

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3454

HOUSE OF REPRESENTATIVES

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Introduced by **REP. GWENDOLYN F. GARCIA**

EXPLANATORY NOTE

Throughout the country's history, the youth have always been encouraged to participate in governance. Over time, the Philippine government has developed mechanisms to directly involve the youth in managing the affairs of the State.

In 1975, then President Ferdinand Marcos issued Presidential Decree No. 684 to create the *Kabataang Barangay* to give the youth a definite role in community affairs and to provide the government a vehicle to tap the youth in its development efforts. The President then issued Presidential Decree 1191 which created the *Pambansang Katipunan ng Kabataang Barangay* (PKKB) which was directly under the Office of the President.

Despite, however, of its notable accomplishments in developing the youth in the fields of livelihood, education, sports and culture, the *Kabataang Barangay* was perceived and criticized then as a tool to counter the growing militant youth activity against the authoritarian rule of the Marcos regime.

In 1983, Batas Pambansa 337 was enacted. It was the predecessor of the Local Government Code and detailed at length the Government's thrusts and programs to promote an enhanced and more active participation of the youth in governance.

After the collapse of the Marcos regime, the Presidential Council for Youth Affairs (PCYA) was created in 1987 under the administration of then President Corazon Aquino. It was tasked to coordinate with various youth federations and provide avenues for the development of future leaders.

The PCYA, however, had limited powers, and this caught the attention of some young legislators at that time. From 1988 to 1990, Congress youth representatives worked with the PCYA to craft the proposal that detailed the *Sangguniang Kabataan* representation.

In 1991, the proposal was later incorporated into the provisions of Republic Act 7160, otherwise known as the Local Government Code. RA 7160, in effect, abolished the *Kabataang Barangay* and provided the youth another avenue to directly participate in governance from the grassroots level up to the national level.

Under the Local Government Code, youth leaders who get elected to the SK enjoy some benefits. They are paid honoraria for attending their sessions. The *barangay* SK chairman sits as an ex-officio member of the *barangay* council and automatically chairs the Committee on Youth and Sports, a standing committee of every *barangay* council. The President of the SK municipal federation also becomes an ex-officio member of the *Sangguniang Bayan*; the president of the city federation to the *Sangguniang Panlungsod* and the president of the provincial federation to the *Sangguniang Panlalawigan*. As also provided, SK representatives automatically get the chairmanship of the Committee on Youth and Sports, a standing committee of every municipal, city or provincial legislative council. The president of the national federation composed of the presidents of the metropolitan and provincial federations automatically sits in the National Youth Commission as an ex-officio member. Under this law, the responsibilities given to SK representatives are enormous in relation to their capacity to accomplish them.

The enhanced participation of the youth in governance as institutionalized under the Local Government Code was seen as a giant leap in the development of future leaders of the country. High hopes were pinned on it to train and produce next-generation leaders who shall steer the country towards greater heights.

Through the years, however, the SK has proven itself to be a disappointment. Youth participation in governance has not yielded significant dividends for the sector it seeks represents.

Despite its lofty objectives, the SK system has not distinguished itself from mainstream politics derisively characterized as traditional politics. Cheating, bribery, fraudulent machinations, illegal campaigning and all sorts of violations of election laws have characterized SK elections in the past in a magnitude just as serious and pervading as adult politics. Over the years, several SK officers were accused of misfeasance and malfeasance in office in a way that is typical only of adult politics.

As many respected observers have correctly noted, the *Sangguniang Kabataan* has not obtained for the youth true representation in the policy-making bodies of our local government units as was envisioned for its creation. It is a matter of fact that only moneyed and well-connected candidates get elected, just like in adult politics. It cannot be disputed that traditional politicians are exploiting the system by having their children, grandchildren and relatives dominate the SK elections to consolidate their political control while training their young in the ways of traditional politics as a necessary tool to perpetuate themselves in power.

Therefore, notwithstanding the noble intentions that paved the way for its creation, the *Sangguniang Kabataan* has been proven to be a failure. The proven disadvantages far outweigh the advantages. While it failed to provide the youth meaningful participation in governance, it only distracts youth leaders from their studies as they are forced to juggle their duties and studies at the same time. As a matter of fact, many SK officers who are studying away from home, have not been rendering adequate services while receiving full benefits as members of their local legislative council and this situation defeats the very purpose of the law. Much worse, youth leaders only lose their idealism after they get contaminated by the vicious virus that is traditional politics.

Having been proven a failure, the SK has lost its significance in the country's political system. It cannot be fixed nor saved because it is basically inappropriate to involve the youth early in politics. No amendment of existing laws can do the trick because the system, in the first place, is unnecessary and counter-productive. Republic Act 10742, otherwise known as the "SK Reform Act of 2015," is irrelevant as it cannot make the system work.

