

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

S E N A T E  
S.B. No. 1336

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Introduced by Senator Loren Legarda

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**EXPLANATORY NOTE**

This bill seeks to establish a Magna Carta for barangays. As the basic political unit, the barangay serves as the primary planning and implementing unit of government programs, projects and activities. It is also the forum in which the collective views of the people in the community may be crystallized and considered.

Due to the important role of barangays, it is but just that measures be adopted to promote their welfare and prosperity.

This Legislative measure proposes the following:

1. That barangay officials be considered as regular government employees with fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits and other fringe benefits to which a regular government employee is entitled;
2. Basic necessities, such as regular supply of clean and potable water, public transportation, schools, health centers and Barangay halls, be provided to every barangay;
3. Automatic release of share from national taxes;
4. Transfer of funds to the barangay for the maintenance of roads and bridges;
5. Mandatory share of barangays in taxes, fees and other charges; and
6. Priority in employment.

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

  
**LOREN LEGARDA**  
Senator

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
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SENATE  
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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:*

ARTICLE I

TITLE. DECLARATION OF POLICY AND GENERAL PRINCIPLES

SECTION 1. *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 ensure its enjoyment of local autonomy to ascertain 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.

1 c. Self-help or people power shall be the guiding principle in all barangay  
2 development projects.

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4 **ARTICLE II**

5 **BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES**

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7 **SEC. 4. *The Barangay Officials as Regular Government Employees.*** - The  
8 punong barangay, sangguniang barangay members, the sangguniang kabataan  
9 chairman, the barangay secretary, and barangay treasurer in all barangays are  
10 hereby declared regular government employees, and as such are entitled to fixed  
11 salaries, allowances, insurance, medical and dental coverage, retirement benefits and  
12 such other fringe benefits which, under Civil Service laws, rules and regulations, a  
13 regular government employee may be entitled to.

14  
15 **SEC. 5. *Salaries of Barangay Officials.*** - As soon as the appropriate steps and  
16 measures are undertaken by each city or municipality in coordination with the  
17 individual barangay involved on matters relating to the sources of fund and the  
18 corresponding appropriation ordinance, which in no case shall be later than six (6)  
19 months from the approval hereof, all barangay officials mentioned in paragraph 4  
20 hereof, shall be entitled to the following fixed salaries:

- 21  
22 1. Punong Barangay - An amount equivalent to the salary of a sangguniang  
23 bayan member of his municipality.
- 24  
25 2. Six (6) Sangguniang Barangay Members - An amount equivalent to eighty  
26 percent (80%) of the salary of a sangguniang bayan member of his  
27 municipality.
- 28  
29 3. Sangguniang Kabataang Chairman, Barangay Secretary, Barangay Treasurer -  
30 An amount equivalent to seventy-five percent (75%) of the salary of a  
31 sangguniang bayan member of his municipality.

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33 **ARTICLE III**

34 **BASIC PRIORITIES IN THE BARANGAY**

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36 **SEC. 6. *Drinking Water for Every Barangay.*** - It is the right of every barangay

1 to have a regular supply of clean and potable water. To attain this goal, every city or  
2 municipality, as the case may be, is hereby enjoined to construct and/or maintain at  
3 least one (1) deep well with pumping device for drawing drinking water to supply  
4 the needs of every one thousand (1,000) residents for each barangay within its  
5 jurisdiction.

6  
7 **SEC. 7. *Transportation for Every Barangay.*** - It is also the right of every  
8 barangay to have public transportation available at least once a day. For this  
9 purpose, every municipality or city, as the case may be, should make such necessary  
10 representations before the appropriate government agencies to require public utility  
11 companies operating within its jurisdiction to provide the minimum means of  
12 transportation in every barangay.

13  
14 **SEC. 8. *Schools, Health Centers, and Barangay Halls for the Barangays.*** -  
15 Every barangay is entitled to have at least one (1) elementary school: *Provided,* That  
16 there shall be at least one (1) high school for every five (5) kilometers from the  
17 barangay center. It shall also be the right of every barangay to have one (1) health  
18 center and one (1) barangay hall.

#### ARTICLE IV

##### MEASURES TO ASSURE ENJOYMENT OF LOCAL AUTONOMY

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23 **SEC. 9. *Automatic Release of Share from National Taxes.*** - It shall be the  
24 duty of the National Treasury to remit automatically to the barangays every end of  
25 the calendar year their just share from the national taxes.

26  
27 **SEC. 10. *Transfer of Funds to Barangay for the Maintenance of Roads and***  
28 ***Bridges.*** - All public funds appropriated from the National Treasury for the  
29 maintenance of barangay roads and bridges and other similar constructions shall be  
30 transferred or remitted directly to the general fund of every barangay for their  
31 proper disposition by the barangay officials subject to auditing laws, rules and  
32 regulations.

