro Shari’ah Integrated Bar.*** –The Supreme Court may adopt the
47 rules for the integration of the *Shari’ah* Bar under such conditions as it shall see fit in order to
48 raise the standards of the profession and improve the administration of justice in the
49 Bangsamoro Autonomous Region.

1 and order in the Bangsamoro in accordance with Republic Act No. 6975, otherwise known as
2 the “*Department of the Interior and Local Government Act of 1990*,” as amended by Republic
3 Act No. 8551, otherwise known as the “*Philippine National Police Reform and Reorganization*
4 *Act of 1998*.” The Police Regional Office in the Bangsamoro Autonomous Region shall be under
5 the direct operational control and supervision of the Philippine National Police.
6

7 The Police Regional Office in the Bangsamoro Autonomous Region shall be headed by
8 a Regional Director who shall, upon consultation with the Chief Minister, be appointed in
9 accordance with Republic Act No. 6975, as amended.
10

11 To facilitate entry into the Philippine National Police of Moro Islamic Liberation Front
12 and Moro National Liberation Front members from the Bangsamoro Autonomous Region, the
13 age, height, and educational attainment requirements may be waived by the National Police
14 Commission, subject to existing rules and regulations: *Provided*, That such shall be availed of
15 within a period of five (5) years from the ratification of this Organic Law: *Provided, Further*,
16 That the requirement of educational attainment shall be complied within fifteen (15) years from
17 their entry: *Provided, finally*, That their ranks and grades shall be subject to existing laws, rules
18 and regulations governing the Philippine National Police.
19

20 **SEC. 3. *Regional Office of the National Police Commission.*** – The National Police
21 Commission shall establish the National Police Commission Bangsamoro Regional Office
22 under its direct control, supervision, and administration, in accordance with Republic Act No.
23 6975, as amended. The Secretary of the Interior and Local Government shall appoint the
24 Regional Director who shall head the National Police Commission Bangsamoro Regional
25 Office.
26

27 The National Police Commission Bangsamoro Regional Office shall have the power to
28 investigate complaints against members of the Police Regional Office in the Bangsamoro
29 Autonomous Region. Appeals from the decisions of the National Police Commission
30 Bangsamoro Regional Office shall be filed with the National Police Commission. Pending
31 resolution of the appeal, the decision of the National Police Commission Bangsamoro
32 Regional Office may be executed.
33

34 **SEC. 4. *Consultation with the Chief Minister on Police Matters Affecting the Police***
35 ***Regional Office in the Bangsamoro Autonomous Region.*** – The National Police Commission
36 shall consult the Chief Minister on police matters affecting the Police Regional Office in the
37 Bangsamoro Autonomous Region.
38

39 **SEC. 5. *Jail Management and Penology.*** – The Bureau of Jail Management and
40 Penology shall establish a regional office in the Bangsamoro Autonomous Region under its
41 direct operational and administrative control and supervision, in accordance with Republic Act
42 No. 6975, as amended, and Republic Act No. 9263, otherwise known as the “*Bureau of Fire*
43 *Protection and Bureau of Jail Management and Penology Professionalization Act of 2004*.”
44 The Bureau of Jail Management and Penology shall support the regional office in the
45 establishment, maintenance, and improvement and procurement of jail facilities, the
46 appropriation for the subsistence of detainees and prisoners, the establishment, maintenance,
47 operation, and management of separate detention homes, and the designation of jail wardens.
48

49 **SEC. 6. *Fire Protection.*** – The Bureau of Fire Protection shall establish a regional
50 office in the Bangsamoro Autonomous Region under its direct operational and administrative

1 including capacity building and training programs, in accordance with the plans to be
2 developed by the Bangsamoro Government in consultation with the National Government.
3
4

5 *Sources of Revenues*

6

7 **SEC. 6. *Sources of Revenues.*** – The Bangsamoro Government shall have the power to
8 create its own sources of revenues and to levy taxes, fees, and charges, subject to the provisions
9 of this Organic Law and consistent with the principles of equalization, equity, accountability,
10 administrative simplicity, harmonization and economic efficiency, and fiscal autonomy. Such
11 taxes, fees, and charges shall accrue exclusively to the Bangsamoro Government.
12

13 The sources of revenues of the Bangsamoro Government include, among others, the
14 following:

15 (a) Taxes, in accordance with the provisions of this Organic Law;

16 (b) Fees and charges;

17 (c) Annual block grant from the National Government;

18 (d) Revenues or shares in revenues from the exploration, development, and
19 utilization of natural resources derived from land or water areas or territories within the
20 Bangsamoro territorial jurisdiction;

21 (e) Share in the National Government taxes, fees, and charges collected in the
22 Bangsamoro territorial jurisdiction;

23 (f) Dividends from Bangsamoro government-owned or controlled corporations
24 and other corporations, and shares from the dividends of national government-owned or
25 controlled corporations and their subsidiaries in the Bangsamoro Autonomous Region as may
26 be determined by the Intergovernmental Fiscal Policy Board;

27 (g) Grants from economic agreements or conventions entered into by the Bangsamoro
28 Government to which the National Government is a party;

29 (h) Grants, endowments, donations, foreign assistance, and other forms of aid;

30 (i) Loans and official development assistance;

31 (j) Shares and revenues generated from the operations of public utilities within the
32 Bangsamoro territorial jurisdiction;

33 (k) Appropriations and other budgetary allocations from the National Government;
34 and

35 (l) Tax of not more than ten percent (10%) of fair market value in the locality per
36 cubic meter of ordinary stones, sand, gravel, earth, and other quarry resources, as defined in
37 the National Internal Revenue Code, as amended, extracted from public lands or from the beds
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1 of seas, lakes, rivers, streams, creeks, and other public waters within its territorial jurisdiction,
2 the proceeds of which shall be distributed as follows:

- 3
4 (1) Thirty-percent (30%) to the Bangsamoro Government; and
5
6 (2) Seventy-percent (70%) to the local government units where the sand,
7 gravel, and other quarry resources are extracted, as follows:
8
9 (i) Thirty percent (30%) to the province;
10
11 (ii) Thirty percent (30%) to the component city or municipality; and
12
13 (iii) Forty percent (40%) to the barangay.
14

15 The constituent local government units in the Bangsamoro Autonomous Region shall
16 continue to exercise the taxing powers granted under Republic Act No. 7160, as amended.
17

18 **SEC. 7. *Uniform and Equitable Taxation; Prohibition Against Confiscatory Taxes,***
19 ***Fees and Charges*** – The Parliament shall exercise, subject to the provisions of the
20 Constitution, the power to levy taxes, fees, and charges, which shall inure solely to the benefit
21 of the Bangsamoro Autonomous Region: *Provided*, That the principles of uniformity and
22 equity in taxation shall be observed: *Provided, Further*, That such shall not be unjust,
23 excessive, oppressive, confiscatory, or contrary to public policy: *Provided, Furthermore*, That
24 their collection shall not be delegated to any private person.
25

26 The power to impose any tax under this Organic Law shall be exercised by the
27 Parliament, through an appropriate legislation, which shall not be enacted without any prior
28 public hearing conducted for the purpose. The Bangsamoro Government shall evolve a
29 progressive, responsive, and culture sensitive system of taxation which shall, among other
30 things, provide for incentives for the prompt payment of taxes and penalize tax evasion and
31 delinquency.
32

33 Nothing in this provision shall preclude any future legislation on national taxes nor
34 allow both National Government and Bangsamoro Government to impose similar taxes on the
35 same entity.
36

37 **SEC. 8. *Tax Incentives.*** – The Parliament may grant tax exemptions and incentives
38 under this Organic Law upon a vote of majority of all its members: *Provided*, That these tax
39 exemptions and incentives shall not diminish national revenues: *Provided, Further*, That the
40 grant of tax exemptions and incentives administered by the Regional Board of Investments of
41 the Autonomous Region in Muslim Mindanao as provided for in Executive Order No. 458,
42 Series of 1991, in relation to Executive Order No. 226, Series of 1987, otherwise known as the
43 “*Omnibus Investment Code*,” shall continue to apply.
44

45 Nothing in this Organic Law shall be construed to alter, diminish, or repeal the
46 incentives already granted and administered by investment promotion agencies of the National
47 Government to existing locators or registered business entities.
48

49 **SEC. 9. *Limitations on the Taxing Powers; Exceptions.*** – Unless otherwise provided
50 herein, the taxing power of the Bangsamoro Government shall not extend to the following:

- 1
2 (a) Income tax, except when levied on banks and other financial institutions;
3
4 (b) Customs duties, registration fees of vessels and wharfage on wharves, tonnage
5 dues, and all other kinds of customs fees, charges, and dues except vessels which are registered
6 by their owners with the Bangsamoro Government and wharfage on wharves constructed and
7 maintained by the Bangsamoro Government or its constituent local government units;
8
9 (c) Taxes, fees, or charges and other impositions upon goods carried into or out of,
10 or passing through the territorial jurisdictions of the provinces, cities, municipalities, or
11 barangays in the Bangsamoro Autonomous Region in the guise of charges for wharfage, tolls
12 for bridges or otherwise, or other taxes, fees, or charges in any form whatsoever upon such
13 goods or merchandise, except tolls on bridges or roads constructed and maintained by the
14 Bangsamoro Government or its constituent provinces, cities, municipalities, or barangays
15 concerned;
16
17 (d) Taxes, fees, or charges on agricultural and aquatic products when sold by
18 marginal farmers or fisherfolk;
19
20 (e) Taxes on business enterprises certified by the Board of Investments or by the
21 Parliament as pioneer or non-pioneer for a period of six (6) and four (4) years, respectively,
22 from the date of registration;
23
24 (f) Excise taxes on articles enumerated under the National Internal Revenue Code
25 of 1997, as amended, and taxes, fees, or charges on petroleum products;
26
27 (g) Percentage or value-added tax on sales, barter, or exchanges or similar
28 transactions on goods or services except as otherwise provided by national law;
29
30 (h) Taxes on the gross receipts of transportation contractors and persons engaged
31 in the transportation of passengers or freight by hire and common carriers by air, land, or water
32 except as provided in this Organic Law;
33
34 (i) Taxes on premiums paid by way of reinsurance or retrocession;
35
36 (j) Taxes, fees, or other charges on Philippine products actually exported, except
37 as otherwise provided by law enacted by the Congress of the Philippines;
38
39 (k) Taxes, fees, or charges on countryside and barangay business enterprises and
40 cooperatives duly registered under Republic Act No. 6810, otherwise known as the "*Magna*
41 *Carta for Countryside and Barangay Business Enterprises*," and Republic Act No. 6938,
42 otherwise known as the "*Cooperative Code of the Philippines*," as amended, and
43
44 (l) Taxes, fees, or charges of any kind on the National Government, its agencies
45 and instrumentalities, and local government units except on government-owned or controlled
46 corporations or entities that are primarily organized to do business.
47

48 However, where all taxable elements are within the Bangsamoro territorial jurisdiction,
49 the Parliament may impose the following taxes to the exclusion of the Bureau of Internal
50 Revenue of the National Government:

- 1
2 (1) Capital Gains Tax. – Tax imposed on the gains presumed to have been
3 realized by the seller from the sale, exchange, or other disposition of real
4 properties, classified as capital assets, including *pacto de retro* sales and
5 other forms of conditional sale;
6
7 (2) Documentary Stamp Tax. – Tax on documents, instruments, loan
8 agreements, and papers evidencing the acceptance, assignment, sale, or
9 transfer of the obligation, right or property incident thereto;
10
11 (3) Donor’s Tax. – Tax on a donation or gift that is imposed on the gratuitous
12 transfer of property between two or more persons who are living at the time
13 of the transfer. It shall apply whether the transfer is in trust or otherwise,
14 whether the gift is direct or indirect, and whether the property is real or
15 personal, tangible or intangible; and
16
17 (4) Estate Tax. – Tax on the right of the deceased person to transmit to the lawful
18 heirs and beneficiaries of the deceased person at the time of death and on
19 certain transfers, which are made by law as equivalent to testamentary
20 disposition.
21

