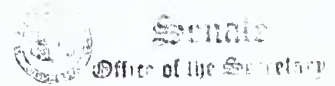


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 A10 :27

SENATE
S. B. No. 328

RECEIVED BY

Introduced by Senator SONNY ANGARA

AN ACT
TO ESTABLISH THE MAGNA CARTA FOR BARANGAYS

EXPLANATORY NOTE

Section 384 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," provides:

"SEC. 384. *Role of the Barangay.* – As the basic political unit, the barangay serves as the primary planning and implementing unit of government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered, and where disputes may be amicably settled."

Given the important role that the basic political unit performs, this proposed measure, to be known as the Magna Carta for Barangays, intends to help barangays better perform their mandate of delivering basic services and facilities to their respective communities in the most efficient, responsive and sustainable manner.

To allow the barangays to effectively and efficiently perform their vital role in the community, the Magna Carta for Barangays also seeks to recognize barangay officials as regular government employees with fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and such other fringe benefits for which a regular employee may be entitled to, instead of just receiving honoraria.

Furthermore, this measure proposes to promote the welfare of the barangays by providing the barangays the appropriate basic services and facilities such as regular supply of clean and potable water, public transportation, schools, health

centers and barangay halls in order to meet the requirements of their local populace. It also outlines the measures that will help ensure that the barangays enjoy genuine and meaningful local autonomy and attain full development, namely: automated release of their share from national taxes; transfer of funds to barangays for the maintenance of roads and bridges; mandatory share of barangays in taxes, fees and other charges; and priority in employment.

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



SONNY ANGARA

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



SENATE
S. B. No. 328

Introduced by Senator SONNY ANGARA

AN ACT
TO ESTABLISH THE MAGNA CARTA FOR BARANGAYS

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

TITLE I

TITLE, DECLARATION OF POLICY, AND GENERAL PRINCIPLES

Section 1. *Short Title.* – This Act shall be known as "*The Magna Carta for Barangays.*"

Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote, develop and improve the general welfare of barangay residents, raise the economic and social status of barangay officials, grant every barangay, the basic facilities for decent, healthy and comfortable living therein and provide new measures that will insure its enjoyment of local autonomy to ensure the effective performance of its role as the primary planning and implementing unit of government programs, projects and activities, and as a forum in which the collective views of the people in the community may be crystallized and considered.

Sec. 3. *General Principles.* – The following are the general principles of this Act:

- a. The national government shall give more attention to the development of the barangay, as it is the base of this country's economy.
- b. Every barangay shall be given the authority and capability to solve its problems on its level.
- c. Self-help or people power shall be the guiding principle in all barangay

1 development projects.

2 **TITLE II**

3 **BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES**

4 **Sec. 4. *The Barangay Officials as Regular Government Employees.*** –

5 The punong barangay, sangguniang barangay members, the sangguniang kabataan
6 (SK) chairperson, the barangay secretary and barangay treasure in all barangays are
7 hereby declared regular employees, and as such are entitled to fixed salaries,
8 allowances, insurance, medical and dental coverage, retirement benefits and such
9 other fringe benefits to which a regular government employee may be entitled to.

10 **Sec. 5. *Salaries of Barangay Officials.*** – As soon as the appropriate steps

11 and measures are undertaken by each city or municipality in coordination with the
12 individual barangay involved on matters relating to the sources of fund and the
13 corresponding appropriation ordinance, which in no case shall be later than six (6)
14 months from the approval hereof, all barangay officials mentioned in paragraph 4
15 hereof shall be entitled to the following fixed salaries:

- 16 a) Punong Barangay – An amount equivalent to the salary of a sangguniang
17 bayan member of his municipality;
- 18 b) Six Sangguniang Barangay Members – An amount equivalent to eighty
19 percent (80%) of the salary of a sangguniang bayan member of his
20 municipality;
- 21 c) SK Chairperson, Barangay Secretary, Barangay Treasurer – For each, an
22 amount equivalent to seventy-five percent (75%) of the salary of a
23 sangguniang bayan member of his municipality.

24 **TITLE III**

25 **BASIC PRIORITIES IN THE BARANGAY**

26 **Sec. 6. *Drinking Water for Every Barangay.*** – It is the right of every

27 barangay to have a regular supply of clean and potable drinking water. To attain this
28 goal, every city and municipality, as the case may be, is hereby required to construct
29 and/or maintain at least one deep well with pumping device for drawing drinking
30 water to supply the needs of every one thousand residents for each barangay within
31 its jurisdiction.

1 barangay share shall be determined by the city or municipality concerned after
2 consultations with the concessionaires, the municipal or city officials and barangay
3 officials, taking into account the extent of the exposure of the barangay residents to
4 pollution, food and ecological imbalance: *Provided, however,* That this equitable
5 sharing rate for each barangay shall be resolved by all parties concerned not later
6 than six (6) months from the approval of this Act. Revenues derived from this source
7 shall also from part of the general fund of the barangay.

8 TITLE V

9 CAPACITY BUILDING OF BARANGAY OFFICIALS

10 **Sec. 13. *Mandatory Training Programs for Barangay Officials and***
11 ***Personnel.*** – Prior to assuming office, newly elected barangay officials and
12 appointed barangay personnel shall undertake mandatory training programs to
13 develop their skills relative to governance, public policy, administration and
14 leadership.

15 For these purposes, the Department of Interior and Local Government with
16 the assistance of the Development Academy of the Philippines (DAP), the Local
17 Government Academy (LGA), and the University of the Philippines-National College
18 of Public Administration and Governance (UP-NCPAG), shall jointly design and
19 implement the mandatory and continuing training programs for barangay officials.

20 TITLE VI

21 SUNDRY MATTERS

22 **Sec. 14. *Scholarship Grant.*** – Every barangay shall sponsor at least one
23 scholarship grant every year leading to any bachelor degree to be awarded by a
24 committee of five persons appointed by the Sangguniang Barangay with the
25 approval of the Punong Barangay after competitive examinations are given to
26 applicants who should be bona fide residents of the barangay. The grant shall
27 include tuition fees and all other school fees, reasonable allowances for school
28 books, supplies and transportation and other expenses as the barangay may deem
29 appropriate.

30 **Sec. 15. *Priority in Employment.*** – Residents in every barangay shall have
31 the priority in the hiring of workers and laborers to be needed in any government
32 construction or development projects within the barangay.

1 invalid, the remainder or any provisions thereof not affected thereby shall remain in
2 force and effect.

3 **Sec. 22. Effectivity.** – This Act shall take effect fifteen (15) days after
4 publication in the *Official Gazette* or in two (2) national newspapers of general
5 circulation.

Approved,