

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. **3193**



---

Introduced by HON. ALETA C. SUAREZ

---

EXPLANATORY NOTE

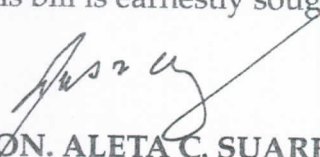
The barangay stands at the frontline of public services. The national government relies on the barangay for the delivery of basic goods and services to the community. The barangay also plays a significant role in the planning and the implementation of national government programs and projects to stimulate growth and development across the board. Adequate support by way of legislation must be provided to the barangay, and barangay officials and employees given their contribution to the nation's progress.

The Magna Carta for Barangays will recognize barangay officials as regular government employees and will ensure fixed salaries, allowances, and benefits. The Magna Carta also ensures the right of the barangays to basic public services and facilities such as supply of safe and potable water, availability and accessibility of public transportation, employment priority of residents, and establishment of schools, health centers, and barangay halls. Local autonomy of the barangays shall be protected, as well as the equitable share of the barangays in national wealth.

Through this measure, the delivery of public services to the people at the grassroots level are guaranteed. This bill is based on Senate Bill No. 2148 filed by

Senator Aquilino "Koko" Pimentel III and Senate Bill No. 2097 filed by Senator Sonny Angara, filed during the 17th Congress.

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



**HON. ALETA C. SUAREZ**  
Representative  
Third District, Quezon Province

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**3193**

House Bill No. \_\_\_\_\_

---

Introduced by HON. ALETA C. SUAREZ

---

**AN ACT ESTABLISHING THE MAGNA CARTA FOR BARANGAYS**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**SECTION 1. *Short Title.*** - This Act shall be known as the "*Magna Carta for Barangays.*"

**SEC. 2. *Declaration of Policy.*** - It is hereby declared, policy of the State to promote, develop, and improve the general welfare of the barangay as a political unit, including its residents; raise the economic and social status of barangay officials; grant every barangay the basic facilities for decent, healthy, and comfortable living therein; and provide new measures that will insure local autonomy to ensure the effective performance of its role as the primary planning and implementing unit of government programs, projects, and activities, and as a forum in which the collective views of the people in the community may be crystallized and considered.

**SEC. 3. *General Principles.*** - The general principles of this Act are as follows:



- a. The national government shall give more attention to the development of the barangay, as it is the basic political unit of society;
- b. Every barangay shall be given the authority and capability to resolve its problems on its level; and
- c. Self-help or people power shall be the guiding principle in all barangay development projects.

## CHAPTER II

### BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES

**SEC. 4. *Barangay Officials as Regular Government Employees.*** - The Punong Barangay, members of the Sangguniang Barangay, the Sangguniang Kabataan Chairperson, Barangay Secretary, and Barangay Treasurer in all barangays are hereby declared regular government employees. They shall, henceforth, be entitled to the salary, emoluments, allowances, and benefits such as insurance, medical and dental coverage, retirement benefits, and all other fringe benefits that a regular government employee may be entitled to, according to law.

**SEC. 5. *Salaries of Barangay Officials.*** - As soon as the appropriate steps and measures are undertaken by each city or municipality in coordination with the individual barangay involved on matters relating to the sources of funds and the corresponding appropriate ordinance, which in no case shall be later than six (6) months from the approval hereof, all barangay officials in the paragraph hereof, shall be entitled to the following fixed salaries:

- a. *Punong Barangay* - An amount equivalent to the salary of a member of the Sangguniang Bayan of his municipality or city.
- b. *Members of the Sangguniang Barangay* - An amount equivalent to eighty percent (80%) of the salary of a member of the Sangguniang Bayan of his municipality or city.

- c. *Sangguniang Kabataan Chairperson, Barangay Secretary, Barangay Treasurer* - An amount equivalent to seventy-five percent (75%) of the salary of a member of the Sangguniang Bayan of his municipality or city.

### CHAPTER III

#### BASIC PRIORITIES IN THE BARANGAY

**SEC. 6. *Provision of drinking water.*** - It is the right of every barangay to have a regular supply of clean and potable water. Every city or municipality, as the case may be, is hereby required to construct or maintain at least one (1) facility for drawing drinking water to supply the needs of every one thousand (1,000) residents for each barangay within its jurisdiction.

**SEC. 7. *Availability and accessibility of transportation.*** - Every barangay has the right to have public transportation available and accessible at least once a day. Every municipality or city, as the case may be, should make such necessary representations before appropriate government agencies to require public utility companies operating primarily within its jurisdiction to provide minimum means of transportation in every barangay.

