



Republic of the Philippines
House of Representatives
Constitution Hills, Batasan Complex, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6270

Introduced by **ALFEL M. BASCUG**, Representative,
1ST Legislative District of Agusan del Sur.

**“AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY
BATUCAN IN THE MUNICIPALITY OF TALACOGON PROVINCE OF
AGUSAN DEL SUR, AND PROVIDING FUNDS THEREOF”**

Explanatory Note

As provided in the Local Government Code of 1991, barangay is defined as the basic political unit which serves as the primary planning and implementing unit of government policies, plans, programs, projects and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered. A barangay may be created by law or by an ordinance of the *sangguniang panlalawigan* or *sangguniang panglungsod*, subject to the approval by a majority of votes cast in a plebiscite to be conducted by the COMELEC in the local government unit or units directly affected within such period as may be determined by the law or ordinance creating said barangay.

By virtue of *Sangguniang Panlalawigan* Provincial Ordinance No. 10, Series of 1996, as amended, duly ratified through a plebiscite conducted by the Commission on Elections (COMELEC) on February 28, 1998, Barangay Batucan, was separated from Barangay Del Monte

and created as a regular barangay unit in the Municipality of Talacogon, Province of Agusan del Sur.

Since the creation of barangay Batucan was made through a local ordinance, it has been excluded from receiving any share in the national Internal Revenue Allotment (IRA). Thus, the financial requirement for the operation of the barangay depends only on the financial aid and availability of the municipality of Talacogon and the province of Agusan del Sur. This exclusion, however, limits the barangay's capability of self-determination and the implementation of their own grassroots development programs. Also, this impedes the delivery to its citizens of the necessary projects and services they deserve. Hence, the enactment of its charter is crucial to the development of barangay Batucan as a distinct and independent barangay being able to sustain the demands of its constituency.

In view of the foregoing, the approval of this bill is earnestly sought.



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

SECTION 1. *Creation of Barangay Batucan.* Barangay Batucan
in the municipality of Talacogon, Province of Agusan del Sur, is hereby
separated from barangay Del Monte and constituted into a distinct and
independent barangay to be known as Barangay Batucan.

SECTION 2. *Territorial Boundaries.* The technical description of
Barangay Batucan shall be as follows:

CORNER	DESCRIPTION
1	BBM No. 19, PB 13-00043-D
2-4	Stakes
5	BBM No. 67, PB 13-00043-D
6	BBM No. 66, PB 13-00043-D
7	BBM No. 65, PB 13-00043-D

8	BBM No. 64, PB 13-00043-D
9	BBM No. 63, PB 13-00043-D
10	Stakes
11	BBM No. 01, PB 13-00043-D
12	Stakes
13	BBM No. 12, PB 13-00043-D
14	BBM No. 59, PB 13-00043-D
15	BBM No. 59, PB 13-00043-D
16	BBM No. 61, PB 13-00043-D
17	BBM No. 62, PB 13-00043-D
18	BBM No. 09, PB 13-00043-D
19	BBM No. 08, PB 13-00043-D
20	BBM No. 15, PB 13-00043-D
21	BBM No. 79, PB 13-00043-D
22	BBM No. 80, PB 13-00043-D
23-25	Stakes

SECTION 3. *Conduct and Supervision of Plebiscite.* The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to *Sangguniang Panlalawigan ng Agusan del Sur* Provincial Ordinance No. 10 Series of 1996, as amended, which was duly ratified and proclaimed therein by the Plebiscite Board of Canvassers on February 28, 1998, shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

SECTION 4. *Incumbent Barangay Officials.* The incumbent barangay officials of Barangay Batucan, Municipality of Talacogon shall continue to hold office until such time that their successors have been duly elected and qualified.

SECTION 5. *Public Infrastructures and Facilities.* All public infrastructures and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation to and shall be administered by the new barangay.

SECTION 6. *Internal Revenue Allotment and Shares.* Barangay Batucan shall be entitled to Internal revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act No. 7160, as amended,

otherwise known as the "Local Government Code of 1991."

SECTION 7. *Separability Clause.* If, for any reason, any part or provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,