

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



**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5020**

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**INTRODUCED BY: REPRESENTATIVES SHERNEE A. TAN-TAMBUT AND  
SAMIER A. TAN**

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**EXPLANATORY NOTE**


This bill seeks to establish the Magna Carta for Barangays, a vital piece of legislation that will effectively provide various benefits and privileges for barangays and barangay officials. The benefits and privileges include making all barangay officials, like the punong barangay, sangguniang barangay members, kabataang barangay chairperson, barangay secretary and barangay treasurer as regular employees. As such, they are entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and such other fringe benefits to which a regular government employee may be entitled to receive.

This bill likewise proposes to promote the welfare of the barangays by providing them with basic services and facilities such as regular supply of clean and potable water, public transportation, schools, health centers and barangay halls, and other needs of the community, as well as scholarship grants and other matters greatly beneficial to the residents of the barangays.

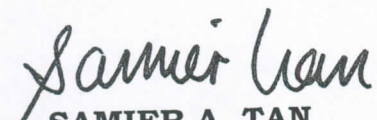
It is the paramount objective of this bill to give due recognition, by way of granting benefits and privileges to barangay officials, to the important role that barangays perform, being designated by Republic Act No. 7160, as amended, otherwise known as Local Government Code of 1991 as "xxx the primary 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, and where disputes may be amicably settled".

It is also worthy to emphasize that the barangay is the only type of local government unit where the Executive, Legislative and Judicial powers rolled into one are lodged.

The foregoing reasons warrant the approval of this bill important piece of legislation.



**SHERNEE A. TAN-TAMBUT**  
Representative  
Kusug Tausug Partylist



**SAMIER A. TAN**  
Representative  
First District, Sulu



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

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

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

**SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to uplift the standard of living of barangay officials, grant every barangay the basic facilities for decent, healthy and comfortable living therein, and provide new measures that will ensure their full development for the general welfare of residents of barangays. Toward this end, every barangay shall be given full support for 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. Barangay Officials as Regular Employees.** – The punong barangay, sangguniang barangay members, kabataang barangay chairperson, the barangay secretary and barangay treasurer in all barangays are hereby declared regular employees. As such, they are entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and such other fringe benefits to which a regular government employee may be entitled to receive.

**SEC. 4. Salaries.** – All barangay officials mentioned in Section 3 of this Act shall be entitled to fixed salaries not exceeding the rate equivalent to the first step of the salary grades prescribed under Republic Act No. 6758, as amended, otherwise known as the Compensation and Position Classification Act of 1989, in the city or municipality where the barangay belongs:

Salary Grade 20 - For the punong barangay;

Salary Grade 16 - For the sangguniang barangay members, barangay secretary and barangay treasurer;

**SEC. 5. Drinking Water.** – Every barangay shall have a regular supply of clean and potable water. For this purpose, every city or municipality, shall construct or maintain at least one (1) deep well with pumping device for drawing drinking water to supply the needs of every one thousand residents for each barangay within its jurisdiction.

**SEC. 6. Transportation.** – Every barangay shall have a public transportation available at least once a day. For this purpose, every municipality or city, shall make such necessary representations before the appropriate government agencies to require public utility companies operating within its jurisdiction to provide the minimum means of transportation in every barangay.

**SEC. 7. Barangay Halls, Schools and Health Centers.** – Every barangay shall have one (1) barangay hall, one (1) health center, at least one (1) public elementary school, and one (1) public high school.

**SEC. 8. Automatic Release of Share in National Taxes.** –The share of the barangays in the national taxes shall be automatically remitted to the barangays at the end of the calendar year.

**SEC. 9. Transfer of Funds 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 constructions shall be transferred or remitted directly to the general fund of every barangay for proper disposition by the barangay officials.

**SEC. 10. Mandatory Share 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 is entitled to ten percent (10%) in 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. 11. Share in the Proceeds of Natural Wealth.** – Every barangay is entitled to an equitable share in the proceeds from the exploitation, utilization and development of natural resources within its territory. The amount of the 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. 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.

**SEC. 12. Scholarship Grant.** – Every barangay shall offer at least one (1) bachelor's degree scholarship grant annually to a bona fide resident of the barangay who must top the competitive examinations given by the barangay scholarship committee. The scholarship committee shall be created composed of five (5) members appointed by the *sangguniang barangay*, with the approval of the *punong barangay*.

The scholarship grant includes tuition fees and all other school fees, reasonable allowances for schoolbooks, supplies and transportation, and other expenses as the barangay may deem appropriate.

**SEC. 13. Priority in Employment.** - Residents in the barangay shall have the priority in the hiring of workers and laborers for any government construction or development projects within their respective barangays.

**SEC. 14. Implementing Rules and Regulations.** –The Secretary of the Interior and Local Government shall, in consultation with the Department of Budget and Management (DBM) promulgate the necessary rules and regulations for the effective implementation of this Act.

**SEC. 15. Appropriations.** - The amount necessary to implement this Act shall be charged against the proceeds from national internal revenue taxes before deducting the Internal Revenue Allotment (IRA) shares of local government units.

**SEC. 16. Penalty.** – Any person who willfully interferes with, restrains or coerces barangay officials or residents in the exercise of their rights guaranteed under this Act, or who in any other manner commits any act to defeat any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Five thousand pesos (P5,000.00) nor more than Ten thousand pesos (P10,000.00) or by imprisonment of not more than six (6) months, or both, subject to the discretion of the court. If the offender is a public official, the court shall order the dismissal of the offender from the government service.

**SEC. 17. *Repealing Clause.*** – All laws, decrees, executive orders, implementing rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**SEC. 18. *Separability Clause.*** – If any provisions of this Act are declared invalid, the remainder or any provisions thereof not affected thereby shall remain in force and effect.

**SEC. 19. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*