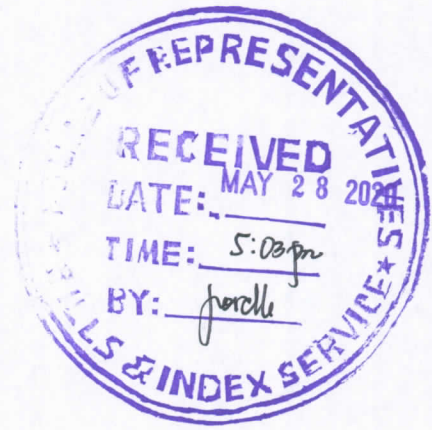


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6861



Introduced by Representative **SHIRLYN L. BAÑAS-NOGRALES**

EXPLANATORY NOTE

Barangay Pagalungan was created as a separate and distinct barangay in the Municipality of Polomolok, under the First Congressional District of the Province of South Cotabato and General Santos City pursuant to Ordinance No. 02, series of 1995, as amended by Ordinance No. 04, series of 1995, enacted by the Sangguniang Panlalawigan of South Cotabato on June 20, 1995.

Its creation is a realization of the desire of the people of Barangay Pagalungan to be self-reliant community and to make its people more effective and meaningful partners in attaining national goals.

However, since its creation by virtue of said provincial ordinance in 1995, Barangay Pagalungan does not enjoy Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

Section 6 of Article X of 1987 Constitution states that Local Government Units (LGUs) shall have a just share, as determined by law, in the national taxes which shall automatically be released to them. The Internal Revenue Allotment (IRA) as incorporated in the general appropriations law enacted annually by the legislature is the 'just share' contemplated by this constitutional mandate.

Thus, the enactment of this Bill into law will enable Barangay Pagalungan to avail of the IRA provided for in the yearly General Appropriations Act.

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


SHIRLYN L. BAÑAS-NOGRALES

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EIGHTEENTH CONGRESS
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House Bill No. 6861

Introduced by Representative **SHIRLYN L. BAÑAS-NOGRALES**

**AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY
PAGALUNGAN IN THE MUNICIPALITY OF POLOMOLOK,
PROVINCE OF SOUTH COTABATO**

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

Section 1. *Creation of Barangay Pagalungan.* – Sitio Pagalungan in Barangay Lumakil, Municipality of Polomolok, Province of South Cotabato is hereby separated from Barangay Lumakil and constituted into a distinct and independent barangay to be known as Barangay Pagalungan.

Section 2. *Territorial Boundaries.* – The territorial boundaries of Barangay Pagalungan shall consist of permanent natural boundaries identified as follows:

“On the North, by Barangay Lapu, Polomolok, South Cotabato;

On the East, by Barangay Rubber, Polomolok, South Cotabato;

On the West, by Barangay Lamcaliaf, Polomolok, South Cotabato; and

On the South, by Barangay Poblacion, Polomolok, South Cotabato.”

Section 3. *Conduct and Supervision of Plebiscite.* – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) in Barangay Lumakil on July 29, 1995, pursuant to Ordinance No. 02, series of 1995, as amended by Ordinance No. 04, series of 1995, enacted by the Sangguniang Panlalawigan of South Cotabato on June 20, 1995, which ratified the creation of Barangay Pagalungan shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160.

Section 4. *Incumbent Barangay Officials.* – The incumbent barangay officials of Barangay Pagalungan shall continue to hold office until such time that their successors shall have been duly elected and qualified.

Section 5. Public Infrastructures and Facilities. – All existing 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 Shares. – Barangay Pagalungan shall be entitled to Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act 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 a newspaper of general circulation.

Approved,