

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4303



Introduced by Hon. Elpidio F. Barzaga, Jr.

EXPLANATORY NOTE

Section 384 of Republic Act No. 7160, otherwise known as The Local Government Code of 1991 provides that the barangay, "as the basic political unit, 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."

Section 385 of the same Republic Act No. 7160, otherwise known as The Local Government Code of 1991 provides that "a barangay may be created, divided, merged, abolished, or its boundary substantially altered, by law or by an ordinance of the sangguniang panlalawigan or sangguniang panlungsod, subject to approval by a majority of the votes cast in a plebiscite to be conducted by the COMELEC in the local government unit or units directly affected within such period of time as may be determined by the law or ordinance creating said barangay. In the case of the creation of barangays by the sangguniang panlalawigan, the recommendation of the sangguniang bayan concerned shall be necessary."

Section 385 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides for the requisites for its creation, to wit

"(a) A barangay may be created out of a contiguous territory which has a population of at least two thousand (2,000) inhabitants as certified by the National Statistics Office except in cities and municipalities within Metro Manila and other metropolitan political subdivisions or in highly urbanized cities where such territory shall have a certified population of at least five thousand (5,000) inhabitants: Provided, That the creation thereof shall not reduce the population of the original barangay or barangays to less than the minimum requirement prescribed therein.

x x x

(b) The territorial jurisdiction of the new barangay shall be properly identified by metes and bounds or by more or less permanent natural boundaries. The territory need not be contiguous if it comprises two (2) or more islands."

Barangay H-2, City of Dasmariñas, Province of Cavite, complies with all the legal requisites provided for by Republic Act No. 7160, otherwise known as "The Local Government Code of 1991" and Administrative Order No. 270, otherwise known as "PRESCRIBING THE IMPLEMENTING RULES AND REGULATIONS OF THE LOCAL GOVERNMENT CODE of 1991", in the creation of barangays.

On 07 December 2000, the Sangguniang Panlalawigan of Cavite enacted Provincial Ordinance No. 2000-004 creating Barangay H-2, as a barangay of City of Dasmariñas, Province of Cavite, separate from Barangay Datu Esmael, City of Dasmariñas, Province of Cavite.

Subsequently, on 19 October 2003, the creation of new Barangay H-2 has been ratified upon the majority of the votes cast by the qualified voters of Barangay H-2 and Barangay Datu Esmael in a plebiscite that was conducted, supervised and proclaimed by the Commission on Elections (COMELEC) approving Provincial Ordinance No. 2000-004 for the creation of Barangay H-2, Barangay H-2, City of Dasmariñas, Province of Cavite¹. Consequently, the plebiscite shall also serve as substantial compliance on the plebiscite requirement provided for under said Section 10 of The Local Government Code of 1991.

On 26 November 2009, Dasmariñas, Cavite became a component city of Cavite, pursuant to Republic Act No. 9723.

Unfortunately, due to Barangay H-2, City of Dasmariñas, Province of Cavite's population of 9,477², the provision of its financial requirements by the City of Dasmariñas, Cavite is only sufficient for the delivery of basic services and immediate response to the needs of its community. Thus, there is a need for its creation by enactment of law so that it shall have a share in the internal revenue allotment (IRA) in order for it to more efficiently perform its functions, duties and responsibilities and implement more development projects for the benefit of its residents.

It is for this reason that in the 16th Congress, Hon. Elpidio F. Barzaga, Jr., then Representative of the City of Dasmariñas, Cavite filed House Bill No. 4354 that was referred to the Committee on Local Government. Subsequently, House Bill No. 4775 substituted House Bill No. 4354. Unfortunately, House Bill No. 4775 has not been enacted into law.

In light of the foregoing, the immediate approval of this bill is earnestly sought.



HON. ELPIDIO F. BARZAGA, JR.
Representative
4th District of Cavite

¹ pursuant to Section 10 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991,

² according to the official results of POPCEN 2015 as conducted and certified by the Philippine Statistics Authority

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**AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY H-2 IN THE
CITY OF DASMARIÑAS, PROVINCE OF CAVITE**

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

SECTION 1. It is hereby created a barangay to be known as Barangay H-2 in the City
of Dasmariñas, Province of Cavite.

SECTION 2. The territorial boundaries of Barangay H-2 are described as follows:

Line	Direction	Adjoining Lot(s)
1-10	SE.	CENTER LINE OF MANGUBAT AVENUE AND BEYOND BY BGY. OF BUROL-1, CASE-13, CAD 1302-D
10-22	SW.	CENTERLINE OF IMUS RIVER AND BEYOND BY BGY. OF BUROL MAIN CASE- 12, CAD 1302-D
22-24	NW.	BGY. OF SAN MANUEL II, CASE- 37, CAD 1302-D
24-38	NE, NW., SW & NW	BGY. OF STA. LUCIA, CASE-41, CAD. 1302-D
38-63	NE.	CENTERLINE OF PASONG BAKA CREEK AND BEYOND BY BGY. OF SULTAN ESMAEL, CASE 45, CAD. 1302-D

63-1
BEYOND

SE.

CENTERLINE OF ROAD AND
BY BGY. OF BUROL-1, CASE-13,
CAD 1302-D

Tie Point : BLLM. NO. 1, CAD. 1302-D, DASMARIÑAS CAD.

