

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

'04 JUN 30 P10:04

SENATE

S. No. 1055

RECEIVED BY: 

Introduced by Senator Edgardo J. Angara

EXPLANATORY NOTE

In the implementation of government policies, plans and programs, the Barangay, as the basic political unit of the country, plays a very significant role. It serves as the frontline of the government's initiatives for national development at the grassroots level.

The Barangay Captain, as Executive Officer, implements developmental projects of the government. Over time, the Barangay had evolved as a critical factor in the implementation and success of the government's law enforcement agenda. In the performance of his functions, Barangay Captains inevitably cross paths with criminals. It comes with the territory. It is a fact that a good number of Barangay Captains and their families have become the victims of vengeance and retaliation.

This bill attempts to provide supplemental benefits to Barangay Captains for death, injuries and sickness that they will sustain in the conduct of their official duties and functions. The measure goes beyond rhetorical appreciation and provides a certain level of comfort for the difficult work they perform and all the attendant risks that they are exposed to. For these reasons, it is but fitting that Barangay Captains should be given refuge in the law.

In view of the foregoing considerations, immediate passage of this bill is earnestly sought.


EDGARDO J. ANGARA

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**AN ACT
PROVIDING ADDITIONAL INSURANCE BENEFITS TO BARANGAY
CAPTAINS, PROVIDING FUNDS FOR THE PAYMENT OF PREMIUMS, AND
FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Expanded
Barangay Captains’ Insurance Act of 2004”

SEC. 2. *Supplemental Insurance Benefits for Barangay Captains.* – In
addition to the insurance benefits being extended to Barangay Captains by the
Government Service Insurance System (GSIS) under Republic Act No. 8291, a
term insurance coverage to all Barangay Captains providing the following
benefits shall be granted:

1) Death benefit in the amount of Two Hundred Fifty Thousand Pesos
(P250,000.00) caused by assassination, accident and other similar
circumstances while in the conduct of their official duties and functions, or have
direct relation thereto;

2) Burial expenses in an amount not exceeding Fifty Thousand Pesos
(P50,000.00);

3) Entitlement to reimbursement for actual medical expenses in an
amount not exceeding One Hundred Thousand Pesos (P100,000.00) for injuries
sustained from attempted assassinations, accidents and other similar
circumstances while in the performance of their official duties and functions.

SEC. 3. *Grounds for Disqualification.* – The Barangay Captain or his beneficiaries shall not be entitled to claim for the foregoing benefits when the injury, sickness or death was occasioned or caused by the following:

- a) Gross negligence on the part of the Barangay Captain;
- b) Willful intention to injure or kill oneself;
- c) Habitual drunkenness or intoxication;
- d) Unauthorized absence or abandonment of office for at least one (1) month prior to the injury, sickness or death;
- e) Such analogous grounds and circumstances.

SEC. 4. *Presumption.* – For purposes of this Act, it is *prima facie* presumed that the death, injury or sickness sustained by a Barangay Captain is work related.

SEC. 5. *Actuarial Study.* – Within ninety (90) days from the effectivity of this Act, the GSIS shall prepare an actuarial plan in order to determine the premiums to be paid corresponding to the benefits to be received by the barangay captains in accordance with the provisions of Section 2 hereof.

SEC. 6. *Appropriation.* – The amount corresponding to the total annual insurance premiums computed on the basis of the actuarial study mandated under Section 4 hereof shall be included in the General Appropriations Act of the year following its enactment into law. Thereafter, the expenses for its continued implementation shall be included in the subsequent General Appropriations Act.

SEC. 7. *Separability Clause.* --- If any provision of this Act is held to be unconstitutional or invalid, the same shall not affect the remainder thereof.

SEC. 8. *Repealing Clause.* --- All laws, presidential decrees, executive orders, rules and regulations, and part thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 9. Effectivity. --- This Act shall take effect fifteen (15) days after publication in the Official Gazette or two (2) newspapers of general circulations.

Approved,