

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

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RECEIVED BY: 

SENATE
S. B. No. 1209

Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

This proposed bill seeks to achieve greater autonomy in the operations of the Sangguniang Kabataan at all levels. It grants bigger powers and recognition to duly elected youth leaders as partners in nation-building. It is about time that attention is given to our young not as vulnerable sector requiring protection, but as formidable force to reckon with the present.

The Philippines is the only country in the world with an institutionalized national youth organization. The Sangguniang Kabataan is a uniquely Filipino concept, translating to one strong autonomous body what is provided in Section 13, Article II of the 1987 Constitution which states that "the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

The Sangguniang Kabataan has proven to be a powerful instrument for youth empowerment since its formal inception under R. A. No. 7160 or the Local Government Code of 1991. Young Filipino men and women between the ages of fifteen (15) to twenty-one (21) vote and elect for themselves their own leaders at the barangay level. This system of empowering the youth is replicated up to the collegial national federation of Sangguniang Kabataan. They are thus represented in their respective legislative bodies at the local level and are able to actively participate in governance. It thus provides the venue for the training of the youth in leadership.

To enable the Sangguniang Kabataan to fully tap the vast potentials of the youth, it must be strengthened as an organization. Its independence must be assured to insulate the Sanggunian Kabataan from the ills of traditional Philippine politics. Guarantees must be provided in the law for the Sangguniang Kabataan leadership to completely exercise its mandate with more autonomy.

Every safeguard must be in place so that the youth can realize their full participation in the affairs of the State.

In view thereof, immediate passage of this bill is earnestly requested.


RAMON BONG REVILLA, JR.
Senator

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AN ACT
TO STRENGTHEN AND REFORM THE
SANGGUNIANG KABATAAN, AMENDING FOR
THAT PURPOSE CERTAIN PROVISIONS OF R. A.
NO. 7160, OTHERWISE KNOWN AS THE LOCAL
GOVERNMENT CODE OF 1991 AND FOR OTHER
PURPOSES

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

SECTION 1. Section 308 of R.A. 7160, otherwise known as the Local Government Code of 1991, is hereby amended by adding another paragraph to read as follows:

“Section 308. X X X.

FIVE PERCENT (5%) OF THE GENERAL FUND OF THE MUNICIPALITY, AND PROVINCE SHALL BE SET ASIDE TO THE

SANGGUNIANG KABATAAN MUNICIPALITY AND PROVINCIAL
FEDERATIONS.

SEC. 2. Section 329 of R.A. 7160 is hereby amended to read as follows:

“Section 329. *Barangay Funds.* - Unless otherwise provided in this Title, all the income of the barangay from whatever source shall accrue to its general fund and shall, at the option of the barangay concerned, be kept as trust fund in the custody of the city or municipal treasurer or be deposited in a bank, preferably government-owned, situated in our nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of this title. AT LEAST TEN PERCENT (10%) OF THE GENERAL FUND OF THE BARANGAY SHALL BE SET ASIDE FOR THE SANGGUNIANG KABATAAN. THE SANGGUNIANG KABATAAN SHALL APPROPRIATE THE SANGGUNIANG KABATAAN FUND IN LUMP SUM. AFTER THE BUDGET HAS BEEN APPROVED, THE SANGGUNIANG BARANGAY, THROUGH A RESOLUTION, SHALL TRANSFER THE FUND TO THE SANGGUNIANG KABATAAN, AND AT THE OPTION OF THE SANGGUNIANG KABATAAN CONCERNED, BE DEPOSITED IN A GOVERNMENT BANK. AS SUCH, THE SANGGUNIANG KABATAAN WILL HAVE FISCAL AUTONOMY IN ITS OPERATIONS AS TO DISBURSEMENTS AND ENCASHMENT OF THEIR INCOME AND EXPENSES.

