Republic of the Philippines Autonomous Region in Muslim Mindanao REGIONAL LEGISLATIVE ASSEMBLY Cotabato City

[MUSLIM MINDANAO AUTONOMY ACT NO. 303]

Begun and held in Cotabato City, on Monday, the twenty-second day of October 2012.

AN ACT STRENGTHENING THE BASIC EDUCATION SYSTEM IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AND FOR OTHER PURPOSES.

ARTICLE I

GENERAL PROVISIONS

Section 1. Short Title. This Act shall be known as the "Strengthened Basic Education Act in ARMM of 2012.

Section 2. Applicability. This Act shall provide the philosophy, principles and policy governing the Strengthened Basic Educational System of formal public and private schools, alternative learning system, non-formal education, special needs education, madaris, and education in emergencies including those that are existing and operating as well as those that may be organized hereafter within the Autonomous Region in Muslim Mindanao (ARMM).

Section 3. Declaration of Policy and Principles. The Regional Government shall uphold the primacy of education, provide free public compulsory basic education comprising of universal kindergarten, elementary education and free secondary education and madrasah education as mandated by the Constitution and existing laws, provide free alternative learning system for out-of-school children and youth, adult learners, indigenous peoples, and differently-abled children; and formulate appropriate measures and guidelines to ensure its effective implementation.

To achieve this purpose, it is the policy of Autonomous Regional Government to develop the full potential of its graduates by providing a holistic and integrated system to develop individuals capable of thinking critically and independently, who value inner peace, human rights multiculturalism, sustainable development, life-long learning and social justice. Thus, the Regional Government and education stakeholders shall adopt policies and programs towards Page 2 MMA Act 303

creating intellectually, spiritually, emotionally and physically productive individuals who are balanced with a firm belief in and devotion to the Almighty and his Bangsamoro identity.

Thus, every graduate of basic education shall be an empowered individual who is knowledgeable and competent, possesses high moral standards, integrity, and responsible and capable of achieving a high level of personal well being as well as being able to contribute to the betterment of the family, the society, nation and *Ummah* at large

Sec. 4. Legal Framework. Pursuant to the provision of the Constitution and relevant declarations or resolutions approved in the United Nations Conventions and emergent philosophical and pedagogical development in education sector, the Regional Basic Education System shall strive to benchmark itself against regional documents, national and international conventions and relative to excellent standards on educational development, delivery and outcomes, including but not limited to the following:

1987 Philippine Constitution

Republic Act 9054 "Organic Act for the Autonomous Region in Muslim Mindanao (ARMM)"

Republic Act 9155 "Governance of Basic Education Act of 2001."

Republic Act 4670 "Magna Carta for Public School Teachers"

Republic Act 10157 "The Kindergarten Education Act"

Republic Act 9293 "An Act Amending Certain Sections of Republic Act Numbered Seven Thousand Eight Hundred Thirty Six Otherwise Known as the Philippine Teachers Professionalization Act of 1994"

Republic Act 7836 "Philippine Teacher's Professionalization Act of 1994"

UN Convention Against Discrimination in Education (1960s)

UN Convention on the Rights of the Child (1989)

Convention on the Elimination of Discrimination Against Women (CEDAW)

The Convention on Technical and Vocational Education (1989)

UN International Covenant on Economic, Social and Cultural Rights

UN Convention on the Rights of Persons with Disabilities

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World Declaration on Educational for All (1990)

Universal Declaration of Human Rights

The Dakar Framework for Action-Education for All: Meeting Our Collective Commitments (2000)

Sec. 5. Statement of Goals and Objectives. It is the goals and objectives of this Act to:

- a. Provide relevant and quality education by enriching the curriculum, increasing the number of school years of basic education, the K to 12 to 13; and providing excellent facilities, technology, information systems and culturally sensitive textbooks and educational materials.
- b. Promote and strengthen the Madrasah System as an essential part of the regional education system for which the Regional Legislative Assembly shall enact legislation for that purpose.
- c. Respect the identities of the various indigenous cultural communities in the region to which education in the Autonomous Region shall develop the consciousness and appreciation of one's ethnic identity and shall provide a better understanding of another person's cultural heritage for the attainment of national unity and harmony.
- d. Guarantee that the Autonomous Regional Government through the Department of Education shall provide basic education to all schools with the active participation of parents and the community, to ensure the welfare of parents, community and other stakeholders. On the other hand, local government units shall organize the local school boards that will be participated in by community leaders, civil societies and other stakeholders.
- e. Ensure that the values, needs and aspirations of a school community are reflected in the program of education for the children, out-of-school youth and adult learners; and that school and learning centers shall be empowered to make decisions on what is best for the learners they serve.
- f. Promote a system of Open Governance at the regional, division and school level guided by the principles of transparency, accountability, stakeholders' participation and efficiency through new technologies and innovation.

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- g. Provide a safe and secure learning environment free from violence, conflict, and environmental hazards.
- h. Provide an inclusive education including access by indigenous peoples and communities, people with disabilities (PWD) and learners with special needs.
- i. Provide facilities and mechanisms for access to distance learning education by learners from remote and isolated barangays in the region and out-of-school youth in urban centers, among others.
- j. Promote a culture of peace in the Basic Educational System of the region by infusing the principles of peace education in the curriculum which shall bring about a peaceful integration of learners and thereby achieving values of discipline, respect, principles of multiculturalism and citizenship education in general.
- k. Ensure the integration and implementation of entrepreneurial skills development of students through hands-on application and provision of appropriate facilities.

Sec. 6. Definition of Terms. For purposes of this Act, the terms or phrases used herein shall mean or be understood as follows:

Adult Learners refer to learners aged 25 years old and above who are non literates, neoliterates who either have had no access to formal education or have reverted to illiteracy.

Auxiliary Medium of Instruction refers to any language other than the prescribed medium of instruction used to facilitate learning and understanding of the content and academic language of the subject areas.

Alternative Learning System refers to a parallel learning system to provide a viable alternative to the existing formal education instruction. It encompasses both the non-formal and informal sources of knowledge and skills.

Basic Education refers to the education intended to meet basic learning needs which lay the foundation on which subsequent learning can be based. It encompasses kindergarten, elementary and secondary education as well as alternative education for those with special needs.

Disaster Risk Reduction in Education refers to systematic approach to incorporating the analysis of disaster risk and disaster risk reduction measures in education sector development planning. **Disaster risk reduction** is a combination of actions, processes and attitudes necessary for minimizing underlying factors of vulnerability, improving preparedness and building resilience of the education system. It enables an uninterrupted development trajectory of the education system and continued access of all learners to quality education.

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K to 12 refers to kindergarten and the 12 years of elementary and secondary education. The k to 12 Program covers kindergarten and 12 years of basic education (six years of elementary education, four years of Junior High School, and two years of Senior High School (SHS) to provide sufficient time for mastery of concepts and skills, develop lifelong learners, and prepare graduates for tertiary education, middle-level skills development, employment, and entrepreneurship.

Kindergarten Education refers to the first stage of compulsory formal basic education which is composed of one (1) year of preparatory education. The required age for this level is at least five years of age.

Secondary Education refers to the third stage of formal education. It consists of four (4) years of junior high school education and two (2) years senior high school education. The entrance age to the junior and high school levels are typically twelve (12) and sixteen (16) years old, respectively.

Education in Emergencies refers to the provision of quality education opportunities that meet the physical protection, psychosocial, developmental and cognitive needs of people affected by emergencies, which can be both life-sustaining and life saving. Major components of EiE include Cluster/Sector Coordination Mechanism, Assessment Emergency Education, Curricula Contingency Planning Education, Supplies and Logistics Temporary Learning Spaces; Psychosocial Support and Strategies Mobilization and Training of Teachers and other Education Personnel.

Formal Education refers to the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of kindergarten, elementary and secondary level of schooling. It is composed of a total of thirteen (13) years of schooling. At the end of each level, the learner is expected to earn a certificate of competency which is required to enter or advance to the next level.

Non-formal Education refers to any organized educational activity outside the established formal system, whether operating separately or as an important feature of some broader activity, that is intended to serve identifiable learning clienteles and learning objectives. The major non-formal education programs that are in operation are the Basic Literacy Program, the Accreditation and Equivalency Program and the Indigenous Peoples Education Program.

