

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT NATIONAL COMMISSION ON INDIGENOUS PEOPLES

Joint Circular No. 001, series of 2011

TO : ALL LOCAL CHIEF EXECUTIVES, PRESIDING OFFICERS, MEMBERS OF LOCAL SANGGUNIAN AND OTHERS CONCERNED

SUBJECT : GUIDELINES FOR THE DETERMINATION OF THE MINIMUM THRESHOLD OF IP/ICC POPULATION IN A LOCAL GOVERNMENT UNIT (LGU) TO ALLOW MANDATORY REPRESENTATION IN THE LOCAL SANGGUNIAN

1.0 Purpose

This Joint Circular provides the guidelines for the determination of the minimum threshold of Indigenous Peoples/Indigenous Cultural Communities (IPs/ICCs) who will be entitled to a seat in the sanggunian pursuant to RA 8371, otherwise known as Indigenous Peoples Rights Act of 1997; clarifies certain issues; and ensures uniform policy interpretation.

2.0 Coverage

This Joint Circular shall apply to indigenous peoples/indigenous cultural communities especially those who have identified and/or delineated their ancestral domain/land areas and have determined that they are within the jurisdiction of local government units.

3.0 Guidelines

3.1 *The total population of an LGU shall be divided by the number of sanggunian members as prescribed in the local government Code and the result/quotient thereof will serve as the minimum number to be met by an IP/ICC population in such LGU to qualify an IP Mandatory representative for a seat in the sanggunian;*

3.2 *In the event that an IP/ICC does not meet the minimum number as computed under Item 3.1 of these Guidelines, the IP/ICC land area shall be computed at five percent (5%) of the total land area of the LGU;*

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3.3 This minimum number computed under either Item 3.1 or Item 3.2 of these Guidelines shall be properly referred to as the "threshold". The NCIP, in coordination with the DILG, shall determine the local government units which have met the threshold;

3.4 If the threshold of IP/ICC population in a given LGU, as determined under Item 3.1 or Item 3.2 of these Guideline are not met , this means that their will be no IP Sectoral representation in the sanggunian.

4.0 Procedure

4.1 The NCIP shall determine and certify to a list of the total IP/ICC based on available records;

4.3 On the basis of the total population of the concerned LGU as used in the computation of their IRA, the NCIP and the DILG shall ascertain the minimum threshold under Item 3.1 of these Guidelines;

4.3 The NCIP shall thereafter prepare a list of all LGUs which have met the minimum threshold.

5.0 Responsibilities of the Local Chief Executives and the Local Sanggunians

5.1 The sanggunian concerned shall appropriate funds covering the salaries and appropriate benefits and/or emoluments of the selected IP/ICC representative, which shall be an amount similar to that received by the regular members of the local sanggunians as prescribed under existing laws;

5.2 The local chief executive concerned shall see to it that funds covering the salaries of the selected IP/ICC sectoral representative are included in the executive budget which he shall submit to the sanggunian and in the Annual Appropriations thereafter enacted by the sanggunian.

6.0 Creation of a Joint Committee

6.0 In order to implement and ensure compliance of these Guidelines, a Joint Committee composed of the DILG and the NCIP shall be created with NCIP to act as Chairman and the DILG as Co-Chairman.

7.0 Transitory Provision

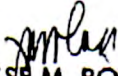
7.1 These guidelines shall be without prejudice to the IP Mandatory representatives selected under NCIP ADMINISTRATIVE ORDER NO. 001 Series of 2009 and DILG CIRCULAR NO. 2010-119 prior to the issuance of these guidelines


8.0 Repealing Clause

7.1 Issuances that are inconsistent herewith are hereby repealed or amended.

9.0 Effectivity

8.1 This Circular shall take effect immediately.


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Secretary
Department of the Interior
and Local Government


ZENAIDA BRIGIDA H. PAWID
Chairman
National Commission on
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