

ITD



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

EN BANC

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|-------------------------|-------|-------------------------------|
| IMPLEMENTING | RULES | ABAS, SHERIFF M. |
| AND REGULATIONS | OF | <i>Chairman</i> |
| REPUBLIC ACT No. 11533, | | GUANZON, MA. ROWENA AMELIA V. |
| ENTITLED "AN ACT | | <i>Commissioner</i> |
| REAPPORTIONING | THE | INTING, SOCORRO B. |
| SECOND LEGISLATIVE | | <i>Commissioner</i> |
| DISTRICT OF THE | | CASQUEJO, MARLON S. |
| PROVINCE OF RIZAL INTO | | <i>Commissioner</i> |
| THREE (3) LEGISLATIVE | | KHO, ANTONIO JR. T. |
| DISTRICTS". | | <i>Commissioner</i> |
| | | FEROLINO-AMPOLOQUIO, AIMEE P. |
| | | <i>Commissioner</i> |

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Promulgated: May 5, 2021

RESOLUTION No. 10704

WHEREAS, on March 25, 2021, President Rodrigo R. Duterte approved Republic Act (R.A.) No. 11533, entitled "An Act Reapportioning the Second Legislative District of the Province of Rizal into Three (3) Legislative Districts";

WHEREAS, Section 2 of R.A. No. 11533 requires the Commission on Elections (Commission) to issue the necessary implementing rules and regulations within thirty (30) days after its effectivity;

WHEREAS, Section 4 of R.A. No. 11533 prescribes that the law shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation;

WHEREAS, R.A. No. 11533 was uploaded/published in the *Official Gazette* on March 30, 2021, and therefore, became effective on April 14, 2021;

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WHEREAS, Section 3 of R.A. No. 9232 states:

“SECTION 3. Section 55 of Republic Act No. 8508, otherwise known as the Charter of the City of Antipolo, is hereby amended to read as follows:

‘SEC. 55. Legislative Districts. – The City of Antipolo shall have two (2) legislative districts to commence at the next national elections to be held after the effectivity of this Act. Henceforth, barangays Bagong Nayon, Beverly Hills, De La Paz, Mambugan, Mayamot, Munting Dilao, San Isidro and Sta. Cruz shall compose the first district while barangays Calawis, Cupang, Dalig, Inarawan, San Jose, San Juan, San Luis and San Roque shall form part of the second district. The two (2) elective members of the sangguniang panlalawigan provided under Section 54 hereof, as amended by Section 1 of Republic Act No. 9047, shall be elected by legislative district, with each district of Antipolo City being entitled to one (1) representative to the Sangguniang Panlalawigan of Rizal.’”;

WHEREAS, Section 41 (b) of R.A. No. 7160 or the Local Government Code of 1991, as amended by R.A. No. 8553, reads:

“SECTION 41. Manner of Election. – (a) [...]

(b) The regular members of the sangguniang panlalawigan, sangguniang panlungsod, and sangguniang bayan shall be elected by district, as follows:

First and second-class provinces shall have ten (10) regular members; third and fourth-class provinces, eight (8); and fifth and sixth-class provinces, six (6): Provided, That in provinces having more than five (5) legislative districts, each district shall have two (2) sangguniang panlalawigan members, without prejudice to the provisions of Section 2 of Republic Act No. 6637. [...]”;

WHEREAS, Section 2 of R.A. No. 6637, which amended Section 4 of R.A. 6636, mandates:

“SEC. 2. Section 4 of Republic Act No. 6636 is hereby amended to read as follows:

‘SEC 4. Provinces and other Municipalities. – First and second class each have ten (10) elective members for their respective Sangguniang Panlalawigan; third and fourth

class provinces, eight (8); and fifth and sixth class provinces, six (6), to be elected at large by the qualified voters therein.

