

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **984**

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
DATE:	<u>04 JUL 2016</u>
TIME:	<u>6:05 pm</u>
BY:	<u>[Signature]</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

**EXPLANATORY NOTE**

Despite the lack of adequate facilities and resources, barangay tanod brigade have consistently proved to be effective in the maintenance of public order, protection and security of life and property and the maintenance of a desirable environment in their respective barangays.

However, sangguniang barangays may, at times, have difficulty in the selection of barangay tanods because very few barangay residents show interest in becoming part of the tanod brigades. This problem is admittedly due to the low sense of worth and dignity in the work of barangay tanods because of the lack of a serious effort in promoting and enhancing their social, economic, living and working conditions.

This bill seeks to grant to barangay tanods similar privileges and benefits received by other appointive barangay officials to improve their economic welfare and to enhance their skills and capabilities to make them better equipped in the maintenance of peace and order in barangays, thereby effectively helping the National Government in its efforts to deter and put an end to the upsurge of criminality in the country.

It is contended that it is only through the grant of special benefits, privileges and opportunities for personal development can the government effectively encourage barangay residents to take interest in joining tanod brigades and render service befitting their positions.

More importantly, the work of a barangay tanod entails great personal sacrifice. Hence, it is but just and reasonable for the government to recognize his/her services which he/she selflessly offers to his community.

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

  
**LAWRENCE LEMUEL H. FORTUN**  
1<sup>st</sup> District, Agusan del Norte

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**“AN ACT PROVIDING FOR A MAGNA CARTA FOR BARANGAY TANODS”**

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

1 **SECTION 1. Title.** - This Act shall be known as the “Magna Carta of Barangay Tanods”

2  
3 **SECTION 2. Definition of Terms** – As used in this Act, the following terms shall mean as  
4 follows:

5  
6 a) **Barangay Tanod** – A barangay member or resident appointed by the Punong Barangay  
7 upon selection and approval by a majority of all the members of the sangguniang barangay, and is  
8 changed with the maintenance of public order, protection and security of life and property, or the  
9 maintenance of a desirable and balanced environment, whose duties and functions are enumerated  
10 under Sec. 6 of this Act;

11  
12 b) **Merit and Fitness Principle** – By merit and fitness principle in the selection and  
13 appointment must be made solely on the basis of qualification, capability, competency, aptitude,  
14 experience of fitness, rather than on patronage or partisan reasons.

15  
16 **SEC. 3. Declaration of Policy.** - It shall be the policy of the State to promote and enhance the  
17 social and economic well-being of the barangay tanods, their living and working conditions and terms  
18 of employment. The State shall develop and improve their skills and capabilities to make them better  
19 equipped in the maintenance of peace and order in the barangays, thereby effectively helping not only  
20 the local governments but the National Government as well in its efforts to deter and put an end to the  
21 upsurge of criminality in the country. The State shall likewise enjoin the Sangguniang Barangay to  
22 eliminate partisan considerations in the selection and appointment of barangay tanods and to retain  
23 those with commendable qualifications and track record of service.

24  
25 **SEC. 4. Coverage.** - This Act shall cover all barangay tanods of all barangays.

26  
27 **SEC. 5. Selection and Qualifications.** - The appointment of barangay tanods shall be done by  
28 the Punong Barangay upon selection and approval by a majority of the members of the sangguniang  
29 barangay concerned in accordance with the merit and fitness principle: *Provided*, That no person shall  
30 be appointed barangay tanod unless he or she is a citizen of the Philippines, a resident of the barangay  
31 concerned, of good moral character, of sound mind and has completed at least elementary education:  
32 *Provided further*, That patronage or partisan considerations shall not be a basis for such selection and  
33 appointment, otherwise the same shall be null and void if so proved in a proper proceeding.

34  
35 **SEC. 6. Duties and Functions.** - All barangay tanods shall have the following duties and  
36 functions:

37  
38 a) Enforce all laws and ordinances relative to the protection of lives and properties in their  
39 respective barangays;

b) Maintain peace and order and take all the necessary steps to ensure public safety;

c) Report to, assist or coordinate with the local police authorities in the arrest of criminal offenders who may be found in their barangays;

d) Effect the arrest of criminal offenders or persons whose actions or behavior threaten public order and deliver them to the proper police or judicial authorities;

e) Perform such other functions as may be provided by law or ordinance.

**SEC. 7. Security of Tenure.** - All barangay tanods shall be appointed to a permanent status during the administration of the sangguniang barangay which appointed them, and no barangay tanod so appointed shall be suspended or terminated except for cause: *Provided*, That in the event a barangay tanod is found to be unjustly suspended or terminated, he or she shall be entitled to reinstatement and to payment of all honoraria, allowances and such other emoluments and benefits accruing during such suspension or termination: *Provided however*, that if the barangay tanod does not desire to be reinstated, he or she shall still receive such honoraria, allowances and such other emoluments and benefits.