22 In case the Parliament does not impose the abovementioned taxes, the Bureau of
23 Internal Revenue of the National Government shall continue to levy and collect said taxes:
24 *Provided*, That if the Bangsamoro Government shall impose them, the tax rates shall be
25 pursuant to the National Internal Revenue Code of 1997, as amended: *Provided, Further*, That
26 in no case shall the abovementioned taxes be imposed and collected by both the Bureau of
27 Internal Revenue and the Bangsamoro Government.
28

29 The Intergovernmental Fiscal Policy Board shall promulgate rules on the determination
30 of taxable elements in relation to taxes (1) to (4) above, and the sharing of revenues from the
31 collection of such taxes where the taxable elements are both situated within and outside of the
32 Bangsamoro territorial jurisdiction. Any dispute between the National Government and the
33 Bangsamoro Government arising from the imposition of the above taxes shall be resolved by
34 the Intergovernmental Fiscal Policy Board.
35

36 **SEC. 10. *Sharing of Taxes Collected by the National Government.*** – National
37 Government taxes, fees, and charges collected in the Bangsamoro Autonomous Region, other
38 than tariff and customs duties, shall be shared as follows:
39

40 (a) Twenty-five percent (25%) to the National Government: *Provided*, That for the
41 first ten (10) years following the effectivity of this Organic Law, this share shall accrue to the
42 Bangsamoro Government: *Provided, Further*, That after this first ten (10)-year period, upon
43 petition of the Bangsamoro Government, the National Government may extend the period as it
44 shall deem necessary; and
45

46 (b) Seventy-five percent (75%) to the Bangsamoro Government, inclusive of the
47 shares of the constituent local government units.
48

1 The shares in taxes, fees, and charges provided under this section shall be separate and
2 distinct from the annual block grant appropriated to the Bangsamoro Government under
3 Section 15 of this Article.
4

5 **SEC. 11. *Assessment and Collection of Taxes; Bangsamoro Revenue Office.*** – The
6 Parliament shall establish by law the Bangsamoro Revenue Office for the assessment and
7 collection of Bangsamoro taxes, as well as all other collectible taxes in the Bangsamoro
8 Autonomous Region.
9

10 Until such time that the Bangsamoro Revenue Office is established, tax collection shall
11 be undertaken by the Bureau of Internal Revenue. The share of the Bangsamoro Government
12 shall be retained by the National Government collecting agencies and remitted to the
13 Bangsamoro Government in lump sum without need of an appropriations law.
14

15 Upon its establishment, the Bangsamoro Revenue Office shall start collecting such
16 taxes regularly: *Provided*, That it shall report promptly all its collections to, and remit the share
17 of, the National Government through a duly accredited government depository bank: *Provided*,
18 *Further*, That the National Government and the Bangsamoro Government shall share the costs
19 of administering the tax collection as provided herein.
20

21 **SEC. 12. *Payment of Taxes by Corporations, Partnerships or Firms.*** - Corporations,
22 partnerships, or firms directly engaged in business in the Bangsamoro Autonomous Region
23 shall pay their corresponding taxes, fees, and charges in the province or city where the
24 corporation, partnership, or firm is doing business.
25

26 Corporations, partnerships, or firms whose central, main, or head offices are located
27 outside the Bangsamoro Autonomous Region but are doing business within its territorial
28 jurisdiction, shall pay the income taxes for income derived from their business operations in
29 the Bangsamoro Autonomous Region to the city or municipality where their branch offices or
30 business operations or activities are located. The Bureau of Internal Revenue and the
31 Bangsamoro Revenue Office shall agree on modalities for the filing of income tax returns
32 through the Intergovernmental Fiscal Policy Board.
33

34 The Intergovernmental Fiscal Policy Board shall promulgate rules to implement this
35 provision, including the determination of covered entities and the allocation of income for
36 covered entities.
37

38 **SEC. 13. *Share of the Constituent Local Government Units in Taxes within the***
39 ***Bangsamoro Autonomous Region.*** – The Parliament shall enact a law detailing the shares of
40 constituent local government units in the seventy-five percent (75%) share of the Bangsamoro
41 Government in the national taxes, fees, and charges collected in the Bangsamoro territorial
42 jurisdiction.
43

44 **SEC. 14. *Bangsamoro Tax and Revenue Code.*** – The Parliament shall enact a
45 Bangsamoro tax and revenue code, which shall cover the taxing powers of the Bangsamoro
46 Government, in accordance with the Constitution and this Organic Law.
47
48

49 ***Block Grant***
50

1 SEC. 15. **Annual Block Grant.** – The National Government shall provide an annual
2 block grant which shall be the share of the Bangsamoro Government in the national internal
3 revenue tax collections of the Bureau of Internal Revenue and collections of the Bureau of
4 Customs. The amount shall be sufficient for the exercise of the powers and functions of the
5 Bangsamoro Government under this Organic Law and in no case shall be less than the last
6 budget received by the Autonomous Region in Muslim Mindanao immediately before the
7 establishment of the Bangsamoro Autonomous Region.
8

9 SEC. 16. **Block Grant Amount.** – For the budget year immediately following the year
10 of the effectivity of this Organic Law, the amount of the block grant shall be equivalent to five
11 percent (5%) of the net national internal revenue tax collection of the Bureau of Internal
12 Revenue and the net collection of the Bureau of Customs from the third fiscal year immediately
13 preceding the current fiscal year.
14

15 For purposes of this section, the net national internal revenue tax collections of the
16 Bureau of Internal Revenue is the sum of all internal revenue tax collections of the Bureau of
17 Internal Revenue during the base year less the internal revenue allotment of local government
18 units, the amount released during the same year for tax refunds, payments for informers’
19 reward, and any portion of internal revenue tax collections which are presently set aside, or
20 hereafter earmarked under special laws for payment to third persons.
21

22 SEC. 17. **Automatic Appropriation.** – The annual block grant shall be automatically
23 appropriated in the General Appropriations Act of the Congress of the Philippines to the
24 Bangsamoro Government.
25

26 SEC. 18. **Regular Release.** – The block grant shall be released without need of any
27 further action, directly and comprehensively to the Bangsamoro Government, and shall not be
28 subject to any lien or holdback that may be imposed by the National Government for whatever
29 purpose.
30

31 SEC. 19. **Allocation of the Block Grant.** – The Parliament shall pass an annual
32 appropriations law allocating the block grant to various agencies and programs according to
33 the powers and functions of the Bangsamoro Government. The Parliament shall assign the
34 highest budgetary priority to education, health, and social services as may be provided in its
35 appropriations law. The Parliament shall not include the procurement of firearms, ammunition,
36 armaments, and explosives in its annual appropriations law from the block grant. Copies of
37 the development plans of the Bangsamoro Government shall be furnished the Department of
38 the Interior and Local Government. In the allocation of the block grant, the national laws and
39 the budgeting rules and regulations implemented by the Department of Budget and
40 Management and Department of the Interior and Local Government applicable to local
41 government units shall apply.
42

43 The Bangsamoro Government’s annual appropriations law shall set performance
44 standards and targets for each sector. Any unspent amount in the current year’s block grant
45 shall revert to the Bangsamoro Treasury under a Special Fund for re-appropriation: *Provided,*
46 *However,* That any subsequent appropriation thereof shall follow the same conditions as
47 provided in this section.
48

49 SEC. 20. **General Limitations.** – The use of funds shall be subject to the following
50 limitations:

1
2 (a) The total appropriations, whether annual or supplemental, for Personal Services
3 of the Bangsamoro Government for one (1) fiscal year shall not exceed forty-five percent
4 (45%) of the total revenue sources of the Bangsamoro Government as provided under Section
5 6 of this Article. The appropriations for salaries, wages, representation and transportation
6 allowances of officials and employees of the public utilities and economic enterprises owned,
7 operated, and maintained by the Bangsamoro Government shall not be included in the annual
8 budget or in the computation of the maximum amount for Personal Services. The
9 appropriations for Personal Services of such economic enterprises shall be charged against their
10 respective budgets;

11
12 (b) No official or employee shall be entitled to a salary rate higher than the
13 maximum fixed for the position or other positions of equivalent rank by applicable laws or
14 rules and regulations issued thereunder;

15
16 (c) The Bangsamoro Government shall not appropriate funds to provide any
17 salaries, wages or any form of emoluments to officials and employees of the National
18 Government;

19
20 (d) In cases of abolition of positions and the creation of new ones resulting from
21 the abolition of existing positions in the Bangsamoro Government, such abolition or creation
22 shall be made in accordance with Section 10, Article XVI of this Organic Law. The provisions
23 of civil service laws, rules, and regulations shall apply suppletorily;

24
25 (e) Positions in the official plantilla for career positions that are occupied by
26 incumbents holding permanent appointments shall be covered by adequate appropriations;

27
28 (f) No changes in designation or nomenclature of positions resulting in a promotion
29 or demotion in rank or increase or decrease in compensation shall be allowed except when the
30 position is actually vacant, and the filling of such positions shall be strictly made in accordance
31 with civil service laws, rules, and regulations; and

32
33 (g) The creation of new positions and salary increases or adjustments shall not be
34 made retroactive.

35
36 **SEC. 21. *Deductions from the Block Grant; Exceptions.*** – Twenty (20) years from the
37 operationalization of the Bangsamoro Government, the following shall be deducted from the
38 block grant:

39
40 (a) Revenues from the following taxes imposed and collected in the Bangsamoro
41 territorial jurisdiction by the Bangsamoro Government three (3) years prior:

- 42
43 (1) Capital Gains Tax;
44
45 (2) Documentary Stamp Tax;
46
47 (3) Donor's Tax; and
48
49 (4) Estate Tax; and
50

1 (b) Share of the Bangsamoro Government in the income derived from the
2 exploration, development, and utilization of natural resources, as provided under Section 34,
3 Article XII of this Organic Law, collected three (3) years prior.
4

5 The amount allocated for the operation of the Bangsamoro Sustainable Development
6 Board, as provided in Section 8, Article VI of this Organic Law, shall not be included in the
7 amount herein to be deducted from the block grant. The abovementioned deduction shall not
8 include the shares of constituent local government units and of indigenous communities in
9 government income derived from the exploration, development, and utilization of natural
10 resources under Sections 35 and 36 of this Article, respectively.
11

12 **SEC. 22. *Review of the Block Grant Formula.*** – The formula of the block grant, as
13 provided above, shall be reviewed by the Intergovernmental Fiscal Policy Board five (5) years after
14 its effectivity, and every five years thereafter to consider, among others, the fiscal needs of the
15 Bangsamoro Government and the actual revenues it shall be able to generate and to ensure that all
16 block grant expenditures are transparent and performance-based: *Provided*, That if the National
17 Government shall no longer have any representative in the Intergovernmental Fiscal Policy Board,
18 the review shall be undertaken by the Intergovernmental Relations Body.
19

20 **SEC. 23. *Development Programs and Projects.*** – Immediately after the ratification of
21 this Organic Law, and for another five (5) years thereafter, the National Government shall
22 provide for additional funds that will subsidize expenditures for development projects and
23 infrastructure in the Bangsamoro Autonomous Region, including provincial and municipal
24 roads, in accordance with a development plan formulated by the Bangsamoro Government.
25 The National Government and the Bangsamoro Government, through the Intergovernmental
26 Relations Body, shall agree on the amount and manner of the release of said amount to the
27 Bangsamoro Government.
28

29 *Loans*

30 **SEC. 24. *Foreign and Domestic Loans; Bonds, Notes, and Obligations.*** –

31
32
33 (a) Loans, Credits, and Other Forms of Indebtedness. – The Bangsamoro
34 Government may contract loans, credits, and other forms of indebtedness to finance the
35 construction, installation, improvement, expansion, operation or maintenance of public utilities,
36 infrastructure facilities, housing projects, acquisition of real property, implementation of other
37 capital investment projects, and for the development and welfare of the people of the Bangsamoro.
38

39 Subject to acceptable credit worthiness, and in compliance with the Constitution,
40 relevant laws and regulations, such loans may be secured from domestic and foreign lending
41 institutions, except foreign and domestic loans requiring sovereign guaranty, whether explicit
42 or implicit, which would require the approval of the National Government.
43

44 The Parliament by a vote of the majority of all its members may authorize the Chief
45 Minister to contract such domestic or foreign loans.
46

47 The National Government shall assist the Bangsamoro Government in complying with the
48 requirements for a speedy issuance of the sovereign guaranty to finance local infrastructure and
49 other socio-economic development projects in accordance with the Bangsamoro Development
50 Plan. Within thirty (30) days from the submission by the Bangsamoro Government of its

1 application for sovereign guaranty, the National Government shall inform the Bangsamoro
2 Government of the actions taken on the application.

