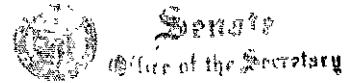


SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)



13 JUL -1 AM 109

SENATE

RECEIVED BY: *ju*

SENATE BILL NO. 68

INTRODUCED BY **SENATOR JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

The 1987 Philippine Constitution recognizes the vital role of the youth in nation building. Further, it obliges the State to inculcate in the love of country, nationalism and patriotism and shall encourage their involvement in the public and civil affairs.

The UN has also, through its various resolutions, programs and commitment of resources, recognized the important role that youth play in the development of the world in which they live. The UN Action for Youth Agenda requires that the youth voice should be increased through meaningful representation, participation in community and political decision-making bodies.

The Sangguniang Kabataan is a pioneering mechanism that provides Filipino youth a venue for participation in local governance. Indeed, the Sangguniang Kabataan is envisioned to help develop and train the Filipino youth and young leaders who will be the successors of the present leaders in the government and society.

However, since the enactment of the Local Government Code of 1991, almost two decades after the inception of the Sangguniang Kabataan, it showed that the performance of the Sangguniang Kabataan has been generally weak and apparently, its officials have failed to uphold the mission for which the Office was created.

The Sangguniang Kabataan may not be reaching their full potential because most of their projects and programs pertain to sports development and infrastructure, when in fact, given the proper guidance, they are very capable of carrying out more relevant and appropriate programs and projects for the youth, community and country as well.

Abolition of the Sangguniang Kabataan is not the logical, reasonable and sound solution. To abolish the Sangguniang Kabataan without alternative structures that can be readily be put into place would not respond to the problems that the system currently faces. Rather, it would do away with a mechanism that has great potential as a venue for youth participation in governance and community service.

Reforms in the Sangguniang Kabataan should be introduced in order to strengthen the said institution and properly guide the youth in local governance, community service and nation building. The weaknesses in the

Sangguniang Kabataan can be addressed by effecting changes in crucial aspects of the existing policies, statutes and in their implementation.

To strengthen the SK we must ensure the democratic, participatory, non-partisan and community-based processes by adjusting the age bracket for Katipunan ng Kabataan and Sangguniang Kabataan members to 18-25 years old.

Fiscal autonomy should also be given to the Sangguniang Kabataan so that they could be able to formulate programs and plans that shall help promote and advance the youth's welfare and improving its function for a sound community development plan.

The Katipunan ng Kabataan in every barangay should be strengthened, as it will serve as the nucleus of the Filipino youth in every locality. The KK shall be the highest policy-making body of the youth in the barangay. The Sangguniang Kabataan shall consult the KK on all its plans, programs and actions.

These pieces of reforms would help the Sangguniang Kabataan fulfill its mandate.

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



JOSEPH VICTOR G. EJERCITO

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)



Senate
Office of the Secretary

13 JUL -1 AM 109

SENATE

REC'D BY: *ji*

SENATE BILL NO. 68

INTRODUCED BY **SENATOR JOSEPH VICTOR G. EJERCITO**

**AN ACT STRENGTHENING AND REFORMING THE SANGGUNIANG
KABATAAN AMENDING FOR THAT PURPOSE CERTAIN PROVISIONS OF
REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL
GOVERNMENT CODE OF 1991 AND FOR OTHER PURPOSES**

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

Section 1. Title. This Act shall be known as the "Sangguniang Kabataan Empowerment Act of 2012".

Section 2. Barangay Funds. Section 329 of Republic Act No. 7160 is hereby amended to read as follows:

Section 329. Barangay Funds. All the income of the barangay DERIVED FROM whatever source shall accrue to its general fund and shall, at the option of the barangay concerned, be kept as trust fund on the custody of the city or municipal treasurer in or be deposited in a bank, preferably government-owned, situated in or nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of this Title. Ten percent (10%) of the general fund of the barangay shall be set-aside for the Sangguniang Kabataan (SK). THE SANGGUNIANG BARANGAY SHALL APPROPRIATE THE SANGGUNIANG KABATAAN FUND IN LUMP SUM. THE SANGGUNIANG KABATAAN SHALL HAVE FISCAL AUTONOMY IN ITS OPERATIONS AS TO DISBURSEMENTS AND ENCASHMENT OF THEIR INCOME AND EXPENSES.

