

RLA BILL NO. 81

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

SECOND LEGISLATIVE ASSEMBLY  
(THIRD REGULAR SESSION)

Begun and held in Cotabato City, on Monday, the  
twenty-fourth day of April, Nineteen Hundred and Ninety  
Five.

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[ MUSLIM MINDANAO AUTONOMY ACT NO. 40 ]

AN ACT AMENDING SECTION 41, CHAPTER 2,  
TITLE TWO, BOOK I, OF THE LOCAL  
GOVERNMENT CODE OF THE AUTONOMOUS  
REGION IN MUSLIM MINDANAO, AND FOR  
OTHER PURPOSES.

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

**SECTION 1.** The following provisions shall be  
inserted immediately after subsection (f) of Section 41,  
Chapter 2, Title Two of Book I, as follows:

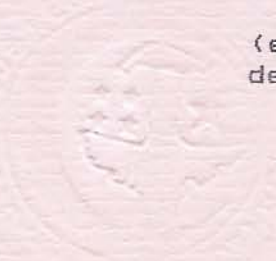
"Temporary Vacancy in Case of Failure of Elections  
or Partial Proclamation."

- (g) In case the temporary vacancy in the local  
elective officials is brought about by  
failure of election declared by the  
Commission on Elections or where all of the  
local elective officials have not been  
proclaimed, the Regional Governor shall  
designate office-in-charge for the offices  
of the governor, vice governor, mayor, vice  
mayor, and members of the sangguniang  
panlalawigan, sangguniang panlungsod and  
sangguniang bayan upon the recommendation of



the Secretary of the Department of Interior and Local Governments, ARMM, provided, however, that any designee has not been a candidate for any elective position during the recently concluded elections; and, Provided, further, that the OIC designate possesses all the qualifications and none of the disqualifications prescribed for elective office.

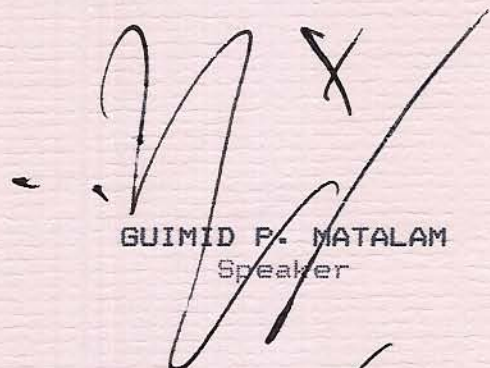
- (h) However, in the event a temporary vacancy in the local elective office is brought about by partial proclamation, the rule on automatic succession prescribed under Sec. 41, Chapter 2, Title II, Book I of the ARMM Local Government Code shall be strictly observed in filling up any temporary vacancy arising therefrom.
- (i) Provided, that the OIC designate pursuant to subsections (g) and (h) hereof shall hold office until such time that the duly elected local officials shall have been proclaimed and have qualified. Provided, further, that the designated OIC of the office of the local chief executive shall perform all the regular duties and responsibilities of their respective offices as provided by law, except the following:
  - (a) Appointment, suspension or dismissal of local government officials and employees;
  - (b) creation and filling-up of positions whether regular, contractual or casual;
  - (c) reorganization of local government offices;
  - (d) solemnization of marriages;
  - (e) revision of duly approved local development plans; and



(f) approval of contracts other than those that need to keep the day-to-day operations going.

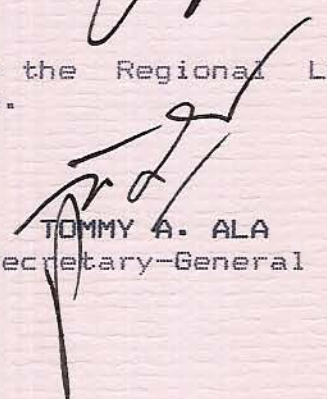
**SEC. 2. EFFECTIVITY.** - This amendment shall take effect fifteen (15) days after its publication in a newspaper of regional circulation.

APPROVED:



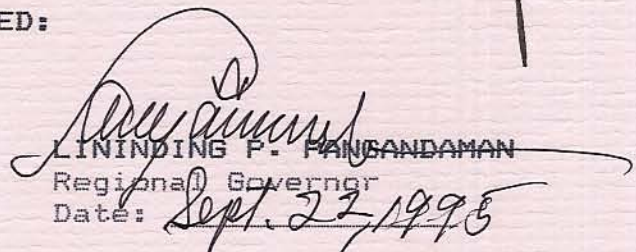
GUIMID P. MATALAM  
Speaker

This Act was passed by the Regional Legislative Assembly on September 13, 1995.



TOMMY A. ALA  
Secretary-General

APPROVED:



LININDING P. PANGBANDAMAN  
Regional Governor  
Date: *Sept. 27, 1995*