SEC. 3. Section 423 of RA 7160 is also hereby amended to read as follows:

“Section 423. Creation and Election. - (a) There shall be in every barangay a Sangguniang Kabataan to be composed of a CHAIRPERSON, seven (7) members, a secretary, and a treasurer. THE SECRETARY AND THE TREASURER SHALL BE APPOINTED FROM THE MEMBERS OF THE

KATIPUNAN NG MGA KABATAAN IN CONCURRENCE WITH THE SANGGUNIANG KABATAAN.

THE SANGGUNIANG KABATAAN CHAIRPERSON WHO IS ELECTED AS PEDERASYON PRESIDENT SHALL AUTOMATICALLY SERVE AS AN EX-OFFICIO MEMBER IN SPECIAL BODIES, SUCH AS BUT NOT LIMITED TO, THE LOCAL HEALTH BOARD, PEACE AND ORDER COUNCIL, LOCAL DEVELOPMENT COUNCIL AND LOCAL TOURISM COUNCIL. AS SUCH, S/HE SHALL HAVE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS, AND ENJOY THE SAME PRIVILEGES AS THE REGULAR MEMBERS OF THESE SPECIAL BODIES.

(b) X X X.”

SEC. 4. Section 433 of R.A. 7160 is hereby amended to read as follows:

“Section 433. Sangguniang Kabataan Treasurer. – X X X.

“(a) Take custody of all Sangguniang Kabataan property and funds (not otherwise deposited with the city or municipal treasurer), THE LATTER TO BE DEPOSITED IN A BANK PREFERABLY GOVERNMENT OWNED, SITUATED IN AND NEAREST TO ITS AREA OF JURISDICTION, IN THE NAME OF THE SANGGUNIANG KABATAAN OR TO BE DEPOSITED TO THE CITY OR MUNICIPAL TREASURER AT THE OPTION OF THE SANGGUNIANG KABATAAN CONCERNED.

“(b) X X X.

“(c) X X X

“(d) X X X

“(e) Submit to the Sangguniang Kabataan and to the Sangguniang Barangay certified and detailed statements of actual income and expenditures at the end of every QUARTER and the same shall be published or posted in the area designated for this purpose; and

“(f) X X X.

SEC. 5. Section 434 of R.A. 7160 is hereby amended by adding another paragraph to read as follows:

“Section 434. Privileges of Sangguniang Kabataan Officials. – X X X.

SANGGUNIANG KABATAAN MEMBERS, SECRETARY AND TREASURER SHALL RECEIVE A MONTHLY HONORARIA OF TWO HUNDRED PESOS (P200.000) WHICH SHALL BE APPROPRIATED FROM THE NATIONAL BUDGET.

SEC. 6. Section 435 of R.A. 7160 is hereby amended to read as follows:

“Section 435. Succession and Filling of Vacancies. (a) In case a Sangguniang kabataan CHAIRPERSON refuses to assume office, fails to qualify, is convicted of a felony, voluntarily resigns, dies, is permanently incapacitated, is removed from office, or has been absent without leave for more than three (3) consecutive months, AS MANIFESTED IN THE RECORDS OF THE SANGGUNIANG BARANGAY SESSION OR HAS BEEN ABSENT WITHOUT VALID REASON FOR TWO (2) CONSECUTIVE REGULAR MEETINGS OF THE SANGGUNIANG KABATAAN OR FOR FAILURE TO CALL A REGULAR MEETING OF THE SANGGUNIANG KABATAAN AND/OR OF THE KATIPUNAN NG KABATAAN, the Sangguniang Kabataan

member who obtained the next highest number of votes in the election immediately preceding shall assume the office of the chairman for the unexpired portion of the term, and shall discharge the powers and duties, and enjoy the rights and privileges appurtenant to the office. In case the said member refuses to assume the position or fails to qualify, the Sangguniang member obtaining the next highest number of votes shall assume the position of the chairman for the unexpired portion of the term.

“(b) X X X.

“(c) X X X.

“(d) X X X.

