

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



Senate  
Office of the Secretary

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SENATE

S.B. No. **345**

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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. A barangay serves as a venue where perspectives of different people are considered and discussed.

Due to the significant role played by barangays as basic political units, 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. That 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

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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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**ARTICLE II**  
**BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES**

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

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

1. Punong Barangay - An amount equivalent to the salary of a sangguniang bayan member of his municipality.
2. Six (6) Sangguniang Barangay Members - An amount equivalent to eighty percent (80%) of the salary of a sangguniang bayan member of his municipality.
3. Sangguniang Kabataang Chairman, Barangay Secretary, Barangay Treasurer - An amount equivalent to seventy-five percent (75%) of the salary of a sangguniang bayan member of his municipality.

**ARTICLE III**  
**BASIC PRIORITIES IN THE BARANGAY**



1 - Twenty-five percent (25%) of all taxes collected on real property located within the  
2 barangay shall be considered barangay funds and shall be allocated in accordance  
3 with existing laws. In addition thereto, each barangay shall be entitled to ten percent  
4 (10%) from all other forms of taxes, fees, penalties, compromises or other charges  
5 collected from persons residing in the barangay or entities whose office and/or  
6 manufacturing plant is located within the barangay.

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

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19         Revenues derived from this source shall also from part of the general fund of  
20 the barangay.

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## ARTICLE V

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### SUNDRY MATTERS

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

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34         **SEC. 14. *Priority in Employment.*** - Residents in every barangay shall have  
35 the priority in the hiring of workers and laborers to be needed in any government

1 construction or development projects within the barangay.

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3 **SEC. 15. *Cooperative Enterprise.*** - Cooperative enterprises in the barangay  
4 shall be encouraged and every barangay is directed to give full assistance for the  
5 establishment and organization of said enterprises and to take every possible effort  
6 to make cooperative undertakings a way of life in the barangay.

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8 **ARTICLE VI**  
9 **ADMINISTRATION AND ENFORCEMENT**

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

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

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

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

1 penalties.

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3       **SEC. 19. *Repealing Clause.*** - All acts and decrees, executive orders,  
4 implementing rules and regulations or parts thereof, inconsistent with the  
5 provisions of this Act are hereby repealed, amended or modified accordingly.

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

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

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13       Approved,