



COMMITTEE REPORT ON BTA BILL NO.43
**“AN ACT ESTABLISHING THE ADMINISTRATIVE
CAPITAL OF THE BANGSAMORO GOVERNMENT IN
THE MUNICIPALITY OF PARANG, PROVINCE OF
MAGUINDANAO, APPROPRIATING FUNDS
THEREFORE, AND FOR OTHER PURPOSES”**



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
COMMITTEE ON RULES
Bangsamoro Government Center, Cotabato City



COMMITTEE REPORT NO. 07

Submitted by the Committee on Rules

14 Sha'ban 1444 / 5 April 2023

RE: BTA Bill No. 43

Recommending the approval of BTA Parliament Bill No. 43 with amendments

Author: Government of the Day

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED
Name: ADILAH DUKITUM Signature: [Signature]
Date: MAY 11 2023 Time: 4:57PM

MR. SPEAKER:

The Committee on Rules, to which was referred **BTA Parliament Bill No. 43**, introduced by the Government of the Day, entitled:

"AN ACT ESTABLISHING THE ADMINISTRATIVE CAPITAL OF THE BANGSAMORO GOVERNMENT IN THE MUNICIPALITY OF PARANG, PROVINCE OF MAGUINDANAO, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

has considered the same and has the honor to report it back to the Bangsamoro Transition Authority Parliament, with the recommendation that it be approved with the amendments as contained in the attached Report.

Respectfully submitted,

MP SHA ELIJAH B. DUMAMA-ALBA

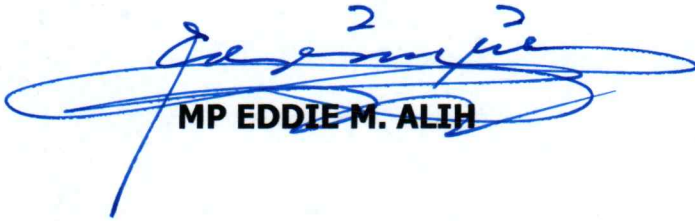
Chairperson

MP RAISSA H. JAJURIE

Vice Chairperson

MEMBERS:

MP LAISA M. ALAMIA



MP EDDIE M. ALIH

MP MOSBER ALAUDDIN

MP BAITAN AMPATUAN

MP SUSANA S. ANAYATIN



MP MARY ANN M. ARNADO



MP ANNA TARHATA S. BASMAN



MP SUHARTO S. ESMAEL



MP MATARUL M. ESTINO



MP EDUARD U. GUERRA

MP ABDULLAH B. HASHIM

MP MOHAGHER M. IQBAL

MP FAISAL G. KARON

MP JOHN ANTHONY L. LIM

MP JOSE I. LORENA

MP ABDULRAOF A. MACACUA



MP MARJANIE S. MACASALONG



MP AMROUSSI A. MACATANONG

MP BAILENG S. MANTAWIL


MP TAWAKAL B. MIDTIMBANG

MP RASOL Y. MITMUG, JR

MP UBAIDA C. PACASEM

MP RANDOLPH C. PARCASIO


MP RAMON A. PIANG SR.

MP ROMEO K. SEMA

MP SAID M. SHEIK


MP AIDA M. SILONGAN


MP DR. KADIL M. SINOLINDING JR.

MP ADZFAR H. USMAN

MP BASSIR D. UTTO

EX OFFICIO MEMBERS:

MP LANANG T. ALI, JR.

MP PANGALIAN M. BALINDONG


MP HATIMIL E. HASSAN

MP BENJAMIN T. LOONG


MP ABDULKARIM T. MISUARI

MP OMAR YASSER C. SEMA

MP PAISALIN P. TAGO

MP NABIL A. TAN

I. OVERVIEW

Pursuant to Republic Act No. 11054, otherwise known as the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao (OLBARM), the Bangsamoro Transition Authority Parliament is vested with legislative authority to enact laws on matters that are within the powers and competencies of the Bangsamoro Government. Article VII, Section 1 of the OLBARM provides:

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

In line with this, BTA Parliament Bill No. 43 entitled "AN ACT ESTABLISHING THE ADMINISTRATIVE CAPITAL OF THE BANGSAMORO GOVERNMENT IN THE MUNICIPALITY OF PARANG, PROVINCE OF MAGUINDANAO, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES" was filed by the Government of the Day on September 19, 2022, in the Bangsamoro Transition Authority and was referred to the Committee on Rules.

With this bill, the Municipality of Parang in the Province of Maguindanao is sought to be established as the seat of the Bangsamoro Government where its Administrative Center shall be located.¹

Finding parallels between the context in the Bangsamoro and purpose-built capital cities in different parts of the world, the Government of the Day sees this as an opportunity to strengthen regional identity as a developing, multicultural, and multiethnic autonomous region. Washington, D.C., Brasilia, New Delhi, Putrajaya, Canberra, and Islamabad, to name a few, are capital cities that were planned, designed, and built solely to serve as seats of power and establish symbolisms for national identity.

