

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 3760



Introduced by Honorable Cristal L. Bagatsing

EXPLANATORY NOTE

This bill seeks to establish a magna carta for barangays. As the basic political unit, the barangay serves as the primary planning and implementing unit of government programs, projects and activities. It is also the forum in which the collective views of the people in the community may be crystallized and considered. The barangay also serves as the basic training ground for future leaders of the nation.

The important role of barangays necessitates that measures be adopted to promote the welfare and prosperity of barangay officials and leaders who play a crucial role in nation building and, therefore, should be given due recognition for their service to the community.

In view thereof, it is proposed that:

1. barangay officials including barangay tanods be considered as regular government employees with fixed salaries, allowances and other fringe benefits, including retirement benefits, and membership to Pagibig, Philhealth and GSIS that regular government employees are entitled to; and
2. every barangay be provided with basic priorities such as regular supply of clean and potable water, transport services, schools, health centers and barangay hall.

This is a refilled bill of House Bill No. 90 entitled "An Act Establishing The Magna Carta for Barangays", authored by Representative Amado S. Bagatsing during the 16th Congress.

Approval of this bill is earnestly sought.


CRISTAL L. BAGATSING
Representative
5th District, Manila

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. **3760**

Introduced by Honorable Cristal L. Bagatsing

AN ACT
ESTABLISHING THE MAGNA CARTA FOR BARANGAYS, PROVIDING
FUNDS THEREFOR, AND FOR OTHER PURPOSES

SECTION 1. *Title of Act.* – This act shall be known as “The Magna Carta for Barangays”

SEC 2. *Declaration of Policy* – It is the policy of the Statue 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.

SEC 3. *General Principles* – The following are the general principles of this Act:

- a. The national government shall give more attention to the development of the barangay, as it is the base of this country’s economy
- b. Every barangay shall be given the authority and capability to solve its problems at its level.
- c. Self-help or people power shall be the guiding principle in all barangay development projects.

SEC. 4. *The Barangay Officials as Regular Government Employees.* – The punong barangay, sangguniang barangay members, the sangguniang kabataan chairman, the barangay secretary, barangay treasurer, barangay lupon and barangay tanods in all barangays are hereby declared regular government employees, and as such, are entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits membership in Pag-ibig Fund, Philhealth and GSIS and such other fringe benefits that regular government employees may be entitled to.

SEC. 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 barangays officials mentioned in paragraph 4 hereof, shall be entitled to the following fixed salaries:

Punong Barangay – An amount equivalent to the salary of a sangguniang bayan member of his municipality or city

Seven Sangguniang Barangay Members – An amount equivalent to eighty percent (80%) of the salary of a sangguniang bayan member of his municipality or city

Sangguniang Kabataan Chairman, Barangay Secretary Barangay Treasurer - For each, an amount equivalent to seventy-five percent (75%) of the salary of a sangguniang bayan member of his municipality or city

SEC. 6. *Barangay Employees* – all employees of barangays shall be entitled to have some form of compensation such as Representation and Transportation Allowance to be determined by each barangay according to their capacity but in no case lower than the minimum daily wage law as per ceilings set by the respective Regional Wage Board. They shall also be provided with medical/dental benefits or health insurance.

SEC. 7. *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 and/or maintain at least one deep well with pumping device for drawing drinking water to supply the needs of every one thousand residents for each barangay within its jurisdiction.

SEC. 8. *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 such necessary representations before the appropriate government agencies to require public utility companies operating within its jurisdiction to provide the minimum means of transportation in every barangay.

SEC. 9. *Schools, Health Centers and Barangay Halls for the Barangays*. – Every barangay is entitled to have at least one elementary school, provided that there shall be at least one high school for every five (5) kilometers from the barangay center. It shall also be the right of every barangay to have one health center and one barangay hall.

SEC. 10. *Priority in Employment*. – Residents in every barangay shall have the priority in the hiring of workers and laborers to be needed in any government construction or development projects within the barangay.

SEC. 11. *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.

SEC. 12. *Rules and Regulations.* – The Secretary of Department 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 publication in a national newspaper of general circulation and by such other means as the Secretary of Local Government deems reasonably sufficient to give interested parties general notice of such issuance.

SEC. 13. *Budgetary Estimates.* – The Secretary of Department of Interior and Local Government shall submit to the Congress the necessary budgetary estimates to implement the provisions of this Act concerning the allowances, insurance, medical and dental, retirement benefits and other fringe benefits of barangay officials.

SEC. 14. *Penal Provisions.* – Any person who shall willfully interfere with, restrain or coerce any barangay official or barangay resident in the exercise of his or their 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 nor more than two thousand pesos, or by imprisonment of six months and one day, or both, subject to the discretion of the court. If the offender is a public official, the court shall order his dismissal from the government service.

SEC. 15. *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.

SEC. 16. *Separability Clause.* – If any provisions of this Act are declared invalid, the remainder or any provisions thereof not affected thereby shall remain in force and effect.

SEC. 17. *Effectivity Clause.* – This Act shall take effect upon its publication in two national newspapers of general circulation.

Approved.