

1 Republic of the Philippines)
2 Bangsamoro Autonomous Region in Muslim Mindanao)
3 **BANGSAMORO TRANSITION AUTHORITY**)
4 Cotabato City)

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED
Name: ADELAH DUKATUM Signature: [Signature]
Date: OCT 17 2022 Time: 9:15 AM

5
6 **FIRST REGULAR SESSION**
7 **BTA Parliament Bill No. 111**
8

9
10 Principal Authors

11 **MP Diamila D. Ramos, MP Lanang Ali Jr., MP Ali B. Solaiman,**
12 **MP Marjanie S. Macasalong, MP Abdullah Macapaar, MP Basit Abbas,**
13 **MP Said M. Shiek, MP Ali Montaha D. Babao, MP Khalid M. Hadji**
14 **Abdullah, MP Abdulazis M. Amenodin, MP Nabila Margarita P.**
15 **Pangandaman, MP Amroussi Macatanong, MP Eddie Alih, MP Amilbahar**
16 **Mawallil, MP Rasol Y. Mitmug Jr.**

17
18 Co-Authors

19 **MP Susana Anayatin, MP Baintan Ampatuan,**
20 **MP Suharto Esmael**
21

22 **“AN ACT CREATING THE RANAW DEVELOPMENT AUTHORITY**
23 **PRESCRIBING ITS POWERS AND FUNCTIONS AND APPROPRIATING**
24 **FUNDS THEREFOR”**

25 ***Be it enacted by the Members of the Bangsamoro Parliament***
26 ***assembled:***

27 **Section 1. Short Title.** – This Act shall be known as the **“Ranaw**
28 **Development Authority Act”** .

29 **Section 2. Policy.** – It is hereby declared the policy of the State to
30 protect and advance the right of the people to a balanced and healthful
31 ecology in accord with the rhythm and harmony of nature.

32 The Organic Law for the Bangsamoro Autonomous Region in Muslim
33 Mindanao (BOL) also provides as a matter of policy that the Bangsamoro
34 Government shall also protect, conserve, rehabilitate and develop inland
35 waters and aquaculture resources of Lake Lanao, including the surrounding
36 environments, watersheds, water tributaries, forests and agriculture land.
37 The Bangsamoro Government also aims for the adoption of programs and

1 projects, to ensure that the maintenance of ecological balance and
2 biodiversity shall be given priority.

3 It shall also be the policy to explore, develop, and utilize the natural
4 resources, including surface and subsurface rights, inland waters, coastal
5 waters, and renewable and nonrenewable resources in the Bangsamoro
6 Autonomous Region. The protection, conservation, rehabilitation, and
7 development of forests, coastal, and marine resources, including the
8 adoption of programs and projects, to ensure the maintenance of ecological
9 balance and biodiversity shall be given priority, in line with Section 8, Article
10 XIII, of the BOL.

11 The Bangsamoro Government shall have exclusive powers over inland
12 waters, including lakes, marshes, rivers, and tributaries within its territory,
13 except those that provide energy in line with Section 22, Article XIII, of the
14 BOL.

15 In order to protect and improve the well-being and quality of life of its
16 inhabitants, the development in the Bangsamoro Autonomous in Muslim
17 Mindanao (BARMM) shall be carefully planned taking into consideration the
18 ecological balance and the natural resources that are available for the use of
19 current and future generations.

20 In the exercise of these powers and functions, the Authority shall
21 anchor its development and management objectives, plans and programs on
22 customary principles and practices, including:

- 23 a) *Khilafa wa amanah* (stewardship and trusteeship) – It is the duty of
24 every person to protect the Lake and its resources for the benefit of
25 the present and of future generations;
- 26 b) *Amrun bil-ma'ruf wa nahyun Anil munkar* (enjoining what is right and
27 forbidding what is wrong) – On this basis, the Authority can regulate
28 activities that may cause harm to the Lake ecosystem and the health
29 of local communities;
- 30 c) *Ihya al-amwat* (giving life to dead lands) - Under this principle, the
31 Authority shall pursue rehabilitation of degraded areas; and
- 32 d) *Tahsin al-'Ardh* (beautifying the earth) - This principle enjoins the
33 Authority to enhance and develop the area and the natural resources
34 therein.

