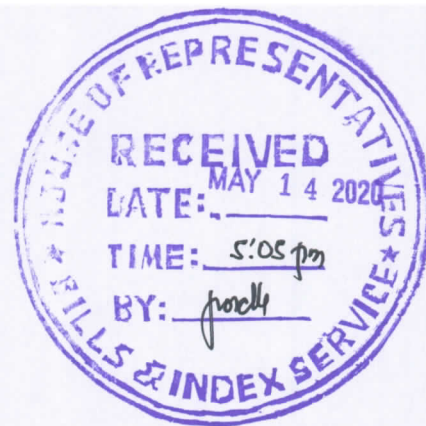


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6747



Introduced by Representative Ron P. Salo

EXPLANATORY NOTE

The barangay, a term derived from the word "*balangay*" which referred to the sailboats that originally brought settlers in the Philippines, is among the early Filipino settlements. Each balangay carried with it large family groups with the master of the boat retaining the power as the leader or *datu* of the village established by his family. These early settlements were originally composed of only thirty (30) to one hundred (100) families, making community life under the leadership of the datu organized and manageable.

Today, the barangay is the smallest political unit recognized under the 1987 Constitution where the plans, programs, projects, and activities in the community are formulated through the collective views of the people comprising the community. Republic Act No. 7160, or the Local Government Code of 1991, also recognizes this political unit as the primary planning and implementing unit of government policies.

Through time, we have witnessed the exponential growth in the country's population, especially in highly urbanized areas. With the influx of people from the provinces who are seeking greener pasture in Metro Manila, certain barangays became "Mega Barangays" whose population exceeded the ideal carrying capacity of the geographic area, making peace and order difficult to maintain, and the delivery of basic services inefficient. In some cases, the population size of these Mega Barangays are so big that it surpasses the population of some provinces such as Apayao, Batanes, Camiguin, and Quirino. According to the 2015 census conducted by the Philippine Statistics Authority (PSA), the largest barangay in terms of population size is Barangay 176 in Caloocan City with 247,000 persons, followed by Barangay Commonwealth in Quezon City with 198,285 persons, and Barangay Batasan Hills, also in Quezon City with 161,409 inhabitants.

With the Covid-19 pandemic which is currently wreaking havoc in our country as well as to the rest of the world, we have seen how problematic the situation can be in these Mega Barangays. With their limited resources and manpower, barangay captains faced the daunting task of providing for the needs of their constituents during the first few weeks of implementation of the Enhanced Community Quarantine (ECQ), while awaiting the aid coming from the National Government. As the frontliners in the

implementation of the ECQ in their respective area of responsibility, barangay officials can only do so much considering that the population density in some barangays can hardly allow for physical distancing. With the implementation of the National Government's Social Amelioration Program or SAP which targets the poorest of the poor in the barangays, we have all been witnesses to the long and congested queues that the SAP recipients had to endure just to receive such benefit, not minding the risk that they might get infected with the dreaded disease in the process. Notwithstanding the extension given for the distribution of SAP, the DSWD reported that as of May 10, 2020, LGUs were only able to serve 89.42 per cent, or 16.1 million out of the 18 million intended beneficiaries.

Recognizing the current predicament at the barangay level and in order to prepare our barangays for future pandemics, other outbreaks, and calamities which may either be natural and manmade, a population threshold for the barangay must be put in place through a legislative measure that will automatically reapportion a barangay and create a new one, once this population threshold is breached.

Under this proposed measure, a barangay whose population shall exceed 15,000 as certified by the PSA shall automatically be reapportioned, thereby creating a new barangay. Further, all existing barangays, the population of which already exceeds 15,000 shall also be automatically reapportioned in accordance with this bill.

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


RON P. SALO
KABAYAN Party List

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AN ACT
AMENDING SECTION 386 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN
AS THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. It is hereby declared the policy of the State to strengthen the barangay as a political unit that is ready and capable of being the first line of responder in their respective community during health emergencies, calamities, and other contingencies.

SECTION 2. Section 386 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 is hereby amended to read as follows:

SEC. 386. Requisites for Creation. - (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~~ **PHILIPPINE STATISTICS AUTHORITY (PSA)** 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. **IN CASE THE POPULATION OF A BARANGAY EXCEEDS FIFTEEN THOUSAND (15,000) AS CERTIFIED BY THE PHILIPPINE STATISTICS AUTHORITY, SUCH BARANGAY SHALL AUTOMATICALLY BE REAPPORTIONED, THEREBY CREATING A NEW BARANGAY OR BARANGAYS. ALL EXISTING BARANGAYS WITH A POPULATION OF MORE THAN FIFTEEN THOUSAND (15,000) INHABITANTS SHALL ALSO BE AUTOMATICALLY REAPPORTIONED.**

Provided, That the creation thereof shall not reduce the population of the original barangay or barangays to less than the minimum requirement prescribed herein.

To enhance the delivery of basic services in the indigenous cultural communities, barangays may be created in such communities by an Act of Congress, notwithstanding the above requirement.

(b) XXX

(c) XXX

SEC. 2. Conduct and Supervision of Plebiscite. The new barangay shall exist upon the majority of the votes cast by qualified voters of the affected barangay, in a plebiscite to be conducted and supervised by the Commission on Elections (COMELEC), in accordance with Sec. 10 of R.A. No. 7160 or the Local Government Code of 1991, as amended.

SEC. 3. Barangay Officials. The first set of barangay officials for the newly created barangay shall be appointed by the Provincial Governor of the Province where the barangay is located, or by the City or Municipal Mayor in the case of Highly Urbanized Cities, Independent Component Cities, and Cities and Municipalities in Metro Manila. The appointed barangay officials shall hold office until such time that the new set of officers have been duly elected and qualified.

Sec. 4. Territorial Boundaries. The territory of the newly created barangay shall be separated from the barangay subjected to reapportionment in accordance with this Act. Its territorial boundaries shall be defined through an ordinance by the Sangguniang Bayan or Sangguniang Panlungsod, as the case may be, in consultation with the incumbent barangay officials of the barangay subjected to reapportionment. The Sangguniang Bayan or Sangguniang Panlungsod ordinance shall be submitted for approval to the Sangguniang Panlalawigan, which has sixty (60) days to act upon receipt, otherwise, the said ordinance shall be considered automatically approved. The Land Registration Authority (LRA), in coordination with the City or Municipal Government having territorial jurisdiction over the barangay, shall measure the land area and prepare the technical description of the territory pertaining to the newly created barangay and the remaining territory of the reapportioned barangay.

SEC. 5. Internal Revenue Allotment Shares. The newly created barangay in accordance with this Act shall automatically be entitled to Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act No. 7160, as amended. The Department of Budget and Management (DBM) shall include the newly created barangay in the Internal Revenue Allotment (IRA) share in the year immediately following its creation.

SEC. 6. Separability Clause. — If any portion of this Act is declared invalid, the remainder of this Act shall not be affected by such declaration and shall remain valid and enforceable.

SEC. 7. Repealing Clause. All laws, decrees, executive orders, ordinances, rules, regulations, or other issuances, or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed, amended, and/or modified accordingly.

SEC. 8. Implementing Rules and Regulations. — The Department of Interior and Local Government (DILG), in consultation with the League of Provinces of the Philippines, League of Cities of the Philippines, and League of Municipalities in the

Philippines, shall issue the Implementing Rules and Regulations (IRR) within sixty (60) days from the effectivity of this Act.

SEC. 8. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.