



Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 5502



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

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**EXPLANATORY NOTE**

Sections 6 and 7 of Article X of the 1987 Constitution provides that local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them and 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 matter provided by law, including sharing the same with the inhabitants by way of direct benefits.

Republic Act No. 7160, otherwise known as "The Local Government Code of 1991" as amended, was enacted in the purpose of the constitutional mandate of strengthening local autonomy through the establishment of a more efficient and a more responsive local government structure that will facilitate an effective decentralization. As the basic political unit of government, the barangays serve as the primary planning and implementing unit of government policies, plans, programs and projects in the community as stated in Section 384 of the abovementioned code.

This bill seeks to establish Barangay Songkoy in the Municipality of Kitcharao, Agusan del Norte, through legislation, to enable it to access to a just and fair share in the national taxes to address the needs of its constituents and to properly exercise its local government functions.

Barangay Songkoy has a land area of 320.3 hectares and has a total population of 2,433 as of 2019 data of the municipality.

In 2004, Provincial Ordinance No. 155-2004 was adopted and approved by the Sangguniang Panlalawigan of Agusan del Norte creating and dividing Barangay Poblacion, in the Municipality of Kitcharao, into three separate and distinct barangays namely Barangay Poblacion (mother barangay), Barangay Songkoy and Barangay Crossing.

Since its creation, the barangay government of Songkoy continuously provide for the basic public services of its people despite of the challenges and issues in terms of funding. The barangay does not receive a regular share in the internal revenue allotment as stated in the Local Government Code of 1991.

At present, the Barangay Songkoy is operating on subsidies and assistance from its municipality and the provincial government of Agusan del Norte. It is essential that the abovementioned barangay must be fiscally equipped to be able to address the needs of its increasing population and to move forward in the improvement of the lives of its constituents.

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

**ANGEL M. AMANTE-MATBA**



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**AN ACT**  
**CREATING A BARANGAY TO BE KNOWN AS BARANGAY SONGKOY IN THE**  
**MUNICIPALITY OF KITCHARAO, 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 Songkoy.** – Barangay Songkoy was created by virtue of Provincial Ordinance No. 155-2004 of the Sangguniang Panlalawigan of Agusan del Norte, segregating it from its mother barangay, Barangay Poblacion, with the following boundaries delineating its territorial areas:

North	-	Barangay Gamutan
East	-	Barangay Poblacion
West	-	Lake Mainit
South	-	Mamcas River-Barangay Crossing

**SEC. 2. Conduct and Supervision of Plebiscite.** – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) in Barangay Songkoy pursuant to Provincial Ordinance No. 155-2004 of the Sangguniang Panlalawigan of the Province of Agusan del Norte, which ratified the creation of Barangay Songkoy as proclaimed by the Board of Canvassers on October 16, 2004 shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

**SEC. 3. Barangay Officials.** – The incumbent officials of Barangay Poblacion, Municipality of Kitcharao, Agusan del Norte shall continue to hold office until such time that their successors shall have been duly elected.

**SEC. 4. Public Infrastructures and Facilities.** – All existing infrastructures and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation and shall be administered by the new barangay.

**SEC. 5. Internal Allotment Revenue.** – Barangay Songkoy shall be entitled to Internal Allotment Revenue (IRA) shares pursuant to Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

**SEC. 6. Appropriations.** – The amount necessary to conduct the plebiscite as provided for under this Act shall be borne by the Municipality of Kitcharao, Province of Agusan del Norte.

**SEC. 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 force and effect.

**SEC. 8. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any national newspaper of general circulation.

*Approved,*