

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

House Bill No. **4630**



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**Introduced by Representative LAWRENCE LEMUEL H. FORTUN**  
**and Representative MA. ANGELICA M. AMANTE-MATBA**

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**EXPLANATORY NOTE**

This bill seeks to create Barangay Casiklan in the Municipality of Las Nieves, Agusan del Norte, through a Congressional Act, to enable it to invoke and access its just share in the national taxes for the benefit of its constituencies.

Article X of the 1987 Constitution provides

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Section 6. Local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them.

Section 7. Local governments shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas, in the manner provided by law, including sharing the same with the inhabitants by way of direct benefits.

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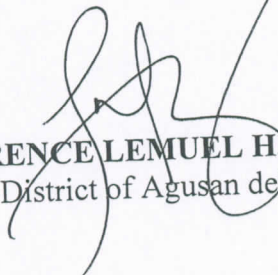
Barangay Casiklan is a large mountainous barangay in the western side of the Municipality of Las Nieves situated at the southern border of the Province of Agusan del Norte. It has a population of 2,066 based on the 2015 census and is host to a number of indigenous cultural communities, particularly those belonging to the Higaonon tribe.

In 1996, the Sangguniang Panlalawigan of Agusan del Norte passed Ordinance No. 025-96 which sought the separation of Sitio Casiklan from Barangay Durian to become Barangay Casiklan. This was ratified through a plebiscite conducted by the Commission on Elections in compliance with Section 10 of Republic Act No. 7160, or the Local Government Code of 1991 and thus, Sitio Casiklan became a barangay.

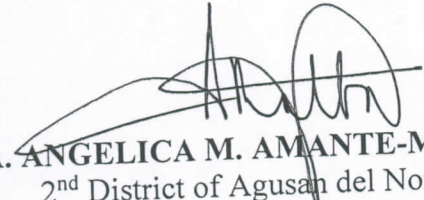
While the barangay government of Casiklan has been in existence and operating as such for almost two decades, it continues to struggle in providing basic services to its constituents due largely to limited funds. It being a creation of the provincial government, Barangay Casiklan does not receive a regular share in the internal revenue allotment provided for in the Local Government Code. At present, its funding comes from the annual subsidies it receives from the provincial and municipal governments. This is consistent with Section 285 of the Local Government Code which provides that the financial requirements of barangays created by local government units after its effectivity shall be the responsibility of the local government unit concerned.

With a fast growing population and constantly increasing requirements, it is essential that Barangay Casiklan be fiscally empowered in order for it to effectively meet the pressing needs of its constituents and pursue its development agenda in the short, medium and long terms. Currently, with its status and meager resources, it survives almost solely on the subsidies extended by the provincial and municipal governments. Thus, the passage of a national law creating and recognizing Barangay Casiklan as a regular barangay has become imperative and indispensable.

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



**LAWRENCE LEMUEL H. FORTUN**  
1<sup>st</sup> District of Agusan del Norte



**MA. ANGELICA M. AMANTE-MATBA**  
2<sup>nd</sup> District of Agusan del Norte



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Introduced by Representative **LAWRENCE LEMUEL H. FORTUN**  
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**AN ACT**  
**CREATING A BARANGAY TO BE KNOWN AS BARANGAY CASIKLAN IN THE**  
**MUNICIPALITY OF LAS NIEVES, PROVINCE OF AGUSAN DEL NORTE**

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

**SECTION 1. Creation of Barangay Casiklan.** – There shall be created a Barangay in the Municipality of Las Nieves, Province of Agusan del Norte, to be known as Barangay Casiklan,

**SEC. 2. Territorial Boundaries.** – The territorial jurisdiction of Barangay Casiklan shall be the actual area as reflected in the sketch plan prepared by the Municipal Assessor of Las Nieves, described as follows:

Beginning at the point marked “1” on the plan being due west, 7,300 meters from MBM #10, Las Nieves, Agusan del Norte; thence S 0-30 E; 2,676 meters to point 2; thence due west; 1,640 meters to point 3, thence S 31-30 E 1,360 meters to point 4 thence S 40-0 W, 480 meters to point 5; thence N 73-0 W, 1,770 meters to point 6; thence N 64-51 W 1,850 meters to point 1, point of beginning, containing an area of 3,873.0600 hectares, more or less bounded on the North, by the Municipality of Buenavista, Province of Agusan del Norte on the East, by Barangay Ibuan, Las Nieves, Agusan del Norte, on the South, by Barangay Durian the mother barangay of newly-created Barangay Casiklan, and on the west by Misamis Oriental.

**SEC. 3. Conduct and Supervision of Plebiscite.** – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) on August 26, 2000, in the ratification of the creation of Barangay Casiklan pursuant to Provincial Ordinance No. 025-96 of the Sangguniang Panlalawigan of the Province of Agusan del Norte, shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act 7160, as amended, otherwise known as the “Local Government Code of 1991.”

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

**SEC. 5. Public Infrastructure and Facilities.** – All 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.

**SEC. 6. Internal Revenue Allotment Shares.** – Barangay Casiklan shall be entitled to Internal Revenue Allotment (IRA) pursuant to Section 285 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

**SEC. 7. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.