Section 3. Procedure for Reviewing of SK Budgets. A. Procedure for Reviewing of Sangguniang Kabataan Budgets:

1. All SK Budgets shall be approved by a majority of all the members of the Sangguniang Kabataan based on the Annual Barangay Youth Development Plan (ABYDP) formulated in consultation with the Katipunan ng Kabataan (KK). The SK Chairperson shall furnish the Sangguniang Kabataan Federation a copy of the ABYDP stated in this paragraph for their information and guidance and the higher Sangguniang Kabataan Federation for the latter to review the budget appropriations if they conform to the priorities and goals of the federation and to approve the same;

2. All SK Budgets, with attached minutes of the KK Assembly approving the Annual Barangay Youth Development Plan, shall be submitted to the SK City/Municipal Local Executive Committee (LEC) on or before the last working day of October of every year. The SK City/Municipal Local Executive Committee shall review for approval and deliberate on a budget in a regular or special session whether the same conforms to the ABYDP, before the last working day of November.

3. The LEC shall see to it that the appropriations are based on the approved ABYDP and that other priority concerns namely Environment, Livelihood, Education, Capability-building, Moral recovery, Barangay Council for the protection of Children, Health, Sports Development program, Buwan ng Kabataan, Anti-drug Abuse Campaign and other activities which may be conceptualized and initiated by the Katipunan ng Kabataan and Sangguniang Kabataan Council are allocated in the SK budget. All approved budgets shall be certified as by the SK City/Municipal President as the case may be;

4. Any SK Chairperson who fails to submit the SK Budget together with the attachments fund in the preceding paragraph shall be subject to proper investigation and appropriate disciplinary action to be determined by their respective SK LEC in accordance with the SK Constitution and By-Laws;

5. No SK budget can be utilized by the SK concerned, without the approval of the Katipunan ng Kabataan and appropriate certification from the SK Federation President with the concurrence of the SK City/Municipal Local Executive Committee;

6. All realignments in the Barangay SK Budgets shall be reviewed for approval and be deliberated in the same manner in the paragraph 2.

B. Allocation of SK Budget. There shall be no mandatory allocations for the barangay SK funds, except for the two percent (2%) annual dues for the higher federations, provided that all appropriations are supported by its Annual Barangay Youth Development Plan (ABYDP) and that the priority are properly allocated.

C. Financial Records. All funds derived from either public or private source shall be stated in its financial records. The financial records of the Sangguniang Kabataan shall be kept in the office of the municipality or city or provincial accountant in simplified manner as prescribed by the Commission on Audit. On the other hand, the representatives of the Commission on Audit shall audit financial records of the National Executive Board. The representatives of the CQA shall audit such accounts annually or as often as may be necessary and make a report of the audit to the Sangguniang Bayan, Sangguniang Panlungsod, Sangguniang Panlalawigan, SK National Federation Congress, as the case may be.

Section 4. Creation and Election. Section 423 of Republic Act No. 7160 is hereby amended to read as follows:

Section 423. Creation and Election. – (a) There shall be in every barangay a sangguniang kabataan to be composed of a CHAIRPERSON, seven (7) members AS KAGAWAD, WHO SHALL BE ELECTED AND TWO

(2) EX-OFFICIO REPRESENTATIVES ELECTED BY THE KATIPUNANG PANGKAUNLARAN NG KABATAAN. THE SK CHAIRPERSON FROM THE KAGAWADS SHALL APPOINT THE SECRETARY AND TREASURER WITH THE CONCURRENCE OF THE MAJORITY OF THE SK MEMBERS OR THE KATIPUNAN NG KABATAAN.

(b) A SANGGUNIANG KABATAAN OFFICIAL WHO, DURING HIS OR HER TERM OF OFFICE, SHALL HAVE PASSED THE AGE OF TWENTY-FIVE (25) YEARS SHALL BE ALLOWED TO SERVE THE REMAINING PORTION OF THE TERM FOR WHICH HE OR SHE WAS ELECTED.

Section 5. Katipunan ng Kabataan. Section 424 of Republic Act No. 7160 is hereby amended to read as follows:

Section 424. Katipunan ng Kabataan – Every barangay shall establish a Katipunan ng Kabataan to be composed of all citizens of the Philippines actually residing in the barangay for at least six (6) months, who are at least eighteen (18) but not more than twenty-five (25) years of age, and who are duly registered in the list of the Sangguniang Kabataan (SK) SECRETARY or in the official barangay list of the barangay secretary.

Section 6. Powers and Functions of the Katipunan ng mga Kabataan.
– Section 425 of Republic Act 7160 is hereby amended to read as follows:

Section 425. Powers and Functions of the Katipunan ng mga Kabataan. –

- (A) The Katipunan ng mga Kabataan (KK) shall be the highest policy-making body to decide on matters affecting the youth in the barangay. The Sanggunian Kabataan shall consult the KK on all its plans, programs and actions. The KK shall at all times strive to give its approval through consensus.

