

JUN 27 1991

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 462

DEVOLVING TO THE AUTONOMOUS REGIONAL GOVERNMENT OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO THE POWERS AND FUNCTIONS OF THE OFFICE FOR SOUTHERN CULTURAL COMMUNITIES, THE CONTROL AND SUPERVISION OVER ITS OFFICES IN THE REGION AND FOR OTHER PURPOSES

WHEREAS, Section 15, Article XV of Republic Act No. 6734 provides that "The Regional Government shall recognize, respect, protect, preserve, revive, develop, promote and enhance the culture, customs, traditions, beliefs and practices of the people in the area of autonomy and shall encourage and undertake the recovery, collection, collation and restoration of historical and cultural properties for posterity";

WHEREAS, the Oversight Committee created under the said Act recommends that the Autonomous Regional Government must take charge of the promotion of its cultural heritage in keeping with the spirit of autonomy;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Transfer of Powers and Functions of the Office for Southern Cultural Communities (OSCC):
The following functions of the Office for Southern Cultural Communities (OSCC) under Executive Order No. 122-C, series of 1987, are hereby transferred to the Autonomous Regional Government (ARG):

- a. Formulation, coordination, implementation, and monitoring of policies, plans, programs and projects affecting the southern cultural communities within the Autonomous Region for Muslim Mindanao (ARMM); serve as the link between the Regional Governor and agencies, public or private, internal or external, involved in such programs and projects; and recommend such affirmative actions as may be necessary for their efficient and effective implementation;

- b. Undertake and coordinate development programs and projects for the advancement of southern cultural communities, including designing, implementing and maintaining settlements in the ARMM;
- c. Provide mechanism through which the southern cultural communities within the ARMM can seek the ARG assistance and through which such assistance may be extended to them;
- d. Serve as the custodian and administrator in charge of all existing OSCC settlements within the ARMM, subdivisions, allocations and distribution of public lands and those which shall hereinafter be reserved by the ARG for the southern cultural communities including ancestral lands as provided by law;
- e. Enter, subject to existing laws, policies and guidelines, into such contracts, agreements, or arrangements, with government or private agencies or entities as may be necessary to attain the objectives of the ARMM, including obtaining loans from lending institutions;
- f. Accept grants, donations, gifts, funds, and/or properties in whatever form and from whatever source, for the benefit of the southern cultural communities within the ARMM, and administer the same in accordance with the terms thereof, or in the absence of any condition, in such manner as may be consistent with the interest of southern cultural communities in ARMM as well as any existing laws;
- g. Undertake studies, formulate policies and plans and implement programs and projects for the preservation and development of the historical and cultural heritage of southern cultural communities within the ARMM as well as establish and maintain ethnographic research centers and museums on the culture and institution of the southern cultural communities in the ARMM as may be necessary;

- h. Coordinate the enforcement of policies and laws protecting the rights of the southern cultural communities to their ancestral lands, including the applications of customary laws governing property rights and relations, in determining the ownership and extent of ancestral lands, subject to procedures and standards established by the legislature or any other duly constituted authority and for this purpose, enlist the assistance of appropriate government agencies, including those concerned with law enforcement;

Acquire, lease or own such properties or assets in whatever form as may be necessary and sell or otherwise dispose of the same and serve as the custodian or administrator of such lands or areas and other properties or assets as the ARG may reserve for the benefit of the southern cultural communities in the ARMM;

- j. Conduct inspections or surveys jointly with other appropriate agencies, and issue necessary certifications prior to the grant of any license, lease or permit for the exploitation of natural resources affecting the interests of the southern cultural communities in the ARMM;
- k. Provide legal and technical services for the survey, adjudication, titling and development of tribal ancestral lands as well as settlements proclaimed by the government for the southern cultural communities within the ARMM;
- l. Provide medical assistance and health programs in coordination with the Department of Health;
- m. Coordinate the formulation, design, integration and the implementation, where applicable, of development plans which will assist members of the southern cultural communities in the ARMM in developing their

ancestral lands with respect to contiguous areas occupied by members thereof, incorporating therein livelihood programs and ecological or environmental protection for traditional tribal domains, tribal hunting grounds and sacred ancestral places or tribal cultural assets;

- n Assist, promote and support community schools, both formal and non-formal, for the benefit of members of the southern cultural communities, incorporating therein the cultural values of the beneficiary communities consistent with the Filipino values of good citizenship and love of country, preferably in areas where existing educational facilities are not accessible to members of the southern cultural communities in the ARMM, in coordination with the Department of Education, Culture and Sports;
- o. Encourage trade fairs and market centers to serve as outlets for the agricultural and handicraft products of the southern cultural communities; support the establishment of other marketing assistance and credit facilities for the promotion of trade and entrepreneurship among southern cultural communities in the ARMM;
- p. Promote peace and harmony within, between and among the southern cultural communities by acting as mediator and encouraging the peaceful settlement of tribal disputes in accordance with prevailing customary laws of each particular tribe; for such purpose, shall codify the customary laws of each particular tribe, specially those on the conduct of adjudication councils;
- q. Recommend appropriate legislative proposals intended to promote the interests of the cultural communities within the ARMM;
- r Certify, whenever appropriate, membership of persons belonging to the southern cultural communities in the ARMM for purposes of establishing qualifications for specific

requirements of government and private agencies and for other benefits as may be provided by law; and

- s. Perform such other functions as may be provided by law.

SEC. 2. Transfer of Programs and Projects. The programs and projects of the OSCC located in the provinces of the ARMM shall be turned over to the Autonomous Regional Government subject to the usual government accounting and auditing rules and procedures.

SEC. 3. Personnel and Administration. (1) All plantilla positions (filled and unfilled) of the OSCC effectively assigned or with the provinces of the ARMM as their official station shall be placed immediately under the control and supervision of the ARG.

(2) All personnel of the OSCC who are absorbed by the ARG shall retain their seniority rights, compensation and other benefits as provided under Section 2, Article XIX of Republic Act No. 6734.

(3) Personnel who decline to transfer or be absorbed by the ARG shall have the following options as outlined by the Civil Service Commission:

- a. Retirement, if eligible
- b. Absorption by their line department in another office or region subject to the availability of positions and at management's discretion;
- c. Transfer to another department subject to the availability of position; or
- d. Voluntary resignation

SEC. 4. Assets, Equipment and Properties. The field offices and sub-field offices of the OSCC shall be transferred to the ARG, subject to the provisions of law, pertinent issuances and other rules and regulations.

SEC. 5. Budget. All outstanding budget balances duly appropriated for the operations of the OSCC in the

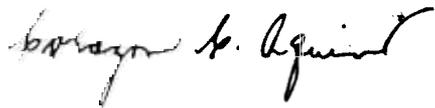
provinces of ARMM for the current fiscal year as of the date of transfer shall be turned over to the ARG.

SEC. 6. Date of Transfer. The date of transfer shall be set one month after the date of effectivity of this Executive Order.

SEC. 7. Separability Clause. If, for any reason, any part or provision of this Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 8. Effectivity. This Executive Order shall take effect fifteen (15) days after publication in a newspaper of general circulation and one (1) local newspaper of general circulation in the ARMM.

DONE, in the City of Manila, this 17th day of May, in the year of Our Lord, nineteen hundred and ninety-one.



By the President:



OSCAR M. ORBOS
Executive Secretary