



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

EN BANC

IMPLEMENTING RULES
AND REGULATIONS OF
REPUBLIC ACT No. 11553,
ENTITLED "AN ACT
PROVIDING FOR THE
REAPPORTIONMENT OF
THE PROVINCE OF
BATAAN INTO THREE (3)
LEGISLATIVE
DISTRICTS".

ABAS, SHERIFF M.
Chairman
GUANZON, MA. ROWENA AMELIA V.
Commissioner
INTING, SOCORRO B.
Commissioner
CASQUEJO, MARLON S.
Commissioner
KHO, ANTONIO JR. T.
Commissioner
FEROLINO, AIMEE P.
Commissioner

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Promulgated: July 7, 2021

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RESOLUTION No. 10708

WHEREAS, on June 24, 2021, President Rodrigo R. Duterte approved Republic Act (R.A.) No. 11553, entitled "An Act Providing for the Reapportionment of the Province of Bataan into Three (3) Legislative Districts";

WHEREAS, Section 3 of R.A. No. 11553 requires the Commission on Elections (Commission) to issue the necessary implementing rules and regulations within sixty (60) days after its approval;

WHEREAS, Section 4 of R.A. No. 11553 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. 11553 was published in the Business Mirror on June 30, 2021, and therefore, became effective on July 15, 2021;

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;"

WHEREAS, based on the 2015 Census of Population the population of each city/municipality/district are as follows:

	PROVINCE/LEGISLATIVE DISTRICT/CITY/MUNICIPALITY	2015 Population	Number of Seats for Members, Sangguniang Panlalawigan
	BATAAN	760,650	10
	1st Legislative District	207,949	3
1	Abucay	39,880	
2	Hermosa	65,862	
3	Orani	66,909	
4	Samal	35,298	
	2nd Legislative District	261,957	3
1	Orion	56,002	
2	Pilar	41,823	
3	Limay	68,071	
	<i>City of Balanga</i>	96,061	
	3rd Legislative District	290,744	4
1	Bagac	26,936	
2	Morong	29,901	
3	Mariveles	127,536	
4	Dinalupihan	106,371	

NOW, THEREFORE, pursuant to the power vested in it by the 1987 Constitution, R.A. Nos. 6637, 7166, 8553, 11553, and other relevant election laws, the Commission **RESOLVED**, as it hereby **RESOLVES**, to promulgate and approve the following implementing rules and regulations:

SECTION 1. Title. – These rules and regulations shall be referred to as the “Implementing Rules and Regulations of R.A. No. 11553”, or the “IRR”.

SECTION 2. *Reapportionment of the Province of Bataan.* – Pursuant to Section 1 of R.A. No. 11553, the Province of Bataan is reapportioned into three (3) legislative districts, as follows:

- a. The First Legislative District shall be composed of the Municipalities of Hermosa, Orani, Samal, and Abucay;
- b. The Second Legislative District shall be composed of the Municipalities of Orion, Pilar, Limay, and City of Balanga;
- c. The Third Legislative District shall be composed of the Municipalities of Bagac, Morong, Dinalupihan, and Mariveles;

SECTION 3. *Incumbent Representative.* – All incumbent Representatives of the Province of Bataan shall continue to hold office until the new Representatives have been elected and qualified.

SECTION 4. *First Regular Elections.* – The first regular elections in the new Legislative Districts of the Province of Bataan shall be held on May 09, 2022.

SECTION 5. *Allocation of Seats for Members of the House of Representatives.* – Each of the three Legislative Districts of the Province of Bataan shall have one (1) District Representative in the House of Representatives.

SECTION 6. *Allocation of Seats for Elective Members of the Sangguniang Panlalawigan.* – The seats for elective Members of the Sangguniang Panlalawigan of the Province of Bataan shall be allocated by legislative district, as follows:

Legislative District	Number of Seats for Elective Members of the Sangguniang Panlalawigan
First	3
Second	3
Third	4

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 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 publication.

SO ORDERED.

SHERIFF M. ABAS
Chairman

MA. ROWENA AMELIA V. GUANZON
Commissioner

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

ANTONIO T. KHO, JR.
Commissioner

AIMEE P. FEROLINO
Commissioner

CERTIFICATION

APPROVED by the Commission En Banc on July 7, 2021 during its regular online meeting pursuant to COMELEC RESOLUTION NO. 10671 , entitled: Supplemental Resolution to COMELEC Resolution 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