

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3707



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

The *barangay* is the basic political unit of the country. It serves as 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.¹

Barangays are expected to effectively and efficiently operate in the grassroots level. However, due to the lack of government support, the *barangays* are not able to meet what is expected of them. Indeed, they are at the frontlines of government service, but the services they deliver to our communities are often overlooked. Also, the compensation provided under the Local Government Code does not fairly represent their vital role in carrying out the basic services for the community.

This bill is, therefore, filed to address the plight of the *barangays* as it seeks to provide all *barangays* the appropriate basic services and facilities to meet the needs of the community.

The measure also proposes the classification of *barangay* officials as regular government employees with fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and such other fringe benefits for which a regular government employee may be entitled to in consideration of their crucial role and involvement in our system of government.

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


ANGELO MARCOS BARBA

¹ Section 384, Local Government Code of the Philippines

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House Bill No. **3707**

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2nd District, Ilocos Norte

AN ACT PROVIDING MAGNA CARTA FOR BARANGAYS

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

ARTICLE 1.
GENERAL PRINCIPLES.

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

SECTION 2. Declaration of Policy. – It is the policy of the State to promote, develop, and improve the general welfare of *barangay* 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 its enjoyment of 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.

SECTION 3. General Principles. – The general principles of this Act are as follows:

- a. The national government shall give more attention to the development of *barangays*, as they are the country’s basic political units;
- b. Every *barangay* shall be given the authority and capability to handle its concerns on its level; and
- c. Self-help or people power shall be the guiding principle in all *barangay* development projects.

ARTICLE 2.
BARANGAY OFFICIALS AS
REGULAR GOVERNMENT EMPLOYEES

SECTION 4. *Barangay Officials as Regular Government Employees.* – The *punong barangay*, members of the *sangguniang barangay*, the *sangguniang kabataan* chairperson, the *barangay* secretary, and *barangay* treasurer in all *barangays* are hereby declared regular government employees, and as such are entitled to the salary, emoluments, allowances, benefits such as insurance, medical, and dental coverage, and retirement benefits, and all other fringe benefits to which a regular government employee may be entitled to.

SECTION 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 fund and the corresponding appropriation ordinance, which in no case shall be later than six (6) months from the approval hereof, all *barangay* officials mentioned in Section 4 hereof, shall be entitled to the following fixed salaries:

- a. *Punong Barangay* – An amount equivalent to the salary of a *sangguniang bayan* member of his municipality or city.
- b. *Members of the Sangguniang Barangay* – An amount equivalent to eighty percent (80%) of the salary of a *sangguniang bayan* member of his municipality or city.
- c. *Sangguniang Kabataan Chairperson, Barangay Secretary, Barangay Treasurer* – An amount equivalent to seventy-five (75%) of the salary of a *sangguniang bayan* member of his municipality or city.

ARTICLE 3.
BASIC PRIORITIES IN THE BARANGAY

SECTION 6. *Drinking Water for Every Barangay.* – It is the right of every *barangay* to have a regular supply of clean and potable water. To attain this goal, 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.

SECTION 7. *Transportation for Every Barangay.* – It is also the right of every *barangay* to have public transportation available at least once a day. For this purpose, every municipality or city, as the case may be, should make necessary representations before appropriate government agencies to require public utility companies operating primarily within its jurisdiction to provide the minimum means of transportation in every *barangay*.

SECTION 8. *Schools, Health Centers, and Barangay Halls for the Barangays.* – As far as practicable, 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 high school for every five (5) kilometres from the *barangay* center. It shall also be the right of every *barangay* to have one (1) health center and one (1) *barangay* hall.

ARTICLE 4. **MEASURES TO ASSURE THE ENJOYMENT OF** **LOCAL AUTONOMY**

SECTION 9. *Automatic Release of Share from National Taxes.* – It shall be the duty of the National Treasury to remit automatically to the *barangays* every end of the calendar year their just share from the national taxes.

SECTION 10. *Transfer of Fund 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.

SECTION 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*.

SECTION 12. *Equitable Share of the Barangay from the Proceeds of the Utilization and Development of National Wealth.* – For 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 necessary 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 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 late 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*.

ARTICLE 5. **MISCELLANEOUS BENEFITS**

SECTION 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 schoolbooks, supplies, transportation, and other expenses as the *barangay* may deem appropriate.

SECTION 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*.

SECTION 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*.

ARTICLE 6. ADMINISTRATION AND ENFORCEMENT

SECTION 16. *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. Rules and regulations issued pursuant to this Section shall take effect thirty (30) days after the 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.

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

SECTION 18. *Penal Provisions.* – Any person who shall wilfully interfere with, restrain or coerce any *barangay* official or *barangay* resident in the exercise of the 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 (PhP500.00) nor more than two thousand pesos (PhP2,000.00), or by imprisonment of six (6) 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 impossible penalties.

SECTION 19. *Separability Clause.* – If any provision of this Act is declared invalid, the remainder or any provisions thereof not affected thereby shall remain in force and effect.

SECTION 20. *Repealing Clause.* – All acts and decrees, executive orders, implementing rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 21. *Effectivity Clause.* – This Act shall take effect upon its publication in two (2) newspapers of general circulation.

Approved,