3
4 (b) Bonds, Notes, Debentures, and Obligations. – The Bangsamoro Government
5 shall have the authority to issue bonds, debentures, securities, collaterals, notes, obligations, and
6 other debt papers or documents, as well as redeem or retire the same, pursuant to a law enacted
7 by the Parliament, to finance self-liquidating and income-producing development or livelihood
8 projects pursuant to the priorities established in its development plan.

9
10 (c) Payment of Loans and Indebtedness. – The Bangsamoro Government shall
11 appropriate in its annual budget the amounts sufficient to pay its incurred loans and
12 indebtedness: *Provided*, That the amount of appropriations for debt servicing shall not exceed
13 twenty percent (20%) of the regular sources of revenue, excluding those coming from grants,
14 endowments, donations, loans, foreign assistance and official development assistance of the
15 Bangsamoro: *Provided, Further*, That not more than twenty percent (20%) of the block grant shall
16 be utilized for loan payments.

17
18 (d) Publication. – Any domestic or foreign-assisted loan and the purpose thereof shall
19 be published once a week for two (2) consecutive weeks in at least one (1) newspaper of general
20 circulation in the Bangsamoro Autonomous Region. –

21
22 **SEC. 25. *Official Development Assistance.*** – The Bangsamoro Government may avail
23 of official development assistance, upon review and approval of the National Government in
24 accordance with Republic Act No. 8182, otherwise known as the “*Official Development*
25 *Assistance Act of 1996*,” as amended, to achieve inclusive growth and poverty reduction
26 through the implementation of priority development projects.

27 28 ***Grants and Donations***

29
30 **SEC. 26. *Grants and Donations.*** – Departments, bureaus, offices, and state universities
31 and colleges of the Bangsamoro Government may accept donations, contributions, grants,
32 bequests, or gifts, in cash or in kind, from domestic or foreign sources for purposes relevant to
33 their functions.

34
35 In case of such grants or donations from governments of foreign countries, their
36 agencies and instrumentalities or multilateral institutions or organizations, acceptance thereof
37 shall be subject to the prior clearance and approval by the President or his authorized
38 representative.

39
40 The Intergovernmental Fiscal Policy Board shall promulgate rules for the
41 implementation of this section.

42 43 ***Economic Agreements and Conventions***

44
45 **SEC. 27. *Economic Agreements.*** – Subject to the provisions of the Constitution, the
46 Bangsamoro Government shall evolve a system of economic agreements and trade compacts
47 to generate block grants for regional investments and improvements of regional economic
48 structures which shall be authorized by a law enacted by the Parliament. Pursuant to specific
49 recommendations of a regional economic and development planning body which shall be

1 created by the Parliament, the Bangsamoro Government may assist its constituent local
2 government units in their requirements for counterpart funds for foreign-assisted projects.

3
4 **SEC. 28. *Cultural Exchange, and Economic and Technical Cooperation.*** – The
5 Bangsamoro Government may establish linkages for cultural exchange, economic and technical
6 cooperation with countries having diplomatic relations with the Philippines upon review and
7 approval of the National Government. The Bangsamoro Government may recommend to the
8 National Government the assignment of qualified persons in Philippine embassies and consulates,
9 and their participation in international delegations.

10
11 **SEC. 29. *Benefits from Conventions.*** – The Bangsamoro Government shall be entitled
12 to benefits resulting from conventions to which the National Government is a party. Such
13 benefits shall be equitable, considering the available human and material resources and comparative
14 advantage of the Bangsamoro Autonomous Region, as well as its socio-economic conditions and
15 needs.

16 ***Government-Owned or Controlled Corporations***

17
18
19 **SEC. 30. *Government-Owned or Controlled Corporations.*** – Upon coordination with
20 the National Government, the Parliament shall have the power to create government-owned or
21 controlled corporations in compliance with the provisions of Republic Act No. 10149, otherwise
22 known as the “*GOCC Governance Act of 2011,*” by a grant of legislative charter, or under *Batas*
23 *Pambansa Blg. 68,* otherwise known as the “*Corporation Code of the Philippines:*” *Provided,*
24 That those duly registered with the Securities and Exchange Commission may likewise operate
25 outside the Bangsamoro Autonomous Region.

26
27 The Parliament may create pioneering firms and other business entities to boost
28 economic development in the Bangsamoro Autonomous Region.

29
30 **SEC. 31. *Existing Government-Owned or Controlled Corporations Operating***
31 ***Exclusively in the Bangsamoro Autonomous Region.*** – The Bangsamoro Government shall
32 have the authority and control over existing government-owned or controlled corporations
33 operating exclusively in the Bangsamoro Autonomous Region after determination by the
34 Intergovernmental Fiscal Policy Board of their feasibility: *Provided,* That they shall have the
35 option to transfer their operations outside of the Bangsamoro Autonomous Region, which shall
36 be effected through the necessary changes in their governing boards.

37
38 **SEC. 32. *Existing Government-Owned or Controlled Corporations in the Bangsamoro***
39 ***Autonomous Region.*** – The Bangsamoro Government shall be represented in the board of
40 directors or in the policy-making bodies of government-owned or controlled corporations that
41 operate a substantial portion of their businesses directly or through their subsidiaries in the
42 Bangsamoro Autonomous Region or where the Bangsamoro Government has a substantial
43 interest.

44
45 The Intergovernmental Fiscal Policy Board shall determine the extent of the participation
46 of the Bangsamoro Government as well as its shares from the results of the operations of these
47 corporations and their subsidiaries based on a formula that it shall determine: *Provided,* That
48 Bangsamoro Government shall have at least one (1) seat in the governing boards of the said
49 corporations.

1 SEC. 33. *Southern Philippine Development Authority and Al-Amanah Islamic*
2 *Investment Bank.* – Within six (6) months from the establishment of the Bangsamoro
3 Transition Authority, the Intergovernmental Fiscal Policy Board shall determine the
4 participation of the Bangsamoro Government in the *Al-Amanah Islamic Investment Bank* of
5 the Philippines and the Southern Philippines Development Authority as provided in
6 Presidential Decree No. 690, as amended. In the event of the transfer of ownership or disposal
7 any property of the Southern Philippines Development Authority, the local government unit
8 where the property is located shall have the preferential right to acquire the property
9

10 ***Sharing in the Exploration, Development, and Utilization of Natural Resources***
11

12 SEC. 34. *Sharing in Exploration, Development and Utilization of Natural Resources.*
13 – Government revenues generated from the exploration, development, and utilization of all
14 natural resources in the Bangsamoro Autonomous Region, including mines and minerals, shall
15 pertain fully to the Bangsamoro Government. In the case of uranium and fossil fuels such as
16 petroleum, natural gas, and coal, the same may be co-managed and the revenues shared equally
17 between the National Government and Bangsamoro Government, subject to the limitations
18 provided in the Constitution.
19

20 SEC. 35. *Share of the Constituent Local Government Units.* – The share of the
21 Bangsamoro Government in the revenues referred to in the immediately preceding section shall
22 be inclusive of those for its constituent local government units.
23

24 The share of the Bangsamoro Government is hereby apportioned as follows: thirty
25 percent (30%) to the Bangsamoro Government; and to all its constituent local government
26 units, twenty percent (20%) to the provinces; fifteen percent (15%) to the cities; twenty percent
27 (20%) to the municipalities; and fifteen percent (15%) to the barangays.
28

29 SEC. 36. *Share of Indigenous Communities.* – Indigenous peoples and communities shall
30 have an equitable share of the revenues generated from the exploration, development, and
31 utilization of natural resources that are found within the territories covered by a native, traditional,
32 or customary title in their favor, which shall be provided by a law to be passed by the Parliament
33 detailing the sharing mechanism and percentages: *Provided,* That the rights and privileges
34 granted to indigenous peoples by Republic Act No. 8371 and other laws pertaining to
35 indigenous peoples shall not be diminished.
36

37 ***Intergovernmental Fiscal Policy Board***
38

39 SEC. 37. *Functions.* – The Intergovernmental Fiscal Policy Board created under
40 Section 4, Article VI of this Organic Law shall have the following functions:
41

42 (a) Recommend the necessary fiscal policy adjustments by undertaking periodic
43 reviews of the taxing powers, tax base, rates, wealth sharing arrangements, and sources of
44 revenues of the Bangsamoro Government vis-à-vis its development needs;
45

46 (b) Address disputes between the National Government and the Bangsamoro
47 Government involving the collection of capital gains tax, documentary stamp tax, donor's tax,
48 and estate tax;
49

1 (c) Determine the extent of the participation of the Bangsamoro Government in the
2 board of directors or the policy-making bodies of government-owned or controlled
3 corporations that operate a substantial portion of their businesses directly or through their
4 subsidiaries in the Bangsamoro Autonomous Region or where the Bangsamoro Government
5 has substantial interest;

6
7 (d) Determine the participation of the Bangsamoro Government in the operations
8 of government-owned or controlled corporations and their subsidiaries operating in the
9 Bangsamoro Autonomous Region, and its shares from the results of said operations;

10
11 (e) Determine the participation of the Bangsamoro Government in the *Al-Amanah*
12 Islamic Investment Bank of the Philippines, and the Southern Philippines Development
13 Authority, subject to the provisions of Section 33 of this Article; and

14
15 (f) Define the modalities for the filing of income tax returns for corporations or
16 firms whose central, main, or head offices are located outside the Bangsamoro Autonomous
17 Region but are doing business within its territorial jurisdiction to determine the income realized
18 from such operations in the Bangsamoro Autonomous Region, which shall be attributed as
19 income derived therein and subject to the sharing scheme between the National Government
20 and the Bangsamoro Government.

21
22 **SEC. 38. *Composition of the Intergovernmental Fiscal Policy Board.*** – The
23 Intergovernmental Fiscal Policy Board shall be composed of the heads or representatives of
24 the appropriate departments and agencies of the National Government and heads or
25 representatives of the ministries and offices in the Bangsamoro Government; *Provided*, that
26 the Secretary of Finance and the Minister of the appropriate ministry from the Bangsamoro
27 Government shall be its co-chairpersons: *Provided, Further*, That the Secretary of Budget and
28 Management, Secretary of Trade and Industry, and the Director-General of the National
29 Economic and Development Authority shall be members thereof.

30
31 **SEC. 39. *Meetings and Annual Report.*** – The Intergovernmental Fiscal Policy Board
32 shall meet at least once every six (6) months or as often as necessary, and shall adopt its own
33 rules of procedure for the conduct of its meetings.

34
35 An annual report shall be submitted by the Intergovernmental Fiscal Policy Board to the
36 National Government and the Bangsamoro Government, and shall be made available to the
37 public.

38
39 **SEC. 40. *Full Disclosure Policy.*** – The Bangsamoro Government adopts a policy of full
40 disclosure of its budget, finances, bids and public offerings, and shall provide protocols for the
41 guidance of local authorities in the implementation of said policy which shall include, among
42 others, the posting of the Summary of Income and Expenditures, and the participation of
43 representatives from civil society in the budget process. The same policy shall apply to its
44 constituent local government units, as may be provided in a Bangsamoro local government code
45 to be enacted by the Parliament.

