

Republic of the Philippines
HOUSE OF REPRESENTATIVES

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2726



Introduced by HONORABLE WESLIE T. GATHCALIAN

MAGNA CARTA FOR BARANGAY OFFICIALS

EXPLANATORY NOTE

As the smallest administrative division of the Government, the primary planning and implementation of government programs trickle down to the barangay. Moreover, it is a microcosm of the Government, having authority to enact and enforce laws, as well as exercise judicial functions. Of all the elective officials they are the ones most immersed, at the beck and call of their constituents to maintain peace and order in their community.

The Local Government Code of 1991 mainly provides for the composition, qualifications and powers of barangay officials. Despite being the oldest political unit in the Philippines, proving its relevance throughout time, there is a lacuna in the law for the rights and privileges of barangay officials. If we aspire to optimize the purpose of the barangay, we must first be able to provide the conducive conditions to productive leadership.

There have been several attempts to lobby for the different needs of barangay officials. However, a magna carta – a fundamental guarantee of the rights and privileges – will better consolidate, reflect, and emphasize the essential necessities of barangay officials.

The Punong Barangay, Members of the Sangguniang Bayan, the Barangay Secretary, and the Barangay Treasurer should be considered as

regular government employees, for them to be granted the benefits provided by the government. The Barangay Tanods and Lupon Tagapamayapa should be entitled to predefined benefits.

Moreover, it is recognized that ample time is required in order to implement and impress programs set by Barangay Officials. Hence, their tenure of service should be lengthened, allowing them to serve a five-year term.

Finally, capacity development and enhancement programs are necessary to improve an organization's performance and enhance its ability to function and keep up with a dynamic environment. Hence, it is necessary for the Barangay Secretary, Barangay Treasurer, Barangay Tanods, and Members of the Lupon Tagapamayapa to undergo such programs.

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



HON. WESLIE T. GATCHALIAN

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MAGNA CARTA FOR BARANGAY OFFICIALS

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

1 **Section 1. Short Title.** - This act shall be known as the "Magna
2 Carta for Barangay Officials".
3

4 **Sec. 2. Objectives.** The Objectives of this Act are as follows:
5

- 6 a) The payment of just and equitable compensation to all
7 government personnel in accordance with the principle of
8 equal pay for work of equal value;
9 b) In order to attract professional leaders with expertise critical
10 to the development of barangays, the rates with which
11 barangay officials should be paid must be upgraded and at
12 least made comparable to that received by a skilled
13 professional in the government service, in order to attract,
14 retain and motivate a corps of competent public servants;
15 c) Because the duties performed by these Barangay officials
16 constitute executive, legislative and, judicial functions, the
17 compensation should be at salary levels commensurate to
18 these responsibilities;
19 d) The efficient management of the basic political units involve
20 managerial competence, an acumen that deserves rightful
21 recompense;
22 e) In order to establish autonomy devoid of corrupt and moral
23 suasions from higher elective officials.
24

25 **Sec. 3. Coverage.** - All elective barangay officials, including the
26 Punong Barangay, Members of the Sangguniang Barangay; and appointed
27 officials including the Barangay Secretary, Barangay Treasurer, members of
28 the Lupon Tagapamayapa and Barangay Tanods.
29

30 **Sec. 4. Term of Office.** - The term of office of all elective Barangay
31 Officials shall be for five (5) years upon effectivity of this Act.

1
2 No elective Barangay official shall serve for more than two (2)
3 consecutive terms for the same position.
4

5 **Sec. 5. Compensation of Barangay Officials.** - The Punong
6 Barangay, Members of the Sangguniang Bayan, Barangay Treasurer, and
7 Barangay Secretary shall be considered as regular government employees
8 and shall henceforth be entitled to all the benefits provided by the
9 government which shall include but not limited to salaries, allowances,
10 benefits and incentives applicable to all government personnel. The salary
11 rate for positions covered by this Act shall be as follows:
12

- 13 a) The Punong Barangay shall be entitled to the fixed rate of Salary
14 Grade 12 under the Salary Standardization Law;
15
16 b) The Members of the Sangguniang Bayan shall receive the fixed
17 rate of Salary Grade 10 under the Salary Standardization Law;
18
19 c) The Barangay Secretary and Barangay Treasurer shall be
20 entitled to the fixed rate of Salary Grade 8 under the Salary
21 Standardization Law.
22

23 **Sec. 6. Benefits of Barangay Tanods and Lupon Tagapamayapa.**
24 - The Barangay Tanods, which shall number not more than twenty (20) in
25 each barangay, and Members of the Lupon Tagapamayapa, which shall
26 number to ten (10) in each barangay, shall be entitled to:
27

