



COMMITTEE ON THE STRUCTURE OF THE REPUBLIC

HIGHLIGHTS ON THE PROPOSED AMENDMENTS TO ARTICLE X (LOCAL GOVERNMENT) OF THE 1987 CONSTITUTION

(Approved, subject to style, by the Plenary on 13 December 2005)

General Provisions

- The territorial and political subdivisions of the Republic of the Philippines are the provinces, cities, municipalities, and barangays, which shall enjoy local autonomy.
- The Parliament shall strengthen the existing local government code, which shall provide for all matters relating to the organization and operation of the local units.
- The Prime Minister of the Philippines shall exercise general supervision over local governments.
- Local governments and autonomous territories shall have the power to create its own sources of revenues subject to guidelines set by the Parliament and consistent with the basic policy of local autonomy.
- The National Government is mandated to automatically release to the local governments their just share in all the national taxes.
- Local governments shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas.
- The term of office of elected local officials shall be five years, except for *barangay* officials, which shall be determined by law
- No province, city, municipality, or *barangay* may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the regional and local government code and subject to approval by a majority of the votes cast in a plebiscite in the political subdivisions affected

- The Parliament may create special metropolitan subdivisions through a plebiscite in the subdivisions affected.
- The voters of component cities regardless of the provisions of their charters shall not be deprived of their right to vote for elective provincial officials, provided that all component cities shall be under the supervision of the province.

The Autonomous Territories

- Autonomous territories may be created in the country upon petitions filed with Parliament by contiguous, compact and adjacent provinces, highly urbanized and component cities, and cities and municipalities in metropolitan areas in the form of a resolution of their respective legislative bodies.
- Within one (1) year from the filing of the Bill based upon the petitions and initiatives, the Parliament shall pass an organic act for such autonomous territory.
- A National Law shall always prevail in events that an autonomous territory's/local government's law runs counter/is inconsistent with it.
- The Organic Act of autonomous territories shall provide for primary legislative powers of their Assemblies over specified areas (*e.g. administrative organization, planning, budget, and management*).

Transitory Provisions

- The Autonomous Region in Muslim Mindanao shall exercise powers and enjoy benefits given to autonomous territories.
- Within 1 year and after at least 60% of the provinces, highly urbanized cities and component cities of the country shall have joined in the creation of different autonomous territories, upon petition of majority of such autonomous territories through their respective regional assemblies, the Parliament, shall enact the basic law for the establishment of a Federal Republic of the Philippines, whereby the autonomous territories shall become federal states.
- A constitutional Preparatory Commission, to be composed of not more than eleven members, shall be created that shall study and determine all constitutional, legal, and, financial requirements, among others, to assist

the Parliament to enact the Basic Law and measures for orderly transition towards Federalalism. The Constitutional Tribunal, en banc or in division shall decide on conflicts between the Parliament and the autonomous regions and local governments.

- All powers, authority and functions not granted by this Constitution or by law to the autonomous territories and local governments are reserved to the National Government.

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