46
47 **SEC. 41. *Additional Fiscal Powers.*** – The Intergovernmental Fiscal Policy Board may
48 recommend to the Congress of the Philippines or the appropriate agency of the National
49 Government the grant of additional fiscal powers to the Bangsamoro Government.

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ARTICLE XIII
REGIONAL ECONOMY AND PATRIMONY

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SEC. 1. *Social Justice and Economic System.* – The Bangsamoro Government shall establish an economic system based on the principles and state policies declared in the Constitution. Pursuant to these principles, the Parliament shall enact laws pertaining to the Bangsamoro Autonomous Region economy and patrimony that are responsive to the needs of its people.

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Sustainable Development

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SEC. 2. *Equitable and Sustainable Development.* – In order to protect and improve the quality of life of its inhabitants, the development in the Bangsamoro Autonomous Region shall be carefully planned, taking into consideration the ecological balance and the natural resources that are available for its use and for the use of future generations.

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The Bangsamoro Government shall promote the effective use of economic resources and endeavor to attain economic development that facilitates growth and full employment, human development, and social justice.

The Bangsamoro Government shall likewise provide equitable opportunities for the development of constituent local government units and shall strengthen governance systems to ensure people’s participation.

SEC. 3. *Comprehensive Framework for Sustainable Development.* – The Bangsamoro Government shall develop a comprehensive framework for sustainable development through the proper conservation, utilization, and development of natural resources, which shall guide it in adopting program and policy mechanisms that focus on the environment dimensions of social and economic interventions. It shall include measures for environmental justice and governance, as well as for the reduction of the vulnerability of women and marginalized groups to climate change and variability.

SEC. 4. *Bangsamoro Economic and Development Council.* – The Parliament shall establish the Bangsamoro Economic and Development Council which shall serve as the planning, monitoring, and coordinating agency for all development plans, programs, and projects of the Bangsamoro Government. It shall evaluate and recommend short, medium, and long-term comprehensive development plans, programs, and projects for the Bangsamoro Autonomous Region for approval by the Parliament. The development plans, programs, and projects shall take into account the development plans of the provinces, cities, municipalities, and barangays as approved by their respective local development councils.

SEC. 5. *Gender and Development.* – The Bangsamoro Government shall recognize the role of women in governance and ensure their fundamental equality before the law. It shall guarantee full and direct participation of women in governance and development process, ensuring that women shall benefit equally in the implementation of development programs and projects.

In the utilization of public funds, the Bangsamoro Government shall ensure that the needs of the Bangsamoro people, regardless of gender, are adequately addressed. For this

1 purpose, at least five percent (5%) of the total budget appropriation of each ministry, office,
2 and constituent local government unit of the Bangsamoro Autonomous Region shall be set
3 aside for gender-responsive programs, in accordance with a gender and development plan. In
4 the same manner, five percent (5%) to thirty percent (30%) of the official development
5 assistance received by the Bangsamoro Government shall be set aside to complement the
6 gender and development budget allocation.
7

8 The Bangsamoro Government shall establish a mechanism for consultation with
9 women and local communities to further ensure the allocation and proper utilization of
10 development funds. It shall identify and implement special development programs and laws
11 for women.
12

13 **SEC. 6. *Participation in National Development Planning.*** –To ensure that the
14 Bangsamoro development plans are reflected in the national development plans, a
15 representative of the Bangsamoro Government shall sit as member of a national development
16 plan steering committee or its equivalent and shall participate in relevant planning activities of
17 the National Economic and Development Authority.
18

19 **SEC. 7. *Disaster Risk Reduction and Management and Climate Change Adaptation.*** –
20 The Bangsamoro Government recognizes the importance of disaster risk reduction and
21 management and climate change adaptation.
22

23 There is hereby created a Bangsamoro Disaster Risk Reduction and Management Council
24 headed by the Chief Minister, with powers and functions that shall be defined by the Parliament in
25 a law providing for disaster preparedness and response: *Provided*, That it shall formulate the
26 Bangsamoro Disaster Risk Reduction and Management Plan, which shall complement that of the
27 National Government: *Provided, Further*, That through the Chief Minister, it shall recommend to
28 the President the mobilization of resources of national defense in times of disaster in the
29 Bangsamoro Autonomous Region.
30

31 The relevant agencies of the National Government and Bangsamoro Government shall
32 cooperate and coordinate on disaster risk reduction and management.
33

34 The Bangsamoro Government, consistent with Republic Act No. 9729, otherwise known
35 as the “*Climate Change Act of 2009*,” shall ensure that its constituent local government units
36 formulate their respective local climate change action plans and for the proper and effective
37 implementation thereof.
38

39 ***Natural Resources***

40
41 **SEC. 8. *Natural Resources, Nature Reserves, and Protected Areas.*** – Subject to the
42 provisions of the Constitution, the Bangsamoro Government shall have the power, authority, and
43 right to explore, develop, and utilize the natural resources, including surface and subsurface rights,
44 inland waters, coastal waters, and renewable and nonrenewable resources in the Bangsamoro
45 Autonomous Region.
46

47 The protection, conservation, rehabilitation, and development of forests, coastal, and
48 marine resources, including the adoption of programs and projects, to ensure the maintenance of
49 ecological balance and biodiversity shall be given priority.
50

1 The Bangsamoro Government shall also have the power to declare nature reserves and
2 aquatic parks, forests, watershed reservations, and other protected areas in the Bangsamoro
3 Autonomous Region.

4
5 The Parliament shall pass a law to establish protected areas, the procedure for the
6 declaration and the management thereof, and the role of the Bangsamoro Government and other
7 stakeholders in the process: *Provided*, That protected areas to be declared within the ancestral
8 domains shall be subject to the free, prior and informed consent of the non-Moro indigenous
9 peoples.

10
11 Pending the enactment of such law, the declaration and management of protected areas
12 shall be governed by existing laws, rules and regulations. Existing nature reserves and protected
13 areas shall remain as such. These, including those to be declared, shall be managed in accordance
14 with sustainable development and biodiversity conservation policies and principles as contained in
15 international conventions and treaties to which the Philippines is a party.

16
17 **SEC. 9. *Transfer of Management of Existing Nature Reserves and Protected Areas.*** –
18 The management and protection of nature reserves and aquatic parks, forests, watershed
19 reservations, and other protected areas in the territorial jurisdiction of the Bangsamoro that have
20 already been defined by and under the authority of the National Government shall be transferred
21 to the Bangsamoro Government.

22
23 Within three (3) months from the establishment of the Bangsamoro Transition Authority,
24 the Bangsamoro Government and the Department of Environment and Natural Resources, as
25 well as other relevant government agencies, shall start the process of transferring the management
26 of these areas to the Bangsamoro Government, including the conduct of surveys of all affected
27 areas and the planning and transition for each and every protected area. The transfer shall be
28 completed within a period not exceeding two (2) years.

29
30 **SEC. 10. *Exploration, Development, and Utilization of Fossil Fuels and Uranium.*** –
31 Subject to the provisions of the Constitution and national laws, the Bangsamoro Government and
32 the National Government shall jointly exercise the power to grant rights, privileges, and
33 concessions over the exploration, development, and utilization of uranium and fossil fuels such
34 as petroleum, natural gas, and coal in the territorial jurisdiction of the Bangsamoro. The use of
35 renewable energy shall be promoted for power generation to achieve the sustainable development
36 goals and promote low carbon energy generation policies as provided in Section 2 of this Article.

37
38 The National Government, through the Department of Energy, and the Bangsamoro
39 Government shall adopt a competitive and transparent process for the grant of rights, privileges,
40 and concessions in the exploration, development, and utilization of fossil fuels and uranium.

41
42 The Department of Energy and the Bangsamoro Government shall identify and select
43 prospective contract areas to be offered for exploration and development. Qualified Filipino
44 citizens who are *bona fide* residents of the Bangsamoro Autonomous Region shall be given a
45 rating higher than other proponents during the evaluation process. The award of the service
46 contract shall be made jointly by the Department of Energy and the Bangsamoro Government.

47
48 **SEC. 11. *Preferential Rights of Bona Fide Residents of the Bangsamoro Autonomous***
49 ***Region.*** – Qualified citizens who are *bona fide* residents of the Bangsamoro Autonomous Region,
50 all other conditions being equal, shall have preferential rights over the exploration, development,

1 and utilization of natural resources, including uranium and fossil fuels such as petroleum, natural
2 gas, and coal within the territorial jurisdiction of the Bangsamoro. Existing rights over the
3 exploration, development, and utilization of natural resources shall be respected until the
4 expiration of the corresponding leases, permits, franchises, or concessions, unless legally
5 terminated.

6
7 **SEC. 12. *Rights of Indigenous Peoples to Natural Resources.*** – The Parliament shall
8 enact a law recognizing the rights of indigenous peoples in the Bangsamoro Autonomous
9 Region in relation to natural resources within the areas covered by a native title, including their
10 share in revenues as provided in this Organic Law, and priority rights in the exploration,
11 development, and utilization of such natural resources within their area.

12
13 The right of indigenous peoples to free, prior and informed consent in relation to
14 development initiatives and the exploration, development and utilization of the natural
15 resources within ancestral domains covered by Certificate of Ancestral Domain Title shall be
16 respected.

17
18 **SEC. 13. *Mines and Mineral Resources.*** – Subject to the provisions of the Constitution
19 and national laws, the Bangsamoro Government shall have the authority and jurisdiction over
20 the exploration, development, and utilization of mines and minerals in its territorial jurisdiction,
21 taking into consideration environmental protection and ecological balance. The Bangsamoro
22 Government shall have the power to grant permits, licenses, and contracts for this purpose.

23
24 **SEC. 14. *Financial and Technical Assistance Agreements.*** – The Bangsamoro
25 Government may endorse to the President financial and technical agreements covering mineral
26 resources in the Bangsamoro Autonomous Region, in accordance with the mining policy that shall
27 be adopted by the Parliament.

28
29 **SEC. 15. *Regulation of Small-Scale Mining.*** – Small-scale mining shall be regulated
30 by the Bangsamoro Government to the end that the ecological balance, safety and health, and
31 the interests of the affected communities, the miners, the indigenous peoples, and the local
32 government units of the place where such operations are conducted are duly protected and
33 safeguarded. All gold produced by small-scale miners in any mineral area shall be sold to the
34 *Bangko Sentral ng Pilipinas*, or its duly authorized representatives, which shall buy the same
35 at prices competitive with those prevailing in the world market, regardless of volume or weight.

36
37 **SEC. 16. *Bangsamoro Mining Policy.*** – Policies on mining and other extractive
38 industries shall be established by the Parliament in accordance with a comprehensive
39 sustainable development plan and over-all medium-term and long-term Bangsamoro
40 Development Plan.

41
42 **SEC. 17. *Cadastral Land Surveys; Land Classification and Urban Land Reform and***
43 ***Land Use Program.*** – The classification of public lands in the Bangsamoro into alienable and
44 disposable lands shall be recommended by the Bangsamoro Government to the President for
45 the timely implementation of Bangsamoro development plans and targets.

46
47 The Bangsamoro Government may, upon authority of the President, conduct cadastral
48 surveys, lot surveys, and isolated and special surveys in the Bangsamoro: *Provided*, That it
49 shall furnish the results of these surveys to, and coordinate with, the relevant national
50 government agencies to effect inclusion into the National Cadastral Survey.

