

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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S E N A T E

S. No. 399

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The smallest political unit of government is the barangay. The primary task of this institution is delivery of basic services to its constituents. It is the national government's first line of defense and in times of calamities, emergencies and other similar situations, it is first to respond.

The barangay as a political unit of government has multiple functions. The local government code empowers it to exercise executive, legislative and quasi-judicial functions.

As an executive functions, it is mandated to enforce the laws of the land as well as enforce its own local ordinances. It also serves as the local representative of the police in its appropriate area of jurisdiction. In most cases, crimes are usually prevented by vigilant "barangay tanod". These tanods fulfill their obligations with the barest of allowances. Not only that, they constantly expose themselves to the hazards of the job.

As a legislative function, the barangay is empowered to draft ordinances for the betterment of their own community with meager resources.

To give due importance to the role of barangay officials and to correct the apparent unjust situation this bill is being proposed.

Hence, the immediate passage of this bill is earnestly sought.

S. Osmeña III
SERGIO OSMEÑA III
Senator

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Introduced by Senator S. R. Osmeña III

**AN ACT
PROVIDING FOR DEATH, INJURY, RETIREMENT AND LEAVE BENEFITS OF
BARANGAY OFFICIALS AND EMPLOYEES**

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

1 SECTION 1. *Declaration of Policy.* – The State recognizes the Barangay
2 as the basic political unit of the government which serves as the primary
3 implementing unit of government policies, plans, projects and activities within the
4 community. It is an indispensable instrument in the maintenance of peace and
5 order as well as the security and the protection of public safety within the
6 barangay.

7 SEC. 2. *Retirement Benefits.* – Barangay officials including the barangay
8 tanods, in recognition for the vital public services which they render to the
9 community, who have rendered continuous service for at least six (6) years, shall
10 be entitled to retirement benefits and privileges for each year of service, as
11 follows:

- 12 (a) One thousand pesos (P1,000.00) for an elected Barangay Captain;
13 (b) Six hundred pesos (P600.00) for every elected Barangay
14 Councilman, the Barangay Treasurer, and the Barangay Secretary; and
15 (c) Five hundred pesos (P500.00) for every member of the Barangay
16 Tanod.

1 The said Barangay officials shall also be entitled to a commutable fifteen (15)
2 days vacation leave, and fifteen (15) days sick leave, for every year of service

3 SEC. 3. *Death and Injury Benefits.* – The death of said Barangay officials
4 arising out of or in the course of employment, irrespective of years of service,
5 shall entitle them to a compensation of at least three (3) years' salary payable to
6 the legal spouse or next of kin.

7 Injury which involves total or partial use of limbs, body functions, sight or hearing
8 shall entitle them to compensation ranging from three (3) months to tow (2) years
9 salary, depending on the nature and extent of the injury sustained.

10 SEC. 4. *Additional Benefits.* – The above benefits shall be in addition to
11 and shall in no way diminish other benefits and privileges already granted by the
12 Local Government Code and other related laws.

13 SEC. 5. *Funding.* – Such sums as may be initially necessary for the
14 implementation of the provisions of this Act shall be chargeable against the funds
15 of the barangay concerned, subject however, to reimbursement by the
16 Department of the Interior and Local Government. Thereafter, the amount
17 needed shall be included in the Annual General Appropriations Act, for the
18 Department of the Interior and Local Government.

19 SEC. 6. *Repealing Clause.* – All general and special laws, acts, city
20 charters, executive orders, proclamations and/or administrative regulations, or
21 parts thereof which are inconsistent with any provision of this Act, are hereby
22 repealed, amended or modified accordingly.

23 SEC. 7. *Implementing Rules and Regulations.* – The Department of the
24 Interior and Local Government shall issue the rules and regulations to implement
25 the provisions of this Act.

26 SEC. 8. *Effectivity.* – This Act shall take effect upon approval.

Approved,