

FOURTEENTH CONGRESS OF THE)
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SENATE

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INTRODUCED BY HONORABLE BENIGNO S. AQUINO III

RESOLUTION

DIRECTING THE COMMITTEE ON LOCAL GOVERNMENT TO INVESTIGATE IN AID OF LEGISLATION, THE IMPLEMENTATION OF SECTION 393 (b) (4) AND SECTION 434 OF REPUBLIC ACT NO. 7160 "THE LOCAL GOVERNMENT CODE" ON THE EXEMPTION OF CERTAIN BARANGAY OFFICIALS AND THEIR LEGITIMATE CHILDREN AND SANGGUNIANG KABATAAN OFFICIALS FROM THE PAYMENT OF TUITION AND MATRICULATION FEES FROM STATE COLLEGES AND UNIVERSITIES.

WHEREAS, the Local Government Code, in recognition of the significant contribution of the punong barangay, sangguniang barangay members, barangay treasurer, barangay secretary and sangguniang kabataan officials in the enforcement of peace and order and in the development of the barangay community, has vested upon said officials educational benefits and privileges with the end in view of increasing their level of competence in local governance and make them a learned and better partner in the implementation of programs and projects for the community;

WHEREAS, Section 393 (b) (4) of the Local Government Code provides that incumbent punong barangay, sangguniang barangay members, barangay treasurer and barangay secretary attending state colleges or universities, located within the province or city to which the barangay belongs, are exempted during their incumbency from the payment of tuition and matriculation fees;

WHEREAS, the said provision extends the same educational benefits to the said officials' legitimate dependent children;

WHEREAS, Section 434 of the Local Government Code mandates that all sangguniang kabataan officials shall enjoy during their incumbency exemption from the payment of tuition and matriculation fees while enrolled at public tertiary schools including state colleges or universities within or nearest their area of jurisdiction;

WHEREAS, in connection with the implementation of the afore-stated educational benefits and privileges the Commission on Higher Education has issued CHED Memorandum Order No. 30 S. 2005 dated 5 September 2005 revoking CHED Order No. 62 S. 1997 on the "Guidelines implementing the Study/Grant Program for Barangay Officials and Their Legitimate Dependents to Implement Section 393, Paragraph 4 of the Local Government Code" and granting upon the respective Governing Boards of State Universities and Colleges the authority to be the implementing agencies of Section 393 (b) (4);

WHEREAS, it has come to the attention of the Committee on Local Government that by reason of CHED Order No. 30 S. 2005 various state colleges and universities has imposed limitations on the availment of the educational benefits making it harder for the beneficiaries to utilize the said benefits;


WHEREAS, one of the limitations imposed by the state colleges and universities is that acceptance of barangay scholars is conditioned upon the Department of Interior and Local Government's reimbursement of the scholar's tuition and matriculation fees;

WHEREAS, the Department of Interior and Local Government has objected to said limitation maintaining that the Code does not require that the national government reimburse the tuition and matriculation fees of the barangay scholars;

WHEREAS, there is an apparent conflict between the agencies tasked to implement Sections 393 (b) (4) and 434 as to its correct interpretation and implementation;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the Committee on Local Government to investigate in aid of legislation, on the implementation of Sections 393 (b) (4) and 434 of Republic Act No. 7160 otherwise known as "The Local Government Code of the Philippines of 1991".

Adopted,


BENIGNO S. AQUINO III
Senator