35 **Section 3. Definition of Terms.** – The words in this Act are defined
36 as follows:

- 1 a. "Authority" – whenever cited in this Act shall mean Ranaw
2 Development Authority;
- 3 b. "Basin" – shall refer to the lake and its watersheds;
- 4 c. "Board" – shall refer to the Board of Directors of the Ranaw
5 Development Authority;
- 6 d. "Shoreland" also known as the "buffer zone" shall refer to the land at
7 the shore of the lake that is part of the lakebed along the lakeshore,
8 alternately submerged or exposed by the normal annual rising and
9 lowering of the lake levels;
- 10 e. "Water Tributaries" – shall refer to a river or stream that enters a
11 larger body of water especially a lake or river¹;
- 12 f. "Agricultural Land" – shall refer to lands devoted to or suitable for the
13 cultivation of the soil, planting of crops, growing of trees, raising of
14 livestock, poultry, fish or aquaculture production, including the
15 harvesting of such farm products, and other farm activities and
16 practices performed in conjunction with such farming operations by
17 persons whether natural or juridical and not classified by law as
18 mineral land, forest land, residential land, commercial land, or
19 industrial land;
- 20 g. "Forest Lands" or forest area include the public forest, the permanent
21 forest or forest reserves, and forest reservations;
- 22 h. "Aquaculture"- shall refer to fishery operations involving all forms of
23 raising and culturing fish and other fishery species of fresh, brackish,
24 and marine water areas
- 25 i. "Aquatic Resources" – shall include fish, all other aquatic flora and
26 fauna, and all other living resources of the aquatic environment,
27 including, but not limited to salt and corals
- 28 j. "Fisheries"- shall refer to all activities relating to the act or business of
29 fishing, culturing, preserving, processing, marketing, development,
30 conserving, and managing aquatic resources, and the fishery areas,
31 including the privilege to fish or take aquatic resources thereof;
- 32 k. "Fishery species"- shall refer to all aquatic flora and fauna, including,
33 but not restricted to fish, algae, coelenterates, mollusks, crustaceans,
34 echinoderms and cetaceans.
- 35 l. "Ecological Balance" – shall refer to a state of dynamic equilibrium
36 within a community of organisms in which genetic, species and

¹ See "Tributaries," www.watereducation.org/aquapedia-background/tributaries

- 1 ecosystem diversity remain relatively stable, subject to gradual
2 changes through natural succession²;
- 3 m. “Fish Pond”– shall refer to a land-based facility enclosed with earthen
4 or stone material to impound water for growing fish;
- 5 n. “Fish pen”– is an artificial enclosure constructed within a body of
6 water for culturing fish and fishery/aquatic resources made up of
7 poles closely arranged in an enclosure with wooden materials, screen
8 or nylon netting to prevent escape of fish.
- 9 o. “Fish Cage” – shall refer to an enclosure which is either stationary or
10 floating made up of nets or screens sewn or fastened together and
11 installed in the water with opening at the surface or covered and held
12 in a place by wooden/bamboo posts or various types of anchors and
13 floats.
- 14 p. “Endangered, Rare and/or Threatened Species” – shall refer to aquatic
15 plants, animals, including some varieties of corals and seashells in
16 danger of extinction as provided for in existing fishery laws, rules, and
17 regulations or in the Protected Areas and Wildlife Bureau of the
18 Department of Environment and Natural Resources (DENR) and in the
19 Convention of the International Trade of Endangered Species of Flora
20 and Fauna (CITES) ;
- 21 q. “Exotic/Introduced Species” – shall refer to exotic species, with
22 respect to a particular ecosystem, refers to any species, including its
23 larvae, seeds, eggs, spores, or other biological material capable of
24 propagating the species, which is not native to that ecosystem (Beck et
25 al., 2008). An exotic species does not necessarily cause economic or
26 environmental harm to an ecosystem native to, and restricted to, a
27 particular geographical region. Highly endemic species, those with
28 very restricted natural ranges, are especially vulnerable to extinction if
29 their natural habitat is eliminated or significantly distributed;
- 30 r. “Endemic species”- native to, and restricted to, a particular
31 geographical region. Highly endemic species, those with restricted
32 natural ranges, are especially vulnerable to extinction if their natural
33 habitat is eliminated or significantly distributed;
- 34 s. “ Ranaw Region” – shall refer to the inland waters defined as Lake
35 Lanao along with its shoreland and all other lakes within the Province
36 of Lanao del Sur, including all city, towns and municipalities within
37 Province of Lanao del Sur;

