

REPUBLIC ACT NO. 7878

AN ACT CONVERTING THE SUB-PROVINCES OF KALINGA AND APAYAO INTO REGULAR PROVINCES TO BE KNOWN AS THE PROVINCE OF KALINGA AND THE PROVINCE OF APAYAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4695

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. The sub-provinces of Kalinga and Apayao are hereby converted into regular provinces, to be known as the Province of Kalinga and the Province of Apayao.

SEC. 2. The Province of Kalinga shall comprise the present sub-province of Kalinga consisting of the municipalities of Balbalan, Lubuagan, Pasil, Pinukpuk, Rizal, Tanudan, Tabuk, and Tinglayan.

SEC. 3. The Province of Apayao shall comprise the present sub-province of Apayao consisting of the municipalities of Calanasan, Conner, Kabugao, Flora, Pudtol, Luna, and Sta. Marcela.

SEC. 4. The provincial capital of the Province of Kalinga shall be Tabuk and that of the Province of Apayao shall be Kabugao.

SEC. 5. Except as hereinafter provided, the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and all other laws pertaining to and applicable to regularly organized provinces shall apply to the provinces of Kalinga and Apayao.

SEC. 6. The incumbent elective provincial officials of Kalinga-Apayao shall be assigned to and shall perform their duties in the same positions in the corresponding new province to which

said elective provincial officials reside in or belong to as a member of a particular tribe or ethnic group inhabiting the province: *Provided*, That they shall continue to receive the salaries they are receiving at the time of the approval of this Act until the new readjustment of salaries in accordance with existing law: *Provided, further*, That where a position in a new province becomes vacant as a consequence of the conversion, all officials as may be necessary to fill in any vacancies in elective positions for the two (2) provinces shall, for the time being, be appointed by the President of the Philippines, and shall hold office until their successors shall have been elected in the election for the local officials following the approval of this Act and shall have qualified.

SEC. 7. The present appointive officers and employees of the Province of Kalinga-Apayao shall likewise perform their respective duties as such in any of the two (2) provinces herein created which they shall individually choose within thirty (30) days from the date of approval hereof: *Provided*, That they shall continue to receive the salaries they are receiving at the time of the approval of this Act until the new readjustment of salaries in accordance with the law. Such appointive officers and employees as may be necessary to organize, or to complete the government personnel of either province shall be appointed as provided by law.

SEC. 8. Upon the approval of this Act, the fund, assets, and other properties and the obligations of the Province of Kalinga-Apayao shall be equitably divided between the Province of Kalinga and the Province of Apayao by the President of the Philippines upon recommendation of the Commission on Audit.

SEC. 9. The incumbent representative for Kalinga-Apayao at the time of the approval of this Act shall continue to be the representative of the Province of Kalinga and the Province of Apayao until the expiration of his term of office. Thereafter, the Province of Kalinga shall have its own legislative district with its first representative to be elected in the national election after the passage of this Act. The Province of Apayao shall likewise become a new legislative district with its first representative to be elected at the same election.

SEC. 10. The Province of Kalinga and the Province of Apayao shall begin to exist upon the ratification by the majority of the votes cast in a plebiscite to be conducted in the areas directly affected within one hundred twenty (120) days after the approval of this Act.

The Commission on Elections shall conduct and supervise the plebiscite herein provided. The expenses for the plebiscite shall be charged to the appropriations for the Commission on Elections under the current General Appropriations Act.

SEC. 11. The provisions of Section 1, Section 5, Section 6, and Section 7 of Republic Act No. 4695 and all other laws, decrees, executive orders contrary to or inconsistent herewith are hereby amended, modified or repealed accordingly.

SEC. 12. During the first year of the implementation of this Act, the internal revenue allotment allocated to Kalinga-Apayao pursuant to Section 285 of the Local Government Code shall be equitably divided between the new provinces of Kalinga and Apayao in accordance with the terms and conditions as may be set in the resolution to be submitted to the Department of Budget and Management for the purpose by the incumbent Sangguniang Panlalawigan of Kalinga-Apayao in consultation with the incumbent representative for said Kalinga-Apayao. Thereafter, the provinces of Kalinga and Apayao shall each be entitled to an internal revenue allotment allocation as authorized under the said Local Government Code.

SEC. 13. This Act shall take effect upon its approval.

Approved, February 14, 1995.