However, in every specific instances where time is a major consideration and consensus is not immediately possible, a majority vote of more than fifty percent (50%+ 1) of all KK members present in a general assembly with quorum should be reached to approve urgent plans, programs and actions affecting the youth in the barangay.

- (B) The KK may, through a 2/3 majority vote of all its members, reprimand, censure or remove any SK member who after due process is found to have failed in the discharged of his or her duties or have committed abuses as stipulated in existing laws pertaining to the conduct of public officials;
- (C) The KK shall meet at least twice a year, or at the call of the Chairman of the SK. The first KK meeting shall take place no later than three (3) months after the proclamation of the results of the immediately preceding SK elections. The SK Chairperson shall convene the first KK meeting, where the KK shall then choose among its members a Katipunan lead-convenor who shall be tasked to convene all succeeding KK meetings;

- (D) The KK shall create a body, whose members shall be chosen amongst themselves, that shall be responsible for the close coordination of the KK with local and national youth organizations, alliances, federations and the like for the purpose of developing socially relevant programs and activities to be included in the barangay's annual youth development plan.

The coordinating body may invite representatives from such organizations to serve as resource speakers in the regular meetings and events of the KK or SK;

- (E) The KK may create other such bodies and committees as it deems necessary to most effectively fulfill its functions and duties.

Section 7. Katipunang Pangkaunlaran ng Kabataan. - (A) THERE SHALL BE IN EVERY KATIPUNAN NG KABATAAN A KATIPUNANG PANGKAUNLARAN NG KABATAAN, A BODY THAT SHALL DEVELOP THE DEVELOPMENT PROGRAMS AND ACTIVITIES OF THE SANGGUNIANG KABATAAN AND SHALL SERVE AS ITS CIVIL SOCIETY ARM.

(B) THE KATIPUNANG PANGKAUNLARAN NG KABATAAN SHALL BE COMPOSED OF REPRESENTATIVES FROM DIFFERENT YOUTH ORGANIZATIONS AND ASSOCIATIONS ACCREDITED AND OPERATING IN THE BARANGAY. THE SANGGUNIANG KABATAAN CHAIRPERSON PRIOR TO THE FIRST KATIPUNAN NG KABATAAN MEETING SHALL Convene ITS FIRST ASSEMBLY.

(C) THE KATIPUNANG PANGKAUNLARAN NG KABATAAN SHALL DEVELOP, ALONG WITH THE SANGGUNIANG KABATAAN, AN ANNUAL YOUTH DEVELOPMENT PLAN FOR THE BARANGAY, AND SHALL MONITOR ITS IMPLEMENTATION.

(D) The Katipunang Pangkaunlaran ng Kabataan shall elect among its members two (2) ex-officio representatives to the Sangguniang Kabataan. AS SUCH THEY SHALL EXERCISE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS AND ENJOY THE SAME PRIVILEGES AS THE REGULAR SANGGUNIANG KABATAAN MEMBERS. The Sangguniang Kabataan in coordination with the Commission on Elections shall facilitate the elections of the representatives.

Section 8. Powers and Duties of the Sangguniang Kabataan. Section 426 of Republic Act 7160 is hereby amended to read as follows:

Section 426. Powers and Duties of the Sangguniang Kabataan - The Sangguniang Kabataan shall:

- (a) Xxx
- (b) INITIATE AND IMPLEMENT PROGRAMS THAT AIM TO PROMOTE MEANINGFUL YOUTH PARTICIPATION, ACCESSIBLE EDUCATION, YOUTH EMPLOYMENT, ACTIVE CITIZENSHIP, SPORTS AND SUSTAINABLE DEVELOPMENT;

- (c) Xxx
- (d) Xxx
- (e) Submit and present annual and end-of-term PROGRAM AND FINANCIAL reports to the Sangguniang Barangay, KATIPUNAN NG KABATAAN, AND KATIPUNANG PANGKAUNLARAN NG KABATAAN on their projects and activities for the survival and development of the youth in the barangay;
- (f) CONSULT AND COORDINATE WITH THE KATIPUNAN NG KABATAAN, KATIPUNANG PANGKAUNLARAN NG KABATAAN AND DIFFERENT YOUTH ORGANIZATIONS IN THE BARANGAY FOR POLICY FORMULATION AND PROJECT IMPLEMENTATION;
- (g) Xxx
- (h) COORDINATE AND COOPERATE WITH THE SANGGUNIANG BARANGAY ON OTHER YOUTH-RELATED PROJECTS AND PROGRAMS THAT THE SANGGUNIANG BARANGAY WISHES TO INITIATE AND IMPLEMENT;
- (i) XXX
- (j) PRESENT TO THE KATIPUNAN NG KABATAAN ITS ANNUAL PROGRAM OF ACTION AND ITS BUDGET; AND
- (k) DEVELOP AND IMPLEMENT SANGGUNIANG KABATAAN GUIDELINES IN LINE WITH THE DUTIES AND PRINCIPLES OUTLINED IN THIS ACT.

