

CONSTITUTING CERTAIN MUNICIPALITIES WITH IN THE PROVINCE OF KALINGA-APAYAO INTO A SPECIAL DEVELOPMENT REGION TO BE KNOWN AS KALINGA SPECIAL DEVELOPMENT REGION.

PRESIDENTIAL DECREE NO. 848, December 12, 1975

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WHEREAS, the socio-economic conditions prevailing in certain municipalities in the province of Kalinga-Apayao need special attention and action of the government in order to hasten the development of the said area;

WHEREAS, in order to crystallize the socio-economic program of the government, it is of paramount necessity to identify and group together barangays and municipalities in the province of Kalinga-Apayao having similar or identical problems in order to apply comprehensive and incisive solutions to the same;

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers vested in me by the Constitution of the Philippines, do hereby Decree and order the following as part of the law of the land:

SECTION 1. Declaration of Policy.—For purposes of increasing the share of each Kalinga in the fruits of socio-economic progress and improving the quality of their lives, it is hereby declared the policy of the government to foster and accelerate the growth and development of the Kalinga by implementing socio-economic development programs, mobilizing the resources of government agencies and instrumentalities to assist the Kalinga people, encouraging self-help projects, providing improved educational facilities and stimulating the development of their own leaders.

SEC. 2. Creation and Composition of the Region.—The following municipalities in the province of Kalinga-Apayao, namely:

- Lubuagan
- Tinglayan
- Tanudan
- Pasil

are hereby constituted into a Special Development Region to be known as Kalinga Special Development Region, hereinafter referred to as Region, which shall be under the direct supervision of the President of the Philippines through the Presidential Assistant on National Minorities. The Region shall be a body corporate governed by the provisions of this Decree and/or other pertinent laws.

SEC. 3. Principal Office.—The principal office of the Region shall be situated in Lubuagan, Tinglayan, Tanudan or Pasil as may be decided by the Governing Council to be set up as hereinafter provided.

SEC. 4. Purposes and Objectives.—The Region shall have the following purposes and objectives:

- To hasten the growth and development of the Kalinga people;

- To enable the Kalinga people to participate more actively in the national development effort;
- To coordinate and integrate into a long term comprehensive development program the various sectoral plans and activities intended for the area by other agencies, departments and instrumentalities.

SEC. 5. Duties and Functions of the Region.—The Region shall have the following duties and functions:

- To develop and undertake such action projects as may be necessary to achieve the purposes and objectives of this Decree;
- To call upon and enlist the assistance of any department, bureau, office, agency or instrumentality of the government as it may require in the performance of its functions;
- To coordinate with any department, bureau, office, agency or instrumentality of the Government that may be implementing various sectoral development programs in the area;
- To perform such other duties as may be assigned to it by the President of the Philippines.

SEC. 6. Governing Council.—All functions and powers of the Region shall be vested in, and exercised by a Governing Council hereinafter referred to as Council, composed of:

- The incumbent mayors of the municipalities composing the Region;
- One leader of a barangay from the charter member municipality. For the purpose of this provision, a leader of a barangay may be a respected pangat or traditional leader, who need not be a barangay official, or a respected member of the barangay council;
- Two prominent citizens of the Region; and
- The Administrator of the Region who shall be the Chairman of the Council.

They shall be residents of the Region and shall be able to read and write.

The Governing Council shall have four (4) regular monthly meetings in the Office of the Region and shall have special meetings as often as necessary. The members of the Governing Council except the Administrator shall be entitled to a per diem of P250.00 each per meeting and the reimbursement of all necessary expenses in attending to and returning from the same; Provided, however, that no member shall collect more than a total of P1,000.00 as per diem for any one month period.

All members of the Council shall be appointed by the President of the Philippines and shall hold office for a term of four (4) years.

Majority of the Council shall constitute a quorum to do business and a simple majority of the quorum is sufficient to pass a resolution, except in specific instances where the law requires a greater number as a prerequisite to make the resolution valid and binding.

SEC. 7. Administrator.—The President shall appoint a Kalinga as Administrator who shall act as its Chief Executive Officer. He shall serve full time for a term of four (4) years unless sooner removed for cause and shall receive a compensation of Sixty Thousand Pesos per annum. He shall reside in the Region and shall not engage in any business or profession during his term of office.

SEC. 8. Powers of the Governing Council.