- 28 (1) Not less than Two Thousand Pesos (P2,000) monthly allowance;
29
30 (2) Christmas Bonus of Two Thousand Pesos (P2,000);
31
32 (3) Insurance coverage during their incumbency, which shall include,
33 but shall not be limited to temporary and permanent disability,
34 double indemnity, accident insurance, death and burial benefits, in
35 accordance with Republic Act Numbered Sixty-Nine Hundred
36 Forty-Two (R.A. No. 6942), entitled "An Act Increasing the
37 Insurance Benefits of Local Government Officials and Providing
38 Funds Therefor;"
39
40 (4) Free medical care, including subsistence, medicines, and medical
41 assistance in any government hospital or institution: *Provided, That*
42 such hospital care shall include surgery or surgical expenses,
43 medicines, X-rays, laboratory fees, and other hospital expenses.
44

45 In case of extreme urgency where there is no available government
46 hospital or institution, the barangay official concerned may submit
47 himself for immediate attendance to the nearest private clinic,

hospital or institution and the expenses not exceeding Five thousand pesos (P5,000.00) that may be incurred therein shall be chargeable against the funds of the barangay concerned;

(5) Be exempted, during their incumbency, from paying tuition and matriculation fees for their legitimate dependent children attending state college or universities, or local colleges and universities;

(6) Be entitled to appropriate civil service eligibility on the basis of the number of years of service to the barangay, pursuant to the rules and regulations issued by the Civil Service Commission;

(7) Be entitled to a lump sum retirement gratuity pay equivalent to one (1) year honorarium to be taken from the barangay retirement gratuity fund, as mentioned in Section 7 of this Act: *provided, however*, that a retiree is at least sixty (60) years of age with a minimum of nine (9) years in service at the time of the retirement;

Sec. 7. Barangay Retirement Gratuity Fund (BRGF) Created. -

There is hereby created a Barangay Retirement Gratuity Fund (BRGF) which shall be used to fund the retirement gratuity of barangay tanods and members of the Lupon ng Tagapamayapa, as mentioned in this Act. The amount equivalent to one percent (1%) of the share of the national government under Section 284 of the Local Government Code of 1991, as amended, shall be used for this purpose.

The Department of the Interior and Local Government (DILG) shall administer and ensure the appropriate disbursement of the Fund.

Sec. 8. Capacity Development and Enhancement Program for Barangay Secretary, Treasurer, Barangay Tanods and Members of the Lupon Tagapamayapa - The Department of Interior and Local Government (DILG), through the Local Government Academy (LGA), shall develop a capacity development and enhancement Program for Barangay Secretaries, Treasurers, and Members of the Lupon Tagapamayapa. The Department of Finance, through the Bureau of Local Government Finance, shall assist the LGA for Barangay Treasurers. The Department of Justice, shall assist the LGA for Barangay Tanods and Members of the Lupon Tagapamayapa;

The Programs shall develop comprehensive training manuals, and based thereon, execute the conduct of trainings necessary and appropriate to ensure the professionalization of the Barangay Secretaries, Treasurers, Tanods and members of the Lupon Tagapamayapa, for the efficient delivery of services at the barangay level.

1 **Sec. 9. Implementing Rules and Regulation.** – The Department of
2 Budget and Management (DBM), in coordination with the Government
3 Service Insurance System (GSIS), the Department of Interior and Local
4 Government (DILG), and the Department of Finance (DOF) shall issue the
5 necessary rules and regulation to implement this Act.
6

7 **Sec. 10. Funding Source.** – The amount necessary for the
8 implementation of this Act shall be charged against the respective fund of
9 each local government city or municipality. Local government units which do
10 not have adequate or sufficient fund shall be assumed by the National
11 Government.
12

13 **Sec. 11. Amendatory Provisions.** –

14 (1) Section 43, Chapter I, Title II, of Republic Act No. 7160 or *An Act*
15 *Providing for a Local Government Code of 1991*;

16 (2) Section 393, of Republic Act No. 7160 or *An Act Providing for a*
17 *Local Government Code of 1991*;

18 (3) R.A. No. 6942, *An Act Increasing The Insurance Benefits of Local*
19 *Government Officials And Providing Funds Therefore.*
20

21 **Sec. 12. Separability Clause.** – If for any reason any section or
22 provision of this Act is declared to be unconstitutional or invalid, the other
23 sections or provisions thereof which are not affected thereby shall continue
24 to be in full force and effect.
25

26 **Sec. 13. Repealing Clause.** – All laws, decrees, orders, rules or
27 regulations or parts thereof inconsistent with the provisions of this Act are
28 hereby repealed, amended or modified accordingly.
29

30 **Sec. 14. Effectivity.** – This Act shall take effect fifteen (15) days after
31 its publication in a newspaper of general circulation.

Approved,