SECTION 9. Qualifications. Section 428 of Republic Act No. 7160 is hereby amended to read as follows:

Section 428. Qualifications – AN ELECTIVE OFFICIAL OF THE SANGGUNIANG KABATAAN MUST HAVE THE FOLLOWING QUALIFICATIONS:

- (A) A bonafide citizen of the Philippines;
- (B) A qualified member of the Katipunan ng Kabataan;
- (C) A resident of the barangay for at least one (1) year immediately prior to elections;

- (D) At least eighteen (18) but not more than twenty-five (25) years of age on the day of his or her elections;
- (E) Able to read and write in Filipino, English or any local dialect;
- (F) Must not have been convicted of any crime involving moral turpitude;
- (G) Must not have any relative in elective public office within the third degree of consanguinity or affinity.

Section 10. Determination of Degree of Consanguinity or Affinity.

- (A) CONSANGUINITY IS DEFINED AS THE STATE OF BEING RELATED BY BLOOD OR HAVING DESCENDED FROM A COMMON ANCESTOR AND APPLIES TO BOTH FULL BLOOD AND HALF-BLOOD RELATIVES.
- (B) AFFINITY IS DEFINED AS THE RELATION, FORMED BY MARRIAGE, BETWEEN ONE SPOUSE AND THE BLOOD RELATIVES OF THE OTHER SPOUSE.
- (C) IN COMPUTING THE DEGREE, ONE GENERATION IN THE DIRECT COURSE IS CONSIDERED AS ONE DEGREE, EITHER IN ASCENDING OR DESCENDING LINE.
- (D) IN THE RECKONING WITH RESPECT TO AFFINITY, THE SPOUSES ARE DEEMED TO BE ONE PERSON. THE LATERAL, BRIDGING STEP BETWEEN IS NOT COUNTED AS A DEGREE.

Section 11. Term of Office. – Section 429 of Republic Act No. 7160 is hereby amended to read as follows:

Section 429. Term of Office. – The Sangguniang Kabataan CHAIRPERSON, Members, Ex-Officio Members, Secretary and Treasurer shall hold office for a fixed period of three (3) years unless sooner removed for a cause provided by law, permanently incapacitated, die or resign from office.

Section 12. Sangguniang Kabataan CHAIRPERSON. – Section 430 of Republic Act 7160 is hereby to read as follows:

Section 430. Sangguniang Kabataan CHAIRPERSON. – The registered voters of the Katipunan ng Kabataan shall elect the Chairperson of the Sangguniang Kabataan, who shall automatically serve as an ex-officio member of the Sangguniang Kabataan upon his assumption to office. As such,

the CHAIRPERSON shall exercise the same powers, discharge the same duties, and functions, and enjoy the same privileges as the regular Sangguniang Barangay Members, and shall be the CHAIRPERSON of the COMMITTEE ON YOUTH DEVELOPMENT in the said Sanggunian.

Section 13. Powers and Functions of the Sangguniang Kabataan Chairperson. – Section 431 of Republic Act 7160 is hereby amended to read as follows:

Section 431. Powers and Functions of the Sangguniang Kabataan CHAIRPERSON. – THE SANGGUNIANG KABATAAN CHAIRPERSON SHALL HAVE THE FOLLOWING DUTIES:

- (a) Call and preside over all meetings of the Sangguniang Kabataan, AND UPON THE DECISION OF THE BODY, THE KATIPUNAN NG KABATAAN;
- (b) ENSURE THE IMPLEMENTATION OF policies, programs, and projects within his OR HER jurisdiction in coordination with the Sangguniang Barangay;
- (c) Exercise general supervision over the affairs and activities of the Sangguniang Kabataan and the official conduct of its members, and such other officers of the Sangguniang Kabataan within his OR HER jurisdiction;
- (d) XXX
- (e) PRESENT TO THE KATIPUNAN NG KABATAAN AND SANGGUNIANG BARANGAY THE SANGGUNIANG KABATAAN'S ANNUAL PROGRAM OF ACTION AND FINANCIAL REPORT;
- (f) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance; AND,
- (g) COORDINATE WITH THE SANGGUNIANG BARANGAY FOR THE YOUTH-RELATED PROJECTS AND PROGRAMS OF THE SANGGUNIANG KABATAAN.

