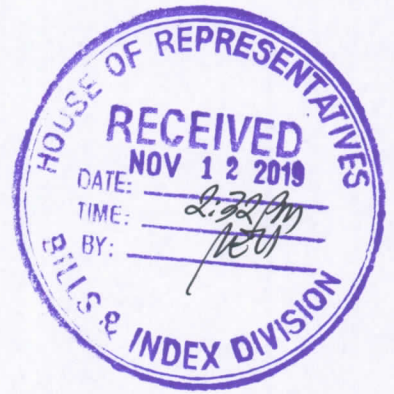


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5438**



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

Barangay tanods can be considered as the lowest level of law enforcement officer in the Philippines. They are frontliners in the preparation and response to any type of atrocities, public disorders, emergencies, and even disasters or man-made calamities that threaten the peace and order and public safety¹. However, common experience would show that the roles that barangay tanods play go far beyond what is required of them officially.

News stories of how a barangay tanod aided a woman in giving birth is a prime example of the work that barangay tanods do to help out the community. Their roles in running the barangay is indispensable since they aid in other fields such as conflict resolution. Barangay tanods perform the roles of peacekeeper, watchman, handy man, mediator, amongst many others.

Given this, it is only fair that the services of our noble barangay tanods be given their just and due compensation. They should formally be part of the contingent of our barangays as employees of the government and the appropriate benefits extended to them.

It is for these foregoing premises that the approval of this bill is earnestly sought.

ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Party List

¹ <http://www.region6.dilg.gov.ph/index.php/awards/seach-for-outstanding-barangay-tanod>

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AN ACT
GRANTING BENEFITS AND INCENTIVES TO ACCREDITED BARANGAY TANODS
AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.**— This Act shall be known as the "**Magna Carta for**
2 **Barangay Tanods.**"

3
4 **SECTION 2. Statement of Policy.**— The State shall create policies for the
5 provision of adequate social services, promotion of full employment, a rising
6 standard of living, and an improved quality of life for all. It is hereby declared the
7 policy of the State to empower and strengthen barangay security through the
8 barangay tanods by utilizing them as frontliners in providing government services
9 in the barangay level.

10
11 The State acknowledges the need to adopt measures and incentive schemes to
12 ensure that barangay tanods employed by the smallest political unit of the
13 government are properly compensated and protected in carrying out their official
14 duties and functions. The government and all its instrumentalities shall also
15 recognize the rights of barangay tanods to organize themselves; to strengthen and
16 systematize their services for their community; and to make venue for sharing their
17 experiences and recommending policies and guidelines for the promotion,
18 maintenance and advancement of their activities and services.

19
20 **SECTION 3. Definition.**— The term "barangay tanod" refers to all duly appointed
21 members of the barangay tanod brigades which shall not exceed more than twenty
22 (20) in each barangay as provided by Republic Act No. 7160, otherwise known as
23 the Local Government Code of 1991.

24
25 **SECTION 4. Registration.**— In order for barangay tanods to be entitled to benefits
26 and incentives provided under this Act, they shall register with the regional offices
27 of the Department of Interior and Local Government (DILG) in the region in which
28 they render service. The DILG regional offices shall furnish a copy of such registry
29 to the DILG Central Office, which is hereby mandated to maintain a national
30 register of barangay tanods. The accredited barangay tanods shall be given
31 appropriate proof of said accreditation.
32

SECTION 5. Number of Barangay Tanods.— The DILG shall determine the ideal ratio of barangay tanods to the number of households: provided, that the total number of barangay tanods nationwide shall not exceed one percent (1%) of the total population.

SECTION 6. Incentives and Benefits.— In recognition of their services, all accredited barangay tanods who are actively and regularly performing their duties shall be entitled to the following incentives and benefits:

a) Honorarium.— Honorarium shall be given by the national government for services rendered by the Barangay Tanods covered under this Act in the amount equivalent to the existing minimum wage, in accordance with the salary schedule being implemented by the city or municipality where the barangay is located. Said amount shall be part of the budget of the DILG for members of the Barangay Tanod Brigades.

b) Hazard Allowance.— Barangay tanods in rural and urban areas, exposed to situations, conditions, or factors in the work environment or place where foreseeable but unavoidable danger or risks exist which adversely endanger his health or life and/or increase the risk of producing adverse effect on his person in the exercise of his duties, to be validated by the proper authorities, shall be entitled to hazard allowance in an amount to be determined by the local government unit concerned.

c) Subsistence Allowance.— Barangay tanods who rendered service within the premises of isolated barangays in order to make their services within the premises available at any and all times, shall be entitled to subsistence allowance equivalent to the meals they take in the course of their duty, which shall be computed in accordance with prevailing circumstances as determined by the local government unit concerned.

