

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 4250



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Introduced by **HON. JOY MYRA S. TAMBUNTING**

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**AN ACT TO ESTABLISH THE MAGNA CARTA FOR BARANGAYS**

**EXPLANATORY NOTE**

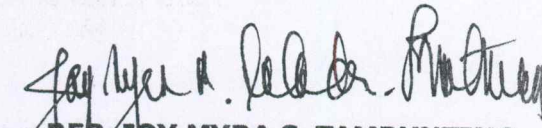
The barangay is the basic political unit under the Local Government Code, its role as stated in the said Act involves planning and implementation government policies, plans, programs, projects, and activities in the community. It is responsible for the delivery of basic government services. Further, the barangay is also an instrument of grassroots governance. It serves as a forum wherein the collective views of the people may be expressed, crystallized and considered and where disputes may be amicably settled.

Pursuant to the policy of the State to guarantee and promote the autonomy of local government units, the barangay needs to be empowered and capacitated to allow for its fullest development as a self-reliant unit. It is also important to recognize the contribution of the main drivers of barangays—the barangay officials, in public service delivery and nation-building.

To address these concerns, this proposed measure to be known as the Magna Carta for Barangays seeks to: 1) declare barangay officials as regular government employees and provide them benefits and privileges regular government employees may be entitled to; 2) promote the welfare of the barangay through the provision of basic utilities and services; and 3) promote genuine and meaningful local autonomy, through provision of appropriate measures such as automatic release of share from national taxes, and mandatory share of barangays in taxes, fees and other charges, among others.

My husband, former Congressman Gus Tambunting, was a co-author of a version of this measure filed in the House during the 17<sup>th</sup> Congress. I acknowledge Senate Bill No. 2148 (17<sup>th</sup> Congress) which served as my basis for this version. Let us work together to make our barangays efficient and effective at the service of the Filipino people.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of this measure is earnestly sought.

  
**REP. JOY MYRA S. TAMBUNTING**  
2nd District, Parañaque City



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

**I. TITLE, DECLARATION OF POLICY, AND GENERAL PRINCIPLES**

**SECTION 1. *Short Title.*** – This Act shall be known as "The Magna Carta for Barangays."

**SECTION 2. *Declaration of Policy.*** – It is the policy of the State to promote, develop and improve the general welfare of barangay residents, raise the economic and social status of barangay officials, grant every barangay the basic facilities for decent, healthy and comfortable living therein and provide new measures that will inspire its enjoyment of local autonomy to ensure the effective performance of its role as the primary planning and implementing unit of government programs, projects and activities, and as a forum in which the collective views of the people in the community may be crystallized and considered.

**SECTION 3. *General Principles.*** – The following are the general principles of this Act:

- a. The national government shall give more attention to the development of the barangay, as it is the base of this country's economy and the frontline provider of government services.
- b. Every barangay shall be given the authority and capability to solve its problems on its level.
- c. Self-help or people power shall be the guiding principle in all barangay development projects.

**II. BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES**

**SECTION 4. *The Barangay Officials as Regular Government Employees.*** – The punong barangay, sangguniang barangay members, the kabataang barangay chairperson, the barangay secretary and barangay treasurer in all barangays are hereby declared regular employees, and as such are entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and such other fringe benefits to which a regular government employee may be entitled to.



**SECTION 5. *Salaries of Barangay Officials.*** – As soon as the appropriate steps and measures are undertaken by each city or municipality in coordination with the individual barangay involved on matters relating to the sources of fund and the corresponding appropriation ordinance, which in no case shall be later than six (6) months from the approval hereof, all barangay officials mentioned in paragraph 4 hereof shall be entitled to the following fixed salaries:

- a. Punong Barangay - An amount equivalent to the salary of a Sangguniang Panlungsod member, if the barangay forms part of a city, or that of a Sangguniang Bayan member, if the barangay forms part of a municipality.
- b. Six Sangguniang Barangay Members – For each, an amount equivalent to 80% of the salary of a Sangguniang Panlungsod member, if the barangay forms part of a city, or that of a Sangguniang Bayan member, if the barangay forms part of a municipality.
- c. Kabataang Barangay Chairperson, Barangay Secretary, Barangay Treasurer - For each, an amount equivalent to 70% of the salary of a Sangguniang Panlungsod member, if the barangay forms part of a city, or that of a Sangguniang Bayan member, if the barangay forms part of a municipality.

### **III. BASIC PRIORITIES IN THE BARANGAY**

**SECTION 6. *Drinking Water for Every Barangay.*** – It is the right of every barangay to have a regular supply of clean and potable drinking water. To attain this goal, every city and municipality, as the case may be, is hereby required to construct and/or maintain at least one deep well with pumping device for drawing drinking water to supply the needs of every one thousand residents for each barangay within its jurisdiction.

