


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

10 JUL -8 P1:22

SENATE

S. No. 987

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The barangay government is the government emissary closest to our citizens by reason of its accessibility to them. It is also the oldest form of governmental leadership, with the *balangay* as its earliest progenitor.

The barangay government is likewise the springboard for neophyte political leaders. It is the training ground for vibrant and innovative proponents of change and the microcosm of national leadership, a rich reservoir of men and women in whose hands the future depends.

And the barangay leaders and officers have genuine concern for their constituents and fellow-barangay folks, as they perform their jobs with the bravado and community spirit, though their efforts may not be properly recognized and duly reciprocated at all times.

The barangay duties and functions do expose them, particularly the barangay chairman, to dangers and risks to the lives and limbs, especially with his additional duty in the administration of the so-called barangay justice instituted for the peaceful settlement of disputes involving the residents of the barangay. Some barangay officials, barangay tanod and SK officers get killed or are injured in the performance of their duties or by reason of their position or office.

This bill is anchored on the proposition that no amount of recognition will be commensurate to the dedication, sacrifice and heroic deeds of our barangay officers and youth leaders. It is the intention of this bill that the family or beneficiaries of barangay officers, barangay tanod or volunteers and SK members killed, permanently incapacitated or injured in the performance of their duties or by reason of their position or office are extended special financial assistance, the token assistance which can be used by them as they commence new vision and directions in their lives and as they proceed in their new endeavors. Indeed, assistance should be extended to them when they themselves and the members of their families need some comfort and relief.

Early cognizance of this legislation is sought.




MANUEL "LITO" M. LAPID
Senator

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OFFICE OF THE SECRETARY
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AN ACT

GRANTING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS TO THE FAMILY OR BENEFICIARY OF ANY BARANGAY OFFICER, BARANGAY TANOD OR VOLUNTEER AND MEMBERS OF THE SANGGUNIANG KABATAAN COUNCIL KILLED OR PERMANENTLY INCAPACITATED WHILE ON DUTY OR BY REASON OF HIS/HER OFFICE OR POSITION AND FOR OTHER PURPOSES

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

SECTION 1. Special financial assistance equivalent to the average six (6) months salary, honoraria and/or allowances of the Barangay Chairman, Barangay Kagawad, Barangay Tanod, Sangguniang Kabataan (SK) Chairman of SK Kagawad shall be extended to any of said barangay or SK officers, or his/her beneficiary, killed or permanently incapacitated while in the performance of his duty or by reason of his/her office or position, provided that such death or permanent incapacity was not the result of or in connection with acts or omissions of said barangay or SK officers constituting a crime, or any violation of law.

Special fund assistance shall likewise be extended to any barangay or SK officer injured or wounded in the performance of his/her official in the form of free medical treatment in all government or public medical or health institutions.

SEC. 2. Definition of Terms. - For purposes of this Act, the term "family" or "beneficiary" shall refer to the surviving legal spouse of the deceased and his/her legitimate children and, in their absence, his/her parents, or brothers and sisters, in that order.

SEC. 3. *Creation of a Special Financial Assistance Fund.* - A Special Financial Assistance Fund is hereby created in every barangay to be funded by a two percent (2%) increase in the internal revenue allotment of the barangay to be set aside as a trust fund administered by the Sangguniang Barangay solely for the implementation of this Act.

SEC. 4. It shall be the duty of the Barangay Chairman or Acting Barangay Chairman to deliver the special financial assistance under this Act.

- (a) to the family or beneficiaries of a covered barangay or SK officer within three (3) days from receipt of a written certification signed by the Barangay Chairman or Acting Barangay Chairman or SK Chairman of the fact of death of a covered barangay or SK official and the circumstances thereof, or
- (b) in case of permanent disability, to the barangay or SK officer concerned within three (3) days from receipt of a certification on such permanent disability issued by the city or municipality health officer or proper medical officer.

SEC. 5. *Additional Assistance.* - As additional assistance, the surviving spouse of the deceased or permanently incapacitated barangay or SK officer shall be given priority appointments to positions in government agencies or offices suited to his/her qualification: Provided, That if the spouse is already gainfully employed or not employable or if he/she waives his/her employment privilege, his/her employable son or daughter shall be granted the said privilege.

SEC. 6. Any person who unduly delays, refuses, or in any manner prevents the payments of the special financial assistance or misappropriates and utilizes the special assistance fund contrary to the provisions of this Act shall in addition to the penalties provided by law, be dismissed from office.

SEC. 7. The said special financial assistance shall be exempt from attachment, garnishment or execution and from income and other taxes, and shall be in addition to whatever compensation, donation, insurance, gift, pension, grant, or any form of benefit which said deceased or incapacitated person or his family may receive or be entitled to.

SEC. 8. *Non-Diminution of Existing Benefits.* - Nothing in this Act shall be construed to prejudice and diminish whatever benefits a barangay officer, or barangay tanod or volunteer, or SK member is entitled under the law.

SEC. 9. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected by such declaration, shall remain in full force and effect.

SEC. 10. *Repealing Clause.* - All laws, acts, decrees, executive order and rules and regulations which are contrary to or inconsistent with this Act are hereby repealed and/or modified accordingly.

SEC. 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,