² See “Ecological Balance,” WWF,
https://wwf.panda.org/knowledge_hub/teacher_resources/webfieldtrips/ecological_balance/

1 t. "Subsidiary Corporation" – shall refer to a corporation that is
2 organized or a corporation already in existence wherein at least fifty-
3 one percent of its shares of stock are owned or controlled by the
4 organizing or subscribing Authority in this case, the Ranaw
5 Development Authority, to carry out or accomplish its purposes.

6 **Section 4. Creation of the Ranaw Development Authority.** – There shall
7 be created a regulatory body exercising quasi-judicial powers and functions
8 to be known as the Ranaw Development Authority to manage and
9 administer the utilization, exploration and development of the Lake Lanao
10 and its surrounding natural resources, as well as the preservation and
11 rehabilitation of the lake and its surrounding environment and resources. It
12 should be an attached agency to the Ministry of Environment, Natural
13 Resources and Energy (MENRE).

14

15 **Section 5. Powers and Functions of the Authority.** – The Authority,
16 shall have the following powers and functions:

17 a) Conduct a consultative and comprehensive survey of the physical,
18 natural resources, potentialities and projected ecological risks of Lake
19 Lanao and the region, particularly its social, cultural, historical, and
20 economic conditions, hydrologic characteristics, projected water
21 demand and water stress level, power potentials, scenic and tourist
22 spots and such other areas of concerns, and thereafter, craft a
23 comprehensive and detailed Master Plan as basis for comprehensive
24 planning and management over the Lake Lanao region, including the
25 conduct of zoning; *Provided that*, the implementation of all plans,
26 projects, activities and programs of the Authority pertaining to the
27 exploration, development and utilization of Lake Lanao as potential
28 source of energy shall comply with Section 22, Article XIII, of the
29 BOL;

30 b) Make recommendation to other related agencies on financing,
31 technical support, assistance on any agriculture, forestry, industrial
32 and trade, fishery resources, , ecological and cultural tourism energy
33 projects or programs impacting Ranaw Region;

34 c) Study, pass upon, approve or disapprove all plans, programs and
35 projects proposed by any LGUs, ministry, offices, agencies within
36 BARMM, public corporations, and private persons or enterprises on
37 any agriculture, forestry, industrial and trade, fisheries and aquatic
38 resource, energy projects or programs directly or indirectly impacting

- 1 Ranaw Region. *Provided that*, prior to the approval, the proponent
2 shall consult all stakeholders of Lake Lanao including but not limited
3 to the representatives of local and indigenous peoples, civil society
4 organizations and academe who are active on conservation issues,
5 and hydrology experts;
- 6 d) Monitor the proper implementation of said plans, programs, activities
7 and projects, as well as implementing policies consistent with the
8 objectives and purposes of this Act;
- 9 e) Undertake various research and studies on fisheries and aquatic,
10 waste and water quality, sedimentation, soil erosion, forestry,
11 agricultural, and any natural resources management issue of Lake
12 Lanao needed as basis for policy formulation or any decision making
13 in addition to public consultation with the people;
- 14 f) Prepare a water quality management report and program on a
15 continuing basis, which the Authority shall carry out with the
16 assistance and support of the national and local government units
17 involved in water quality management;
- 18 g) To exercise exclusive regulatory power and control in the
19 preservation, protection, development and utilization of the Ranaw
20 Region and its natural resources, provided that such development
21 and utilization is not for energy purposes, in which case co-
22 management principle shall apply;
- 23 h) To set standards for environmental compliance for construction,
24 operation, rehabilitation management and conservation of the
25 fisheries and aquatic resources, and maintenance of power plants,
26 irrigation projects, abattoirs, dams, reservoirs, aquaculture facilities,
27 roads, wharves, telephones, transmission lines, transportation
28 systems, water supply, flood control, sewage work, waste disposal
29 facilities and all other facilities and projects in order to ensure
30 sustainability of the water resources and protection of ecological
31 balance, without prejudice to existing national, regional and local
32 laws;
- 33 i) Without prejudice to existing environmental laws, establish and
34 enforce anti-pollution standards and water system quality guidelines
35 on domestic, municipal commercial and industrial wastewater
36 effluents being discharged in to the Lake Lanao;
- 37 j) To regulate the, utilization, management, development, conservation
38 and allocation system of fisheries and aquatic resources particularly