To ensure the full participation of the various stakeholders from across the socio-political spectrum in the deliberation process, the Committee on Rules conducted a Public Consultation in Cotabato City on April 17, 2023 to gather views, insights, comments, and recommendations. Stakeholders who were not able to physically attend were given the option to take part in the public consultation via Zoom teleconference.

The Committee invited the heads of ministries, agencies, and offices of the Bangsamoro Government, national offices, banking institutions, civil society organizations, transport groups, the academe, and public utilities service providers that will be directly affected by the proposed transfer. Provincial and local government unit officials from all provinces and municipalities of the region, as well as officials

¹ MP ATTY. UBAIDA C. PACASEM, Authorship Speech on BTA Bill No. 43 Bangsamoro Transition Authority Parliament 2022-2025, Journal No. 06, Rabi' Al-Awwal 2, 1444 / September 28, 2022, page 6

from the Special Geographic Area were also invited. Notably, the provincial governor of Maguindanao del Norte, the mayor of the municipality of Parang and the vice-mayor of Cotabato City attended the public consultation.

At the start of the public consultation, the Committee presented the results of a feasibility study² supporting the transfer of the BARMM Government Center (BGC) to a new location. The study cited the reasons why a transfer is necessary, including the insufficiency of the current BGC's capacity to accommodate BARMM offices. The results of the feasibility study show not just the need to relocate the government center of the Bangsamoro Government, it also found the Municipality of Parang in Maguindanao del Norte as the most ideal location for a new administrative and political center.

At least twenty-six (26) of the three hundred and forty-two (342) participants shared their views during the public consultation, voicing overwhelming support for the passage of the bill.

Moreover, the Committee on Rules, through the Secretariat, called for the submission of position papers beginning April 5, 2023 until April 18, 2023, receiving and processing a total of thirty-nine (39) position papers on the legislative measure, including three (3) Parliament Bills³ and one (1) Proposed Resolution⁴ treated as position papers.

Considering the comments and recommendations gathered through the public consultation and review of position papers, the Committee on Rules subjected the provisions of the bill to line-by-line legislative scrutiny and thereafter resolved to recommend its approval with amendments. Hence, this Committee Report.

² FINAL REPORT: FEASIBILITY STUDY ON THE TRANSFER OF THE BARMM GOVERNMENT CENTER TO A NEW LOCATION (March 2022) by Mr. Danilo Buenbrazo, a consultant commissioned by the Ministry of Public Works

³ 1.) MP ENGR. BAJANTAN A. AMPATUAN, BTA Bill No. 1, "AN ACT DECLARING COTABATO CITY AS THE PERMANENT SEAT OF THE REGIONAL GOVERNMENT OF THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO AND FOR OTHER PURPOSES;"

2.) MP DR. SUSANA SALVADOR ANAYATIN, BTA Bill No. 52, "AN ACT ESTABLISHING A PERMANENT BANGSAMORO GOVERNMENT CENTER OF BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO (BARMM) PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES;"

3.) MP ENGR. BAJANTAN A. AMPATUAN, BTA Bill No. 96, "AN ACT AUTHORIZING THE ESTABLISHMENT OF AN ANNEX BANGSAMORO GOVERNMENT CENTER (BGC) OF THE BANGSAMORO GOVERNMENT WITHIN COTABATO CITY, PROVIDING FUNDS THEREOF, AND FOR OTHER PURPOSES"

⁴ MP ENGR. BAJANTAN A. AMPATUAN, Proposed Resolution No. 06, A RESOLUTION URGING THE OFFICE OF THE CHIEF MINISTER (OCM) TO ENGAGE THE SERVICES OF AN INDEPENDENT CONSULTANT THAT WILL CONDUCT A COMPARATIVE STUDY ON THE PROPOSED TRANSFER OF GOVERNMENT CENTER IN PARANG, MAGUINDANAO, BARMM FROM ITS CURRENT LOCATION IN COTABATO CITY

II. COMMITTEE AMENDMENTS TO BTA BILL NO. 43

1. The *Title* is **modified** as follows:

- a. "ADMINISTRATIVE CAPITAL" is **replaced** with "SEAT OF GOVERNMENT"
- b. "BANGSAMORO GOVERNMENT" is **replaced** with "BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO"
- c. "PROVINCE OF MAGUINDANAO" is **replaced** with "PROVINCE OF MAGUINDANAO DEL NORTE"
- d. The phrase "AMENDING BOOK 1, CHAPTER 2, SECTION 9 OF THE BAA NO. 13," is **added** between the phrases "APPROPRIATING FUNDS THEREFOR" and "AND FOR OTHER PURPOSES"

Hence, it shall now read:

AN ACT ESTABLISHING THE SEAT OF GOVERNMENT OF THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO IN THE MUNICIPALITY OF PARANG, PROVINCE OF MAGUINDANAO DEL NORTE, APPROPRIATING FUNDS THEREFOR, AMENDING BOOK 1, CHAPTER 2, SECTION 9 OF THE BAA NO. 13, AND FOR OTHER PURPOSES

2. A short title is added as SECTION 1, thus:

SECTION 1. Short Title – This Act shall be known as the "Seat of Government Act of 2023."