[...]; and

WHEREAS, Section 3 (a) of R.A. No. 7166 instructs:

“Sec. 3. Election of Members of the Sangguniang Panlalawigan, Sanggunian Panlungsod and Sangguniang Bayan. – The elective members of the Sangguniang Panlalawigan, Sangguniang Panlungsod and Sangguniang Bayan shall be elected as follows:

- a. For provinces with two (2) or more legislative districts, the elective members of the Sangguniang Panlalawigan shall be elected by legislative districts. For this purpose, the number of seats shall be apportioned equitably: Provided, That, if equal division is not possible, the remaining member or members shall be elected in the district or districts with the greater number of population or, if they be the same, with the greater number of voters: Provided further, That, if a legislative district includes a city that does not vote in the election of provincial officials, the Commission on Elections, hereinafter referred to as the Commission, shall allocate the number of seats among the districts in proportion to the population of the constituencies voting for the Sangguniang Panlalawigan;”*

NOW, THEREFORE, pursuant to the powers vested in it by the 1987 Constitution, Republic Acts No.6637, 7166, 8553, 9232, 11533, and other relevant election laws, the Commission **RESOLVED**, as it hereby **RESOLVES**, to promulgate and approve the following *Implementing Rules and Regulations of R.A. 11533 entitled “An Act Reapportioning the Second Legislative District of the Province of Rizal Into Three(3) Legislative Districts”*.

SECTION 1. Title.—These rules and regulations shall be referred to as the “Implementing Rules and Regulations of R.A. No. 11533”, or the “IRR of R.A. 11533”.

SECTION 2. Reapportionment of the Second Legislative District of the Province of Rizal. —The Second Legislative District of the Province of Rizal shall be reapportioned into three (3) legislative districts, with each district to be composed of the following municipalities:

- a. The new Second Legislative District shall be composed of the Municipalities of Cardona, Baras, Tanay, Morong, Jalajala, Pililia, and Teresa.

- b. The Third Legislative District shall be composed of the Municipality of San Mateo.
- c. The Fourth Legislative District shall be composed of the Municipality of Rodriguez.

SECTION 3. *Incumbent Representative.* – The incumbent Representative of the present Second Legislative District of the Province of Rizal shall continue to represent the said legislative district until noon of June 30, 2022.

SECTION 4. *First Regular Elections.* – The first regular elections in the new Second Legislative District, as well as in the Third and Fourth Legislative Districts of the Province of Rizal shall be held on May 09, 2022.

SECTION 5. *Allocation of Seats for Members of the House of Representatives.* –Each of the new Second, Third, and Fourth Legislative Districts of the Province of Rizal shall have one (1) District Representative in the House of Representatives.

The allocation of seats for Members of the House of Representatives in the City of Antipolo shall be maintained.

SECTION 6. *Allocation of Seats for Elective Members of the Sangguniang Panlalawigan.* –The elective members of the *Sangguniang Panlalawigan* for the province of Rizal, including the City of Antipolo, shall be allocated by legislative district, as follows:

| Legislative District and <i>Sangguniang Panlalawigan</i> District | No. of Elective Members, <i>Sangguniang Panlalawigan</i> |
|------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Rizal province | |
| First | 4 |
| Second | 2 |
| Third | 1 |
| Fourth | 1 |
| City of Antipolo | |
| First | 1 |
| Second | 1 |

SECTION 7. Separability Clause. – If any section or provision of this IRR is held unconstitutional or invalid, any other section or provision not affected thereby shall remain valid and effective.

SECTION 8. Repealing Clause. – All rules and regulations or parts thereof which are contrary to or inconsistent with this IRR are hereby repealed, amended, or modified accordingly.

SECTION 9. Publication. – The Education and Information Department (EID) of the Commission shall cause the publication of this IRR in two (2) daily newspapers of general circulation in the Philippines.

SECTION 10. Effectivity. – This IRR shall take effect on the seventh (7th) day after its complete publications in two (2) daily newspapers of general circulation in the Philippines.

SO ORDERED.


SHERIFF M. ABAS
Chairman
C000107934


MA. ROWENA AMELIA V. GUANZON
Commissioner


SOCORRO B. INTING
Commissioner


MARLON S. CASQUEJO
Commissioner


ANTONIO T. KHO, JR.
Commissioner


AIMEE P. FEROLINO-AMPOLOQUIO
Commissioner

CERTIFICATION

APPROVED by the Commission on May 5, 2021 during its regular online meeting pursuant to Comelec Resolution No. 10671, "Supplemental Resolution No. 9936 promulgated March 25, 2015, Rule on the Enactment and Promulgation of Executive or Administrative Resolutions providing for other format of meetings to include online meetings applicable in times of the COVID-19 pandemic and the imposition of Community Quarantines and similar emergency situations."


ATTY. CONSUELO B. DIOLA
Acting COMELEC SECRETARY