Lot Description:

Line	Bearing	Distance
Tie Point-1	N 79 deg. 02' E	2399.56 m.
1-2	S 25 deg. 59' W	18.45 m.
2-3	S 46 deg. 02' W	14.78 m.
3-4	S 51 deg. 32' W	59.93 m.
4-5	S 60 deg. 59' W	24.52 m.
5-6	S 71 deg. 13' W	23.30 m.
6-7	S 74 deg. 18' W	90.27 m.
7-8	S 76 deg. 50' W	24.01 m.
8-9	N 60 deg. 49' E	31.32 m.
9-10	S 60 deg. 49' W	31.32 m.
10-11	N 24 deg. 48' W	32.55 m.
11-12	N 13 deg. 08' E	38.21 m.
12-13	N 13 deg. 46' E	69.22 m.
13-14	N 24 deg. 04' W	72.59 m.
14-15	N 56 deg. 42' W	64.91 m.
15-16	N 71 deg. 56' W	71.97 m.
16-17	N 29 deg. 42' E	55.32 m.
17-18	N 21 deg. 39' W	83.61 m.
18-19	N 04 deg. 28' W	80.75 m.
19-20	N 65 deg. 32' W	82.85 m.
20-21	N 17 deg. 07' W	83.37 m.
21-22	N 62 deg. 45' W	81.16 m.
22-23	N 46 deg. 06' E	17.33 m.
23-24	N 49 deg. 53' E	47.60 m.
24-25	S 86 deg. 14' E	5.07 m.
25-26	S 40 deg. 24' E	212.52 m.
26-27	N 49 deg. 26' E	54.23 m.
27-28	N 81 deg. 57' W	8.44 m.
28-29	S 81 deg. 57' E	8.44 m.
29-30	N 40 deg. 20' W	176.24 m.
30-31	N 50 deg. 23' E	65.71 m.
31-32	N 32 deg. 52' E	15.37 m.
32-33	N 45 deg. 11' E	9.58 m.
33-34	N 59 deg. 50' W	7.79 m.
34-35	S 59 deg. 50' E	7.79 m.
35-36	N 57 deg. 54' E	26.93 m.
36-37	S 84 deg. 51' E	34.30 m.
37-38	N 44 deg. 17' E	17.17 m.
38-39	S 53 deg. 18' E	29.39 m.
39-40	S 72 deg. 20' E	40.76 m.
40-41	S 12 deg. 26' E	38.51 m.

41-42	S 47 deg. 51' E	65.27 m.
42-43	S 64 deg. 26' E	18.24 m.
43-44	S 31 deg. 00' E	43.23 m.
44-45	S 10 deg. 20' E	29.52 m.
45-46	S 49 deg. 43' E	36.12 m.
46-47	S 31 deg. 56' E	41.04 m.
47-48	S 14 deg. 25' E	49.44 m.
48-49	S 30 deg. 38' E	27.55 m.
49-50	S 56 deg. 19' E	57.89 m.
50-51	S 20 deg. 50' E	26.65 m.
51-52	S 08 deg. 55' E	32.46 m.
52-53	S 05 deg. 17' E	22.94 m.
53-54	S 24 deg. 40' E	9.43 m.
54-55	S 34 deg. 01' E	19.79 m.
55-56	S 56 deg. 04' E	7.70 m.
56-57	S 56 deg. 11' E	19.71 m.
57-58	S 62 deg. 08' E	17.52 m.
58-59	S 64 deg. 03' E	66.25 m.
59-60	S 48 deg. 31' E	21.21 m.
60-61	S 15 deg. 41' E	36.21 m.
61-62	S 34 deg. 49' E	7.12 m.
62-63	N 29 deg. 40' E	9.52 m.
63-64	S 29 deg. 40' W	9.52 m.
64-65	S 71 deg. 20' W	84.16 m.
65-66	S 65 deg. 03' W	13.74 m.
66-67	S 56 deg. 34' W	13.90 m.
67-68	S 49 deg. 34' W	69.21 m.
68-69	S 43 deg. 48' W	13.25 m.
69-1	N 25 deg. 59' E	18.45 m.

Description of Corners : Corners 1, 9, 28, 34 & 63 are BBM Nos. 131, 62, 132, 133 & 130, respectively, all, 20 x 20 x 100 cm. , corners 2 to 8 are centerline of Mangubat Avenue; corners 10 to 22 are centerline of Imus River; corners 23 & 24 are PS cyl. Conc. Monument; corners 25 to 33 are centerline of road; corners 36 to 62 are centerline of Pasong Baka Creek and corners 64-to 1 are centerline of road

SECTION 3. The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Provincial Ordinance No. 2000-004 of the Sangguniang Panglalawigan of Cavite, which ratified the creation of Barangay H-2 as proclaimed by the Plebiscite Board of Canvasser on 19 October 2003 shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

SECTION 4. The incumbent elected barangay officials of Barangay H-2, City of Dasmariñas shall continue to hold office until such time that their successors have been duly elected and qualified.

SECTION 5. All existing public infrastructure and facilities for public use existing therein at the time of approval of its Act are hereby transferred without cost or compensation and shall be administered by the new barangay.

SECTION 6. Barangay H-2 shall be entitled to the Internal Revenue Allotment (IRA) shares pursuant to Section 285 of republic act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

SECTION 7. This Act shall take fifteen (15) days after its publication in any newspaper of general circulation.

Approved,