- 1 on the introduction of Foreign Aquatic Species and on the protection
2 of Rare, Threatened, and Endangered Species;
- 3 k) To regulate the utilization, management, development, conservation
4 and allocation system of fisheries and aquatic resources particularly
5 on the remaining endemic species of cyprinids in Lake Lanao.
- 6 l) Conduct activities that promote cultural, economic, environmental,
7 and historical importance of Lake Lanao whether nation wide or
8 within the region;
- 9 m) Undertake awareness-raising activities in order to achieve social
10 inclusion;
- 11 n) To issue necessary permit or license, collect fees for the use of the
12 lake waters and its tributaries for all beneficial purposes including
13 but not limited to fisheries, recreation, water supply for municipal,
14 industrial and agricultural uses, navigation, irrigation, and waste
15 disposal purpose or impose penalty for any improper or illegal use.
16 All the fees so collected shall be used for the management and
17 development of the Lake and its watershed areas: Provided, that the
18 rates of the fees to be collected shall be subject to the guidelines to
19 be approved by the Authority for the purpose.
- 20
- 21 o) Fix, impose, collect, periodically review and adjust reasonable fees
22 and other related charges for services rendered in the performance of
23 its mandate;
- 24 p) To require the local government units within the Ranaw Region to
25 pass appropriate zoning ordinances and regulatory measures and to
26 enforce the same with the assistance of the Authority;
- 27 q) To propose the zoning and reclassification of land to the local
28 government units concerned;
- 29 r) Require residential houses, clinical and medical establishments, car
30 and motor repair shops, private and public markets, abattoirs,
31 private and public buildings and other human settlement within the
32 Ranaw Region to construct individual and decentralized wastewater
33 and sanitary treatment plants, or centralized sewerage systems and
34 sewage treatment facilities. The Authority shall impose reasonable
35 fees and other similar charges for the issuance of renewal of all the
36 required permits;
- 37 s) Establish the lake water elevation system in order to ensure the
38 safety and welfare of the surrounding residents and monitor strict

- 1 compliance therewith including the imposition of appropriate
2 sanctions in case of violations with proper coordination with the local
3 government units;
- 4 t) Accept grants, donations, gifts, bequests, funds, and/or properties in
5 whatever form and whatever source intended for the furtherance of
6 the plans and programs of the Authority subject to coordination with
7 the appropriate agency and administer the same in accordance with
8 the terms thereof, or in the absence of any condition, in such manner
9 consistent with the policy and powers of the Authority provided for in
10 this Act;
- 11 u) Enter into contract/s with another government agency and/or
12 private entities to carry out the purposes and objectives of the
13 Authority;
- 14 v) Issue rules and regulations by a majority vote as may be necessary to
15 effectively carry out the powers herein provided, including the plans,
16 programs, activities and projects of the Authority. Such rules and
17 regulations shall take effect fifteen (15) days after publication thereof,
18 in a newspaper of general circulation;
- 19 w) Adopt rules and regulations governing the approval of the sewage
20 works and waste treatment and disposal systems and the issuances
21 of clearances or permits in accordance with the provisions of this Act
22 and inspect construction and maintenance of sewerage works and
23 industrial waste treatment and disposal systems in compliance with
24 clearance or permit conditions, with observance of due process;
- 25 x) Grant clearances and permits for projects and activities within or
26 affecting the Lake Lanao including industrial and commercial
27 activities, recreation and tourism, navigation, housing and other
28 forms of land developments, construction and operation and impose
29 necessary safeguards, management and control of wastewater and
30 collect necessary fees for such activities and projects;
- 31 y) Issue, after due notice and hearing, orders or decisions to compel
32 compliance with the provisions of this Act;
- 33 z) Deputize or request the assistance of appropriate government
34 agencies or instrumentalities for the purpose of enforcing the
35 provisions of this Act and its implementing rules and regulations and
36 the decisions of the Authority
- 37 aa) Enter, inspect or investigate at all reasonable times any public and
38 private property devoted to commercial and industrial use within the