1
2 Subject to the provisions of the Constitution, the Parliament may enact an urban land
3 reform and land use program for the region.
4

5 **SEC. 18. *Zones of Joint Cooperation.*** – Zones of Joint Cooperation in the Sulu Sea
6 and the Moro Gulf are hereby created, the coordinates of which shall be defined by an *ad hoc*
7 joint body composed of representatives from the Department of Environment and Natural
8 Resources and the National Mapping and Resource Information Authority, and a corresponding
9 number of representatives from appropriate agencies of the Bangsamoro Government.
10

11 The Joint Body shall be convened within thirty (30) days after the ratification of this
12 Organic Law and shall cease to exist after it has established the coordinates of the Bangsamoro
13 territorial jurisdiction, including the Bangsamoro Waters and the Zones of Joint Cooperation.
14

15 **SEC. 19. *Joint Body for the Zones of Joint Cooperation.*** – The Joint Body created for the
16 Zones of Joint Cooperation provided in Section 5, Article VI of this Organic Law, shall establish
17 the policies therein and shall be composed of the following:
18

19 (a) Secretary of the Department of Agriculture and a Bangsamoro Minister as co-
20 Chairpersons;
21

22 (b) Secretary of Environment and Natural Resources and a counterpart Minister of
23 the Bangsamoro Government;
24

25 (c) Secretary of Transportation of the National Government and a counterpart
26 Minister of the Bangsamoro Government;
27

28 (d) At least one (1) representative of a constituent local government unit of the
29 Bangsamoro Autonomous Region adjacent to the Sulu Sea;
30

31 (e) At least one (1) representative of a constituent local government unit of the
32 Bangsamoro Autonomous Region adjacent to the Moro Gulf;
33

34 (f) At least one (1) representative from an adjoining non-Bangsamoro local
35 government unit adjacent to the Sulu Sea; and
36

37 (g) At least one (1) representative from an adjoining non-Bangsamoro local
38 government unit adjacent to the Moro Gulf.
39

40 The Bangsamoro Government and the National Government shall ensure the free
41 movement of vessels, goods, and people in these Zones of Joint Cooperation, working together to
42 regulate the waters therein and formulating policies jointly for the following purposes:
43

44 (a) Protection of the traditional fishing grounds;
45

46 (b) Equitable sharing of the benefits from the resources therein; and
47

48 (c) Ensuring the interconnectivity of the islands and mainland areas comprising the
49 Bangsamoro Autonomous Region towards a cohesive Bangsamoro political entity.
50

1
2 The Bangsamoro Government shall promote trade and industry in the Bangsamoro
3 Autonomous Region by providing avenues through which other countries may learn about its
4 unique industries, economic opportunities, and culture through participation in trade missions,
5 trade fairs, and other promotional activities. It may also organize trade missions to other countries
6 observing the necessary coordination with the relevant government agencies.
7

8 The Bangsamoro Government shall also promote domestic trade preference for goods
9 produced and materials sourced from within the Bangsamoro Autonomous Region and adopt
10 measures to increase their competitiveness. The Bangsamoro Government shall also ensure that
11 Bangsamoro products and services gain considerable access to the markets of its trading partners.
12 Particular attention shall also be given to the markets of its trading partners who have historic and
13 cultural ties to the Bangsamoro people.
14

15 **SEC. 25. *Registration of Business Names.*** – The Bangsamoro Government shall have the
16 power to register business names which shall be listed in the Philippine Business Registry.
17

18 **SEC. 26. *Barter Trade and Countertrade.*** – The Bangsamoro Government shall regulate
19 traditional barter trade with the Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN
20 Growth Area (BIMP-EAGA) Member States and countertrade with the Association of Southeast
21 Asian Nations (ASEAN) Member States. The goods or items that are traded with the said countries
22 shall not be sold elsewhere in the country without the payment of appropriate customs or import
23 duties in accordance with existing national laws.
24

25 Countertrade with ASEAN Member States shall be in accordance with the spirit, intent,
26 goals, processes, modalities, and arrangements in the ASEAN economic integration agreements.
27

28 **SEC. 27. *Cooperatives and Social Entrepreneurship.*** The Bangsamoro Government
29 shall recognize, protect, and promote the establishment of cooperative enterprises. It shall
30 likewise encourage and promote social entrepreneurship as a means to engage the private sector
31 to assist in the development, funding, and implementation of solutions to social, cultural, or
32 environmental issues.
33

34 The Parliament shall pass laws to strengthen the growth and development of social
35 enterprises in the Bangsamoro Autonomous Region to achieve social justice, social equity, and
36 economic efficiency.
37

38 **SEC. 28. *Economic Zones, Industrial Estates, and Free Ports.*** – The Bangsamoro
39 Government may establish economic zones, industrial estates, and free ports in the
40 Bangsamoro Autonomous Region, including the establishment of a Bangsamoro Economic
41 Zone Authority which shall have similar powers as those of the Philippine Economic Zone
42 Authority. The Parliament may provide such additional powers and functions to the
43 Bangsamoro Economic Zone Authority as may be necessary to meet the special circumstances
44 of the Bangsamoro Autonomous Region.
45

46 Once the Bangsamoro Economic Zone Authority is created, the Philippine Export Zone
47 Authority shall no longer create any other economic zone within the Bangsamoro Autonomous
48 Region. Any corporation, firm, or entity established within the Bangsamoro Autonomous
49 Region by the Philippine Export Zone Authority shall be placed under the jurisdiction of the

1 Bangsamoro Economic Zone Authority, and shall continue to enjoy the benefits granted to it
2 by the Philippine Export Zone Authority.

3
4 Through the intergovernmental relations mechanism, the Bangsamoro Government and
5 the National Government shall cooperate on customs, immigration, and quarantine services
6 including the attendant international commitments thereto, in order to implement and make
7 fully operational such economic zones, industrial estates, and free ports within one (1) year
8 from their establishment. Business and other enterprises operating within the Bangsamoro
9 economic zones, industrial estates, and free ports are entitled to the fiscal incentives and other
10 benefits provided by the National Government to special economic zones. The Bangsamoro
11 Government shall provide fiscal incentives and other benefits to investors in economic zones,
12 industrial estates, and free ports: *Provided, That*, for goods consumed and services rendered
13 outside the established economic zones, industrial estates, and free ports in the Bangsamoro
14 Autonomous Region, all relevant national taxes shall be imposed.

15
16 Bangsamoro free ports shall be contiguous or adjacent to a seaport or airport. The area
17 of coverage of a free port may be so much as may be necessary of that portion of the constituent
18 local government units in the Bangsamoro Autonomous Region, subject to such criteria as the
19 Parliament may provide in a law for that purpose. The administration of existing free ports in
20 the Autonomous Region in Muslim Mindanao are hereby transferred to the Bangsamoro
21 Government.

22
23 **SEC. 29. *Prohibition Against Toxic or Hazardous Substances.*** – The Bangsamoro
24 Government shall regulate, restrict, or prohibit the use, importation, transit, transport, deposit,
25 disposal, and dumping of toxic or hazardous substances within the Bangsamoro Autonomous
26 Region. It shall, in the same manner, regulate activities that may adversely impact the environment
27 and may be harmful to the health, safety, and welfare of the Bangsamoro people.

28
29 **SEC. 30. *Halal Program.*** – The Bangsamoro Government shall have the power to
30 accredit *halal*-certifying bodies in the Bangsamoro Autonomous Region. It shall promote
31 awareness through the development and implementation of a *halal* campaign program.

32
33 The Parliament shall enact laws to further strengthen its policy and programs on *halal*
34 development.

35
36 **SEC. 31. *Banks and Financial Institutions.*** – The Bangsamoro Government shall
37 encourage the establishment of:

38
39 (a) Banks and financial institutions and their branches including an Islamic window in
40 domestic and foreign conventional banks; and

41
42 (b) Off-shore banking units of foreign banks within the Bangsamoro Autonomous
43 Region, and in accordance with the principles of the Islamic banking system.

44
45 **SEC. 32. *Islamic Banking and Finance.*** – The Bangsamoro Government, the Bangko
46 Sentral ng Pilipinas, the Department of Finance, and the National Commission on Muslim
47 Filipinos shall jointly promote the development of an Islamic banking and finance system, to
48 include, among others, the establishment of a *Shari'ah* Supervisory Board and the promotion
49 and development of *Shari'ah*-compliant financial institutions. The Bangko Sentral ng Pilipinas
50 shall determine the type of organizational structure to be created and its composition.

1
2 To facilitate the establishment of an Islamic banking and finance system, the
3 Bangsamoro Government and the National Government shall review existing market
4 environment policies, adopt measures to enhance the competitiveness of Islamic finance
5 products, and ensure that Islamic financial players are not inhibited from introducing Islamic
6 finance products. It shall further promote investor awareness and acceptance in order to build
7 a broader customer and asset base.

8
9 The operation of Islamic banks, *Shari'ah*-compliant financial institutions and other
10 institutions performing similar functions shall be subject to the power of supervision of the Bangko
11 Sentral ng Pilipinas.

12
13 The Parliament shall enact laws that promote the growth of Islamic finance such as those
14 that promote tax incentives and ensure tax neutrality of Islamic finance transactions in the
15 Bangsamoro Autonomous Region.

16
17 **SEC. 33. *Islamic Banking Unit in the Bangko Sentral ng Pilipinas.*** – An Islamic
18 banking unit shall, as far as practicable, be established in the Bangko Sentral ng Pilipinas which
19 shall be headed and staffed by qualified Islamic banking experts.

20
21 **SEC. 34. *Functions of the Shari'ah Supervisory Board and Qualifications of Its***
22 ***Members.*** – Without prejudice to the crafting of the Bangsamoro Islamic banking and finance
23 framework by the Parliament, the following are the functions and qualifications of the *Shari'ah*
24 Supervisory Board:

25
26 (a) *Functions.* – The *Shari'ah* Supervisory Board shall be responsible for
27 monitoring the compliance of *Shari'ah* rules in banking and finance transactions and issuance
28 of *Shari'ah* products. Furthermore, as a representative of the various *Ulama*, it shall have the
29 authority to issue *fatwas* regarding the products and practices employed by banks and other
30 institutions.

31
32 (b) *Qualifications.* – Subject to other qualifications that the Parliament may enact,
33 the members of the Board shall have the necessary knowledge of both Islamic jurisprudence
34 and conventional banking and finance.

35
36 **SEC. 35. *Tourism.*** – The Bangsamoro Government shall promote tourism within the
37 Bangsamoro Autonomous Region.

38
39 It may recommend the designation of tourism enterprise zones to the Tourism
40 Infrastructure and Enterprise Zone Authority, in accordance with Republic Act No. 9593,
41 otherwise known as the “*Tourism Act of 2009.*”

42 43 ***Public Utilities and Infrastructure***

44
45 **SEC. 36. *Energy and Power Generation.*** – The Bangsamoro Government shall promote
46 investments in the energy and power generation sector, domestic and international, public and
47 private, in the power sector industry in the Bangsamoro Autonomous Region: *Provided*, That
48 it shall as far as practicable, promote low carbon sustainable power generation in the
49 Bangsamoro Autonomous Region consistent with sustainable development goals and
50 sustainable power generation policies provided in this Organic Law: *Provided, Further*, That

1 the Bangsamoro Government shall notify the National Government insofar as power
2 generation investments are concerned.

3
4 (a) Power generation and distribution utilities operating exclusively in the
5 Bangsamoro Autonomous Region. – The Bangsamoro Government shall have the authority to
6 build power generation and distribution utilities operating exclusively in the Bangsamoro
7 Autonomous Region through the Ministry of Energy it shall create: Provided, That the
8 Bangsamoro Government shall divest its ownership of the utilities twenty-five (25) years after
9 their creation. It shall promote investments, domestic and international, in the power sector
10 industry in the Bangsamoro Autonomous Region.