Informal Education refers to a lifelong process of learning by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences at home, work, at play and from life itself; and refers to any organized, systematic educational activity carried outside the framework of the formal system to provide selected types of learning to a segment of the population.

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Health and Nutrition Center (HNC) refers to a service responsible for the over-all management and effective delivery of the School Health and Nutrition Program (SHNP).

L.E.T- Licensure Examination for Teachers. It is a National Examination for Teachers administered by the Board of Professional Teachers through the Professional Regulation Commission (PRC).

Learner refers to any individual seeking basic literacy skills and functional life skills or support services for the improvement of the quality of his/her life.

Learning Center refers to a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development of the people's quality of life.

Library Hub refers to a warehouse library located in strategic place within schools division and exclusively providing public pre-school, elementary and secondary schools with quality and adequate supplementary reading materials arranged in plastic bins and sorted by subject area and grade or year level.

Medium of Instruction refers to the language used for teaching and learning the school curriculum.

Mother Tongue refers to the language first acquired by a child.

Mother Tongue- Based Multi-lingual Education (MTB-MLE) refers to 'Firstlanguage first" education that is, schooling which begins in the mother tongue and transition to additional languages particularly Filipino and English. It is meant to address the high functional illiteracy of Filipinos where language plays a significant factor. Since the child's own language enable her/him to express him/herself easily, then, there is no fear of making mistakes. It encourages active participation by children in the learning process because they understand what is being discussed and what is being asked of them. They can immediately use their mother tongue to construct and explain their words, articulate their thoughts and add new concepts to what they already know.

National Competency-Based Teacher Standards (NCBTS) refers to an integrated theoretical framework that defines different dimensions of effective teaching, where effective teaching means being able to help all types of student learn the different learning goals in the curriculum.

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Out-of-School Learners refer to school-age children and youth who are unable to avail of the educational opportunities of the formal school system or who have dropped out of the formal elementary or secondary education.

Preschool Education refers to an organized learning experience including play activities for children below five (5) years old. It aims to develop the child in all aspects physical, social, cognitive, and emotional so he/she will be better prepared for socialization and cope with the demands of formal schooling.

Provisional Teacher refers to teacher on a temporary appointment for a period of one year, subject to replacement by a more qualified teacher.

Quality Assurance and Accountability Framework (QAAF) refers to a "road map" that will provide more than half a million strong civil servants in the Philippine education system with directions on instilling quality and accountability in their operations. The QAAF brings together different but interrelated critical elements of the education process necessary in the pursuit of quality education. It seeks to bind the key players and stakeholders involved in the system into one integrated entity whose main objective is to ensure consistent provision of quality basic education services to every Filipino learner anytime, anywhere.

Quality Education refers to the appropriateness, relevance and excellence of the education given to meet the needs and aspirations of an individual and society.

Regional or Native Language refers to the speech variety prevailing in a region, area or place.

School Head refers to a person responsible for the administrative and instructional supervision of the school.

Special Needs Education refers to the education of children and youth with special needs corresponding to elementary and secondary education that require modifications of school practices, curricula, programs, special services and facilities. These include children and youth who are gifted/talented, fast learners and those with disabilities.

Sped Center refers to an administrative unit which may not be within the regular schools that serves children with special needs and is administered by an APED trained principal/head teacher or any qualified staff.

Standard Madrasah Education refers to the teaching of Arabic Language and Islamic Values Education (ALIVE) subject in public schools known as Refined Enhancement Madrasah Curriculum (REMC) and the teaching of Islamic Studies and Arabic Language (ISAL) and Revised Basic Education Curriculum (RSMC) in pilot madaris.

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Pilot Madaris refers to week-end Madaris adopting DepEd Order 51, s. 2004 and amended by DepEd Order 40, s. 2011.

Islamic Studies and Arabic Language (ISAL) refers to subjects such as: Qur'an., Aqeedah, Fiqh, Hadith, Seerah, Islamic Values, and Lughatul Arabiyyah.

Revised Basic Education Curriculum (RBEC) refers to subjects such as: English, Math, Science, Filipino and MAKABAYAN.

