

SEVENTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES	
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HOUSE OF REPRESENTATIVES
H.B. No. 2851

INTRODUCED BY REP. LUISA LLOREN CUARESMA
LONE DISTRICT OF NUEVA VIZCAYA

EXPLANATORY NOTE

The Katarungang Pambarangay or the barangay justice system sought to promote the speedy administration of justice at the barangay level, thereby giving official recognition to the time-honored tradition of amicably settling disputes at the barangay level.¹

Republic Act No. 7160 (RA 7160), otherwise known as The Local Government Code of 1991 (LGC), expanded the cases covered by the Katarungang Pambarangay, thereby increasing the authority of the lupon to settle criminal offenses from those punishable by imprisonment not exceeding thirty (30) days or a fine not exceeding Two Hundred Pesos (P200.00) in PD 1508² to those criminal offenses punishable by imprisonment not exceeding one (1) year or a fine not exceeding Five Thousand Pesos (P5,000.00)³.

For the Katarungang Pambarangay (KP) Law to fully achieve its laudable objectives of delivering a speedy administration of justice at the barangay level, it is imperative to revisit the provisions of the KP Law by expanding the jurisdiction of the Katarungang Pambarangay to specifically cover those cases which have been reported as prevalent in the barangay but are not within the authority of the lupon. This measure therefore ensures that the quality of justice at the grassroots level is enhanced.

It is, thus, prayed that the bill would meet the expeditious approval of this Chamber


REP. LUISA LLOREN CUARESMA

¹ Pres. Decree No. 1508 (1978), Whereas clauses.

² Section 2, PD 1508.

³ Section 408. (c), The Local Government Code of 1991 (LGC).

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AN ACT EXPANDING THE JURISDICTION OF THE
KATARUNGANG PAMBARANGAY, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE
LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. Section 408 of Republic Act No. 7160, otherwise known as the
Local Government Code of 1991, is hereby amended to read as follows:

SECTION 408. A. Subject Matter for Amicable Settlement;
Exception Thereto. - The lupon of each barangay shall have
authority to bring together the parties actually residing in the
same city or municipality for amicable settlement of all disputes
except:
(a) Where one party is the government, or any subdivision or
instrumentality thereof;
(b) Where one party is a public officer or employee, and the
dispute relates to the performance of his official functions;
(c) Offenses punishable by imprisonment exceeding one (1) year
or a fine exceeding Five thousand pesos (P5,000.00);
(d) Offenses where there is no private offended party;
(e) Where the dispute involves real properties located in
different cities or municipalities unless the parties thereto agree
to submit their differences to amicable settlement by an
appropriate lupon;
(f) Disputes involving parties who actually reside in barangays
of different cities or municipalities, except where such barangay

1 units adjoin each other and the parties thereto agree to submit
2 their differences to amicable settlement by an appropriate lupon;
3 (g) Such other classes of disputes which the President may
4 determine in the interest of justice or upon the recommendation
5 of the Secretary of Justice. The court in which non-criminal cases
6 not falling within the authority of the lupon under this Code are
7 filed may, at any time before trial, motu proprio refer the case to
8 the lupon concerned for amicable settlement.

9
10 **B. SECTION 408.A.(c) NOTWITHSTANDING, THE**
11 **LUPON OF EACH BARANGAY SHALL HAVE THE**
12 **AUTHORITY TO AMICABLY SETTLE DISPUTES ARISING**
13 **FROM THE COMMISSION OF THE FOLLOWING CRIMES,**
14 **REGARDLESS OF THE IMPOSABLE PENALTIES OR FINES:**

- 15 (a) GRAVE SCANDAL;
16 (b) QUALIFIED TRESPASS TO DWELLING;
17 (c) OTHER FORMS OF TRESPASS;
18 (d) GRAVE THREATS;
19 (e) LIGHT THREATS;
20 (f) OTHER LIGHT THREATS;
21 (g) GRAVE COERCIONS;
22 (h) LIGHT COERCIONS;
23 (i) OTHER SIMILAR COERCIONS;
24 (j) DISCOVERING SECRETS THROUGH SEIZURE OF
25 CORRESPONDENCE;
26 (k) THEFT;
27 (l) QUALIFIED THEFT;
28 (m) SWINDLING (ESTAFA);
29 (n) B.P. 22
30 (o) FENCING (P.D. 1612);
31 (p) MALICIOUS MISCHIEF;
32 (q) OTHER MISCHIEFS;
33 (r) LIBEL;
34 (s) SLANDER;
35 (t) SLANDER BY DEED;
36 (u) ADULTERY;
37 (v) CONCUBINAGE;
38 (w) ACTS OF LASCIVIOUSNESS;
39 (x) SIMPLE SEDUCTION; AND
40 (y) ACTS OF LASCIVIOUSNESS WITH THE CONSENT OF
41 THE OFFENDED PARTY.
42

43 SECTION 2. Separability Clause. – If any provision or part hereof is held
44 invalid or unconstitutional, the remainder of the law or provision not
45 otherwise affected shall remain valid and subsisting.

1 SECTION 3. Repealing Clause. – All laws, presidential decrees, executive
2 orders, letters of instruction, rules and regulations which are inconsistent
3 with any of the provisions of this Act are hereby repealed or modified
4 accordingly.

5 SECTION 4. Effectivity Clause. – This Act shall take effect fifteen (15) days
6 after the completion of its publication in the Official Gazette or in any
7 newspaper of general circulation.

8 *Approved,*