

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

OFFICE OF THE SECRETARY

10 AUG 10 10:22

SENATE

S.B. NO. 2377

RECEIVED (2)

Introduced by SENATOR FERDINAND R. MARCOS, JR.

Explanatory Note

This October 2010, the country is mandated to hold the elections for Barangay and Sangguniang Kabataan (SK) officials and members, in accordance with Republic Act (R.A.) No. 9164, as amended by R.A. No. 9340. This mandate happens to coincide with the National and Presidential elections that were just recently concluded in May 2010.

The repercussions of holding the Barangay and SK elections on the same year as the national and presidential elections cannot be ignored. This will mean yet another release and expenditure of taxpayers' money, on top of the substantial amounts already released and expended in the recently concluded national elections. These costs have no way to go but up, considering the rising costs of living and the statutory mandate of progressive automation of the elections.

On the socio-political level, the country is just recuperating from the wounds of severe partisan politicking of the national elections. The divisive effects of these and any election have unavoidably seeped into the Barangays and SK spheres, which are supposed to be apolitical to begin with. To hold the Barangay and SK elections as scheduled this year will only exacerbate the divisiveness that has characterized the past elections.

The Barangay and SK elections slated for this year may be postponed to a date in the immediate future, to allow the government as well as the citizens to adequately prepare for the multifarious demands called for in conducting these elections.

While it is true that a postponement of the elections will in effect extend the terms of the incumbent Barangay and SK officials, but the benefits of the postponement far outweigh the concerns on the term extensions. More importantly, the postponement will afford the incumbent officials a much-needed additional time to go back to their main task, which is to service the needs of their constituents.

On a final note, the postponement will also afford the Congress a timely opportunity to restudy the role of the Sangguniang Kabataan (SK) in the local government structure and ultimately to legislate measures to restructure and streamline the SK organization to make it a more efficient body and to give it a more active participation in the Barangay level.

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


FERDINAND R. MARCOS, JR.

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

OFFICE OF THE SECRETARY

10 AUG 10 11:22

SENATE

SENATE BILL NO 2377

2011-08-10 11:22

Introduced by Senator FERDINAND R. MARCOS, JR.

**AN ACT AMENDING SECTIONS 1 AND 4 OF REPUBLIC ACT NO. 9340,
RESETTING THE BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Date of Election.* - Section 1 of Republic Act No. 9340 is hereby amended to read as follows:

"SECTION 1. *Date of Election.* - There shall be synchronized barangay and sangguniang kabataan elections which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007, **ON THE LAST MONDAY OF OCTOBER 2011**, and every three (3) years thereafter."

SECTION 2. *Assumption of Office.* - Section 4 of Republic Act No. 9340 is hereby amended to read as follows:

"SEC. 4. *Assumption of Office.* - The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence on August 15, 2002, next following their elections. The term of office of the barangay and sangguniang kabataan officials elected in the October 2007 **AND OCTOBER 2011 ELECTIONS**, and subsequent elections shall commence at noon of November 30 next following their election."

SECTION 3. *Automation of Elections.* - As far as appropriate and practicable, the Commission on Elections shall use an automated election system or systems in the Barangay and Sangguniang Kabataan elections in accordance with the mandate of Republic Act No. 9369.

SECTION 4. *Repealing Clause.* - All laws, decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SECTION 5. *Separability Clause.* - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,