1 Ranaw Region, on any matter relating to pollution and existing or
2 imminent environmental hazard and danger;

3 bb) Enforce power in the Ranaw Region within the territorial jurisdiction
4 of BARMM to carry out the functions and attain the purposes and
5 objectives declared under this Act. In the exercise of this power, the
6 authority shall request the assistance of the Bangsamoro Regional
7 Police Office or other pertinent enforcement offices. Such
8 enforcement power shall be exercised in connection with the
9 operations of water quality surveillance, monitoring and enforcement
10 units, and implementation of rules and regulations promulgated by
11 the Board pursuant to the authority granted under this Act;

12 cc) Conduct investigations based on the procedures that the Board may
13 prescribe in accordance with the provisions of the Rules of Court
14 serving as supplemental guidelines;

15
16 dd) Issue a cease and desist order to immediately halt any practice found
17 to be in violation of the provisions of this Act. Such order shall be
18 without prejudice to the civil or criminal prosecution of persons
19 under the existing laws; and

20
21 ee) To perform such other functions as are necessary in the discharge of
22 its powers and functions.
23

24 **Section 6. Ranaw Development Authority Master Plan.** – A detailed
25 and comprehensive Master Plan shall be developed in coordination with the
26 concerned local government units and various stakeholders to carry out the
27 plans and objectives of the Authority at least six (6) months after its
28 establishment. The Master Plan shall contain long-term strategy and
29 commitment to implement the same.

30 The Board, shall undertake a mandatory review of the Master Plan,
31 every five (5) years.

32 **Section 7. Ranaw Region.** – For the purpose of this Act, the term
33 “Ranaw Region” shall refer to the inland waters defined as Ranaw and all
34 other lakes within the Province of Lanao del Sur, including all city, towns
35 and municipalities within Province of Lanao del Sur.

36 In order to carry out the objectives of this Act, the management and
37 protection of nature reserves and aquatic parks, forests, watershed

1 reservations, and other protected areas in the territorial jurisdiction of the
2 Bangsamoro that have already been defined by and under the authority of
3 the National Government shall be transferred to the Ranaw Development
4 Authority, including power plants operating within the Province of Lanao del
5 Sur.

6 The sharing on the proceeds or revenues generated or collected from
7 the utilization and development of all natural and other resources within the
8 Ranaw Region shall be subject to the provisions of the Bangsamoro Revenue
9 Code.

10 **Section 8. Board Composition.** – The Authority shall consist of
11 Board of Directors, hereinafter referred to as the “Board”, which shall be
12 headed by the Provincial Director of the Ministry of Environment, Natural
13 Resources and Energy of Lanao del Sur. The regulatory powers and
14 functions of the Authority shall be vested in and exercised by Board of
15 Directors, hereinafter referred to as the Board, which shall be composed of
16 the:

- 17 (i) Provincial Director of Ministry of Environment, Natural
18 Resources and Energy (MENRE), Lanao del Sur;
- 19 (ii) Provincial Director of Ministry of Agriculture, Fisheries and
20 Agrarian Reform (MAFAR), Lanao del Sur;
- 21 (iii) Permanent representative from the Ministry of Transportation
22 and Communication (MOTC), Lanao del Sur;
- 23 (iv) Provincial Director of Ministry of Interior and Local Government
24 (MILG), Lanao del Sur;
- 25 (v) Provincial Director of Ministry of Trade, Industry and Tourism
26 (MTIT), Lanao del Sur;
- 27 (vi) Permanent representative from the Ministry of Public Works
28 (MPW), Lanao del Sur;
- 29 (vii) Permanent representative from the Bangsamoro Planning and
30 Development Authority (BPDA);
- 31 (viii) Permanent Representative from National Power Corporation
32 (NAPOCOR);
- 33 (ix) Dean of the College of Fisheries and Aquatic Resources,
34 Mindanao State University, Marawi City; and
- 35 (x) The Executive Director II of the RDA.