d) Training Programs. — The DILG shall implement a program designed to develop the basic skills and expertise needed for the Barangay Tanod Brigade to perform their commitment as peace and public safety officers. It shall include basic orientation on the structure and organization of the barangay system of government, as well as how their duties relate to the overall governance system. Courses on crime prevention and unarmed defense techniques, disaster preparedness and management, information operation as service responders, and first aid shall also be offered. Such program shall be credited for pre-qualification for a security guard license or qualify the Tanod for accreditation equivalent to civic welfare service under Republic Act No. 916.

e) Education and Career Enrichment Programs.— The DILG, in accordance with the Department of Education, and other concerned government agencies and non-government organizations, shall provide duly accredited barangay tanods opportunities for the following:

- 1) educational programs which shall recognize years of service as credits to higher education in institutions with stepladder curricula that will entitle them to upgrade their skills and knowledge for community work or to pursue further training;
- 2) continuing education, study and exposure tours, training, grants, field immersion, scholarships, etc.;

- 3) scholarship benefits in the form of tuition fees in state colleges, to be granted to one child of every barangay tanod who will not be able to take advantage of the above programs;
- 4) special training programs such as those on traditional medicine, disaster preparedness and other programs that address emergent community health problems and issues; and
- 5) the basic education and training program shall be offered free of charge. Local governments shall adopt a cost-sharing financing scheme with the DILG for the Barangay Tanod Brigades for the implementation of the basic courses depending on the income level of the concerned local government unit.

f) Civil Service Eligibility.— A second grade eligibility shall be granted to barangay tanods who have rendered five (5) years continuous service as such: provided, the total number of years served as barangay tanod shall be credited to his/her service in computing retirement benefits.

g) Free Legal Services.— Free legal representation and consultation services for barangay tanods shall be immediately provided by the Public Attorneys Office in cases of coercion, interference, and in other civil and criminal cases filed by or against barangay tanods arising out of or in connection with the performance of their duties as such.

h) Preferential Access to Loans.— The DILG in coordination with other concerned government agencies shall provide, within one hundred eighty (180) days after the effectivity of this Act, a mechanism for access to loan services by organized barangay tanods. The agencies providing loan services will set aside one percent (1%) of their loanable funds for organized barangay tanod groups that have community-based income generating projects in support of health programs or activities.

i) Retirement Pay. — Barangay Tanods shall be entitled to a lump sum retirement pay equivalent to one (1) year honorarium to be taken from the barangay retirement fund, provided, however, that a retiree is at least sixty (60) years of age with a minimum of ten (10) years of service at the time of the retirement.

j) Other benefits.— All duly appointed members of the barangay tanod brigades, or their equivalent, shall also have the following additional benefits:

- 1) Be granted insurance or other benefits during their incumbency;
- 2) Be entitled to a Christmas bonus of at least one month honorarium each, the funds for which shall be taken from the general fund of the barangay or from such other funds appropriated by the national government for the purpose;
- 3) Be entitled to free medical care including subsistence, medicines, and medical attendance in any government hospital or institution; Provided, That such hospital care shall not include surgery or surgical expenses, medicines, X-Rays, laboratory fees, and other hospital expenses.

1 **SECTION 7. Barangay Retirement Fund.** — There is hereby created a Barangay
2 Retirement Fund (BRF) which shall be used to fund the retirement of Barangay
3 Tanods. The amount equivalent to one percent (1%) of the share of the national
4 government under Section 284 of Republic Act No. 7160 shall be used for this
5 purpose.
6

7 **SECTION 8. Non-diminution of Benefits.** — Nothing in the Act shall be construed
8 to eliminate or in any way diminish entitlements, or other benefits being provided
9 to or enjoyed by the Barangay Tanod under Republic Act No. 7160, at the time of
10 the promulgation of this Act.
11

12 **SECTION 9. Rules and Regulations.**— The DILG, in cooperation with the
13 Department of Education, the Department of Health, the Department of Justice,
14 the Civil Service Commission and other concerned government agencies and non-
15 government organizations, shall formulate within one hundred eighty (180) days
16 from its effectivity, the rules and regulations necessary to implement this Act.
17

18 **SECTION 10. Funding.** – The President is hereby authorized to realign or transfer
19 any item of appropriation within the Department of Interior and Local Government
20 and/or utilize any savings therein to carry out the purpose of this Act. Subsequent
21 appropriation shall be included in the General Appropriations Act and thereafter.
22

23 **SECTION 11. Separability Clause.**— If any provision of this Act is declared
24 invalid, the remainder or any provision hereof not affected thereby shall remain in
25 force and effect.
26

27 **SECTION 12. Repealing Clause.**— All laws, decrees, executive orders and other
28 presidential issuances which are inconsistent with this Act are hereby repealed,
29 amended or modified accordingly.
30

31 **SECTION 13. Effectivity.**— This Act shall take effect fifteen (15) days after its
32 publication in at least two (2) national newspapers of general circulation.
33

34 **Approved:**
35
36
37
38