(E) IN CASE OF VACANCY IN THE POSITIONS OF SANGGUNIANG KABATAAN KAGAWADS, THE SANGGUNIANG KABATAAN CHAIRPERSON SHALL SUBMIT, IN CONSULTATION WITH THE KATIPUNAN NG MGA KABATAAN OF THE BARANGAY CONCERNED IN CONCURRENCE WITH THE SANGGUNIANG KABATAAN, A LIST OF NOMINEES TO THE PRESIDENT OF THE PANLUNGSOD/PAMBAYANG PEDERASYON NG SANGGUNIANG KABATAAN AS THE CASE MAY BE WITHIN THIRTY (30) DAYS FROM THE EXISTENCE OF VACANCY, AND LIKEWISE, MANDATING THE PRESIDENT OF THE PANGLUNGSOD/PAMBAYANG PEDERASYON NG MGA SANGGUNIANG KABATAAN TO ACT ON THE SUBMITTED LIST WITHIN TEN (10) DAYS FROM RECEIPT HEREOF.

IN THE ABSENCE OF A REGULAR ELECTED CHAIRPERSON AND KAGAWADS, THE PRESIDENT OF THE PANGLUNGSOD/PAMBAYANG PEDERASYON NG MGA SANGGUNIANG KABATAAN AS THE CASE MAY BE SHOULD SUBMIT A LIST OF NOMINEES, IN CONSULTATION

WITH THE KATIPUNAN NG MGA KABATAAN OF THE BARANGAY CONCERNED, TO THE PRESIDENT OF THE PANLALAWIGANG PEDERESYON NG MGA SANGGUNIANG KABATAAN WHO SHOULD ACT ON THE LIST WITHIN TEN (10) DAYS FROM RECEIPT THEREOF. IN CASE OF DELAY OR POSTPONEMENT OF FEDERATION ELECTIONS, THE DAYS EQUIVALENT TO THE DAYS OF POSTPONEMENT/DELAY BEFORE ITS FINAL COMMENCEMENT SHALL BE ADDED TO THE DAYS DURING WHICH THE RESPECTIVE PRESIDENT SHOULD ACT ON THE MATTERS HEREIN STATED.

(F) THE SANGGUNIANG KABATAAN CHAIRPERSON WHO IS ELECTED AS PRESIDENT OF PEDERASYON SHALL BE AUTOMATICALLY SUCCEEDED BY THE SANGGUNIANG KABATAAN MEMBER WHO OBTAINED THE HIGHEST NUMBER OF VOTES IN THE ELECTION IMMEDIATELY PRECEDING AND SHALL ASSUME THE OFFICE OF THE CHAIRPERSON FOR THE UNEXPIRED PORTION OF THE TERM, AND SHALL DISCHARGE THE POWERS AND DUTIES, AND ENJOY THE RIGHTS AND PRIVILEGES APPURTENANT TO THE OFFICE.

(G) THE PRESIDENT OF THE SANGGUNIANG KABATAAN PEDERASYON WHO SHALL BE ELECTED AS THE SANGGUNIANG KABATAAN REGIONAL DIRECTOR IN THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL SERVE AS AN EX-OFFICIO MEMBER OF THE REGIONAL DEVELOPMENT COUNCIL, THE REGIONAL PEACE AND ORDER COUNCIL AND THE REGIONAL TOURISM COUNCIL WITHOUT NEED OF FURTHER APPOINTMENT AND SHALL HAVE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS, AND ENJOY THE SAME PRIVILEGES AS REGULAR MEMBERS.

SEC. 7. Section 436 of R.A. 7160 is hereby amended to read as follows:

“Section 436. X X X.

“(A) X X X.

“(B) X X X.

“(C) X X X.

(D) THE PRESIDENT OF THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL SERVE AS EX-OFFICIO COMMISSIONER OF THE NATIONAL YOUTH COMMISSION AS PROVIDED FOR BY REPUBLIC ACT 8044. AS EX-OFFICIO COMMISSIONER, S/HE SHALL BE ENTITLED TO THE SAME RANK, COMPENSATION, RIGHTS AND PRIVILEGES OF A DEPARTMENT ASSISTANT SECRETARY. THE ELECTED VICE-PRESIDENT OF THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL AUTOMATICALLY ASSUME THE POSITION OF PRESIDENT OF THE LOWER PEDERASYON WITHOUT NEED FOR FURTHER APPOINTMENT.

