

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1290



.....
Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.
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EXPLANATORY NOTE

The Filipino electorate had just elected national and local officials in the country last May 9, 2016. The synchronized Barangay and Sangguniang Kabataan elections are already scheduled to happen after barely five (5) months from the said political exercise pursuant to Republic Act No. 9164.

The said law does not give a lot of breathing space to all those who are directly involved in the elections from the COMELEC officials and employees, teachers, members of civic and religious organizations, public officials, and the electorate themselves by holding the Barangay and Sangguniang Kabataan elections in the same year as the local and national elections. More importantly, the COMELEC must be given ample time to address the several issues raised by stakeholders about the system used in the recently concluded elections.

The Barangay, the most fundamental unit of the political system of the Philippines, plays a central role in the formulation, evaluation, and implementation of government policies. It is an effective way of reaching the grassroots and catering to the immediate needs of the members of its community.


Moving the scheduled elections will definitely allow the Filipino people to take a little longer pause before immersing themselves again into another crucial political activity. The resetting of the scheduled elections is also seen to aid in achieving its intention to be a non-partisan political activity.¹

¹ Oceana vs. COMELEC, GR L-60258, January 31, 1984

It is therefore the objective of this bill to reset the synchronized Barangay and Sangguniang Kabataan elections scheduled on the last Monday of October 2016 to the last Monday of February 2017.

Moreover, considering the strong clamor for amendment or revision to the Constitution through a Constitutional Convention as allowed in Article 17 of the 1987 Constitution, it will be more practical and economical for the government to hold the Barangay and Sangguniang Kabataan Elections simultaneously with the election of the delegates to the said convention.

The approval of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT POSTPONING THE BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS TO THE LAST MONDAY OF FEBRUARY 2017, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED, ENTITLED "AN ACT PROVIDING FOR SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE 'LOCAL GOVERNMENT CODE OF 1991', AND FOR OTHER PURPOSES"

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

Section 1. Section 1 of Republic Act No. 9164, as amended, by Republic Act No. 9340 and Republic Act No. 10632, is hereby further amended to read as follows:

"SECTION 1. Date of Election. — There shall be synchronized barangay and sangguniang kabataan elections which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of [October 2007] February 2017 and every three (3) years thereafter."

Section 2. Section 4 of Republic Act No. 9164 is hereby amended to read as follows:

"SEC. 4. Assumption of Office. — The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence on August 15, 2002, next following their elections. The term of office of the barangay and sangguniang kabataan officials elected in the [October 2007] February 2017 election and subsequent elections shall commence at noon of [November] March 30 next following their election."

Section 3. Hold Over — Section 5 of Republic Act No. 9164, as amended, pertaining to the holdover capacity of all incumbent barangay and sangguniang kabataan officials shall remain in force and effect.

Section 4. Implementing Rules and Regulations —The Commission on Elections and the Department of the Interior and Local Government shall promulgate such

rules and regulations necessary to implement this Act within thirty (30) days after its effectivity.

Section 5. Repealing Clause — All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 6. Effectivity Clause —This Act shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation.

Approved,