

**[ REPUBLIC ACT NO. 9495, September 07, 2007 ]**

**AN ACT CREATING THE PROVINCE OF QUEZON DEL SUR**

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

**ARTICLE I  
GENERAL PROVISIONS**

SECTION 1. *Title.* - This Act shall be known as the "Charter of the Province of Quezon del Sur".

SEC. 2. *Province of Quezon del Sur.* - There is hereby created a new province from the present Province of Quezon to be known as the Province of Quezon del Sur, consisting of the municipalities of Agdangan, Buenavista, Catanauan, General Luna, Macalelon, Mulanay, Padre Burgos, Pitogo, San Andres, San Francisco, San Narciso, Unisan, Alabat, Atimonan, Calauag, Guinayangan, Gumaea, Lapel, Perez, Plaridel, Quezon and Tagkawayan. The mother province of Quezon, which is hereby renamed as Quezon del Norte, shall be composed of the municipalities of Burdeos, General Nakar, Infanta, Jamalig, Lucban, Mauban, Pagbilao, Panukulan, Patnanungan, Polillo, Real, Sampalo, Tayabas, Candelaria, Dolores, San Antonio, Sariaya, Tiaong and Lucena City.

The territorial jurisdiction of the Province of Quezon del Sur shall be within the present metes and bounds of the local government units (LGUs) which shall comprise the Province of Quezon del Sur as follows:

Bounded on the north, along Points 1 to 4 by Lamon Bay and Alabat Island;

Bounded on the northeast, along Points 4 to 5 by the Province of Camarines Norte;

Bounded on the southeast, along Points 5 to 6 by the Province of Camarinas Sur, along Points 6 to 9 by Ragay Gulf including Alibijan Island;

Bounded on the south, along Points 9 to 10 by Sibuyan Sea, along Points 10 to 11 by Mompog Pass;

Bounded on the northwest, along Points 11 to 15 to the point of beginning by the proposed Province of Quezon del Norte.

POINTS	LATITUDE	LONGITUDE
1	14°03'55.31"N	121°51'28.19"E
2	13°59'58.08"N	122°11'02.13"E
3	14°14'49.47"N	122°15'52.04"E

4	14°09'42.61"N	122°26'56.84"E
5	13°59'48.29"N	122°48'12.43"E
6	13°56'27.44"N	122°33'24.21"E
7	13°30'39.28"N	122°37'52.17"E
8	13°13'01.66"N	122°41'33.31"E
9	13°09'28.48"N	122°35'53.72"E
10	13°14'47.10"N	122°29'57.96"E
11	13°56'48.55"N	121°48'22.51"E
12	13°57'16.72"N	121°49'19.72"E
13	13°59'01.93"N	121°50'13.32"E
14	14°00'00.84"N	121°49'04.82"E
15	14°01'20.30"N	121°49'35.55"E

The foregoing provision shall be without prejudice to the resolution by appropriate agency or forum of any existing boundary dispute involving questions of territorial jurisdiction between the Province of Quezon del Sur and the adjoining LGUs: *Provided*, That the territorial jurisdiction of the disputed area or areas shall remain with the LGUs, which has existing administrative supervision over said area or areas until the final resolution of the case.

SEC. 3. *Capital Town and Seat of Government.* - The capital town and seat of government of the new Province of Quezon del Sur shall be the Municipality of Gumaca while the capital and seat of government of the Province of Quezon del Norte shall be Lucena City.

SEC. 4. *Corporate Powers of the Province.* - The province constitutes a political body corporate and as such is endowed with the attributes of perpetual succession and possessed of the powers which pertain to a provincial corporation to be exercised in conformity with the provisions of this Charter. The province shall have the following corporate powers:

- a. To have a continuous succession in its corporate name;
- b. To sue and be sued;
- c. To have and use a corporate seal;
- d. To acquire, hold and convey real or personal property;
- e. To enter into contracts and/or agreements; and
- f. To exercise such other powers, prerogatives or authority subject to the limitations as provided for in this Act or other laws.

SEC. 5. *General Powers.* - The province shall have a common seal and may alter the same at its pleasure. It shall exercise the powers to levy taxes; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the province; to expropriate or condemn private property for public use; to contract and to be contracted with; to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the province is involved or interested in; and to exercise all the powers as are granted to corporations or as hereinafter granted.

SEC. 6. *Liability for Damages.* - The province and its officials shall not be exempt from liability for death or injury to persons or damage to property.

SEC. 7. *Legislative Districts.* - The Province of Quezon del Sur shall have two

legislative districts to commence in the next elections after the effectivity of this Act, consisting of the following:

- a. First District - Agdangan, Buenavista, Catanauan, General Luna, Macalelon, Mulanay, Padre Burgos, Pitogo, San Andres, San Narciso, San Francisco and Unisan; and
- b. Second District - Alabat, Atimonan, Calauag, Guinayangan, Gumaca, Lopez, Perez, Plaridel, Quezon and Tagkawayan.

The Province of Quezon del Norte shall have two legislative districts consisting of the present first and second legislative districts of the Province of Quezon.