11
12 Consistent with sustainable development goals and low carbon sustainable power
13 generation policies to reduce costs associated with transmission including line losses and
14 network investment, distributed power generation shall be aggressively promoted as part of
15 the Bangsamoro Government’s power development plan. Power generation plants and
16 distribution utilities operating exclusively in the Bangsamoro Autonomous Region shall be able
17 to interconnect, sell, and buy power over the national transmission grid subject to limitations
18 under Republic Act No. 9136, otherwise known as “*Electric Power Industry Reform Act of*
19 *2001.*” In the same way, transmission lines operating exclusively in the Bangsamoro
20 Autonomous Region shall be able to connect to the national transmission grid. Such power plants
21 and distribution networks may only sell power over the national transmission grid once the power
22 supply needs of its customers have been completely met. The Bangsamoro Government may
23 assist electric cooperatives operating exclusively in the Bangsamoro Autonomous Region in
24 accessing funds and technology to ensure their financial and operational viability. Assistance
25 may be in the form of restructuring of debts, with rehabilitation and efficiency improvement
26 measures based on a set of clear time-bound operational reform programs.

27
28 (b) Agus Hydropower Complex. – In the event of the privatization of the Agus
29 Hydropower Complex, the Bangsamoro Government shall have preferential rights to acquire
30 the hydroelectric plants situated within its territorial jurisdiction. Nevertheless, the National
31 Government and the Bangsamoro Government shall cooperate and coordinate through the
32 Intergovernmental Energy Board insofar as the utilization of water from Lake Lanao for the
33 Agus Hydropower Complex is concerned. This is without prejudice to the payment of the
34 obligation of National Power Corporation or Power Sector Assets and Liabilities Management
35 Corporation to the Autonomous Region in Muslim Mindanao which now accrues to the
36 Bangsamoro Government.

37
38 **SEC. 37. *Public Works and Infrastructure.*** – The National Government shall fund and
39 implement the construction and maintenance of national roads, bridges, water supply and
40 services, and flood control and irrigation systems and the maintenance of existing airports,
41 seaports, and wharves in the Bangsamoro Autonomous Region: *Provided*, That with regard to
42 water supply and services, flood control, and irrigation systems that connect to or from facilities
43 outside the Bangsamoro Autonomous Region, there shall be cooperation and coordination
44 between the Bangsamoro Government and the appropriate national or local government bodies.
45 All national roads and bridges in the Bangsamoro Autonomous Region shall be included in the
46 National Road Network Information System. Nationally-funded infrastructure projects shall be
47 implemented by the National Government.

48
49 The Bangsamoro Government shall submit proposals to the appropriate national
50 government agency for the inclusion of the cost of such maintenance in the latter’s budget that

1 shall be submitted to the Congress of the Philippines for inclusion in the General
2 Appropriations Act. Funding for national roads, bridges, and irrigation systems shall be
3 regularly released to the relevant departments of the National Government;

4
5 ***Transportation and Telecommunications***
6

7 SEC. 38. ***Transportation.*** – The Bangsamoro Government shall have the authority to
8 grant regional franchises, licenses, and permits to land, sea, and air transportation plying routes
9 in the provinces or cities within the Bangsamoro Autonomous Region: *Provided,* That the
10 National Government shall regulate the airside operations of all existing airports.

11
12 The Bangsamoro Government shall have the authority over the following:

13
14 (a) Regulation of transportation in the Zones of Joint Cooperation, subject to the
15 provisions in Section 19 of this Article;

16
17 (b) Registration of land, water, and air transportation operating exclusively within
18 the Bangsamoro Autonomous Region; and

19
20 (c) Exercise of quasi-judicial powers over the operation of land and water
21 transportation in the Bangsamoro Autonomous Region in accordance with the rules of
22 procedure established by the Parliament.

23
24 SEC. 39. ***Telecommunications.*** - The Bangsamoro Government shall have the authority
25 to grant regional franchises, licenses, and permits to telecommunication utilities whose
26 frequencies are confined to and whose main offices are located within the Bangsamoro
27 Autonomous Region: *Provided,* That nothing herein shall be construed as limiting in any way
28 the power of the Congress of the Philippines to grant national franchises in the Bangsamoro
29 Autonomous Region.

30
31 The Bangsamoro Government shall have authority over the following:

32
33 (a) Issuance of certificates of public convenience and necessity, special permits and
34 provisional authority to operate telecommunication companies in the Bangsamoro Autonomous
35 Region;

36
37 (b) Registration of telecommunication companies in the Bangsamoro Autonomous
38 Region; and

39
40 (c) Exercise of quasi-judicial powers over the operation of telecommunication
41 companies in the Bangsamoro Autonomous Region in accordance with the rules of procedure
42 established by the Parliament.

43
44
45 **Article XIV**
46 **REHABILITATION AND DEVELOPMENT**
47

48 SEC. 1. ***Rehabilitation and Development.*** –The Bangsamoro Government, with funding
49 support from the National Government, shall intensify development efforts for the rehabilitation,
50 reconstruction, and development of the Bangsamoro Autonomous Region as part of the

1 normalization process. It shall formulate and implement a program for rehabilitation and
2 development that will address the needs of Moro Islamic Liberation Front /Bangsamoro Islamic
3 Armed Force members and its decommissioned women auxiliary force, Moro National Liberation
4 Front/Bangsamoro Armed Forces members, and address the needs of internally displaced persons,
5 widows and orphans, and poverty-stricken communities. It shall observe, promote, and ensure
6 gender-responsiveness in all aspects of security and peace building, including the participation of
7 women in decision-making.

8
9 **SEC. 2. *Special Development Fund.*** –The National Government shall provide a special
10 development fund to the Bangsamoro Government for the rebuilding, rehabilitation, and
11 development of its conflict-affected communities.

12
13 The amount equivalent to Fifty billion pesos (P50,000,000,000.00), at Five billion
14 pesos (P5,000,000,000.00) per year, for a period of ten (10) years from the ratification of this
15 Organic Law, shall be allocated for this purpose.

16
17 The utilization of the funds shall be in accordance with the Bangsamoro Development
18 Plan to be adopted by the Bangsamoro Government, as provided in Section 6, Article XIII of
19 this Organic Law.

20
21
22 **Article XV**
23 **PLEBISCITE**

24
25 **SEC. 1. *Establishment of the Bangsamoro Autonomous Region.*** – The establishment
26 of the Bangsamoro Autonomous Region and the determination of its territorial jurisdiction shall
27 take effect upon ratification of this Organic Law by majority of the votes cast in a plebiscite in
28 the following:

29
30 (a) The present geographical area known as the Autonomous Region in Muslim
31 Mindanao created under Republic Act No. 6734, as amended by Republic Act No. 9054, which
32 shall subsist as such until this Organic Law is ratified through a plebiscite;

33
34 (b) The municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan, and Tangkal
35 in the Province of Lanao del Norte that voted for inclusion in the Autonomous Region in
36 Muslim Mindanao during the 2001 plebiscite;

37
38 (c) The following thirty-nine (39) barangays in the municipalities of Aleosan,
39 Carmen, Kabacan, Midsayap, Pigkawayan, and Pikit in the Province of North Cotabato that voted
40 for inclusion in the Autonomous Region in Muslim Mindanao during the 2001 plebiscite:

41
42 (1) Dungan, Lower Mingading, and Tapodoc in the Municipality of Aleosan
43 (3);

44
45 (2) Manarapan and Nasapian in the Municipality of Carmen (2);

46
47 (3) Nanga-an, Simbuhay, and Sanggadong in the Municipality of Kabacan
48 (3);

1 (4) Damatulan, Kadigasan, Kadingilan, Kapinpilan, Kudarangan, Central
2 Labas, Malingao, Mudseng, Nabalawag, Olandang, Sambulawan, and
3 Tugal in the Municipality of Midsayap (12);
4

5 (5) Lower Baguer, Balacayon, Buricain, Datu Binasing, Kadingilan, Matilac,
6 Patot, and Lower Pangangkalan in the Municipality of Pigkawayan (8);
7

8 (6) Bagoinged, Balatican, S. Balong, S. Balongis, Batulawan, Buliok,
9 Gokotan, Kabasalan, Lagunde, Macabual, and Macasendeg in the
10 Municipality of Pikit (11);
11

12 (d) The City of Cotabato;

13
14 (e) The City of Isabela in the Province of Basilan; and
15

16 (f) Those qualified for inclusion in the plebiscite, by way of resolution or petition.
17

18 **SEC. 2. *Period for Plebiscite.*** – The plebiscite herein mentioned shall be conducted not
19 earlier than ninety (90) days nor later than one hundred fifty (150) days after the effectivity of
20 this Organic Law.
21

22 For this purpose, the Commission on Elections shall undertake the necessary steps to
23 enable the holding of the plebiscite within the period.
24

25 **SEC. 3. *Results of the Plebiscite.*** –
26

27 (a) The Bangsamoro Autonomous Region shall be established and all the provinces
28 and cities of the Autonomous Region in Muslim Mindanao created under Republic Act No.
29 6734, as amended by Republic Act No. 9054, shall form part of the Bangsamoro Autonomous
30 Region if the majority of the votes cast in the Autonomous Region in Muslim Mindanao shall
31 be in favor of the approval of this Organic Law: *Provided*, That the provinces and cities of the
32 present Autonomous Region in Muslim Mindanao shall vote as one geographical area.
33

34 (b) Any of the municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan, and
35 Tangkal in the Province of Lanao del Norte that votes favorably for its inclusion in the
36 Bangsamoro Autonomous Region shall form part of the Bangsamoro Autonomous Region:
37 *Provided*, That the majority of the votes cast in the Province of Lanao del Norte shall be in
38 favor of the inclusion of the municipality in the Bangsamoro Autonomous Region;
39

40 (c) Any of the barangays in the municipalities of Kabacan, Carmen, Aleosan,
41 Pigcawayan, Pikit, and Midsayap as enumerated in Paragraph c, Section 1 of this Article that
42 votes favorably for its inclusion in the Bangsamoro Autonomous Region shall form part of the
43 Bangsamoro Autonomous Region: *Provided*, That the majority of the votes cast in the
44 municipality to which the barangay belongs shall be in favor of the inclusion of the barangay
45 in the Bangsamoro Autonomous Region;
46

47 (d) The City of Cotabato shall form part of the Bangsamoro Autonomous Region if
48 the majority of the votes cast in the city shall be in favor of its inclusion;
49

1 (e) The City of Isabela in the Province of Basilan shall form part of the Bangsamoro
2 Autonomous Region if the majority of the votes cast in the city shall be in favor of its inclusion
3 in the Bangsamoro Autonomous Region: *Provided*, That the majority of the votes cast in the
4 Province of Basilan shall be in favor of the inclusion of the City of Isabela in the Bangsamoro
5 Autonomous Region; and
6

7 (f) Any other contiguous area where there is a resolution of the local government
8 unit or a petition of at least ten percent (10%) of the registered voters in the local government
9 unit asking for its inclusion at least two (2) months prior to the conduct of the ratification of
10 this Organic Law shall form part of the Bangsamoro Autonomous Region if the majority of the
11 votes cast in the political units directly affected shall be in favor of the inclusion of the
12 petitioning local government unit in the Bangsamoro Autonomous Region.
13

14 **SEC. 4. *Reconstitution of Local Government Units.*** – The Parliament may, by law,
15 provide for the reconstitution of geographical areas in the Bangsamoro Autonomous Region
16 into appropriate territorial or political subdivisions depending on the results of the plebiscite.
17 Nothing herein shall be construed to allow the Parliament to create legislative districts.
18

19 **SEC. 5. *Plebiscite Questions.*** – The questions to be asked of the voters in the plebiscite
20 shall be determined by the Commission on Elections.
21

22 **SEC. 6. *Plebiscite Monitoring.*** – The Commission on Elections shall also provide for
23 the accreditation of plebiscite monitors, including the international-domestic monitoring body
24 created by the Government of the Republic of the Philippines and the Moro Islamic Liberation
25 Front peace panels, in accordance with established international standards on election
26 monitoring. The monitoring body shall have access to all operations related to the conduct of
27 the plebiscite and conduct regular and random checks. The reports of the international-domestic
28 monitoring body shall be made available to the peace panels for their disposition.
29

30 **SEC. 7. *Qualified Voters.*** – All registered voters in the provinces, cities,
31 municipalities, and barangays mentioned under Sections 1 and 3 of this Article, shall be
32 qualified to participate in the plebiscite on the establishment of the Bangsamoro Autonomous
33 Region.
34

35 **SEC. 8. *Special Registration.*** – The Commission on Elections shall conduct a special
36 registration before the date of the plebiscite.
37

38 **SEC. 9. *Promulgation of Rules for the Conduct of Plebiscite.*** – The Commission on
39 Elections shall promulgate rules necessary for the conduct of plebiscite, including those for the
40 accreditation of plebiscite monitors, voluntary inclusion in the plebiscite, and the special
41 registration of voters as provided herein, within fifteen (15) days from the effectivity of this
42 Organic Law, with the primary objective of optimizing the opportunity for participation in the
43 plebiscite of qualified voters in the areas specified for the establishment of the Bangsamoro
44 Autonomous Region.
45

46 **SEC. 10. *Information Campaigns.*** – The Commission on Elections shall supervise the
47 conduct of information campaigns on the plebiscite, including sectoral campaigns for
48 indigenous communities, women, youth, religious, professionals and public and private sector
49 employees, in every barangay, municipality, city, and province where the plebiscite is to be
50 conducted.