Section 14. Powers and Functions of the Sangguniang Kabataan Secretary. – Section 432 of Republic Act 7160 is hereby amended to read as follows:

Section 432. Sangguniang Kabataan Secretary. – The Sangguniang Kabataan Secretary shall:

- (a) XXX

- (b) XXX
- (c) XXX
- (d) Perform such other duties and discharge such other functions as the CHAIRPERSON of the Sangguniang Kabataan may prescribe or direct.

Section 15. Powers and Functions of the Sangguniang Kabataan Treasurer. Section 433 of Republic Act No. 7160 is hereby amended to read as follows:

Section 433. Sangguniang Kabataan Treasurer – xxxxx

(a) Take custody of all Sangguniang Kabataan property and funds, THE LATTER TO BE DEPOSITED IN A BANK PREFERABLY GOVERNMENT-OWNED, SITUATED IN OR NEAREST TO ITS AREA JURISDICTION, UNDER THE NAME OF THE SK CONCERNED or to be deposited with the city or municipal treasurer;

(b) xxxxx

(c) xxxxx

(d) xxxxx

(e) Submit to the Katipunan ng Kabataan and to the Sangguniang Barangay certified and detailed statements of actual income and expenditures AT THE END OF EVERY QUARTER AND THE SAME SHALL BE PUBLISHED OR POSTED IN THREE (3) CONSPICUOUS SPACES WITHIN THE BARANGAY; and

(f) xxxxx

Section 16. Privileges and Sangguniang Kabataan Officials. Section 434 of Republic Act No. 7160 is hereby amended to read as follows:

Section 434. Privileges of Sangguniang Kabataan Officials – xxx

(a) The SK Chairperson shall have the same privileges xxx

(b) ALL REGULAR SANGGUNIANG KABATAAN OFFICIALS SHALL BE EXEMPTED FROM TAKING UP NATIONAL SERVICE TRAINING PROGRAM – CIVIC WELFARE TRAINING SERVICE (NSTP-CWTS) SUBJECTS;

(c) ALL REGULAR SANGGUNIANG KABATAAN OFFICIALS SHALL BE ENTITLED TO RECEIVE HONORARIA, TRAVEL ALLOWANCES AND OTHER SUCH COMPENSATION FOR SERVICES AS MAY BE AUTHORIZED BY NATIONAL LAWS OR LOCAL ORDINANCES IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE, PROVIDED THAT ANY HONORARIA, TRAVEL ALLOWANCES AND OTHER SUCH COMPENSATION FOR SERVICES THAT ARE TO BE TAKEN FROM THE SANGGUNIANG KABATAAN FUNDS SHALL BE FIRST APPROVED BY THE KATIPUNAN NG KABATAAN.

(d) THE SK CHAIRPERSON SHALL BE CONSIDERED A PERSON IN AUTHORITY AS DEFINED BY LAW IN CONNECTION WITH THE ACTUAL DISCHARGE OF HIS OFFICIAL FUNCTIONS AS SUCH;

- (e) THE SANGGUNIANG KABATAAN OFFICIALS, DURING THEIR INCUMBENCY, SHALL BE CONSIDERED AS AN AGENT OF PERSON IN AUTHORITY AS DEFINED BY LAW IN CONNECTION WITH ACTUAL DISCHARGE OF HIS OFFICIAL FUNCTIONS AS SUCH.

Section 17. Removal from Office, Succession and Filing of Vacancies. Section 435 of Republic Act No. 7150 hereby amended to read as follows:

Section 435. REMOVAL FROM OFFICE, Succession, and Filing of Vacancies – A. THE FOLLOWING SHALL BE GROUNDS FOR REMOVAL FROM OFFICE FOR SANGGUNIANG KABATAAN CHAIRPERSON AND MEMBERS:

- (a) ABSENCE WITHOUT VALID REASONS FOR THREE CONSECUTIVE MONTHS;
- (b) FAILURE TO CONVENE MEETINGS OF THE KATIPUNAN NG KABATAAN AND SANGGUNIANG KABATAAN;
- (c) CONVICTION OF A CRIME INVOLVING MORAL TURPITUDE; AND
- (d) VIOLATION OF EXISTING LAWS AGAINST GRAFT AND CORRUPTION AND OTHER CIVIL SERVICE LAWS.

