

**Republic of the Philippines
Congress of the Philippines**

Metro Manila

**Eighteenth Congress
First Regular Session**

5284

Introduced by:

**Fidel F. Nograles
Second District
Province of Rizal**



**AN ACT EMPOWERING THE MEMBERS OF THE SANGGUNIAN KABATAAN (SK)
BY AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10742, OTHERWISE
KNOWN AS THE "SANGGUNIAN KABATAAN REFORM ACT OF 2015"**

Explanatory Note

The enactment of Republic Act No. 10742 or the "Sangguniang Kabataan (SK) Reform Act of 2015" is branded as a progressive policy towards engaging the youth to participate in good governance. The SK Reform Act is a recognition by the State of the youth's invaluable role in nation-building. The law sought to promote and protect the youth's physical, moral, spiritual, intellectual and social wellbeing and impress on them the values of patriotism, nationalism and other desirable nationalistic values and encourage their involvement in public and civic affairs to prepare them for good governance and leadership.

Specifically, the SK Reform Law instituted reforms which insured effective participation among young Filipinos, namely: the inclusion of an anti-political dynasty provision, the allotment of 10% of the general fund of the barangay for projects initiated and implemented by the SK, the establishment of Local Youth Development Councils (LYDCs) for the successful planning and execution of projects and programs of the SK, and the imposition of mandatory and continuing training programs for SK officials, among others.

While the implementation of RA 10742 has been tested in the SK elections of 2018, there are several issues that were raised which calls for its amendment. In order to strengthen the Sangguniang Kabataan even more and boost its potential training ground of good leaders, this bill seeks to expand the monetary benefits of its members. Technical officers such as the secretary and treasurer of the Sangguniang Kabataan and the seven (7) members of the sanggunian shall each receive an honorarium. By giving the Sangguniang Kabataan officials, who are mostly unpaid under existing law, just compensation, is to give them the right motivation to work harder and to perform their duties more conscientiously, diligently, and with integrity knowing that their contribution to society is highly appreciated by the State. Moreover, these Sangguniang Kabataan officials who completely serve all the years in their terms of office, shall be entitled to receive Barangay Official Eligibility, affording them the opportunity to be appointed in first level positions in the career service.

This bill is a response to the clamor of SK officials who have long been asking for adequate compensation for the work that they are doing and are also subject to Civil Service Laws. Since being elected in 2018, our SK officials are not receiving compensation as *ex-officio* member of the local government units' sanggunian bodies even if they have been fulfilling public functions. Moreover, LGUs who have implemented local ordinances granting honoraria and incentives to SK officials were disallowed by the Department of Budget and Management (DBM) noting that the grant of honoraria has no legal basis.

In addition, this bill will include the SK under the ambit of the Magna Carta for Women and the mandate of mainstreaming gender and development among our youth. This will also empower the National Youth Commission (NYC) to be the national coordinator for all city, municipal, and provincial SK Federations in order for the SKs to be properly represented especially in the various national government agencies' formulation and implementation of policies directly related to the functions of the SKs. Finally, this measure aims to ease the constant concern of SKs regarding vacant positions in the council and the appointments of capable treasurers.

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


FIDEL F. NOGRALES

**Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
First Regular Session**

5286

Introduced by:

**Fidel F. Nograles
Second District
Province of Rizal**

**AN ACT EMPOWERING THE MEMBERS OF THE SANGGUNIANG KABATAAN (SK)
BY AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10742, OTHERWISE
KNOWN AS THE "SANGGUNIANG KABATAAN REFORM ACT OF 2015"**

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

Section 1. Section 10 of Republic Act No. 10742, otherwise known as the "Sangguniang Kabataan Reform Act of 2015", is hereby amended to read as follows:

"Sec. 10. Qualifications. - An official of the Sangguniang Kabataan, either elective or appointee, must be a citizen of the Philippines, a qualified voter of the Katipunan ng Kabataan, a resident of the barangay for not less than one (1) year immediately preceding the day of the elections, at least eighteen (18) years but not more than twenty-four (24) years of age on the day of the elections, able to read and write Filipino, English, or the local dialect, must not be related within the second civil degree of consanguinity or affinity to any incumbent elected national official or to any incumbent elected regional, provincial, city, municipal, or barangay official, in the locality where he or she seeks to be elected, and must not have been convicted by final judgment of any crime involving moral turpitude; Provided, that the Sangguniang Kabataan Treasurer must be at least eighteen (18) years but not more than thirty (30) years of age on the day of the elections: provided, further, that the Sangguniang Kabataan Chairperson shall endeavor to appoint a treasurer with an educational and/or career background related to accountancy, finance, economics or any other similar field.

Sec. 2. Sec. 16 of the same Act is hereby amended to read as follows:

"Sec. 16. Privileges of Sangguniang Kabataan Officials - (a) All Sangguniang Kabataan officials in good standing, whether elected or appointed, shall, during their incumbency."