(E) THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL MAINTAIN ITS OWN SECRETARIAT FOR EFFICIENT COORDINATION AND EFFECTIVE IMPLEMENTATION OF ITS PROGRAMS.

(F) THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL BE INDEPENDENT OF ALL GOVERNMENT OFFICES AND AGENCIES IN ITS OPERATIONS. IT SHALL DEVELOP ACTIVE LINES OF COORDINATION AND COMMUNICATION WITH GOVERNMENT OFFICES AND AGENCIES AND SHALL BE SOLELY

RESPONSIBLE FOR ALL ITS POLICIES AND OPERATIONS. AT THE END OF EACH CALENDAR YEAR, IT SHALL SUBMIT TO THE NATIONAL YOUTH COMMISSION, AN ANNUAL REPORT OF ITS PROGRAMS AND ACTIVITIES, INCLUDING A FINANCIAL STATEMENT OF ALL ITS FUNDS AND DISBURSEMENTS.

(G) THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN IS HEREBY AUTHORIZED TO RECEIVE DONATIONS, REQUESTS, GRANTS AND FUNDS FROM OTHER SOURCES, INCLUDING PROCEEDS FROM DRAWS OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO) SUBJECT TO PERTINENT PROVISIONS OF LAW.

(H) THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL BE EXEMPTED FROM ALL FORMS OF TAXATION OR OTHER IMPOSITIONS, AND SHALL BE FREE FROM ALL DUTIES AND ALL OTHER IMPOSITIONS, AND SHALL BE FREE FROM ALL DUTIES AND ALL OTHER IMPOSTS ON ANY EQUIPMENT, ARTICLES AND GOODS NECESSARY FOR ITS OPERATIONS.

SEC. 8. Section 437 of R.A. 7160 is hereby amended as follows:

“Section 437. Constitution and By-Laws. - The term of office, manner of election, removal, suspension and DISCIPLINARY ACTION of the officers and MEMBERS of the Pederasyon nga Sangguniang Kabataan at all levels AND THE SANGGUNIANG KABATAAN AT THE BARANGAY LEVEL shall be governed by the Constitution and By-Laws of the Sangguniang Kabataan in conformity with the provisions of this code and national policies of the youth.

THE PAMBANSANG PEDERASYON NGA MGA SANGGUNIANG KABATAAN SHALL PROMULGATE THE APPROPRIATE GUIDELINES

FOR THE CONDUCT OF THE PEDERASYON ELECTIONS AT ALL LEVELS IN CONSULTATION WITH THE COMMISSION ON ELECTIONS AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT; **PROVIDED THAT** THE GROUNDS AND THE MANNER FOR THEIR REMOVAL FROM OFFICE SHALL BE CLEARLY STATED THEREIN.

THE PAMBANSANG PEDERASYON AT ANY LEVEL, WHO IS REMOVED FROM HIS/HER POSITION SHALL ALSO BE REMOVED IN THE SANGGUNIAN WHERE S/HE IS AN EX-OFFICIO MEMBER.

THE PRESIDENT OF THE PEDERASYON AT ANY LEVEL, WHEN REMOVED AS EX-OFFICIO MEMBERS OF THE SANGGUNIAN ON THE GROUNDS PROVIDED IN THIS CODE, SHALL BE AUTOMATICALLY REMOVED AS PRESIDENT OF THE PEDERASYON CONCERNED.

SEC. 9. *Appropriations.* - The amount necessary for the implementation of this Act shall be incorporated in the Annual General Appropriations Act.

SEC. 10. *Separability Clause.* - If any section or provisions of this Act shall be declared unconstitutional, the remaining sections or provisions shall not be affected thereby.

SEC. 11. *Repealing Clause.* - All laws, presidential decrees, executive orders, letters of instructions, rules and regulations which are inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

SEC. 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in any newspaper of general circulation.

Approved,