1 The Board of Directors shall elect annually from among their
2 members a Chair and a Vice-Chairman and there shall be a Secretary who
3 shall be appointed by the Board. The Executive Director II shall be a
4 member of the Board.

5 The officials next in rank to the abovementioned members shall serve
6 as the permanent alternate members of the Authority and shall attend
7 meetings of the Board in the absence of their Principals and receive their
8 corresponding per diems.

9 **Section 9. Powers and Functions of the Board.** - The Board shall
10 have the following powers and functions:

- 11 1. To formulate, prescribe, amend and repeal rules and regulations to
12 govern the conduct of business of the Authority;
- 13 2. Provide a comprehensive policy guideline for the development of the
14 Ranaw Region;
- 15 3. Decide the objectives, strategies and policies of the Authority in
16 accordance with the provisions of this Act;
- 17 4. Exercise appellate powers on the decision of the Executive Director II;
- 18 5. Approve the organizational and administrative structures and the
19 corresponding staffing pattern of the Authority; fix their reasonable
20 compensation, allowances and other benefits in accordance with the
21 salary standardization law; prescribe their duties and establish
22 methods and procedures as maybe necessary to ensure the efficient,
23 honest and economical administration of the provisions and purposes
24 of this Act. All personnel of the Authority shall be selected only from
25 those with civil service eligibility and shall be subject to civil service
26 laws, rules and regulations;
- 27 6. Approve the annual and supplemental budgets of the Authority and
28 authorize each operating and capital expenditures and disbursements
29 as may be necessary for the effective management, operation and
30 administration of the Authority;
- 31 7. Create and organize ad-hoc technical working groups composed of the
32 representatives from the government and other stakeholders to assist
33 the Board;
- 34 8. By a majority vote of all members of the Board, suspend, remove or
35 otherwise discipline for just cause all officials appointed by the Board;

- 1 9. To render annual reports to the Chief Minister and the Bangsamoro
2 Parliament such special reports as may be requested; and
3 10. To do such other acts and perform such other functions as may be
4 necessary to carry out the provisions of this Act.

5 **Section 10. Quorum.** - The presence of at least six (6) Members of the
6 Board, including the Chairman shall constitute a quorum. Such vote by the
7 majority constituting a quorum shall be sufficient for the adoption of any
8 rule, resolution, decision or any act of the Board.

9 **Section 11. Board Meetings.** - The Board shall meet regularly every
10 quarter and may hold special meetings to consider urgent matters upon the
11 call of the Chair or upon the initiative of four (4) members. The rules and
12 procedures in the conduct of the Board meetings shall be prescribed by the
13 Board.

14 **Section 12. Per Diems.** - The members of the Board shall receive a
15 per diem for each meeting actually attended, the amount of which shall be
16 determined by the Board, subject to usual accounting and auditing rules
17 and regulations. Members of the Board shall be entitled to commutable
18 transportation and representation allowances in the performance of official
19 functions for the Authority as authorized by the Board.

20 **Section 13. Executive Director II.** - The Chief Minister shall appoint
21 an Executive Director II who shall be the chief executive officer of the
22 Authority. The Executive Director II shall be an ex-officio member of the
23 Board.

24 The Executive Director II must be:

- 25 a) Filipino citizen and a resident of Lanao del Sur;
26 b) At least thirty-five (35) years of age;
27 c) With good moral characters, unquestionable integrity, recognized
28 competence; and
29 d) A degree holder with at least five (5) years of supervisory or
30 management experience in the field of public administration,
31 economic planning, environmental planning and natural resource
32 management or its equivalent, in the establishment and management
33 of large agricultural, commercial or industrial enterprises or other
34 related fields;

1 **Section 14. Powers and Functions of the Executive Director II.-**

2 The Executive Director II shall be the chief executive of the Authority, as
3 such, he or she shall have the following powers and functions:

- 4 1. To submit, for the consideration of the Board, the policies and
5 measures which he or she believes to be necessary to carry out the
6 purposes and provisions of this Act;
- 7 2. Head and administer the Lake Lanao Protection Adjudication Panel as
8 the implementing arm for the quasi-judicial powers of the authority;
- 9 3. Execute, administer and implement the policies, plans, programs and
10 projects approved by the Board;
- 11 4. Manage, direct and supervise the operation and internal
12 administration of the Authority. The Executive Director II may
13 delegate some of his or her administrative responsibilities to other
14 officers of the Authority subject to the rules and regulations of the
15 Board;
- 16 5. Submit quarterly reports to the Board on personnel selection,
17 placement and training;
- 18 6. Prepare the annual budget of the Authority for report to the Board and
19 various stakeholders regarding the operation of the Authority
20 including its latest financial statements;
- 21 7. Appoint officials and employees, in accordance with the existing
22 regional laws. In addition, to remove, suspend or otherwise discipline
23 them for valid cause, in accordance with the Bangsamoro laws, rules
24 and regulations;
- 25 8. Exercise such other powers as may be vested in him by the Board.

26 **Section 15. Term of Office.** - The Executive Director II shall have a
27 term of four (4) years. He shall only be removed for cause in accordance with
28 the rules and regulations prescribed by the Civil Service Commission. The
29 Executive Director II shall have the salary grade of 27 and without prejudice
30 of being reappointed every four (4) years.

31 **Section 16. Preferential Rights of Bona Fide Residents of the**
32 **BARMM.** - Qualified citizens who are bona fide residents of the BARMM, all
33 other conditions being equal, shall have preferential rights over the
34 exploration, development, and utilization of natural resources of Lake
35 Lanao.

36 **Section 17. Representation of the Authority.** - The Executive Director
37 II shall be the principal representative of the Authority. He or she shall be

1 empowered, in such capacity, and in accordance and approval of the Board,
2 by two-thirds (2/3) vote, on the following:

- 3 a) Represent the Authority in all dealings with other offices, agencies,
4 and instrumentalities of the Government and with all other persons
5 and entities, whether public or private, domestic or foreign;
- 6 b) Sign contracts concluded by the Authority, annual reports, balance
7 sheets, profit and loss statements, correspondences and other official
8 documents of the Authority; and
- 9 c) Represent the Authority, either personally or through counsel, in any
10 legal proceedings or actions.

11 **Section 18. Management Structure.-** In carrying out the activities of
12 the Authority, the Executive Director II shall be assisted by an Executive
13 Director I and department heads, who shall have such powers, duties and
14 functions as the Executive Director II may prescribe or delegate. The
15 Executive Director I shall act as the Executive Director II in the absence or
16 during temporary incapacity of the Executive Director II or until such time
17 as a new Executive Director II is duly appointed. The Executive Director I
18 shall have a salary grade of 26.

19 The following divisions shall be created within the Authority:
20 Administration and Finance; Legal; Planning and Research; Environmental
21 Protection and Integrated Water Management; Social Development,
22 Advocacy and Linkages and such other departments as may be necessary to
23 effectively carry out the functions of the Authority. The head of the
24 departments shall have a salary grade of 24.

25 **Section 19. - Consultative Assembly.-** There shall be established a
26 consultative assembly which shall serve as venue for public consultations
27 and participation by stakeholders and presentation of the Authority's plans
28 and programs or modification, amendment or revision of rules and
29 regulations prior to its adoption or implementation within its jurisdiction.
30 The consultative assembly shall be composed of the following:

- 31 a) Provincial Governor, Lanao del Sur;
- 32 b) City Mayor of Marawi, Lanao del Sur;
- 33 c) President League of Municipalities in Lanao del Sur;
- 34 d) Barangays' League President in Lanao del Sur;
- 35 e) Private sectors representative of the owners, proprietors and
36 authorized operators of all major private, commercial or industrial

1 business establishments located in all barangays in Lanao del Sur
2 chosen by the sector; and

- 3 f) Representatives of the homeowners associations, civil society
4 organizations, Ulama Sector, women, youth, traditional leaders and
5 people's organizations in Lanao del Sur chosen by the sector;

6 The Authority shall convene an annual year-end general assembly to
7 report and present its financial and fiscal status and updates on its plans,
8 programs and projects to its stakeholders and to the public. The required
9 logistical support, such as the food and transportation, allowances shall be
10 provided to the members of the Board and the Consultative Assembly during
11 the meeting at the expense of the Authority subject to government
12 accounting and auditing procedures.