The council shall have the following powers:

- To promulgate, prescribe and adopt policies and procedures that will guide the administration and government of the Region;
- To formulate, develop, adopt and implement socio-economic programs to achieve the objective of this Decree;
- To review and evaluate project proposals submitted by the Administrator for the development of the Region;
- To approve the annual and/or supplemental budgets of the Region as may be submitted to it by the Administrator;
- To evaluate, monitor and supervise the progress of all programs of the Region;
- To approve all contracts entered into by the Region;
- To approve the organization, plantilla and plans submitted by the Administrator for the operation and management of the Region.

SEC. 9. Powers and Functions of the Administrator.— The Administrator shall have the following functions:

- He shall be the Chief Executive of the Region and shall execute the policies of the Governing Council;
- He shall direct and supervise the day-to-day operations and internal administration of the Region. He may, however, delegate certain administrative responsibilities to other officers of the Region subject to the approval of the Governing Council;
- He shall prepare periodic review of program progress;
- He shall submit annual and/or supplemental budget estimates to the Governing Council;
- He shall recommend policies and programs to the Council; and
- He shall perform such other duties as may be assigned to him by the council from time to time.

SEC. 10. Auditor.—The Commission on Audit shall recommend to the council a representative who shall be the Auditor of the Region and such personnel as may be necessary to assist said representative in the performance of his duties. The salaries of the Auditor and his staff shall be fixed and paid by the Region.

The Auditing reports shall contain a statement of the resources, liabilities and expenses, surplus, reserves, and such other facts which under auditing rules and regulations are considered necessary to accurately describe the financial conditions and operations and criticisms of the Auditor of the Region or the Chairman of the Commission on Audit as the case may be, to point out, explain why or answer any inaccuracies therein, if any, to file a statement which shall be appended by the Auditor of the Region and Chairman of the Commission on Audit in their respective reports.

SEC. 11. Chief Legal Counsel.—The Region shall have one Chief Legal Counsel to be appointed by the Administrator whose salary and other privileges shall be fixed by the Council. The position of the Chief Legal Counsel is considered highly technical and confidential. The Chief Legal Counsel of the Region shall have the following functions:

- He shall be the Secretary of the Council and as such shall be the official custodian of all the minutes, records and proceedings of all council meetings, and the official seal of the Region;
- In consultation with the Administrator, he shall prepare the agenda of the Council for its regular and special meetings;

- He shall give legal advise to the Region, the Council, the Administrator and all the other divisions of the Region and shall render legal opinion whenever the same is required.
- He shall represent the Region in all cases brought for or against it; and
- He shall exercise such other functions assigned to him by the Council.

The Chief Legal Counsel shall have such staff and assistant legal counsel as the Council may determine.

SEC. 12. Personnel.—The Region shall have such personnel as may be necessary for the performance of its basic functions and such other personnel as may be assigned or detailed from other agencies of the Government. All positions, except technical and professional staff and such other positions as the Governing Council may declare to be highly technical, policy determining and primarily confidential, shall be subject to Civil Service rules and regulations and coverage of the plans of the Wage and Position Classification Office; Provided, That all personnel shall be entitled to the benefits and privileges normally accorded to government employees, such as retirement, GSIS insurance, leave and similar matters; Provided, finally, That the Governing Council shall be the final authority on appeals on personnel matters concerning its professional and technical personnel.

SEC. 13. Donations.—The Region shall be authorized to receive grants, donations or gifts, in whatever form and whatever sources; Provided, That said grants, gifts, or donations shall be administered, obligated and disbursed in accordance with the terms thereof, or in the absence of such terms, in such manner as a majority of the Governing Council may in its discretion determine; Pro-vided, finally, That said grants, gifts, donations shall be subject only to such limitations as the grantor, giver or donor may impose as accepted by the Governing Council.

Said grants, gifts or donations shall be tax exempt.

SEC. 14. Appropriation.—The amount of Three Million Pesos out of any available funds from the National Treasury, or from the Special Activities Funds, is hereby appropriated and authorized to be released for the organization of the Region and its initial operation.

Henceforth, funds sufficient to fully carry out the objectives of the Region shall be appropriated every fiscal year in the General Appropriations Act.

SEC. 15. If any provision of this Decree is rendered invalid or unconstitutional, the other provisions not affected shall remain valid.

SEC. 16. All laws, decree, orders, proclamations or rules and regulations inconsistent with the provisions of this Decree are hereby repealed and/or amended accordingly.

SEC. 17. This Decree shall take effect immediately.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

JACOBO C. CLAVE

Presidential Executive Assistant

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