Tahderriya Curriculum is within early childhood curriculum development that creatively blend the teachings of the Holy Qur'an, the Sunnah of the Prophet (S.A.W.) and the principles and science of early childhood development. It acknowledges that young children learn differently and must be taught in an appropriate way.

ARTICLE II

STRENGTHENED BASIC EDUCATION

Sec 7. Concept of Education. The interdependence and multifariousness of contemporary challenges and issues require future graduates to have comprehensive perspective and multi-faceted skills. Education must also respond to the needs of peace and development in Bangsamoro Homeland. It must also match the needs of the industry.

Education is the total development of the individual, whether spiritual, moral, economic well being. Education shall consider the moral underpinnings of a responsible steward or Khalifah.

Sec. 8. Strengthened Basic Education Program (SBEP)- The strengthened basic education program, K to 12 encompasses one (1) year of kindergarten education, six (6) years of elementary education, and six (6) years of secondary education. Secondary education includes four (4) years of junior high school and two (2) years of senior high school education. For this purpose, the features of SBEP are:

- A.) Learners are expected to achieve the desired competencies at the end of each level. A certificate of completion shall be awarded at the end of each level and this shall enable them to advance to the next grade level.
- B.) For kindergarten and the first three years of elementary education, instruction teaching materials, and assessment shall adopt the mother tongue-based multilingual education (MTB-MLE). However, exceptions shall be made to the following cases:

- (b.1) when the pupils in the classroom have different mother tongues or when some of them speak another mother tongue;
- (b.2) When the teacher does not speak the mother tongue of the learners;
- (b.3) When resources, in line with the use of mother tongue, are not yet available; and
- (b.4) When teachers are not yet trained how to implement the MTB-MLE curriculum.
- C.) Basic education shall be delivered in languages understood by the learners as the language plays a strategic role in shaping the formative years of learners.
- D.) In such exceptional cases, the primary medium of instruction shall be determined by the DepEd aligned with the framework being used in the elementary level including teacher training and production of local resources and materials under DepEd Order No. 31 series of 2012.
- E.) Arabic shall be taught as subject in all grade level as required for Muslims under existing laws. This will, however, be optional for non-Muslims.
- F.) In private Madaris and other Islamic institutions, Arabic shall be the official medium of instruction. However, shifting to the auxiliary vernacular shall be applied when teaching in the lower grade levels in order to assist the slow learners.

Sec 9. Hiring of Graduates of Mathematics, Sciences and Technical-Vocational Courses. The implementation of K to 12 Program entails the urgent need of the expertise of graduates of Mathematics, Sciences, Technical-Vocational courses and other skilled and well-trained individuals duly certified by TESDA. To surmount this exigency, the DepEd-ARMM and private education institutions shall hire the foresaid graduates in probationary basis to teach in their specialized subjects.

However, such graduates shall be prioritized whenever the need of hiring new teachers arises whether to fill unfilled or newly created position in the plantilla; Provided that they pass the LET within three (3) years after the date of their hiring.

Sec. 10. Madrasah Education. Pursuant to the mandate of R.A 9054 known as the Organic Act for the Autonomous Region in Muslim Mindanao the Autonomous Regional Government shall promote and strengthen the Madrasah System as an essential part of the Regional Education System and a relevant Standard Madrasah Education (SME) shall be taught to the Bangsamoro children.

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ARTICLE III

EDUCATION DEVELOPMENT

Sec. 11. Special Needs Education. A child with special education needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be in conflict with his/her best interests. For this purpose, the Regional Secretary of the DepED-ARMM may by regulation prescribe:

- a) The duration of basic education suitable to the needs of a pupil in receipt of Special Needs Education;
- b) The curriculum to be used with respect to special education; and
- c) Any other matter which the Regional Secretary deems expedient or necessary.

Further, to effectively implement the purpose of this section, SPED Center in every School Division shall be established.

Sec. 12. Tribal Communities Education Systems. The Regional Government shall provide equal access to various opportunities to the Tribal Communities such as scholarships, grants and other incentives without prejudice to their right to establish an additional curriculum in a manner appropriate to their cultural methods of teaching and learning. Children/youth belonging to tribal communities shall have the right to all levels and forms of education of the Autonomous Regional Government.

