

AMENDING REPUBLIC ACT NO. 6372 ENTITLED: "AN ACT CREATING THE MUNICIPALITY OF DUPAX DEL SUR FROM THE MUNICIPALITY OF DUPAX IN THE PROVINCE OF NUEVA VIZCAYA"; INSERTING NEW SECTI...

PRESIDENTIAL DECREE NO. 586, November 20, 1974

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WHEREAS, R.A. 6372 which created the new Municipality of Dupax del Sur out of the existing town of Dupax was enacted in 1971 in obedience to the overwhelming clamor of the people therein;

WHEREAS, in order to ascertain the true sentiments of the people on the matter, and as a condition precedent for the implementation thereof, R.A. 6372 provided among others the following:

"SEC. 5. The new municipality shall acquire corporate existence following a plebiscite held at the national or local elections immediately following the approval of this Act wherein a majority of the qualified voters of all the barrios concerned vote affirmatively in favor of the creation of the new Municipality of Dupax del Sur."

WHEREAS, in compliance with afore-cited section of R.A. 6372, a plebiscite was held on November 8, 1971 in conjunction with the local elections that year;

WHEREAS, after due canvass, the Commission on Elections which acted as Board of Canvassers of the votes cast in said plebiscite, made on February 22, 1972, the following certification:

"That after such canvassing, the result shows that One Thousand Forty-Four (1,044) votes were cast In FAVOR OF, and that ninety-two (92) votes were cast Against, the separation of said barrios and sitios from said municipality and its constitution into a distinct and independent municipality, out of One Thousand Eight Hundred Three (1,803) registered voters of said barrios and sitios;

"Considering that Republic Act 6372 requires only the affirmative vote of 'majority of the qualified voters' of all the barrios concerned; and that the affirmative votes cast represent the affirmative votes of a majority of the qualified voters of the barrios concerned;

"We, therefore proclaim that the barrios of Mangayang, I-Iyo or Palabutan, Banila, Carrolatan, Ganao, Abaca or Kawala, Bukidnon, Abuyo and Lublub, and the sitios of Santa Maria, Tanibong, Gabut, Cayno, Narra, Aruat, Cabnawan, Dahilan, Ginir, Sequep, Pa-dalis, Pass, Bato, Sinai, and Binay of the Municipality of Dupax, Province of Nueva Vizcaya, shall be separated from the Municipality of Dupax and be constituted into a distinct and independent municipality to be known as the Municipality of Dupax del Sur, Province of Nueva Vizcaya in accordance with the provisions of Republic Act No. 6372."

WHEREAS, in the referendum held on January 10-15, 1973, the people through the barangays reiterated their wish to have the division of Dupax implemented in accordance with Republic Act 6372;

WHEREAS, in a Joint Special Meeting on May 20, 1973, the barrio councils of all the barrios comprising the proposed Municipality of Dupax del Sur, adopted Resolution No. 3, urging immediate implementation of R.A. 6372;

WHEREAS, the municipal Council of Dupax in its regular session on June 5, 1973, concurring with the necessity and wisdom of immediate implementation of R.A. 6372, approved Resolution No. 88 placing the entire leadership of the municipality squarely in favor of the division of the town as contemplated by R.A. 6372;

WHEREAS, the present Commission on Elections, after examination and analysis of the Remark Sheets submitted by the people of Dupax in connection with the July 27-28, 1973, national referendum has certified that the overwhelming sentiment of the people in the affected area continues to be in favor of implementing R.A. 6372;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree:

SECTION 1. Section Four of Republic Act Sixty Three Seventy Two is hereby amended to read as follows:

"SEC. 4. The seat of the municipality government of Dupax del Sur shall be in the old poblacion of Dupax. Malasin shall be the seat of the municipal government of Dupax del Norte."

SEC. 2. Section Six of the same Republic Act is hereby amended to read as follows:

"SEC. 6. Within thirty days from the issuance of this decree, any incumbent elective official of the present Municipality of Dupax shall choose the municipality where he wants to serve his unexpired term of office, subject to appropriate presidential proclamations, decrees, or letter of instructions. The elective positions left vacant after the officials concerned shall have indicated their preference shall be filled by appointment by the President of the Philippines, The officials appointed by virtue hereof shall serve the unexpired term of the office to which they were appointed, subject to appropriate presidential proclamations, decrees, and letters of instructions.

SEC. 3. All laws, executive orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SEC. 4. This decree shall take effect immediately.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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