B. A SANGGUNIANG KABATAAN CHAIRPERSON OR MEMBER IS DEEMED ELIGIBLE FOR REPLACEMENT IF HE OR SHE REFUSES TO ASSUME OFFICE FAILS TO QUALIFY, VOLUNTARILY RESIGNS, DIES OR IS PERMANENTLY INCAPACITATED.

C. IN CASE THE SANGGUNIANG KABATAAN CHAIRPERSON IS REMOVED FROM OFFICE OR BECOMES ELIGIBLE FOR REPLACEMENT, THE SANGGUNIANG KABATAAN MEMBER WHO RECEIVED THE HIGHEST NUMBER OF VOTES SHALL ASSUME THE OFFICE OF THE CHAIRPERSON FOR THE UNEXPIRED PORTION OF THE TERM, AND SHALL DISCHARGE THE POWER AND DUTIES, AND ENJOY THE RIGHTS AND PRIVILEGES APPURTENANT OF THE OFFICE. IN CASE THE SAID MEMBER REFUSES OR FAILS TO QUALIFY, THE SANGGUNIANG KABATAAN MEMBER WHO RECEIVED THE NEXT HIGHEST OF VOTES SHALL ASSUME THE OFFICE OF THE CHAIRPERSON FOR THE UNEXPIRED PORTION OF THE TERM. IN CASE ALL MEMBERS OF THE SANGGUNIANG KABATAAN REFUSES TO ASSUME OFFICE OR FAILS TO QUALIFY, A SPECIAL ELECTION IN A KATIPUNAN NG KABATAAN SHALL BE CONVENEED FIFTEEN (15) DAYS AFTER THE VACANCY IN COORDINATION WITH THE COMMISSION ON ELECTIONS AND THE SANGGUNIANG BARANGAY TO ELECT A NEW CHAIRPERSON.

D. IN CASE OF VACANCY ON THE POSITIONS OF THE SK KAGAWADS, THE SK CHAIRPERSON SHALL CONVENE THE KATIPUNAN NG KABATAAN TO ELECT MEMBERS OF THE VACATED POSITIONS, PROVIDED THAT SUCH ELECTION SHALL BE CONDUCTED IN COORDINATION WITH THE DILG OF THE LOCAL GOVERNMENT UNIT CONCERNED.

IN THE ABSENCE OF A REGULAR ELECTED SK CHAIRPERSON AND KAGAWADS, THE PRESIDENT OF THE PANLUNGSOD/PAMBAYANG PEDERASYON NG MGA SK, AS THE CASE MAY BE, SHALL CONVINCED THE KK AND BARANGAY CONCERNED AND CALL FOR A SPECIAL ELECTION IN COORDINATION WITH THE DILG OF THE LOCAL GOVERNMENT UNIT CONCERNED.

(g) THE PRESIDENT OF THE SK FEDERATION WHO SHALL BE ELECTED AS THE SK REGIONAL DIRECTOR IN THE PAMBANSANG PEDERASYON NG MGA SK SHALL SERVE AS AN EX-OFFICIO MEMBER OF THE REGIONAL DEVELOPMENT COUNCIL AND THE REGIONAL TOURISM COUNCIL WITHOUT NEED OF FURTHER APPOINTMENT AND SHALL HAVE THE SAME POWERS AND DISCHARGE THE SAME DUTIES AND FUNCTIONS, AND ENJOY THE SAME PRIVILEGES AS REGULAR MEMBERS.

Section 18. MANDATORY TRAINING AND SEMINAR ON LEADERSHIP, PROGRAM DEVELOPMENT AND YOUTH ADVOCACIES – ALL SANGGUNIANG KABATAAN OFFICIALS MUST UNDERGO MANDATORY TRAININGS AND SEMINARS ON LEADERSHIP AND PROGRAM DEVELOPMENT WHICH WILL ENABLE THEM TO IDENTIFY PROJECTS AND PROGRAMS IN LINE WITH THE DUTIES AND PRINCIPLES OUTLINED IN THIS ACT.

THE NATIONAL YOUTH COMMISSION (NYC) IS THE AGENCY DIRECTED TO PROVIDE THE ABOVEMENTIONED TRAININGS AND SEMINARS.

Section 19. Pederasyon ng mga Sangguniang Kabataan. Section 436 of Republic Act No. 7160 is hereby amended to read as follows:

Section 436. Pederasyon ng mga Sangguniang Kabataan – (A) There shall be an organization of all the Pederasyon ng mga Sangguniang Kabataan to be known as follows:

- (1) In municipalities, pambayang pederasyon ng mga Sangguniang Kabataan;
- (2) In cities, panlungsod na pederasyon ng mga Sangguniang Kabataan;
- (3) ON THE NATIONAL LEVEL, PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN.

