

Republic of the Philippines
REGIONAL LEGISLATIVE ASSEMBLY
Autonomous Region in Muslim Mindanao
Cotabato City

SECOND LEGISLATIVE ASSEMBLY
(FIRST REGULAR SESSION)

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Begun and held in Cotabato City, the twenty-sixth day of April, Nineteen Hundred and Ninety Three.

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[MUSLIM MINDANAO AUTONOMY ACT NO. 24]

AN ACT PROVIDING FOR A REGIONAL PUBLIC WORKS ACT FOR CY 1993 IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO."

Be it enacted by the Regional Legislative Assembly in session assembled:

SECTION 1. Title. - This Act shall be known as the Regional Public Works Act of 1993.

SEC. 2. Appropriation and Use of Funds. - The amount of Six Hundred Fifteen Million (P615,000,000.00) Pesos representing a portion of the Annual Assistance to the Autonomous Region in Muslim Mindanao as provided in Section 10, Article XIX of R.A. 6734 and authorized under the General Appropriations Act of 1993, less the ten percent (10%) retention, is hereby appropriated for the construction of various infrastructure projects which may include new construction, reconstruction, improvement, repair and/or rehabilitation, inclusive of feasibility studies, acquisition of right-of-way, sites, materials, supplies, and services to be used directly for the projects and project supervision and management.

SEC. 3. Validity of Appropriations. - The appropriations authorized in this Act shall continue to be in effect beyond 1993 until fully released, obligated and disbursed.

SEC. 4. Allocation of Appropriations. - The amount of Six Hundred Fifteen Million (P615,000,000.00) Pesos, less the ten percent (10%) retention, is hereby allocated to the different legislative districts based on proportionate sharing in accordance with regional development plans.

SEC. 5. Program of Work. - Before the actual implementation of every project covered in whole or in part by appropriations in this Act, approval of the program of work by the Secretary of Public Works and Highways, ARMM, or his duly authorized representative shall be necessary. The approved program of work shall serve as the basis for the implementation of the project and the corresponding expenditures of funds.

SEC. 6. Project Implementation. - The projects to be funded from appropriations authorized under this Act shall be implemented by the Department of Public Works and Highways, Autonomous Region in Muslim Mindanao and/or the local government units concerned in consultation with the project proponent either by administration, public bidding or negotiated contract, whichever is feasible.

SEC. 7. Release of Funds. - For proper implementation, supervision, and monitoring of the projects, the National Department of Budget and Management shall release the funds to the Regional Autonomous Government as follows:

- a) Regional Impact Projects - To the office of the Regional Governor;
- b) District Impact Projects - To the office

of the Speaker of the Regional Legislative Assembly.

It is understood however, that the projects shall be implemented as provided in Section 6 hereof.

SEC. 8. Priority Projects to be Funded. - Based on the development policies and strategies of the Autonomous Region the following infrastructure projects within the region shall be funded:

- 8.1 Vital road links connecting the provinces including improvement and rehabilitation of bridges;
- 8.2 Construction, improvement, and rehabilitation of feeder roads linking the rural areas in the countryside to the Regional centers;
- 8.3 Construction and upgrading of coastal roads leading towards the mainland areas;
- 8.4 Construction of facilities such as communication, light and water;
- 8.5 Construction/Upgrading of airports, ports, rock causeways and fishlandings; and
- 8.6 Construction and upgrading of market facilities;
- 8.7 Construction of sports center and physical fitness facilities;
- 8.8 Construction and improvement of agricultural and fishing facilities;
- 8.9 Purchase of construction equipment and machineries;

8.10 Other projects considered as urgent by the Regional Governor as approved by the Regional Planning and Development Board (RPDB).

SEC. 9. Monitoring and Acceptance of Projects. - All projects funded out of the herein mentioned Annual Assistance Fund shall be monitored by the Regional Governor and the Speaker of the Regional Legislative Assembly or their duly authorized representatives. Same projects shall be accepted by the "end-user" upon the recommendation of the Secretary of the DPWH, ARMM or his duly authorized representatives.

SEC. 10. Specific Projects and Corresponding Allocations. - To ensure the specific, speedy and proper utilization of the Annual Assistance Funds, listing of said projects, their location and funding requirements are hereby contained in the attached Annex "A" which shall form part of this Act.

SEC. 11. Project Realignment. - The Regional Governor is hereby authorized to realign projects funded out of the Six Hundred Fifteen Million Assistance Fund for Fiscal Year 1993, upon the recommendation of the proponent, subject to the approval of the majority of all the members of the Regional Legislative Assembly. Furthermore, realignment shall be made only within the legislative district to which the project was originally proposed for implementation: Provided, finally, that such realignment shall be in the same category and the amount shall not exceed the original amount. Projects may be realigned further but not limited to the following grounds:

1. When the peace and order condition in the proposed project sites does not warrant implementation;

2. When the project is not feasible as shown by the the feasibility study conducted thereon;
3. When by the occurrence of a fortuitous event, it would render implementation impractical at the proposed project site; or
4. When there is duplicity in the funding of a proposed project as when a proposed project is already adequately funded from other sources.

SEC. 12. Reports. - The Secretary of Public Works and Highways, ARMM, shall submit to the Regional Governor and the Speaker of the Regional Legislative Assembly, quarterly and annual accomplishment reports for projects covered by appropriations in this Act, which shall include the appropriations released on the same period, any changes on the project and any recommendation for additional appropriations or changes thereof.

SEC. 13. Retention. - The ten percent (10%) retention mentioned above, when released, shall be used for the purchase of heavy equipment and machineries to be proportionately distributed to the provinces within the autonomous area under the custody of the District Engineer, DPWH-ARMM.

SEC. 14. Separability. - If any provision of this Act is declared unconstitutional, the remaining valid provisions shall remain in force.

SEC. 15. Effectivity. - This Act shall take effect immediately upon its approval.

APPROVED:

(SGD) GUIMID P. MATALAM
Speaker

This Act was passed by the Regional Legislative Assembly on December 6, 1993.

(SGD) TOMMY A. ALA
Secretary-General

APPROVED:

LININDING P. FANGANDAMAN
Regional Governor
Date _____