

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. 38]

AN ACT CREATING THE SECOND ENGINEERING
DISTRICT IN THE PROVINCE OF LANAO
DEL SUR, AND FOR OTHER PURPOSES.

SECTION 1. DECLARATION OF POLICY - It is hereby the declared policy of the Regional Autonomous Government to accelerate and enhance its public works and highway projects and programs in order to hasten the socio-economic development of Muslim Mindanao.

SEC. 2. AIMS AND PURPOSES. - In order to carry out this policy, the aims and purposes of this Act are enumerated hereunder:

- a) To accelerate and enhance public works and highway, as well as other infrastructure, program and project formulations and implementations;
- b) To facilitate and pave wider and convenient distribution of basic services;
- c) To lessen project costs in terms of mobility and supervision; and



- d) To promote employment access and opportunities and other socio-economic initiatives and activities.

SEC. 3. CREATION.- In line with these aims and purposes, there is hereby created a Second Engineering District in the Province of Lanao del Sur which shall be and under the supervision of the Department of Public Works and Highways of the Autonomous Region in Muslim Mindanao.

SEC. 4. FUNCTIONS. - The Second Engineering District shall be responsible for highways, flood control, water resources development system, and other public works in the second district of Lanao del Sur and shall exercise the following functions:

- a) Undertake and evaluate district planning design, construction and works supervision and implementation for the infrastructure projects therein;
- b) Undertake the maintenance of the infrastructure facilities within the district and supervise the maintenance of such local and regional roads and other infrastructure receiving financial assistance from the regional and national government according to Executive Order No. 426, dated October 12, 1990 of the Office of the President;
- c) Ensure the implementation of laws, policies, programs, rules and regulations on infrastructure projects as well as all public and private physical structures within the second district;
- d) Provide technical assistance relevant to its functions to other agencies, including the local government units therein;
- e) Coordinate with other regional and national departments, agencies, institutions, and organizations, including the local government units therein in the planning and implementation of infrastructure projects;



- f) Conduct continuing consultations with the local government units in the district, take appropriate measures to make the services of the Engineering District responsive to community needs and recommend such actions as may be necessary to its department; and
- g) Perform such other related duties and functions or responsibilities as may be assigned by its higher offices or department or by law.

SEC. 5 AREA COVERAGE. - Unless provided by law, the Second Engineering District shall cover the areas of the existing second congressional district of the province of Lanao del Sur.

SEC. 6. - DISTRICT OFFICE AND COMPOSITION.- The Office of the Second Engineering District shall be established at the municipality of Malabang, Lanao del Sur. It shall be headed by a district engineer who shall be assisted by a Civil Engineer V with the rank of Assistant District Engineer. Both shall be appointed by the Secretary of The Department of Public Works and Highways of the Autonomous Region in Muslim Mindanao according to Civil Service Rules and Law.

SEC. 7. STAFF. - Initially, the Second Engineering District shall be provided with staff out of the personnel of the existing engineering district office based at Marawi City and those who are transferred to the new engineering district shall retain their seniority rights, compensation and other benefits.

SEC. 8. ASSETS AND LIABILITIES. - The assets and liabilities of the existing engineering district based in Marawi City shall be divided equitably between the two engineering districts.

SEC. 9. APPROPRIATIONS. - The balance in the appropriations of the former lone engineering district shall also be equitably apportioned and divided between the two engineering districts in the initial operation of the new engineering district. Thereafter, the regular budget of the second engineering district shall be included in the total budget of its department and which shall be sub-alloted to the district immediately upon the release of funds for the purpose.



SEC. 10. ATTACHED AGENCIES. - The control and supervision of the Department of Public Works and Highways attached corporations/agencies in the district, namely the Local Water Utilities Administration, National Irrigation Administration and the National Water Resources Board shall remain with the National Department of Public Works and Highways. However, the three (3) attached agencies shall coordinate all their plans, projects and programs with the Regional Autonomous Government through the engineering district as may be assigned by the Secretary of the Department of Public Works and Highways in the Autonomous Region upon prior coordination with the Regional Planning and Development Board.

SEC. 11. WATER CODE. - The District Engineer of the Second Engineering District in the province of Lanao del Sur shall be vested with similar authorities delineated or given to other engineering districts in the Water Code including the power to grant water permits and permits to drill well subject to final approval of the National Water Resources Board as authorized under Executive Order No. 426, series of 1990, of the Office of the President.

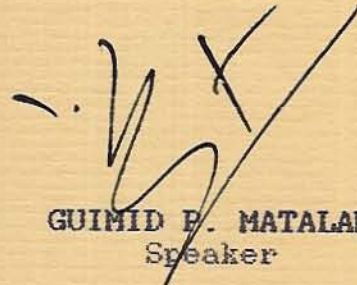
SEC. 12. As provided in the aforesaid executive order, the engineering district shall be provided with technical assistance by the regional/districts office of the Department of Public Works and Highways in Region XII as to the implementation of the National Building Code, highway standards and other national engineering and construction standards as specified by law and/or as prescribed by the National Department of Public Works and Highways.

SEC. 13. SEPARABILITY CLAUSE. - If any part or provision of this Act shall be held illegal or invalid, or declared unconstitutional or contrary to national policies, other parts or provisions not affected thereby shall remain to be in full force and effect.



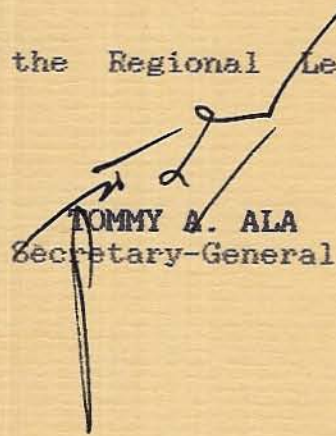
SEC. 14. EFFECTIVITY. - This Act shall take effect upon its approval and publications in a newspaper of regional circulation.

APPROVED:



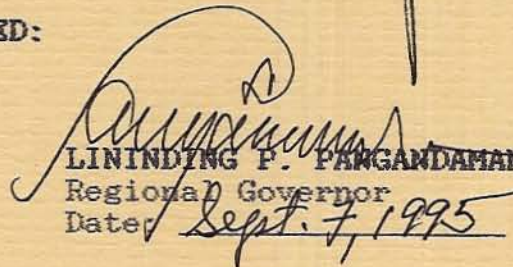
GUIMIL B. MATALAM
Speaker

This Act was passed by the Regional Legislative Assembly on July 27, 1995.



TOMMY A. ALA
Secretary-General

APPROVED:



LININDING P. PANGANDAMAN
Regional Governor
Date: Sept. 7, 1995