It is prudent not to proceed with a system that costs much, delivers less of its assigned objectives and produces more adverse effects. There is really no need to elect and sustain tens of thousands of young politicians with taxpayers' money. It is only a waste of public funds to spend for a system that does not work. Programs for the youth can be implemented without the SK and youth participation can be maximized by some other more effective ways that do not compromise the values and education of potential leaders. With the advances in communication and the advent of social media, the SK has become superfluous and unnecessary.

Instead, the youth should be inoculated from dirty politics and unproductive political wrangling while it is not yet too late. Like typical Filipino parents, we should rather have our children focus on their studies than in politics where they are vulnerable to manipulation and exploitation

This bill, therefore, seeks to abolish the *Sangguniang Kabataan* for failing to achieve its assigned objectives. Instead of being a tool in the training of the youth in meaningful governance, it has become a tool in their exploitation by unscrupulous politicians. Instead of starting them young in governance, youth leaders are exposed early in corruption.

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


GWENDOLYN F. GARCIA

Republic of the Philippines
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SEVENTEENTH CONGRESS
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HOUSE BILL NO. 3454

Introduced by **Rep. Gwendolyn F. Garcia**

AN ACT

ABOLISHING THE SANGGUNIAN KABATAAN, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 10742, OTHERWISE KNOWN AS THE SANGGUNIAN KABATAAN REFORM ACT OF 2015 AND AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. The Sangguniang Kabataan, created under Republic Act No. 7160, otherwise known as the Local Government Code as amended by Republic Act 10742, otherwise known as the Sangguniang Kabataan Reform Act of 2015, is hereby abolished, and for this purpose, Sections 423 to 439 inclusive of Chapters 8, 9, and 10, Title I, Book III of said Code are hereby repealed.

SECTION 2. Republic Act 10742 otherwise known as the "Sangguniang Kabataan Reform Act of 2015" is hereby repealed

SECTION 3. Section 329, Article 2, Chapter 3, Title V, Book II of Republic Act 7160 is hereby amended to read as follows:

Section 329. *Barangay Funds.* - Unless otherwise provided in this Title, all the income of the barangay from whatever source shall accrue to its general fund and shall, at the option of the barangay concerned, be kept as trust fund in the custody of the city or municipal treasurer or be deposited in a bank, preferably government-owned, situated in or nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of this Title. [Ten percent (10%) of the general fund of the barangay shall be set aside for the sangguniang kabataan.]

SECTION 4. Section 390, Chapter 4, Title I, Book III of Republic Act No. 7160 is hereby amended to read as follows:

Section 390. *Composition.* - The sangguniang barangay, the legislative body of the barangay, shall be composed of the punong barangay as presiding officer, and the seven (7) regular sangguniang

barangay members elected at large, [and sangguniang kabataan chairman,] as members.

SECTION 5. Paragraph (a) of Section 446, Article Three, Chapter 3, Title II, Book III of Republic Act 7160, is hereby amended to read as follows:

Section 446. *Composition.* - (a) The sangguniang bayan, the legislative body of the municipality, shall be composed of the municipal vice-mayor as the presiding officer, the regular sanggunian members, the president of the municipal chapter of the liga ng mga barangay, [the president of the pambayang pederasyon ng mga sangguniang kabataan,] and the sectoral representatives, as members.

SECTION 6. Paragraph (a) of Section 457, Article Three, Chapter 3, Title III, Book III of Republic Act 7160 is hereby amended to read as follows:

Section 457. *Composition.* - (a) The sangguniang panlungsod, the legislative body of the city, shall be composed of the city vice-mayor as presiding officer, the regular sanggunian members, the president of the city chapter of the liga ng mga barangay, [the president of the panlungsod na pederasyon ng mga sangguniang kabataan,] and the sectoral representatives, as members.

SECTION 7. Paragraph (a) of Section 467, Article Three, Chapter 3, Title IV, Book III of Republic Act 7160 is hereby amended to read as follows:

Section 467. *Composition.* - (a) The sangguniang panlalawigan, the legislative body of the province, shall be composed of the provincial vice-governor as presiding officer, the regular sanggunian members, the president of the provincial chapter of the liga ng mga barangay, [the president of the panlalawigang pederasyon ng mga sangguniang kabataan,] the president of the provincial federation of sanggunian members of municipalities and component cities, and the sectoral representatives, as members.

SECTION 8. Duly elected officers of the Sangguniang Kabataan holding office upon the approval of this Act shall continue to hold office for the duration of the term for which they had been elected.

SECTION 9. *Repealing Clause.* – Section 10(O) of Republic Act No. 8044, otherwise known as the “Youth In Nation-Building Act”; Sections 1 and 2 of Republic Act No. 9340, entitled “An Act Amending Republic Act No. 9164, Resetting the Barangay and Sangguniang Kabataan Elections, and for Other Purposes”; all other laws, presidential decrees, executive orders letters of instruction, rules and regulations or portions thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 10. *Separability Clause.* - In case any provision of this Act is declared unconstitutional or invalid, the other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SECTION 11. *Effectivity.* – This Act shall take effect after fifteen days following the completion of its publication in the Official Gazette or in at least two (2) newspapers of national circulation.

Approved.