**SEC. 8. Freedom from Undue Influence, Interference and Coercion.** - It shall be unlawful for any person to commit any of the following interference and coercion:

a) To put as a condition for selection and appointment that a barangay tanod must support or vote, or must have supported or voted for any incumbent elective barangay official or for any candidate of the barangay official's choice in either previous or future elections, whether local or national;

b) To prevent, in any manner, a barangay tanod from effectively carrying out his or her duties and functions;

c) To coerce, intimidate or unduly influence a barangay tanod to refrain from arresting any person who is committing, has committed or is about to commit any crime or any acts which disturb public peace or order or which offends against decency, morals or good customs within the barangay tanod's area of jurisdiction, or to prevent him/her from delivering such person to the proper police or judicial authorities, or from reporting the same to said authorities;

d) To suspend or terminate the services of a barangay tanod without just cause or without observance of due process.

**SEC. 9. Benefits of Barangay Tanods.** - Any provision of law to the contrary notwithstanding, barangay tanods shall receive the same benefits and privileges enjoyed by barangay secretaries and barangay treasurers under Sec. 393 of Republic Act 7160, otherwise known as the Local Government Code of 1991, including but not limited to the following:

a) Honoraria, allowances such other emoluments as may be authorized by law or the barangay in accordance with the provisions of Republic Act 7160 but in no case shall it be less than P600.00 per month;

b) Christmas bonus of at least One Thousand pesos (P1,000.00) 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;

c) Insurance coverage, during their incumbency, which shall include, but shall not be limited to temporary and permanent disability, double indemnity, accident insurance, death and burial benefits, in accordance with Republic Act 6942 entitled "An Act Increasing the Insurance Benefits of Local Government Officials and Providing Funds Therefor;

d) Free medical care including subsistence, medicines, and medical attendance in any government hospital or institution: *Provided*, That such hospital care shall include surgery or surgical

99 expenses, medicines, X-rays, laboratory fees, and other hospital expenses.

100 In case of extreme urgency where there is no available government hospital or institution, the  
101 barangay tanod concerned may submit himself/herself for immediate medical attendance to the nearest  
102 private clinic, hospital or institution and the expenses not exceeding Five thousand pesos (P5,000.00)  
103 that may be incurred therein shall be chargeable against the funds of the barangay concerned;  
104

105 e) Exemption from payment of tuition and matriculation fees for their legitimate dependent  
106 children attending state colleges or universities.  
107

108 He/she may also avail of such educational benefits in a state college or university located within  
109 the province or city to which the barangay belongs.  
110

111 f) Appropriate civil service eligibility on the basis of the number of years of service to the  
112 barangay, pursuant to the rules and regulations issued by the Civil Service Commission;  
113

114 g) Clothing allowance of at least Five hundred pesos (P500.00) annually, which amount shall  
115 be adjusted as circumstances require.  
116

117 Any additional benefits and privileges which shall hereinafter be granted to barangay secretaries  
118 and barangay treasurers by virtue of any law, order, rules and regulations, ordinance, decree or other  
119 issuances shall, as may be deemed proper, likewise be enjoyed by barangay tanods.  
120

121 **SEC. 10. Compensation from Injuries.** - All barangay tanods shall be protected against  
122 injuries sustained in the performance of their functions or on occasion of such performance in  
123 accordance with the Civil Service Law.  
124

125 **SEC. 11. Human Resource Development.** - The Department of Interior and Local Government  
126 in coordination with the provincial, city and municipal governments shall conduct human resource  
127 development study in the following areas:  
128

129 a) Opportunities for barangay tanods to enhance their skills and potentials and experience a  
130 sense of worth and dignity in their work;  
131

132 b) Allocation of funds for the participation of barangay tanods in seminars, conferences,  
133 conventions and similar activities as part of the continuing development of their capabilities to make  
134 them more responsive and better equipped in the performance of their functions;  
135

136 c) Upgrading of their allowances, emoluments and such other benefits or privileges received  
137 under this Act and other existing laws, orders, decrees, ordinances and other issuances;  
138

139 d) Adequate facilities and resources to improve the efficiency of barangay tanods in  
140 maintaining peace and order in all barangays.  
141

142 **SEC. 12. Rules and Regulations.** - The Department of Interior and Local Government shall  
143 formulate the necessary rules and regulations for the implementation of the Magna Carta of Barangay  
144 Tanods.  
145

146 **SEC. 13. Penal Provision.** - Any person who shall knowingly and willfully interfere with,  
147 restrain or coerce any barangay tanod in the performance of his/her functions or duties or shall in any  
148 manner commit any act in violation of the provisions of this Act shall, upon conviction, be punished by  
149 a fine of not less than Twenty Five Thousand Pesos (P25,000.00) but not more than Fifty Thousand  
150 Pesos (P50,000.00) or imprisonment of not more than one (1) year, or both fine and imprisonment, at  
151 the discretion of the court: *Provided*, That in case where the offender is an incumbent elective or  
152 appointive barangay official, the same shall constitute a ground for his suspension from office:  
153 *Provided further*, That where such barangay official shall have been previously found guilty of any of  
154 the offenses herein referred to, he/she shall be subject to expulsion from office in accordance with the  
155 provisions of Republic Act 7160.  
156

157 **SEC. 14. Separability Clause.** - If any provision of this Act is declared unconstitutional or invalid,

the remainder thereof no affected thereby shall continue to be in full force and effect.

**SEC. 15. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or other issuances inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**SEC. 16. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,