33  
34 **SEC. 11. *Mandatory Share of Barangays in All Taxes, Fees or Other Charges.***  
35 - Twenty-five percent (25%) of all taxes collected on real property located within the  
36 barangay shall be considered barangay funds and shall be allocated in accordance

1 with existing laws. In addition thereto, each barangay shall be entitled to ten percent  
2 (10%) from all other forms of taxes, fees, penalties, compromises or other charges  
3 collected from persons residing in the barangay or entities whose office and/or  
4 manufacturing plant is located within the barangay.

5  
6 **SEC. 12. *Equitable Share of Barangays from Proceeds of Utilization and***  
7 ***Development of Natural Resources.*** - For the exploitation, utilization and  
8 development of natural resources within its territory, every barangay shall be  
9 entitled to an equitable share of the proceeds derived therefrom. The amount of the  
10 barangay share shall be determined by the city or municipality concerned after  
11 consultations with the concessionaires, the municipal or city officials and barangay  
12 officials, taking into account the extent of the exposure of the barangay residents to  
13 pollution, flood and ecological imbalance: *Provided, however,* That this equitable  
14 sharing rate for each barangay shall be resolved by all parties concerned not later  
15 than six (6) months from the approval of this Act.

16  
17 Revenues derived from this source shall also from part of the general fund of  
18 the barangay.

19  
20 **ARTICLE V**  
21 **SUNDRY MATTERS**  
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23 **SEC. 13. *Scholarship Grant.*** - Every barangay shall sponsor at least one (1)  
24 scholarship grant every year leading to any bachelor degree to be awarded by a  
25 committee of five (5) persons appointed by the Sangguniang Barangay with the  
26 approval of the Punong Barangay after competitive examinations are given to  
27 applicants who should be bona fide residents of the barangay. The grant shall  
28 include tuition fees and all other school fees, reasonable allowances for school  
29 books, supplies, transportation, and other expenses as the barangay may deem  
30 appropriate.

31  
32 **SEC. 14. *Priority in Employment.*** - Residents in every barangay shall have  
33 the priority in the hiring of workers and laborers to be needed in any government  
34 construction or development projects within the barangay.

35  
36 **SEC. 15. *Cooperative Enterprise.*** - Cooperative enterprises in the barangay

1 shall be encouraged and every barangay is directed to give full assistance for the  
2 establishment and organization of said enterprises and to take every possible effort  
3 to make cooperative undertakings a way of life in the barangay.  
4

5 **ARTICLE VI**  
6 **ADMINISTRATION AND ENFORCEMENT**  
7

8 **SEC. 16. Rules and Regulations.** - The Secretary of the Department of Interior  
9 and Local Government shall promulgate such rules and regulations as may be  
10 necessary to implement the provisions of this Act. Rules and regulations issued  
11 pursuant to this Section shall take effect thirty (30) days after publication in a  
12 national newspaper of general circulation and by such other means as the Secretary  
13 of Local Government deems reasonably sufficient to give interested parties general  
14 notice of such issuance.  
15

16 **SEC. 17. Budgetary Estimates.** - The Secretary of Department of Interior and  
17 Local Government shall submit to the Congress the necessary budgetary estimates  
18 to implement the provisions of this Act concerning the allowances, insurance,  
19 medical, dental and retirement benefits, and other fringe benefits of barangay  
20 officials, including the basic priorities in the barangays and the barangay scholarship  
21 grant.  
22

23 **SEC. 18. Penal Provision.** - Any person who shall willfully interfere with,  
24 restrain or coerce any barangay official or barangay resident in the exercise of his or  
25 her rights guaranteed by this Act or who shall in any other manner commit any act  
26 to defeat any of the provisions of this Act shall, upon conviction, be punished by a  
27 fine of not less than Five Hundred Pesos (P500.00) nor more than Two Thousand  
28 Pesos (P2,000.00), or by imprisonment of six (6) months and one (1) day, or both,  
29 subject to the discretion of the court.  
30

31 If the offender is a public official, the court shall, after conviction, order his  
32 dismissal from the government service, in addition to the above-mentioned  
33 penalties.  
34

35 **SEC. 19. Repealing Clause.** - All acts and decrees, executive orders,  
36 implementing rules and regulations or parts thereof, inconsistent with the

1 provisions of this Act are hereby repealed, amended or modified accordingly.

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3           **SEC. 20. *Separability Clause.*** - If any provision of this Act is declared invalid,  
4 the remaining provisions not affected thereby shall remain in force and effect.

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6           **SEC. 21.** This Act shall take effect after its publication in two (2) national  
7 newspapers of general circulation.

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9           Approved,