

[BATAS PAMBANSA BLG. 51, December 22, 1979]

AN ACT PROVIDING FOR THE ELECTIVE OR APPOINTIVE POSITIONS IN VARIOUS LOCAL GOVERNMENTS AND FOR OTHER PURPOSES.

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. *Local Elective Officials.*—There shall be in each province, city, municipality and municipal district such elective and appointive local officials as may be provided in this Act.

Sec. 2. *Provinces.*—There shall be in each province a governor, a vice-governor, elective members of the sangguniang panlalawigan, all of whom shall be elected by the qualified voters in the province, and members of the sangguniang panlalawigan representing the barangays and the kabataang barangay who shall be appointed by the President (Prime Minister).

The sangguniang panlalawigan of each province shall be composed of the governor as chairman and presiding officer, the vice-governor as presiding officer *pro tempore*, the elective sangguniang panlalawigan members, and the appointive members consisting of the president of the provincial association of barangay councils, and the president of the provincial federation of the kabataang barangay.

Each province shall have six (6) elective sangguniang panlalawigan members: *Provided*, That provinces with a population of less than one hundred thousand inhabitants as reflected in the records of the last population census shall have four (4) elective sanggunian members and *Provided, further*, That provinces with a population of more than one million inhabitants as reflected in the records of the last population census shall have eight (8) elective sanggunian members.

Sec. 3. *Cities.*—There shall be in each city such elective local officials as provided in their respective charters, including the city mayor, the city vice-mayor, and the elective members of the sangguniang panglungsod, all of whom shall be elected by the qualified voters in the city. In addition thereto, there shall be appointive sangguniang panglungsod members consisting of the president of the city association of barangay councils, the president of the city federation of the kabataang barangay, and one representative each from the agricultural and industrial labor sectors who shall be appointed by the President (Prime Minister) whenever, as determined by the sangguniang panglungsod, said sectors are of sufficient number in the city to warrant representation.

Until cities are reclassified into highly urbanized and component cities in accordance with the standards established in the Local Government Code as provided for in Article XI, Section 4 (1) of the Constitution, any city now existing with an annual regular income derived from infrastructure and general funds of not less than forty million pesos (P40,000,000.00) at the time of the approval of this Act shall be classified as a highly urbanized city. All other cities shall be considered components of the provinces where they are geographically located.

The City of Baguio, because of its special functions as the summer capital of the Philippines, shall be classified as a highly urbanized city irrespective of its income.

The registered voters of a component city may be entitled to vote in the election of the officials of the province of which that city is a component, if its charter so provides. However,, voters registered in a highly urbanized city, as hereinabove defined, shall not participate nor vote in the election of the officials of the province in which the highly urbanized city is geographically located.

Sec. 4. Municipalities and Municipal Districts.—There shall be in each municipality and municipal district a municipal mayor, a municipal vice-mayor, and elective members of the sangguniang bayan, all of whom shall be elected by the qualified voters in the municipality or municipal district. In addition thereto, there shall be appointive sangguniang bayan members consisting of the president of the municipal association of barangay councils, the president of the municipal federation of the kabataang barangay, and one representative each from the agricultural and industrial labor sectors who shall be appointed by the President (Prime Minister) whenever, as determined by the sangguniang bayan, said sectors are of sufficient number in the municipality or municipal district to warrant representation, after consultation with associations and persons belonging to the sector concerned.

The sangguniang bayan shall be composed of the municipal mayor who shall be the chairman and presiding officer, the municipal vice-mayor who shall be the presiding officer *pro tempore*, the elective members of the sangguniang bayan, and the members appointed by the President (Prime Minister) consisting of the president of the municipal association of barangay councils, the president of the kabataang barangay municipal federation, and one representative each from the agricultural and industrial labor sectors.

In the case of municipalities, there shall be eight (8) elective sangguniang bayan members, while in the case of municipal districts there shall be six (6) elective sangguniang bayan members.

Sec. 5. Powers, Duties and Functions.—The powers, duties and functions of the local elective and appointive officials hereinabove mentioned shall be governed by the provisions of existing laws.

Sec. 6. Compensation.—The vice-governor, vice-mayor and other elective and appointive members of the sanggunians at all levels shall be entitled to receive such salaries, allowances and other emoluments as may be determined by the Joint Commission on Local Government Personnel Administration as provided for in Presidential Decree No. 1136.

Sec. 7. Term of Office.—Unless sooner removed for cause, all local elective officials hereinabove mentioned shall hold office for a term of six (6) years, which shall commence on the first Monday of March 1980.

In the case of the members of the sanggunian representing the association of barangay councils and the president of the federation of kabataang barangay, their terms of office shall be co-terminous with their tenure as president of their respective association and federation.

The foregoing notwithstanding, in no case shall the term of office of the appointive members go beyond the end of the term of office of the elective members.