"xxx;"

"(3) Be excused from attending their regular classes, if they are currently enrolled in any school, while attending their regular or special Sangguniang Kabataan meetings, and the Sangguniang Barangay sessions, in case of the Sangguniang Kabataan chairperson."

"A certification of attendance shall be issued by the Sangguniang Kabataan secretary, attested by the Sangguniang Kabataan chairperson and duly noted by the Punong Barangay and shall be submitted to the concerned faculty member and the dean of the educational institution as proof of attendance. In the case of the Sangguniang Kabataan secretary, the Sangguniang Kabataan chairperson shall issue the certification duly noted by the Punong Barangay. In the case of the Sangguniang Kabataan chairperson, the barangay secretary shall issue the certification of attendance duly noted by the Punong Barangay. Any person who shall falsely certify as to the attendance of any Sangguniang Kabataan official shall be criminally and administratively liable;"

xxx;"

"(5) The Sangguniang Kabataan chairperson shall have the same privileges enjoyed by other Sangguniang Barangay officials under this Act subject to such requirements and limitations provided herein; AND"

"(6) Sangguniang Kabataan treasurer and secretary shall each receive an honorarium equivalent to a minimum of one thousand pesos (P1,000.00) per month to a maximum of three thousand pesos (P3,000) per month, while the Sangguniang Kabataan members shall each receive an honorarium of five hundred (P500) to one thousand pesos (P1,000), all depending on the youth population, size and income of the barangay, in addition to any other compensation and privileges provided by this Act. These funds shall be charged to the local funds allocated to the Sanggunian Kabataan; provided, that in local government units where honoraria are given to the aforementioned Sangguniang Kabataan officials, the aforementioned Sangguniang Kabataan official shall receive only whichever is higher between the honoraria granted under this Act or the honoraria granted by the concerned local government unit. "

"(7) Sangguniang Kabataan members and the Sangguniang Kabataan Treasurer and Secretary, who shall complete all the years in their respective terms of office, shall be granted Barangay Official Eligibility, subject to pertinent civil service laws, rules and regulations.

Sec. 3. Sec. 19 of the same Act is hereby amended to read as follows:

"Sec. 19. Succession and Filling up of Vacancies - (a) In case a Sangguniang Kabataan chairperson refuses to assume office, fails to qualify, voluntarily resigns, dies, is permanently incapacitated, is removed from office, the Sangguniang Kabataan member who obtained the highest number of votes in the election immediately preceding shall assume the office of the chairperson for the unexpired portion of his or her term. In case said member refuses to assume the position or fails to qualify, the Sangguniang Kabataan member obtaining the next highest number of votes shall

assume the position of the chairperson for the unexpired portion of the term; Provided, that, if the reason for the vacancy does not fall under the conditions stated above, the Department of Interior and Local Government (DILG) shall appoint an officer-in-charge (OIC); Provided, further, that the appointed OIC must meet the qualifications set under Section 10 of this Act."

"x x x."

Sec. 4. National Coordination. - The National Youth Commission (NYC) shall serve as the national coordinator for all city, municipal, and provincial Sangguniang Kabataan federations and, in addition to those stated under Republic Act No. 8044, otherwise known as the "Youth in Nation-Building Act", shall have the following powers and functions:

- (a) Serve as the representative of the Sangguniang Kabataan federations in coordinating with national agencies on the formulation and implementation of any issuances, circulars, memorandums, and orders directly related to the functions of the Sangguniang Kabataan in order to ensure the effective and sound cooperation of the Sangguniang Kabataan;
- (b) Evaluate the existing mandatory and continuing training programs for the Sangguniang Kabataan as stated in Republic Act No. 10742 and, if necessary, formulate and implement improvements in coordination with concerned agencies and institutions;
- (c) Settle internal disputes within the city, municipal and provincial Sangguniang Kabataan federations in coordination with concerned agencies and institutions; and
- (d) Exercise such other powers and functions as may be necessary to implement the provisions of this Act.

Sec. 5. Gender and Development. The Sangguniang Kabataan shall mainstream gender and development programs to the Katipunan ng Kabataan and shall implement Republic Act No. 9710 or "An Act Providing for the Magna Carta of Women" and other implementing rules and regulations and guidelines on gender mainstreaming.

Sec. 6. Funding and Appropriations. - The initial amount necessary to carry out the implementation of this Act shall be charged against the current appropriations of the DILG. Thereafter, such sums as may be needed for its full implementation shall be included in the annual General Appropriations Act (GAA).

Sec. 7. Implementing Rules and Regulations. - The Department of Interior and Local Government (DILG), the Department of Budget and Management (DBM), the Commission on Elections (COMELEC), the National Youth Commission (NYC), Civil Service Commission (CSC) and other concerned government agencies shall promulgate the necessary implementing rules and regulations within sixty (60) days upon the effectivity of this Act.

Sec. 8. Separability Cause. - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall continue to be in full force and effect.

Sec. 9. Repealing Clause. — All laws, decrees, executive orders or rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 10. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,