In relation to this, the Regional Secretary of the DepED-ARMM shall ensure that newly hired teachers shall be deployed in their respective communities.

Sec. 13. Education in Emergencies. The Autonomous Regional Government shall ensure that its programs in providing quality education will not be interrupted due to armed conflicts, natural disasters and pandemics. Thus, the Regional Secretary of DepEd-ARMM shall create a Disaster Risk Reduction Office, which shall formulate and implement an Emergency Education Preparedness and Response Plan in Areas of ARMM damaged or disrupted by armed conflicts, natural disasters and pandemics in accordance with the IRR to be formulated after the approval of this Act.

Sec. 14. Health and Nutrition. The Autonomous Regional Government shall strengthen the existing Regional Health and Nutrition Unit and the Division Health and Nutrition Section by working with Department of Education Central office and the Department of Budget for the creation of required plantilla position, which shall be responsible for the school health and policy leadership program design and development, and for supervision, monitoring and evaluation.

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Sec. 15. Early Childhood Education. The Autonomous Regional Government shall strengthen the early childhood program by developing policies and programs that will promote innovative and contextualized learning particularly curricula that have proven results like Tahderriya Curriculum recognized as an alternative kindergarten program in ARMM.

Sec. 16. Adult Learning and Education. The Regional Secretary of DepEd-ARMM shall strengthen adult learning and education by developing strategies and providing access aimed at promoting life-long learning and education for adult out-of school students or those who were not able to finish basic education.

Sec 17. Role of Information and Communication Technologies. Information and Communication Technologies (ICT) shall be harnessed to support the goals of this Act. These technologies have great potential for knowledge acquisitions, utilization and dissemination, effective learning and the development of more efficient education services.

For this purpose, the Regional Secretary of DepEd-ARMM shall formulate measures and strategies to ensure that the purpose of this Section is effectively implemented. It shall include the creation of Library Hub in every Schools Division.

Sec. 18. Operationalization of Alternative Learning System. To effectively operationalize the Alternative Learning System in the elementary, secondary and special needs education, the Director of Bureau of Alternative System (BALS) shall come up with cost-effective strategies to promote adult functional literacy and using various approaches appropriate for the learners such as life skills approach and reflect approach. It shall likewise utilize various modalities and learning resources for varied learners such as use of mother tongue, disabilities modalities and educational technologies.

For this purpose, the BALS may adopt policies and standard for alternative learning services by national government agencies, local government units, non-government organizations and private sector.

This alternative learning system beyond formal school is designed to capture learners who do not enter school, who have left school, have dropped out of school regardless of age, sex, religion and others. Alternative Learning System offers basic literacy for illiterates, functional literacy-non formal education for elementary and secondary out-of-school learners, and functional literacy-informal education for all. Page 12 MMA ACT 303

ARTICLE IV

SCHOOL BASED MANAGEMENT

Sec. 19. Performance Management System and Good Governance. Partnership and collaboration in planning, monitoring and evaluation of educational performance shall involve the participation of parents, teachers and administrators taking into serious consideration the children's rights and welfare.

The administration of the Department of Education-ARMM and the schools shall exhibit good governance that ensures accountability, transparency, responsibility and observance of the rule of law to improve the quality of service and of teaching.

School Heads and School Governing Councils shall be vested with the right to monitor and coordinate with Local Government Units (LGUs) spending for basic education, particularly in relation to the use of Special Education Funds collections.

Sec. 20. Decentralization of Education. The Autonomous Regional Government shall formulate measures to implement the principle of shared Governance which recognizes that every unit in the education bureaucracy has a particular role, task and responsibility inherent in the office and for which it is principally responsible for outcomes. These measures shall promote school-based management as a system to have ownership of the school.

Sec. 21. Quality Assurance and Accountability Framework. To effectively monitor and evaluate that educational outcomes are being sufficiently achieved, the Regional Secretary of DepEd-ARMM shall institute a Quality Assurance and Accountability Framework which shall serve as control and monitoring mechanism for quality education.

ARTICLE V

PROFESSIONALIZATION OF DEPED-ARMM

SEC. 22. Qualification Standards. There shall be an effective Human Resource Management System that ensures the entry of personnel into the Department of Education based on merit and fitness.