13 The Authority shall administer a system for audio and visual
14 broadcasting, recording, and live streaming through the internet of its
15 assemblies.

16 **Section 20. Prohibition against Conflict of Interest.** – Any member
17 of the Board shall not be allowed to have any financial interest, directly or
18 indirectly, in any contract entered into by the Authority or in any special
19 privilege granted by the Authority during his or her term of office. All
20 contracts entered into by any such member in such instance shall be
21 voided, after the conduct of proper investigation, without prejudice to the
22 imposition of administrative sanctions. Further, the member of the Board
23 who violated this Section shall be disqualified from serving his or her
24 unexpired term and shall be perpetually disqualified in any position in the
25 Authority.

26 **Section 21. Location of Principal Office.** - The Authority shall
27 maintain its principal office at a convenient place within the province of
28 Lanao del Sur, but it may have satellite offices in **Islamic City of Marawi** or
29 in such other places as may be deemed necessary for the proper conduct of
30 its business.

31 **Section 22. Compliance to all Rules and Regulations of the**
32 **Bangsamoro Civil Service Code and Bangsamoro Administrative Code.-**
33 The Authority shall comply with all Rules and Regulations of the
34 Bangsamoro Civil Service Code and Bangsamoro Administrative Code in the
35 implementation of all its personnel and administrative matters.

1 **Section 23. Appropriations.** Initial operations for Personnel
2 Services shall be charged against the Miscellaneous Personnel Benefit Fund,
3 MOOE and Capital Outlay shall be charged against the Contingent Funds of
4 the 2022 General Appropriations Act of the Bangsamoro. Thereafter, the
5 sum necessary for the continued operation and maintenance of the
6 Authority shall be included in the annual budget of the Bangsamoro
7 Government. The Authority shall have fiscal autonomy. Thus, the budget
8 allocated for its efficient operation, for personnel services, and for capital
9 outlay shall be directly transferred to the Authority subject to government
10 accounting and auditing rules and regulations.

11 **Section 24. Fines and Penalties.** - The Authority is hereby
12 authorized to fix and impose administrative fines and other penalties as
13 determined and approved by the Board for non-compliance with permit and
14 regulatory conditions and for undertaking development activities without
15 clearance/permit from the Authority against any person, juridical or
16 otherwise, within or without the Lake Lanao who may be found violating, or
17 have in fact violated, any of its rules and regulations.

18 **Section 25. Mandatory Review.** - The Bangsamoro Government,
19 through the Board, shall undertake a mandatory review of the
20 implementation of this Act, five (5) years after its implementation, and every
21 five (5) years thereafter. The Bangsamoro Parliament shall be part of the
22 process.

23 **Section 26. Repealing Clause.** - All laws, decrees, orders, rules and
24 regulations or other issuances or parts thereof inconsistent with the
25 provisions of this Act are hereby repealed or modified accordingly.

26 **Section 27. Separability Clause.** - If for any reason, any section or
27 provision of this Act is declared unconstitutional or invalid, the other
28 sections or provisions hereof which are not affected thereby shall continue
29 to be in full force and effect.

30 **Section 28. Effectivity.** - This Act shall take effect fifteen (15) days
31 after its publication in a newspaper of general or regional circulation in the
32 Bangsamoro Autonomous Region in Muslim Mindanao.

33 **Approved.**

1 Principal Authors

2

3



4 **MP Diamila D. Ramos**

5 **MP Lanang Ali Jr.**

6 **MP Ali B. Solaiman**

7 **MP Marjanie S. Macasalong**

8 **MP Abdullah Macapaar**

9 **MP Basit Abbas**

10 **MP Said M. Shiek**

11 **MP Ali Montaha D. Babao**

12 **MP Khalid M. Hadji Abdullah**

13 **MP Abdulazis M. Amenodin**

14 **MP Nabila Margarita P. Pangandaman**

1 **MP Amroussi Macatanong**

2 **MP Eddie Alih, MP Amilbahar Mawallil**

3 **MP Rasol Y. Mitmug Jr.**

4

5 Co-Authors

6 **MP Susana Anayatin**

7 **MP Baintan Ampatuan**

8 **MP Suharto Esmael**

9

10