1 Public conferences, assemblies, or meetings on dates before the plebiscite day itself
2 shall be held to inform the residents thereof regarding the significance and meaning of the
3 plebiscite and to help them to cast their votes intelligently. Free, full, and constructive
4 discussion and exchange of views on the issues shall be encouraged.

5
6 For this purpose, the Bangsamoro Transition Commission shall assist in the information
7 dissemination campaign. Such campaign shall be without prejudice to other information
8 dissemination and public advocacy initiatives by the other government or nongovernment
9 groups or individuals.

10
11 For information campaigns and other public advocacy initiatives with indigenous
12 communities, local leaders shall be engaged to lead discussions in their respective
13 communities.

14
15 Public advocacy initiatives shall be conducted within the framework of solidarity,
16 cooperation, and unity among Bangsamoro people, non-Moro indigenous peoples, and settler
17 communities. Consultations shall give due respect to the roles of non-Moro indigenous and
18 Moro women, and encourage their active participation.

19
20 SEC. 11. *Appropriations.* – The amount necessary to provide for the requirements of
21 the conduct of the plebiscite, including the monitoring, information campaign, and the
22 registration of voters shall be charged against available funds in the current General
23 Appropriations Act.

24
25
26 **Article XVI**
27 **BANGSAMORO TRANSITION AUTHORITY**

28
29 SEC. 1. *Transition Period.* – The transition period for the establishment of the
30 Bangsamoro Autonomous Region shall commence upon ratification of this Organic Law.

31
32 This Organic Law shall be deemed ratified when approved by a majority of the votes cast
33 in a plebiscite as proclaimed by the Commission on Elections or its duly authorized officers.

34
35 The transition period shall end upon the dissolution of the Bangsamoro Transition
36 Authority as provided in this Organic Law.

37
38 The transition period shall be without prejudice to the initiation or continuation of other
39 measures that may be required by post-conflict transition and normalization even beyond the term
40 of the Bangsamoro Transition Authority.

41
42 SEC. 2. *Bangsamoro Transition Authority.* – There is hereby created a Bangsamoro
43 Transition Authority which shall be the interim government in the Bangsamoro Autonomous
44 Region during the transition period. The Moro Islamic Liberation Front shall lead the
45 Bangsamoro Transition Authority, without prejudice to the participation of the Moro National
46 Liberation Front in its membership.

47
48 The compensation of the members of the Bangsamoro Transition Authority shall be
49 subject to existing rules and regulations of the National Government.

1 The Bangsamoro Transition Authority shall be composed of eighty (80) members, who
2 shall be appointed by the President: *Provided*, That, in addition, the elected officials of the
3 Autonomous Regional Government in Muslim Mindanao shall automatically become members
4 of the Bangsamoro Transition Authority and shall serve until noon of the 30th of June 2019:
5 *Provided, Further*, That non-Moro indigenous communities, youth, women, settler communities,
6 traditional leaders, and other sectors shall have representatives in the Bangsamoro Transition
7 Authority.

8
9 **SEC. 3. Powers and Authorities.** – Legislative and executive powers in the
10 Bangsamoro Autonomous Region during transition shall be vested in the Bangsamoro
11 Transition Authority. During the transition period, executive authority shall be exercised by
12 the interim Chief Minister who shall be appointed by the President as such, while legislative
13 authority shall be exercised by the Bangsamoro Transition Authority.

14
15 All powers and functions of the Bangsamoro Government as provided in this Organic
16 Law is vested in the Bangsamoro Transition Authority during the transition period.

17
18 For purposes of mechanisms for intergovernmental relations with the National
19 Government and local government units in the Bangsamoro Autonomous Region, the
20 Bangsamoro Transition Authority shall be deemed as the Bangsamoro Government for the
21 duration of the transition period.

22
23 **SEC 4. Functions and Priorities.** – The Bangsamoro Transition Authority shall ensure
24 the accomplishment of the following priorities during the transition period:

25
26 (a) Enactment of priority legislations such as the Bangsamoro Administrative
27 Code, Bangsamoro Revenue Code, Bangsamoro Electoral Code, Bangsamoro Local
28 Government Code, and Bangsamoro Education Code consistent with powers and prerogatives
29 vested in the Bangsamoro Government by this Organic Law: *Provided*, That until the
30 abovementioned laws are enacted, the Muslim Mindanao Autonomy Act No. 25, otherwise
31 known as the “*Autonomous Region in Muslim Mindanao Local Government Code*,” and
32 subsisting laws on elections and other electoral matters shall apply in the Bangsamoro
33 Autonomous Region.

34
35 The Bangsamoro Transition Authority may also enact a Bangsamoro Civil Service
36 Code, as provided in this Organic Law, subject to the Constitutional mandate of the Civil
37 Service Commission.

38
39 The Bangsamoro Transition Authority shall enact a law to recognize, protect, promote,
40 and preserve the rights of the indigenous peoples in the Bangsamoro Autonomous Region. Until
41 the law is enacted, subsisting regional laws on indigenous peoples in the Bangsamoro shall be
42 operational.

43
44 These rights shall be promoted, protected, and enforced by the Ministry of Indigenous
45 People’s Affairs as provided under Section 8 of this Article.

46
47 (b) Determination of parliamentary districts for the first regular election for the
48 members of the Parliament subject to the standards set in Section 10, Article VII of this Organic
49 Law;

50

1 (c) Organization of the bureaucracy of the Bangsamoro Government during
2 transition, including the approval and implementation of a transition plan, and the institution
3 of a placement process for hiring of personnel during transition. This also includes the setting
4 up of offices and other institutions necessary for the continued functioning of government and
5 delivery of social services in the Bangsamoro Autonomous Region, as well as, those necessary
6 for the smooth operations of the first elected Bangsamoro Government in 2022;

7
8 (d) Full transfer of powers and properties of the Autonomous Regional Government
9 in Muslim Mindanao to the Bangsamoro Government, except those properties, land, and
10 structures located outside of the Autonomous Region in Muslim Mindanao. The land and
11 permanent buildings or structures located outside the Autonomous Region in Muslim
12 Mindanao, owned, controlled, administered, or in the possession of the Autonomous Regional
13 Government in Muslim Mindanao, shall be purchased by the National Government at a price
14 to be determined through the intergovernmental relations mechanism within one (1) year from
15 the ratification of this Organic Law. Any dispute on the price may be appealed to the Office of
16 the President which shall decide on the price with finality within three (3) months from the
17 receipt of the appeal. The proceeds of the purchase shall be remitted to the Bangsamoro
18 Government;

19
20 (e) The disposition of the personnel of the Autonomous Regional Government in
21 Muslim Mindanao as provided in Section 10 of this Article;

22
23 (f) Transition from the Autonomous Regional Government in Muslim Mindanao
24 to the Bangsamoro Government, as provided in this Organic Law; and

25
26 (g) Other matters that may be necessary for the protection and promotion of the
27 general welfare of the constituents of the Bangsamoro Autonomous Region.

28
29 **SEC 5. *Continuity of Government*** – To foreclose any political interregnum in the
30 governance of the region, the twenty-five (25) incumbent elected officials of the Autonomous
31 Region in Muslim Mindanao, and the Bangsamoro Transition Commission, an independent
32 body created by Executive Order No. 120, Series of 2012, as amended by Executive Order No.
33 08, Series of 2016, shall act as caretakers of the administration of the Bangsamoro Autonomous
34 Region until the Bangsamoro Transition Authority is constituted.

35
36 **SEC. 6. *Transition Plan.*** – Within the first sixty (60) days of the transition period, the
37 interim Chief Minister shall submit to the Bangsamoro Transition Authority a transition plan
38 that shall contain the proposed organizational plan, as well as, the schedule for implementation
39 therefor. The Bangsamoro Transition Authority shall, by a majority vote of all its members,
40 approve or otherwise act on the proposed transition plan within ten (10) days upon submission
41 by the interim Chief Minister. If the transition plan is not acted upon within sixty (60) days, it
42 shall be deemed approved. The transition plan shall be implemented within fifteen (15) days
43 from its approval.

44
45 **SEC. 7. *Interim Officers.*** – The interim Chief Minister shall organize the interim
46 Cabinet and shall appoint two (2) interim Deputy Chief Ministers, who shall also be members
47 of the Bangsamoro Transition Authority. The interim Chief Minister shall also appoint such
48 other ministers as may be necessary to perform the functions of government during the
49 transition period, a majority of whom shall be from among the members of the Bangsamoro
50 Transition Authority.

1
2 Members of the Bangsamoro Transition Authority who are appointed to cabinet
3 positions shall serve their offices concurrently: *Provided*, That no member of the Bangsamoro
4 Transition Authority may be appointed, elected or otherwise hold more than two (2) positions
5 at the same time.

6
7 SEC. 8. *Interim Cabinet.* - The Interim Cabinet shall be composed of fifteen (15)
8 primary ministries with suboffices, namely:

- 9
10 (a) Finance, and Budget and Management;
11
12 (b) Social Services;
13
14 (c) Trade, Investments, and Tourism;
15
16 (d) Labor and Employment;
17
18 (e) Transportation and Communications;
19
20 (f) Basic, Higher and Technical Education;
21
22 (g) Indigenous Peoples' Affairs;
23
24 (h) Health;
25
26 (i) Public Works;
27
28 (j) Local Government;
29
30 (k) Environment, Natural Resources, and Energy;
31
32 (l) Human Settlements and Development;
33
34 (m) Science and Technology;
35
36 (n) Agriculture, Fisheries, and Agrarian Reform; and
37
38 (o) Public Order and Safety.

39
40 Other offices on youth, women, settler communities, disaster risk reduction and
41 management, and planning and development, among others, may be created by the
42 Bangsamoro Transition Authority.

43
44 The Attorney General's Office, under the Office of the Chief Minister, shall likewise
45 be created by the Bangsamoro Transition Authority.

46
47 SEC. 9. *Interim Bureaucracy.* – The authority of the Bangsamoro Transition Authority
48 to create offices and organize the bureaucracy during the transition period is without prejudice
49 to the authority of the Bangsamoro Government to reorganize the bureaucracy upon its
50 constitution, or any time thereafter. In the exercise of this authority, the Bangsamoro Transition

1 Authority shall ensure the least possible disruption to the functioning of government and the
2 delivery of services in the region.

3
4 All offices and institutions of the Autonomous Regional Government in Muslim
5 Mindanao shall be subject to the phase out plan that shall be adopted by the Bangsamoro
6 Transition Authority.

7
8 **SEC. 10. *Transfer of Powers and Properties and Disposition of Personnel.*** – All
9 powers, functions, assets, capital, records, funds, receivables, equipment, and facilities of the
10 Autonomous Regional Government in Muslim Mindanao at the time of the ratification of this
11 Organic Law shall be transferred to the Bangsamoro Government, except those properties,
12 land, and structures which are located outside of the Autonomous Region In Muslim Mindanao
13 and subject to the conditions as provided in Paragraph (d), Section 4 of this Article.