**SEC. 8. *Schools, Health Centers, and Barangay Halls.*** - Every barangay is entitled to have at least one (1) kindergarten and at least one (1) elementary school: *Provided, That* there shall be at least one (1) high school for every five (5) kilometers from the barangay center. It shall also be the right of every barangay to have one (1) health center and one (1) barangay hall.

### CHAPTER IV

#### MEASURES SECURING LOCAL AUTONOMY

**SEC. 9. *Automatic Release of Share from National Taxes.*** - The allotment representing the share of the barangay from the national taxes shall be released,



without need of any further action, directly to the Barangay Treasurer on a quarterly basis within five (5) days after the end of each quarter.

**SEC. 10. *Transfer of Funds to Barangay for the Maintenance of Roads and Bridges.*** - All public funds appropriated from the National Treasury for the maintenance of barangay roads and bridges and other similar construction works shall be transferred or remitted directly to the general fund of every barangay for their proper disposition by barangay officials, subject to auditing laws, rules, and regulations.

**SEC. 11. *Mandatory Share of Barangays in All Taxes, Fees, or Other Charges.*** - Twenty-five percent (25%) of all taxes collected on real property located within the barangay shall be considered barangay funds and shall be allocated in accordance with existing laws. In addition thereto, each barangay shall be entitled to ten percent (10%) from all other forms of taxes, fees, penalties, compromises, or other charges collected from persons residing in the barangay or entities whose office or manufacturing plant is located within the barangay.

**SEC. 12. *Equitable Share of the Barangay from the Proceeds of the Utilization and Development of National Wealth.*** - For the exploitation, utilization, and development of natural resources within its territory, every barangay shall be entitled to an equitable share of the proceeds derived therefrom. The amount of barangay share shall be determined by the city or municipality concerned after consultations with the concessionaires, the municipal or city officials and barangay officials, taking into account the extent of the exposure of the barangay residents to pollution, flood, and ecological imbalance: *Provided, That*, this equitable sharing rate for each barangay shall be resolved by all parties concerned not later than six (6) months from the approval of this Act.

Revenues derived from this source shall also form part of the general fund of the barangay.

## CHAPTER V

### MISCELLANEOUS BENEFITS

**SEC. 13. *Scholarship Grant.*** - Every barangay shall sponsor at least one (1) scholarship grant every year leading to any bachelor degree to be awarded by a committee of five (5) persons appointed by the Sangguniang Barangay, with the approval of the Punong Barangay, after competitive examinations are given to applicants, who should be *bona fide* residents of the barangay. The grant shall include tuition fees and all other school fees, reasonable allowances for school books, supplies, transportation, and other expenses as the barangay may deem appropriate.

**SEC. 14. *Priority in Employment.*** - Residents in every barangay shall have priority in the hiring of workers and laborers to be needed in any government construction or development project within the barangay.

**SEC. 15. *Cooperative Enterprise.*** - Cooperative enterprises in the barangay shall be encouraged and every barangay is directed to give full assistance for the establishment and organization of said enterprises and to take every possible effort to make cooperative undertakings a way of life in the barangay.

## CHAPTER VI

### ADMINISTRATION AND ENFORCEMENT

**SEC. 16. *Implementing Rules and Regulations.*** - The Secretary of Interior and Local Government shall promulgate such rules and regulations as may be necessary to implement the provisions of this Act. The implementing rules and regulations issued pursuant to this Section shall take effect thirty (30) days after publication in a newspaper of general circulation and by such other means as the Secretary deems reasonably sufficient to give interested parties general notice of such issuance.

**SEC. 17. *Appropriations.*** - The amount necessary to implement the provisions of this Act shall be included in the annual General Appropriations Act.

**SEC. 18. *Penal Provisions.*** - Any person who shall willfully interfere with, restrain, or coerce any barangay official or barangay resident in the exercise of his or their rights guaranteed by this Act or who shall, in any other manner, commit any act to defeat any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or by imprisonment of six months and one day, or both, subject to the discretion of the court.

If the offender is a public official, the court shall, after conviction, order his dismissal from the government service, in addition to the imposable penalties.

**SEC. 19. *Separability Clause.*** - Should any provision of this Act be declared invalid or unconstitutional, no other provision hereof shall be thereby affected.

**SEC. 20. *Repealing Clause.*** - All laws, decrees, executive orders, rules, regulations, orders, circulars, and memoranda inconsistent with any provisions of this Act are hereby repealed or modified accordingly.

**SEC. 21. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.