SEC. 8. *Jurisdiction of the Province.* - The jurisdiction of the Province of Quezon del Sur, for police purposes only, shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply of the province, such police jurisdiction shall also extend over all the territory within the drainage area of such water supply source, or within one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the province water service.

The regional trial courts and other courts under the Department of Justice (DOJ) of the adjoining municipalities shall continue to try crimes and misdemeanors committed within the mandated jurisdiction of the new province. The court first taking jurisdiction of such offense shall thereafter retain exclusive jurisdiction thereof. But any license that may be issued within said zone, area or space shall be granted by the proper authorities of the province or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said province or municipality.

## **ARTICLE II**

### **PROVINCIAL OFFICIALS IN GENERAL**

SEC. 9. *Officials of the Provincial Government.* -

- a. There shall be in the Province of Quezon del Sur: a provincial governor, a provincial vice governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial civil registrar, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, a provincial veterinarian, a provincial environment and natural resources officer, a provincial cooperatives officer and a provincial architect.
- b. In addition thereto, the provincial governor may appoint a provincial population officer and a provincial information officer.
- c. The province shall establish a provincial fire station to be headed by a provincial fire marshal, a provincial jail to be headed by a provincial jail warden and a provincial schools division to be headed by a provincial schools division superintendent.
- d. The province may:

1. Establish and maintain offices not mentioned in subsections (a), (b) and (c) hereof;
  2. Create such other offices as may be necessary to carry out the purposes of the provincial government; or
  3. Consolidate the functions of any office with those of another in the interest of efficiency and economy.
- e. Unless otherwise provided herein, heads of departments and offices shall be appointed by the provincial governor with the concurrence of the majority of the sangguniang panlalawigan members, subject to civil service rules and regulations. The sangguniang panlalawigan shall act on the appointment within fifteen (15) days from the day of its submission, otherwise the same shall be deemed confirmed.

SEC. 10, *Residence and Office*. - During the incumbency of the provincial governor, he shall have his official residence and office in the designated capital of the province. All elective and appointive provincial officials shall hold office in the provincial capital: *Provided*, That upon the resolution of the sangguniang panlalawigan, elective and appointive provincial officials may hold office in any component city or municipality within the province for a period of not more than seven days for any given month.

### **ARTICLE III ELECTIVE PROVINCIAL OFFICIALS**

SEC. 11. *The Provincial Governor*. -

- a. The provincial governor, as the chief executive of the provincial government, shall exercise such powers and perform such duties and functions as provided for in the Local Government Code of 1991 and other laws.
- b. For efficient, effective and economical governance, the purpose of which is the general welfare of the province and its inhabitants pursuant to Section 16 of the Local Government Code of 1991, the provincial governor shall:
  1. Exercise general supervision and control over all programs, projects, services and activities of the provincial government and, in this connection, shall:
    - i. Determine the guidelines of provincial policies and be responsible to the sangguniang panlalawigan for the program of the government;
    - ii. Direct the formulation of the provincial development plan, with the assistance of the provincial development council and, upon approval thereof by the sangguniang panlalawigan, implement the same;
    - iii. Present the program of government and propose policies and projects for the consideration of the sangguniang panlalawigan at the opening of the regular session of the sangguniang panlalawigan every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the provincial government may require;
    - iv. Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of provincial funds and whose appointments are not otherwise provided for in this Act, as well as

those he may be authorized by law to appoint, except those who are to be appointed by the vice governor as provided for in Section 12 hereof;

- v. Represent the province in all its business transactions and sign on its behalf all bonds, contracts and obligations, and such other documents upon the authority of the sangguniang panlalawigan or pursuant to law or ordinance;
- vi. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters or calamities;
- vii. Determine the time, manner and place of payment of salaries or wages of the provincial officials and employees, in accordance with law or ordinance;
- viii. Allocate and assign office space to provincial and other officials and employees who, by law or ordinance, are entitled to such space in the provincial capitol and other buildings owned or leased by the provincial government;
- ix. Ensure that all executive officials and employees of the province faithfully discharge their duties and functions as provided for by law and the Local Government Code of 1991, and cause to be instituted administrative or judicial proceedings against any official or employee of the province who may have committed an offense in the performance of his official duties;
- x. Examine the books, records and other documents of all offices, officials, agents or employees of the province and, in aid of his executive powers and authority, require all national officials and employees stationed in the province to make available to him such books, records and other documents in their custody, except those classified by law as confidential;
- xi. Furnish copies of executive orders issued by him to the Office of the President within seventy-two (72) hours after their issuance;
- xii. Visit component cities and municipalities of the province at least twice every six months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants, inform the officials and inhabitants of component cities and municipalities of general laws and ordinances which especially concerns them, and otherwise conduct visits and inspections to ensure that the governance of the province will improve the quality of life of the inhabitants;
- xiii. Act on leave applications of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;
- xiv. Authorize official trips of provincial officials and employees outside of the province for a period not exceeding thirty (30) days;
- xv. Call upon any national official or employee stationed in or assigned to the province to advise him on matters affecting the province and to make recommendations thereon; coordinate with said official or employee in the formulation and implementation of plans, programs and projects; and when appropriate, initiate an administrative or judicial action against a national government official or employee who may have committed an offense in the performance of his duties while stationed in or assigned to the province;