**SECTION 7. *Transportation for Every Barangay.*** – It is the right of every barangay to have public transportation available at least once a day. For this purpose, every municipality or city, as the case may be, should make such necessary representations before the appropriate government agencies to require public utility companies operating within its jurisdiction to provide the minimum means of transportation in every barangay. In the event no public utility company can possibly provide a daily means of transportation, the city or municipality of which the barangay forms part of shall make the proper appropriations for the purchase of a barangay vehicle or whatever form of transportation the barangay requires considering the circumstances of its physical territory and surroundings.

**SECTION 8. *Health Centers and Barangay Halls for the Barangays.*** – It shall also be the right of every barangay to have one health center and one barangay hall.

### **IV. MEASURES TO ASSURE THE ENJOYMENT OF LOCAL AUTONOMY**

**SECTION 9. *Automatic Release of Share from National Taxes.*** – It shall be the duty of the National Treasury to remit automatically to the barangays every end of the calendar year their just share from the national taxes.

**SECTION 10. *Transfer of Fund to Barangay for the Maintenance of Roads and Bridges.*** – All public funds appropriated from the National Treasury for the maintenance of barangay roads and bridges and other similar constructions shall be transferred or remitted directly to the general fund of every barangay for their proper disposition by the barangay officials.



**SECTION 11. *Mandatory Share of Barangays in All Taxes, Fees or Other Charges.*** – Twenty-five percent (25%) of all taxes collected on real property located within the barangay shall be considered barangay funds and shall be allocated in accordance with existing laws. In addition thereto, each barangay shall be entitled to twenty percent (20%) from all other forms of taxes, fees, penalties, compromises or other charges collected from persons residing in the barangay or entities whose offices and/or manufacturing plant is located within the barangay.

**SECTION 12. *Equitable Share of the Barangay from the Proceeds of the Utilization and Development of National Wealth.*** – Every barangay shall be entitled to an equitable share of the proceeds derived from the exploitation, development and utilization of natural wealth within its territory. The amount of barangay share shall be determined by the city or municipality concerned after consultations with the concessionaires, the municipal or city officials and barangay officials, taking into account the extent of the exposure of the barangay residents to pollution, food and ecological imbalance: Provided, however; That this equitable sharing rate for each barangay shall be resolved by all parties concerned not later than six (6) months from the approval of this Act. Revenues derived from this source shall also from part of the general fund of the barangay.

## **V. SUNDRY MATTERS**

**SECTION 13. *Scholarship Grant.*** – Every barangay shall sponsor at least one scholarship grant every year leading to any bachelor degree to be awarded by the Sangguniang Barangay with the approval of the Punong Barangay. The grant shall include tuition fees and all other school fees, reasonable allowances for schoolbooks, supplies and transportation and other expenses as the barangay may deem appropriate.

**SECTION 14. *Priority in Employment.*** – Residents in every barangay shall have the priority in the hiring of workers and laborers to be needed in any government construction or development projects within the barangay.

**SECTION 15. *Cooperative Enterprise.*** – Cooperative enterprises in the barangay shall be encouraged and every barangay is directed to give full assistance for the establishment and organization of said enterprises and to take every possible effort to make cooperative undertakings a way of life in the barangay.

## **VI. ADMINISTRATION AND ENFORCEMENT**

**SECTION 16. *Rules and Regulations.*** – The Secretary of Department of Interior and Local Government shall promulgate such rules and regulations as may be necessary to implement the provisions of this Act. Rules and regulations issued pursuant to this Section shall take effect thirty (30) days after publication in a national newspaper of general circulation and by such other means as the Secretary of Local Government deems reasonably sufficient to give interested parties general notice of such issuance.

**SECTION 17. *Budgetary Estimates.*** – The Secretary of Department of Interior and Local Government shall submit to the Congress the necessary budgetary estimates to implement the provisions of this Act concerning the allowances, insurance, medical, dental and retirement benefits and other fringe benefits of barangay officials, the basic priorities in the barangays and the barangay scholarship grant.



**SECTION 18. *Penal Provision.*** – Any person who shall willfully interfere with, restrain or coerce any barangay official or barangay resident in the exercise of his or their rights guaranteed by this Act or who shall in any other manner commit any act to defeat any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or by imprisonment of six months and one day, or both, subject to the discretion of the court.

If the offender is a public official, the court shall order his dismissal from the government service in addition to the abovementioned penalties.

**SECTION 19. *Repealing Clause.*** – All Acts and decrees, executive orders, implementing rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**SECTION 20. *Separability Clause.*** – If any provisions of this Act are declared invalid, the remainder or any provisions thereof not affected thereby shall remain in force and effect.

**SECTION 21. *Effectivity.*** - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) national newspapers of general circulation.

*Approved,*