

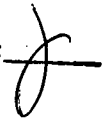


Senate
Office of the Secretary

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

'16 AUG 17 P6:28

SENATE
S. B. No. 1041

RECEIVED BY: 

Introduced by SENATOR JOEL "TESDAMAN" VILLANUEVA

**AN ACT RESETTING THE BARANGAY AND SANGGUNIANG
KABATAAN ELECTIONS AND EXTENDING THE TERM OF
OFFICE OF ELECTIVE BARANGAY OFFICIALS TO FIVE (5)
YEARS AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND
REPUBLIC ACT NO. 10656, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The proposed measure seeks to reset the upcoming synchronized Barangay and Sangguniang Kabataan (SK) election scheduled on October 31, 2016 to be held on the last Monday of October 2018, or two (2) years later. This proposal seeks to prevent further delays in the implementation of the projects of the current administration. The national elections early this year entailed temporary bans and restrictions in several government processes throughout the whole election period. Months after the conclusion of the national elections, the new administration is in its early stages of laying down its projects on infrastructure and social services. Holding the Barangay and SK elections within the same year will result to additional delays in the implementation of government projects. Implementing the election will entail another period of temporary ban on procurement and personnel appointment that will hinder such projects. This is inconsistent with national government's objective to fast track its spending on crucial economic projects, such as increasing infrastructure to address exacerbating traffic congestion.

Thus, consistent with the national government's goal of accelerated growth, the enactment of this measure seeking to postpone the Barangay and SK elections is earnestly sought.

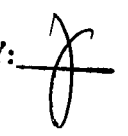

SENATOR JOEL VILLANUEVA

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AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS
AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO.
10656, AND FOR OTHER PURPOSES**

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

1 **SECTION 1.** Section 1 of Republic Act No. 9164, as amended by Republic Act No.
2 9340 and Republic Act No. 10656, is hereby further amended to read as follows:
3

4 **"SECTION 1. Date of Election.** There shall be synchronized barangay and
5 sangguniang kabataan elections which shall be held on July 15, 2002. Subsequent
6 synchronized barangay and sangguniang kabataan elections shall be held on the last
7 Monday of October 2017 and every three (3) years thereafter; PROVIDED, THAT THE
8 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS ON OCTOBER 31, 2016
9 SHALL BE POSTPONED TO THE LAST MONDAY OF OCTOBER 2018. SUBSEQUENT
10 SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS SHALL BE
11 HELD EVERY FIVE (5) YEARS THEREAFTER."
12

13 **SECTION 2.** Section 2 of Republic Act No. 9164 is hereby amended to read as
14 follows:
15

16 **"SEC. 2. Term of Office.** - The term of office of all barangay and sangguniang
17 kabataan officials after the effectivity of this Act shall be [three (3)] FIVE (5) years."
18

19 **SECTION 3.** Section 4 of Republic Act No. 9164 as amended by Republic Act No.
20 9340, is hereby amended to read as follows:
21

22 **"SEC. 4. Assumption of Office.** - THE TERM OF OFFICE OF THE BARANGAY AND
23 SANGGUNIANG KABATAAN OFFICIALS ELECTED UNDER THIS ACT SHALL
24 COMMENCE AT NOON OF NOVEMBER 30, NEXT FOLLOWING THEIR ELECTION."
25

26 **SECTION 4.** The provision on Hold-Over capacity under Section 5 of Republic Act No.
27 9164, as amended by Republic Act No. 9340, shall remain applicable and in full force under
28 this Act.

1 **SECTION 5. Appropriations.** - The amount necessary for the implementation of this
2 Act shall be taken from the appropriations of the Commission on Elections (COMELEC)
3 under the General Appropriations Act and/or supplementary appropriations thereafter.
4

5 **SECTION 6. Implementing Rules and Regulations.** The COMELEC shall promulgate
6 such rules and regulations necessary within thirty (30) days after its effectivity to implement
7 this Act.
8

9 **SECTION 7. Separability Clause.** If any provision of this Act is declared
10 unconstitutional, the other provisions shall remain valid.
11

12 **SECTION 8. Repealing Clause.** All laws, decrees, orders, rules and regulations or
13 parts thereof inconsistent with the Act or the rules and regulations promulgated pursuant
14 thereto are hereby repealed or amended accordingly.
15

16 **SECTION 9. Effectivity Clause.** - This Act shall take effect fifteen (15) days after
17 publication in two (2) national newspapers of general circulation.
18

19 Approved,