

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




Senate  
Office of the Secretary

13 JUL -8 A8:48

SENATE

Senate Bill No. 540

RECEIVED BY: 

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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#### EXPLANATORY NOTE

The barangay government is closest to our citizens by reason of its accessibility. 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 acts as the microcosm of the national leadership, a rich reservoir of men and women in whose hands the future depends.

And barangay leaders and officers have genuine concern for their constituents and fellow-barangay officers, 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 their lives and limbs, especially with their additional duty in, the administration of barangay justice and the peaceful settlement of disputes involving barangay residents. It is not uncommon to hear that some barangay officials, barangay tanods 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 tanods 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, not merely the token assistance, which can be actually helpful to them during the time of their greatest need.

Hence, early cognizance of this legislation is hereby sought.



JINGGOY EJERCITO ESTRADA  
Senator

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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 OR 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.** A special financial assistance equivalent to their six (6) months salaries, honoraria and allowances shall be extended to the Barangay Chairman, Barangay Kagawad, Barangay Tanod, Sangguniang Kabataan (SK) Chairman, SK Kagawad, or to his or her family or beneficiaries, who is permanently incapacitated or killed while in the performance of his or her duty or by reason of his or her office or position; Provided that such permanent incapacity or death was not the result of, or in connection with, acts or omissions of said barangay or SK officer which constitutes a crime or any violation of law.

Special financial assistance shall likewise be extended under the same condition to any barangay or *SK officer* injured or wounded in the performance of his or her duty or by reason of his or her office or position in the form of free medical treatment in all government or public medical or health institutions.

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

**SEC. 3.** 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 Treasurer to disburse and 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 SK Chairman of the fact of death of a covered barangay or SK officer 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 such a certification on permanent disability issued by the city or municipality health officer.

**SEC. 5.** As additional assistance, the surviving legal spouse of the deceased or permanently incapacitated barangay or SK officer shall be given priority in the appointment to vacant positions in the government suitable to his or her qualification: Provided, That if the spouse is already gainfully employed, or not employable, or if he or she waives his or her employment privilege, his or 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 public 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 the deceased or incapacitated person or his family may receive or be entitled to under any law or contract.

**SEC. 8.** Nothing in this Act shall be construed to prejudice and diminish whatever benefits a barangay or SK officer is entitled under law or contract.

**SEC. 9.** All laws, acts, decrees, executive order and rules and regulations which are contrary to or inconsistent with this Act are hereby repealed and modified accordingly.

**SEC. 10.** This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*