3. *SECTION 1. Declaration of Policy* is **adopted** as originally worded and **renumbered** accordingly, thus:

SECTION 2. Declaration of Policy – In the exercise of its right to self-governance, the Bangsamoro Autonomous Region is free to pursue its political, economic, social, and cultural development. It has the power to create offices and organize its own bureaucracy to ensure efficient and effective delivery of government programs and services.

4. *SECTION 2. Establishing the Administrative Capital of the Bangsamoro Government* is **modified** and **renumbered**:

- a. "administrative capital" is **replaced** with "seat";
- b. "Bangsamoro Government" is **replaced** with "Bangsamoro Autonomous Region in Muslim Mindanao";
- c. "Province of Maguindanao" is **replaced** with "Province of Maguindanao del Norte";
- d. "Office of the Wali" is **added** as letter **a)** in the enumeration;
- e. "Other facilities" is **added** as letter **e)** in the enumeration;
- f. Items **a)**, **b)**, and **c)** in the enumeration are **re-lettered** as **b)**, **c)**, and **d)**, respectively.

Hence, the section shall now read:

SECTION 3. Establishing the Seat of Government of the Bangsamoro Autonomous Region in Muslim Mindanao. – The seat of the Bangsamoro Autonomous Region in Muslim Mindanao shall be established in the Municipality of Parang in the Province of Maguindanao del Norte where the Bangsamoro Government Center shall be built.

The Bangsamoro Government Center shall be the new location of the following offices:

- a) Office of the Wali;
- b) Office of the Chief Minister;
- c) The Bangsamoro Parliament;
- d) Ministries, Offices, Agencies; and
- e) Other facilities.

5. *SECTION 3. Exclusion of the Bangsamoro Government Center from the control of the Local Government Unit* is **adopted** as originally worded and **renumbered** accordingly, thus:

SECTION 4. Exclusion of the Bangsamoro Government Center from the Control of the Local Government Unit. – Pursuant to the power of the Parliament to create, divide, merge, abolish or substantially alter boundaries of municipalities or barangays within the autonomous region, it is hereby declared that the location of the Bangsamoro Government Center within the Municipality of Parang is autonomous from the local government unit and will be directly under the control and supervision of the regional government. To ensure smooth transition, consultations and dialogues with the local government unit concerned and other stakeholders shall be conducted.

6. *SECTION 4. Preparations* is **deleted**.

7. Under *SECTION 5. Committee on the Establishment of Administrative Capital (CEAC)*, the following modifications are **introduced**:

- a. Where it occurs, the phrase "*Committee on the Establishment of Administrative Capital (CEAC)*" is **replaced** with "*Committee on the Establishment of the Seat of Government of the BARMM (CESG)*."
- b. Aside from those enumerated, the membership of the Committee is **expanded** to include the following:
 - i. Minister of Transportation and Communications; and
 - ii. Chairperson of the Bangsamoro Commission for the Preservation of Cultural Heritage

In addition, the proposed provision requires the CESG to invite Civil Society Organizations representatives to observe its proceedings.

- c. In the second paragraph, the phrase "*Municipality of Parang as the new administrative center of the Bangsamoro government;*" is **replaced** with "**seat of government of the BARMM in the Municipality of Parang. It shall also conduct consultations with concerned local government units and other stakeholders.**"

d. The final paragraph under the section is **reworded** as follows:

“The Committee shall immediately convene within thirty (30) days upon the effectivity of this Act. It shall cease to exist upon completion and full implementation of the objectives of this Act, which shall not exceed ten (10) years unless further extended by the Parliament.”

8. New provisions are **introduced** as Sections 6 and 7, respectively:

SECTION 6. Transfer. – The actual physical transfer of the seat of government from Cotabato City to the Municipality of Parang shall proceed in a gradual manner upon the completion of required infrastructure, such as office buildings, roads, light and power, water, communication, and other necessary facilities.

SECTION 7. Preservation and Improvement of Existing Structures in the Current Bangsamoro Government Center. – The infrastructure, buildings, and other facilities in the existing government center in Cotabato City shall be improved in order to sustain their usefulness for government operations and preserve their historical value.

9. *SECTION 6 Appropriations* is **renumbered** and **modified** to reflect the initial amount necessary and to include the sources of funds:

SECTION 8. Appropriations. – For its first year, the amount of fifty million pesos (P 50,000,000.00) shall be initially appropriated for the use of the CESG to implement the provisions of this Act including the crafting of the necessary master plan. For the succeeding fiscal years until its cessation, the CESG through the Office of the Chief Minister shall include the amounts necessary for its operation in the implementation of this Act in the General Appropriations Act of the Bangsamoro.

Other funding sources such as foreign grants, aids, and donations, may also be made available for the implementation of this Act subject to existing guidelines of the Inter-Governmental Fiscal Policy Board.

10. *Sections 7 (Implementing Rules and Regulations), 8 (Separability Clause), 9 (Repealing Clause), and 10 (Effectivity)*, are **approved** as originally worded and are **renumbered** as **Sections 9, 10, 11, and 12**, respectively.