(B) The pederasyon ng mga Sangguniang Kabataan shall, at all levels, elect from among themselves the President, Vice-President and such other officers as may be deemed necessary and shall be organized in the following manner:

- (1) The panlungsod and pambayang pederasyon shall be composed of all of the Sangguniang Kabataan OFFICIALS of the Barangays in the City or Municipality, respectively;

- (2) THE ELECTED PRESIDENTS OF THE PANGLUNSOD AND PAMBAYANG PEDERASYON SHALL CONSTITUTE THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN.
- (C) THE SK CHAIRPERSON WHO IS ELECTED AS FEDERATION PRESIDENT SHALL AUTOMATICALLY SERVE AS AN EX-OFFICIO MEMBER OF THE LOCAL SANGGUNIAN AND SPECIAL BODIES, SUCH AS BUT NOT LIMITED TO, THE LOCAL HEALTH BOARD, PEACE AND ORDER COUNCIL, LOCAL DEVELOPMENT COUNCIL, LOCAL SCHOOL BOARD AND LOCAL TOURISM COUNCIL. AS SUCH, HE OR SHE SHALL HAVE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS AND ENJOY THE SAME PRIVILEGES AS THE REGULAR MEMBERS OF THESE SPECIAL BODIES.
- (D) THE PEDERASYON NG MGA SANGGUNIANG KABATAAN AT THE CITY, MUNICIPALITY AND PROVINCIAL LEVEL SHALL HAVE AN AUTOMATIC ALLOCATION OF ONE PERCENT (1%) OF THE INTERNAL REVENUE ALLOTMENT OF THE LOCAL GOVERNMENT CONCERNED TO BE USED FOR THE PROGRAMS, PROJECTS AND OPERATIONS OF THE SK FEDERATION.
- (E) THE PRESIDENT OF THE PAMBANSANG PEDERASYON NG MGA SK SHALL SERVE AS EX-OFFICIO COMMISSIONER OF THE NATIONAL YOUTH COMMISSION AS PROVIDED FOR BY REPUBLIC ACT NO. 8044. AS EX-OFFICIO COMMISSIONER, HE SHALL BE ENTITLED TO THE SAME RANK, COMPENSATION, RIGHTS AND PRIVILEGES OF A DEPARTMENT ASSISTANT SECRETARY.
- (F) THE PAMBANSANG PEDERASYON NG SK SHALL MAINTAIN ITS OWN SECRETARIAT FOR EFFICIENT COORDINATION AND EFFECTIVE IMPLEMENTATION OF ITS PROGRAMS.
- (G) THE PAMBANSANG PEDERASYON NG SK SHALL BE INDEPENDENT OF ALL GOVERNMENT OFFICES AND AGENCIES IN ITS OPERATIONS. IT SHALL DEVELOP ACTIVE LINES OF COORDINATION AND COMMUNICATION WITH THE DIFFERENT GOVERNMENT OFFICES AND AGENCIES AND SHALL BE SOLELY RESPONSIBLE FOR ALL ITS POLICIES AND OPERATIONS. AT THE END OF EACH CALENDAR YEAR, IT SHALL SUBMIT TO THE PRESIDENT OF THE PHILIPPINES, THROUGH THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, AN ANNUAL REPORT OF PROGRAMS AND ACTIVITIES, INCLUDING A FINANCIAL STATEMENT OF ALL ITS FUNDS AND DISBURSEMENTS. THE PAMBANSANG PEDERASYON PRESIDENT IS THE ONE RESPONSIBLE FOR THE SUBMISSION OF THE ANNUAL REPORT OF PROGRAMS AND ACTIVITIES. THE PAMBANSANG PEDERASYON PRESIDENT TOGETHER WITH THE PAMBANSANG

PEDERASYON TREASURER IS RESPONSIBLE FOR THE SUBMISSION OF THE FINANCIAL STATEMENT OF ALL ITS FUNDS AND DISBURSEMENTS.