14
15 The Bangsamoro Transition Authority shall schedule the gradual phasing out of offices
16 of the Autonomous Regional Government in Muslim Mindanao, which are deemed abolished
17 upon the ratification of this Organic Law.

18
19 In consideration of public interest and the delivery of services, officials holding
20 appointive positions shall continue to perform their functions in accordance with the phase-out
21 schedule. Employees in the sectors of health, education, and social welfare shall be absorbed
22 and transferred to the Bangsamoro Government. The Bangsamoro Transition Authority shall
23 conduct a human resource audit and shall subject all transferred and new employees to
24 qualification standards as provided in the laws, rules, and regulations of the Civil Service
25 Commission and those that may be set by the Bangsamoro Transition Authority.

26
27 The National Government shall provide the necessary funds for the benefits and
28 entitlements of the affected employees of the Autonomous Regional Government in Muslim
29 Mindanao during the transition period.

30
31 An inter-agency committee headed by the Office of the President, and composed of the
32 Department of Budget and Management, Commission on Audit, and Civil Service
33 Commission, shall conduct the requisite inventory to ensure that the liabilities of the
34 Autonomous Regional Government in Muslim Mindanao under law, contracts, or obligations
35 shall be assumed by the National Government prior to the transfer of powers, functions, assets,
36 capital, records, funds, receivables, equipment, and facilities of the Autonomous Regional
37 Government in Muslim Mindanao to the Bangsamoro Transition Authority.

38
39 For this purpose, the Office of the Regional Governor of the Autonomous Regional
40 Government in Muslim Mindanao shall turn over to the Bangsamoro Transition Authority,
41 upon the latter's constitution, a summary report on the status of the Autonomous Regional
42 Government in Muslim Mindanao as of the date of the ratification of this Organic Law,
43 including information on the status of devolution, personnel, properties, and assets and
44 liabilities of the Autonomous Regional Government in Muslim Mindanao.

45
46 The creation of the different offices and their respective staffing complement shall be
47 consistent with existing budgeting, organization, staffing, position classification and
48 compensation policies, guidelines, and standards of the National Government.

1 The affected personnel who will not be absorbed in the positions of the new staffing
2 pattern of the different offices in the Bangsamoro Government, whether hired on a permanent,
3 temporary, casual or contractual basis and with appointments attested by the Civil Service
4 Commission, shall be entitled to applicable retirement or separation benefits as provided in this
5 Organic Law.

6
7 The affected personnel who opt to retire or be separated shall be entitled to any of the
8 following applicable incentives:

9
10 (a) One hundred percent (100%) of the monthly basic salary for every year of
11 government service computed starting from the first year for those who have rendered one (1)
12 year to less than five (5) years of service;

13
14 (b) One hundred fifty percent (150%) of the actual monthly salary for every year
15 of government service computed starting from the first year for those who have rendered five
16 (5) years of service but less than ten (10) years; or

17
18 (c) Two (2) months of actual monthly basic salary for every year of government
19 service computed starting from the first year for those who have rendered ten (10) years or
20 more of service.

21
22 Affected personnel who are retired or are separated from the service shall not be re-
23 employed in any agency of the Bangsamoro Government or the National Government,
24 including government-owned or controlled corporations for a period of five (5) years. The
25 retired or separated personnel who are re-employed during the prohibited period shall refund,
26 on a pro-rated basis, the separation incentives they received under this Section.

27
28 The Bangsamoro Transition Authority shall institute an independent, strictly merit-
29 based, and credible placement and hiring process for all offices, agencies, and institutions in
30 the Bangsamoro Government, and shall consider gender and ethnic balance.

31
32
33 **SEC. 11. *Disposition of Personnel and Assets of National Government Offices and***
34 ***Agencies.*** – The National Government shall provide for the disposition of personnel of the
35 National Government or national government-owned or controlled corporations whose
36 mandate and functions are transferred to or now vested in the Bangsamoro Government by
37 virtue of this Organic Law. Properties and assets shall be transferred to the Bangsamoro
38 Government within three (3) months from the organization of the Bangsamoro Transition
39 Authority, except those properties, land, and structures located outside of the Autonomous
40 Region in Muslim Mindanao. The transfer of properties and assets is without prejudice to the
41 power of the Bangsamoro Transition Authority to organize the bureaucracy during the
42 transition period.

43
44 **SEC. 12. *Dissolution of the Bangsamoro Transition Authority.*** – Immediately upon
45 the election and qualification of the Chief Minister under the first Parliament, the Bangsamoro
46 Transition Authority shall be deemed dissolved.

47
48 Within sixty (60) days from the assumption into office of all members of the first
49 Parliament, the Bangsamoro Transition Authority shall submit its final report and
50 recommendations on the status of government during the transition period to the Parliament,

1 as well as to the House of Representatives, the Senate of the Philippines, and the Office of the
2 President.

3
4 **SEC. 13. *First Regular Election.*** – The first regular election for the Bangsamoro
5 Government under this Organic Law shall be held and synchronized with the 2022 national
6 elections. The Commission on Elections, through the Bangsamoro Electoral Office, shall
7 promulgate rules and regulations for the conduct of the elections, enforce and administer them
8 pursuant to national laws, this Organic Law and the Bangsamoro Electoral Code.

9
10 **SEC. 14. *Initial Funding for Transition.*** – The amount necessary to carry out the
11 requirements of transition, including the organizational activities of the Bangsamoro Transition
12 Authority, organization of the bureaucracy, hiring of personnel, and the exercise of functions
13 and powers of the Bangsamoro Transition Authority as provided in this Organic Law, shall be
14 charged against available funds in the current General Appropriations Act. In addition, the
15 current year's appropriations for the Autonomous Region in Muslim Mindanao shall also be
16 transferred to the Bangsamoro Transition Authority for this purpose.

17
18 The initial funding shall be without prejudice to any supplemental budget that may be
19 appropriated by the Congress of the Philippines to support the transition.

20
21 Government functions falling within the reserved powers of the National Government
22 in the Bangsamoro Autonomous Region shall continue to be financed by the National
23 Government funds.

24
25
26 **Article XVII**
27 **AMENDMENTS, REVISIONS, REPEAL**

28
29 **SEC. 1. *Amendments and Revisions.*** - Any amendment to, revision, or repeal of this
30 Organic Law shall be made by law enacted by the Congress of the Philippines.

31
32
33 **Article XVIII**
34 **FINAL PROVISIONS**

35
36 **SEC. 1. *Subsisting Regional Laws.*** – All subsisting laws enacted by the Autonomous
37 Region in Muslim Mindanao Regional Legislative Assembly by virtue of authorities provided
38 under Republic Act No. 6734, as amended by Republic Act No. 9054, shall be deemed valid and
39 in effect, unless inconsistent with this Organic Law or repealed by laws passed by the Parliament.

40
41 **SEC. 2. *Existing Local Government Units.*** – Notwithstanding the provisions of Republic
42 Act No. 7160, as amended, the existing municipalities of Al-Barka, Hadji Mohammad Ajul,
43 Akbar and Hadji Muhtamad in the Province of Basilan; and the municipalities of Datu Blah T.
44 Sinsuat, Pandag, Mangudadatu, Northern Kabuntalan, Datu Anggal Midtimbang, Datu Hoffer, and
45 Datu Salibo in the Province of Maguindanao are hereby converted into regular municipalities.

46
47 **SEC. 3. *Separability Clause.*** – The provisions of this Organic Law are deemed
48 separate. If, for any reason, any section or provision of this Organic Law is declared
49 unconstitutional, other sections or provisions, which are not affected by such declaration, shall
50 continue to be in full force and effect.

1
2 SEC. 4. ***Amendatory Clause.*** – Upon the ratification of this Organic Law, the pertinent
3 provisions of the following laws which are inconsistent with this Organic Law are hereby
4 amended accordingly:

5
6 (a) Sections 25, 129, 289, 290, 297, 442 of Republic Act No. 7160, otherwise
7 known as the “*Local Government Code of 1991*,” as amended;

8
9 (b) Section 4 of Republic Act No. 6758, otherwise known as the “*Compensation*
10 *and Position Classification Act of 1989*,” as amended;

11
12 (c) Section 30 of Republic Act No. 8371, otherwise known as the “*Indigenous*
13 *Peoples’ Rights Act*”;

14
15 (d) Articles 140, 143, 152, 153, 154, 164, 165, 166, 167 and 168 of Presidential
16 Decree No. 1083, otherwise known as the “*Code of Muslim Personal Laws of the Philippines*”;

17
18 (e) Section 9 of Republic Act No. 9996, otherwise known as the “*Mindanao*
19 *Development Authority Act of 2010*”;

20
21 (f) Section 1 of Executive Order No. 115, Series of 1986, otherwise known as
22 “*Reorganizing the National Security Council and Defining Its Membership, Function, and*
23 *Authority and other Purposes*”;

24
25 (g) Section 5, Chapter 2, Subtitle (c), Title II, Book V of Executive Order No. 287,
26 Series of 1987, otherwise known as the “*Administrative Code of the Philippines*”;

27
28 (h) Section 8 of Republic Act No. 9997, otherwise known as the “*National*
29 *Commission on Muslim Filipinos Act of 2009*”;

30
31 (i) Sections 7, 12-18, 19-23, 24-27, 37-45, and 46-48 of Republic Act No. 8651,
32 otherwise known as the “*Charter of the Adiong Polytechnic State College*”;

33
34 (j) Section 4 of Republic Act No. 1387, otherwise known as the “*Charter of the*
35 *Mindanao State University*”, as amended by Republic Act Nos. 1893, 3791 and 3868;

36
37 (k) Section 6 of Batas Pambansa Blg. 208, otherwise known as the “*Charter of Sulu*
38 *State College*”;

39
40 (l) Section 5 of Batas Pambansa Blg. 384, otherwise known as the “*Charter of*
41 *Tawi-Tawi Regional Agricultural College*”;

42
43 (m) Section 6 of Presidential Decree No. 1943, otherwise known as the “*Charter of*
44 *Basilan State College*”;

45
46 (n) Sections 15 and 30 of Republic Act No. 6975, otherwise known as the
47 “*Department of Interior and Local Government Act of 1990*,” as amended by Republic Act No.
48 8551;

1 (o) Section 3 of Republic Act No. 9263, otherwise known as the “*Bureau of Fire*
2 *Protection and Bureau of Jail Management and Penology Professionalization Act of 2004*”;

3
4 (p) Section 5 of Republic Act No. 9514, otherwise known as the “*Revised Fire Code*
5 *of the Philippines of 2008*”;

6
7 (q) Sections 6, 21, 23, 119 of Republic Act No. 8424, otherwise known as the “*Tax*
8 *Reform Act of 1997*,” as amended by Republic Act No. 9337;

9
10 (r) Sections 59, 60, 61 and 62 of Republic Act No. 9593, otherwise known as the
11 “*Tourism Act of 2009*”; and

12
13 (s) Sections 2, 6, 37 of Republic Act No. 9136, otherwise known as the “*Electric*
14 *Power Industry Reform Act*.”

15
16 All other laws, decrees, orders, rules and regulations, and other issuances or parts thereof,
17 which are inconsistent with this Organic Law, are hereby repealed or modified accordingly.

18
19 SEC. 4. **Repealing Clause.** – Upon ratification of this Organic Law, Republic Act No.
20 6734, otherwise known as the “*Organic Act for the Autonomous Region in Muslim Mindanao*,”
21 as amended by Republic Act No. 9054 is hereby repealed.

22
23 SEC. 5. **Effectivity.** – This Organic Law shall take effect fifteen (15) days following its
24 complete publication in the *Official Gazette* and in at least two (2) national newspapers of
25 general circulation and one (1) local newspaper of general circulation in the autonomous
26 region.

27
28 Approved,