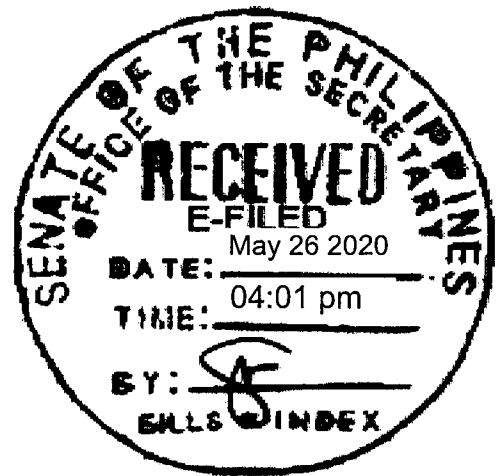


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 1544

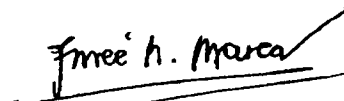
Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
EXPANDING THE FUNCTION OF THE LUPONG TAGAPAMAYAPA, THEREBY
AMENDING REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE "LOCAL
GOVERNMENT CODE", AND FOR OTHER PURPOSES

EXPLANATORY NOTE

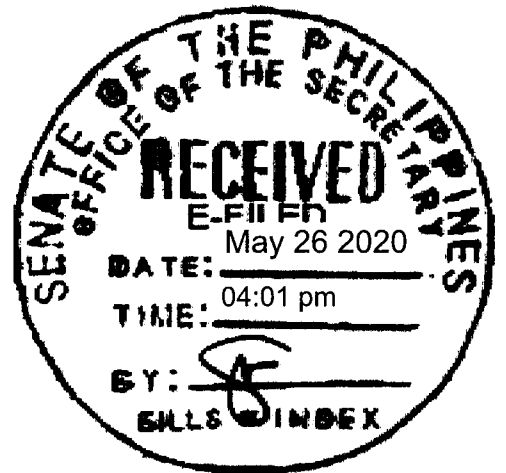
In 1978, then President Ferdinand E. Marcos enacted Presidential Decree No. 1508, establishing a system of amicably settling disputes at the *barangay* level without the need to resort to judicial resources to promote the speedy administration of justice. Though later repealed by Republic Act No. 7160, otherwise known as the "*Local Government Code of 1991*", the jurisdiction of the *Katarungang Pambarangay* remains to be very limited, specifically the provision exempting offenses punishable by imprisonment exceeding (one) year from *Barangay* Conciliation proceedings. Hence, instead of a possible amicable settlement, parties are rushed into filing a multitude of cases before the courts, thereby clogging its dockets.

This bill seeks to expand the jurisdiction of the *Katarungang Pambarangay* by increasing the scope of its subject matter to include cases whose imposable penalty do not exceed two (2) years and other offenses that are often brought before members of the *Lupong Tagapamayapa*, without regard to the imposable penalty.


IMEE R. MARCOS

EIGHTEENTH CONGRESS OF THE)
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SENATE
S.B. No. 1544



Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
EXPANDING THE FUNCTION OF THE LUPONG TAGAPAMAYAPA, THEREBY
AMENDING REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE "LOCAL
GOVERNMENT CODE", AND FOR OTHER PURPOSES

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

- 1 **SECTION 1.** Section 408 of R.A. No. 7160 is hereby amended to read as follows:
- 2 "Section 408. Subject Matter for Amicable Settlement; Exception Thereto. –
- 3 The lupon of each barangay shall have authority to bring together the
- 4 parties actually residing in the same city or municipality for amicable
- 5 settlement of all disputes except:
- 6 (a) Where one party is the government, or any subdivision or
- 7 instrumentality thereof;
- 8 (b) Where one party is a public officer or employee, and the dispute relates
- 9 to the performance of his official functions;
- 10 (c) Offenses punishable by imprisonment exceeding [one (1)] **TWO (2)**
- 11 year**S** or a fine exceeding Five thousand pesos (P5,000.00)[;]. **PROVIDED,**
- 12 **THAT THE LUPON SHALL EXERCISE AUTHORITY OVER THE**

1 **FOLLOWING CASES, IRRESPECTIVE OF THE IMPOSABLE PENALTY**
2 **AND/OR FINE:**

3 **(1) DISCOVERING SECRETS;**

4 **(2) QUALIFIED THEFT;**

5 **(3) SWINDLING (ESTAFA);**

6 **(4) FENCING (PURSUANT TO PRESIDENTAIL DECREE NO. 1612);**

7 **(5) MALICIOUS MISCHIEF;**

8 **(6) LIBEL;**

9 **(7) ADULTERY; AND**

10 **(8) CONCUBINAGE.**

11 (d) Offenses where there is no private offended party;

12 (e) Where the dispute involves real properties located in different cities or
13 municipalities unless the parties thereto agree to submit their differences to
14 amicable settlement by an appropriate lupon;

15 (f) Disputes involving parties who actually reside in barangays of different
16 cities or municipalities, except where such barangay units adjoin each other
17 and the parties thereto agree to submit their differences to amicable
18 settlement by an appropriate lupon[;]. **PROVIDED, THAT DISPUTES**
19 **INVOLVING PARTIES WHO ACTUALLY RESIDE IN BARANGAYS OF**
20 **DIFFERENT PROVINCES, CITIES OR MUNICIPALITIES MAY BE**
21 **BROUGHT BY THE OFFENDED PARTY TO THE LUPON OF THE**
22 **BARANGAY WHERE THE OFFENDING PARTY RESIDES;**

23 (g) Such other classes of disputes which the President may determine in the
24 interest of justice or upon the recommendation of the Secretary of Justice.

25 The court in which non-criminal cases not falling within the authority of the
26 lupon under this Code are filed may, at any time before trial, motu proprio
27 refer the case to the lupon concerned for amicable settlement.

1 **SEC. 2. *Repealing Clause.*** - All general and special laws, acts, city charters, decrees,
2 executive orders, proclamations and administrative regulations, or part or parts
3 thereof which are inconsistent with any of the provisions of this Code are hereby
4 repealed or modified accordingly.

5 **SEC. 3. *Separability Clause.*** - If, for any reason or reasons, any part or provision of
6 this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof
7 which are not affected thereby shall continue to be in full force and effect.

8 **SEC. 4. *Effectivity Clause.*** - This Code shall take effect on January first, Nineteen
9 Hundred Ninety-Two, unless otherwise provided herein, after its complete publication
10 in at least one (1) newspaper of general circulation.

Approved,