- (H) THE PAMBANSANG PEDERASYON NG SK IS HEREBY AUTHORIZED TO RECEIVE DONATIONS, REQUESTS, GRANTS AND FUNDS FROM OTHER SOURCES SUBJECT TO THE PERTINENT PROVISIONS OF LAW AND APPROVAL OF THE NATIONAL EXECUTIVE BOARD (NEB). PROVIDED HOWEVER, THAT SUCH DONATIONS, REQUESTS, GRANTS AND FUNDS AND ITS ACCOUNTING OF EXPENDITURES SHALL BE REPORTED TO THE SANGGUNIANG KABATAAN FEDERATION DURING ITS ANNUAL CONGRESS.
- (I) THE PAMBANSANG PEDERASYON NG SK SHALL BE EXEMPTED FROM ALL FORMS OF TAXATION OR OTHER IMPOSITIONS, AND SHALL BE FREE FROM ALL DUTIES AND ALL IMPOSTS ON ANY EQUIPMENT, ARTICLES OR GOODS NECESSARY FOR ITS OPERATIONS.

Section 20. Buwan ng Kabataan. Section 439 of Republic Act No. 7160 is hereby amended to read as follows:

Section 439. Observance of BUWAN ng Kabataan –

- (a) Every barangay, municipality, city and province shall, in coordination with the Pederasyon ng Kabataan at all levels, conduct an annual activity to be known as the BUWAN NG KABATAAN EVERY MONTH OF MAY OF EVERY YEAR. NONCOMPLIANCE OF THE SK AT ALL LEVEL WITH THIS PROVISION WOULD MEAN AN IMPOSITION OF DISCIPLINARY ACTIONS TO BE DETERMINED BY THE FEDERATION CONCERNED IN ACCORDANCE WITH THE SK CONSTITUTION AND BY-LAWS.
- (b) xxxxxxx

Section 21. Date of Election. Section 1 of Republic Act No. 9340 is hereby amended to read as follows:

Section 1. Date of Election – xxx Subsequent barangay elections shall be held on the last Monday of October 2007 and every three (3) years thereafter. SANGGUNIANG KABATAAN ELECTIONS SHALL BE HELD ON THE SECOND SATURDAY OF APRIL 20013 AND EVERY THREE (3) YEARS THEREAFTER.

Section 22. Assumption of Office. Section 2 of Republic Act No. 9340 is hereby amended in order to read as follows:

Section 2. Assumption of Office – xxx The term of office of the barangay officials elected in October 2007 election and subsequent elections shall commence at noon of November 30 next following their election. THE TERM OF OFFICE OF THE SANGGUNIANG KABATAAN OFFICIALS ELECTED IN THE APRIL 2013 ELECTION AND

SUBSEQUENT ELECTIONS SHALL COMMENCE AT NOON OF MAY 15 NEXT FOLLOWING THEIR ELECTION.

Section 23. Registration. For purposes of the April 2013 Sangguniang Kabataan Election provided under this Act, the Commission on Elections (COMELEC) should fix a special registration of voters for the Sangguniang Kabataan. Subsequent registration of sanguine abstain voters shall be governed by Republic Act No. 8189. The system of continuing registration provided under Section 8 of Republic Act No. 8189 shall also apply to the registration of the Katipunan ng Kabataan Members.

Section 24. Constitution and By-Laws. The term of office, manner of election, removal, filing up of vacancies, suspension and disciplinary action of the officers and members of the Pederasyon ng mga SK at all levels, and the procedure of reviewing and allocating SK budgets, shall be exclusively governed by the Constitution and By-Laws of the SK National Federation. Provided, that provisions of such Constitution and By-Laws are in line with the provisions of this Code and other national laws and policies of the youth.

Provided that the Chairman/President of the SK or Pederasyon ng mga SK at any level, who is suspended or removed from his/her position in accordance with the SK Constitution and By-Laws and as provided for in the Local Government Code and other applicable laws shall also be deemed suspended or removed in the Local Sanggunian where he sits as an ex-officio member.

The Chairman/President of the Pederasyon at any level, or the SK Chairperson when removed as ex-officio member of the Sanggunian on the grounds provided in the Local Government Code, shall be automatically removed as Chairperson/President of the Pederasyon concerned.

Section 25. Implementing Rules and Regulations. The Commission on Elections (COMELEC), Department of Budget and Management (DBM), and SK National Executive Board (NEB) shall be tasked to come up with the Implementing Rules and Relations (IRR) needed for the implementation of this Act. Such IRR should be promulgated within sixty (60) days upon approval of this Act.

Section 26. Appropriations. The amount necessary for the implementation of this Act shall be incorporated in the Annual General Appropriations Act.

Section 27. Separability Clause. If any section or provision of this Act shall be declared unconstitutional, the remaining sections or provisions shall not be affected thereby.

Section 28. Repealing Clause. All laws, presidential decrees, executive orders, letters of instruction, rules and regulations which are inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

Section 29. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in any newspaper of general circulation.

Approved,