

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10483



Introduced by Representative Edgar Mary S. Sarmiento

EXPLANATORY NOTE

The bill seeks to convert the City of Calbayog, Samar from a component city to an independent component city.

According to Section 12, Article X of the 1987 Constitution, component cities whose charters prohibit their voters from voting for provincial elective officials shall be independent of the province. Independent component cities are supervised directly by the President.

My office was in receipt of a petition signed by 12,000 qualified voters and residents of Calbayog City. The Calbayognons are petitioning for the conversion of the City of Calbayog into an independent city from its current status as a component city of the Provincial Government of Samar. As their duly elected representative, it is my duty to file this measure which was lobbied for by my constituents.

To quote the same petition, "it cannot be said that Calbayog was truly independent since the economic, political, security as well as social and administrative control, were fundamentally regulated/ controlled by Samar provincial government." The key considerations in pushing for the conversion to an independent component city are the following:

1. Calbayog City will expect an increase in revenue once it becomes an independent component city as it will be able to exclusively use its revenue resources. Currently, the spending of the city is under the supervision of the Provincial Government.
2. Governance and administration shall be handled by the City Government of Calbayog with the supervision of the President of the Philippines. As such, projects proposed by the city government will not pass the Provincial Development Council. It shall be proposed directly to the Regional Development Council. Budget review and auditing shall be done by the regional offices of the Department of Budget and Management and the Commission on Audit. Moreover, local executive issuances and legislative measures shall not pass the scrutiny of the provincial government. All reports, financial statements and other pertinent documents shall be supervised by the national government.

3. The Calbayog City Government will be able to directly engage with the Department of the Interior and Local Government.
4. Calbayognons will be able to focus more on the progress and development of the city as they will not vote for officials from the province.
5. The City Government will be able to supervise its police force and implement policies which will strengthen and improve the institution.

Ultimately, we are supportive of initiatives which would bolster the autonomy of our local governments. This would ensure freedom of our local governments in managing local affairs. It also promotes decentralization and makes the people more accountable for the progress and development of their own communities.

To the residents of Calbayog City, this is an opportunity for self-determination and a way to fully enjoy freedom from interference. In the interest and welfare of the people of Calbayog, the immediate approval of this bill is earnestly sought.


EDGAR MARY S. SARMIENTO
Representative, 1st District Samar

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**AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 3279
THEREBY CONVERTING THE CITY OF CALBAYOG, PROVINCE OF
SAMAR FROM A COMPONENT CITY INTO AN INDEPENDENT
COMPONENT CITY**

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

SECTION 1. Section 2 of Republic Act No. 3279 is hereby amended to read as follows:

“SECTION 2. ~~[Territory of]~~ *The Independent Component City of Calbayog* – The City of Calbayog **shall be converted from a component city into an independent component city.** ~~[which is hereby created, shall comprise of the present]~~ **Its territorial jurisdiction shall be the present metes and bounds of the City of Calbayog which were previously known as** ~~[of]~~ the municipalities of Calbayog, Oquendo, Tinambacan, in the Province of Samar.

SECTION 2. Section 36 (c) of Republic Act No. 8528 is hereby deleted.

SECTION 3. Section 37 (a) of Republic Act No. 3279 is hereby amended to read as follows:

“(a) Lands or buildings owned by the Republic of the Philippines ~~[the Province of Samar]~~ or the City of Calbayog, and burying grounds, churches and adjacent parsonnages and convents, and lands or buildings used exclusively for religious, charitable, scientific, or educational purposes, and not for profit; but such exemption shall not extend to lands or buildings held for investment, though income therefrom be devoted to religious, charitable, scientific or educational purposes.”

SECTION 4. Section 47 par. 7 of Republic Act No. 3279 is hereby amended to read as follows:

“In the event that the crop is extensively damaged or that a great lowering of prices of products is registered in any year or that similar disaster extends throughout the [~~province~~] **city**, or for other good and sufficient reason, the Municipal Board may, by resolution passed on or before the thirty-first day of December of such year, extend the time for the collection of the tax on real estate in the city for a period of not to exceed three months, or remit wholly or in part the payment of the tax penalty for the ensuing year, but such resolution shall have to specify clearly the grounds for such extension or remission and shall not take effect until it shall have been approved by the Department Head.”

SECTION 5. Section 55 of Republic Act No. 3279 is hereby amended to read as follows:

“**SECTION 55. *Notice of seizure of real estate.***- Notice of the seizure of real estate shall be given by posting notices at the main entrance of the city hall, [~~the provincial capital building,~~] and all the municipal buildings in the [~~Province of Samar~~] **City of Calbayog**, in English [~~and Spanish~~] and in the dialect commonly used in the locality, and a copy of said notice shall be sent by registered mail to the owner of the property subject to seizure. Such notices shall state the name of the delinquent person, the date on which such delinquency commenced, the amount of taxes and penalties then due, and shall state that unless such taxes and penalties are paid within ninety days from the date of publication of such notice, the forfeiture of the delinquency real estate to the city government shall become absolute.”

SECTION 6. Section 58 of Republic Act No. 3279 is hereby amended to read as follows:

“**SECTION 58. *Notice of sale of real estate at public auction.*** – At any time after the forfeiture of any real estate shall have become absolute, the treasurer, pursuant to the rules of procedure promulgated by the Department Head, may announce the sale of the real estate seized on account of delinquency for the payment of taxes thereon, for the redemption of which no application has been filed. Such announcement shall be made by posting a notice for three consecutive weeks at the main entrances of the city hall and all the municipal buildings of the [~~province~~] **city**, in either English [~~or Spanish~~], and in the dialect commonly used in the locality, and by publishing the same once a week for three consecutive weeks in the newspaper of general circulation in the city. Copies of such shall be sent immediately by registered mail to the delinquent taxpayer at the latter’s home address, if known, The notice shall state the amount of taxes and penalties due, the time and place of sale, the name of the taxpayer against whom the taxes are levied, and the appropriate area, the lot number and the location by district and street and the street number and district or barrio where the real estate to be sold is located.”

SECTION 7. Section 89 of Republic Act No. 8528 is hereby deleted.

SECTION 8. *Repealing Clause* – Republic Act No. 3279 and all law, decrees, ordinances, rules or regulations or parts thereof, inconsistent or in conflict with the provisions of this Act are hereby expressly repealed, amended, or modified accordingly.

SECTION 9. *Separability Clause* – If for any reason any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected hereby shall continue to be in full force and effect.

SECTION 10. *Effectivity* – This Act shall become effective fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.