The Qualification Standards for teaching and non-teaching personnel shall be governed by existing Civil Service laws, rules and regulations. In addition thereof, guidelines on appointment,

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promotion, reclassification and designation of the aforementioned personnel as required by law and DepEd orders shall be strictly followed.

Sec. 23. Division Distributions. DepEd-ARMM shall consist of schools divisions in every province or city. In the provinces of Lanao del Sur and Maguindanao, there shall be two schools divisions for each province. In the provinces of Tawi-Tawi, Sulu and Basilan, there shall only be one schools division for each province. There shall also be one schools division in the cities of Marawi and Lamitan. This is without prejudice to the creation of future schools divisions subject to the existing laws, rules and regulations

Sec. 24. National Qualifying Exams for Schools Heads (NQESH) Requirements. The NQESH shall serve as a mechanism for selecting competent school heads in the public basic education sector who will perform their functions upon assumption to duty. Moreover, passing the Schools Superintendents Examination otherwise known Executive Management test shall serve as criteria for appointment to Schools Division Superintendent and Assistant Schools Division Superintendent positions in addition to existing qualifications.

Sec 25. Within two (2) years upon the effectivity of this Act, all non-holders of Professional Teacher License employed under the DepEd-ARMM for less than ten (10) years shall be required to take the Licensure Examination for Teachers. Those who failure to pass such examination within the two years shall be replaced by the LET passers.

Sec 26. Prioritization: The policy of DepEd-ARMM on LET passers. The DepEd-ARMM shall hire LET passer applicants as a priority policy in the promotion of quality education. However, the non LET passers who have served DepED for at least ten (10) years shall be given permanent status in recognition of their expertise and commitment on the said advocacy. The following condition must be satisfied for them to be qualified for the position in the plantilla:

- 1. Teacher must have rendered a continuous service of at least 10 years prior to the effectivity of this Act.
- 2. He/She must pass the Qualifying Examination by The DepED-ARMM;
- 3. Other conditions as may deemed necessary;

Granting that an applicant has satisfied all the above conditions, this will only grant him/her a permanent position but cannot be promoted unless he/she pass the LET.

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Sec. 27. Continuity of Teachers' Competence. The DepEd-ARMM shall adopt the National Competency-Based Teacher Standards as basis for assessing new teachers' priority needs for professional development. Teachers competencies cover such areas as language proficiency, subject matter mastery, pedagogical and classroom management skills, and commitment to profession and community, among others, which define various dimensions of teacher capability known to be important for improved learning outcomes.

Sec. 28. Open Governance. The Regional Secretary of DepEd-ARMM shall ensure that the principles of open government shall be integrated in all its policies particularly in information-management and stakeholder participation particularly in selection, promotion, hiring of teaching and non-teaching staff and procurement of goods and services as well as infrastructure programs.

Sec. 29. Joint Education Oversight Committee. A Joint Education Oversight Committee composed of three (3) Members from the Regional Legislative Assembly and five (5) from the DepEd-ARMM is hereby created, the primary function of which is to ensure that the purpose of this Act is carried out.

Sec. 30. Implementing Rules and Regulations. The Department of Education-ARMM shall promulgate the Implementing Rules and Regulations within ninety (90) days after the approval of this Act..

Sec. 31. Separability Clause. In the event that any part or parts of this Act is declared unconstitutional, other parts not so declared shall remain valid and effective.

Sec. 32. Repealing Clause. Any provision of regional laws, orders and administrative issuances which are in conflict or inconsistent with the provisions and/or purpose of this Act are hereby repealed, revoked or modified accordingly.

Sec. 33. Suppletory Clause. On matters not provided in this Act, any existing applicable laws, executive orders, rules and regulation shall apply in suppletory manner to serve the objectives of this Act,

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Sec. 34. Effectivity. This Act shall take effect after fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation in the Autonomous Region.

APPROVED.

(SGD) RASOL Y. MITMUG, JR. Speaker

This Act was passed by the Regional Legislative Assembly on June 10, 2013.

(SGD) DATU MAMA M. AMPATUAN Secretary-General

APPROVED:

(SGD) MUJIV S. HATAMAN Regional Governor

Date: _____