

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




Senate  
Office of the Secretary

16 AUG 18 AIO :02

SENATE

S.B. No. 1049

RECEIVED BY: 

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Introduced by Senator SONNY ANGARA

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**AN ACT EXTENDING THE TERM OF OFFICE OF ELECTIVE BARANGAY OFFICIALS,  
POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN  
ELECTIONS, 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 country is on the cusp of tremendous change in light of the Duterte administration's pronouncement that amending the Constitution to institute a uniquely Filipino federal system in the country to replace the current unitary form of government is a big ticket item in the national reform agenda.

Proponents of the shift to federalism claim that some of the perennial problems of the country could be best solved by effecting a meaningful and further devolution of powers, authority, responsibilities and funds to local government units (LGUs), following the spirit and intent of RA 7160 or the Local Government Code of 1991.

Indeed, a country divided into more than 42,036 *barangays* is best primed for prosperity when its most basic and fundamental political subdivision is meaningfully empowered to fulfill the interests of its constituents.

Barangay officials are given different mandates and serve several functions simultaneously—from keeping peace and order to formulating barangay development programs, from legislating barangay ordinances to resolving barangay-level disputes. However, the short, three (3) year terms make it difficult for elected barangay officials to fulfill any of these mandates meaningfully. More often than not, continuous social services and assistance are rarely delivered.

Hence, the foregoing measure aims to extend the terms of office of elected barangay officials from three (3) to five (5) years, with a maximum of two (2) consecutive terms. Doing so will require that the forthcoming barangay elections, including those for the Sangguniang Kabataan, be postponed from October 2016 to October 2018. The extension and subsequent postponement of elections will afford more time for Congress to study how barangays could be further empowered and to possibly pass reforms and amendments to existing laws—including the Local Government Code. It will also provide a measure of political stability, as the country dives head-on into debates on Charter Change.

With the scheduled barangay polls drawing near, the swift passage of the foregoing measure is earnestly sought.




**SONNY ANGARA**

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

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

“SECTION. 1. Date of Election. There shall be synchronized barangay and sangguniang kabataan elections, which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter;

PROVIDED, THAT THE BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS ON OCTOBER 31, 2016 SHALL BE POSTPONED TO THE LAST MONDAY OF OCTOBER 2018. SUBSEQUENT SYNCHRONIZED BARANGAY AND SANGGUNINANG KABATAAN ELECTIONS SHALL BE HELD EVERY FIVE (5) YEARS THEREAFTER.”

**SEC. 2.** Section 2 of Republic act No. 9164 is hereby amended to read as follows:

“SECTION. 2. Term of Office. - The term of office of all barangay and sangguniang kabataan officials after the effectivity of this Act shall be FIVE (5) years.

No barangay elective official shall serve for more than TWO (2) consecutive terms in the same position: Provided, however, THAT THE TERM OF OFFICE OF BARANAGAY OFFICIALS ELECTED IN THE OCTOBER 2013 BARANGAY ELECTIONS AND WHOSE TERM SHALL BE EXTENDED PURSUANT TO THIS ACT, SHALL BE ELIGIBLE ONLY FOR A SECOND CONSECUTIVE TERM. Voluntary renunciation of office for any length of time shall not be considered as

1 an interruption in the continuity of service for the full term for which the elective  
2 official was elected.

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4 **SEC. 3.** Section 4 of Republic Act No. 9164 as amended by Republic Act No. 9340, is hereby  
5 amended to read as follows:

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7 "SECTION. 4. Assumption of Office. - The term of office of the barangay and  
8 sangguniang kabataan officials elected under this Act shall commence at noon of  
9 November 30 next following their election."

10  
11 **SEC. 4.** The Hold-over provision under Republic Act No. 9164 as amended by Republic Act No.  
12 9340, shall remain applicable and in full force and effect under this Act.

13  
14 **SEC. 5. Appropriations.** The amount necessary for the implementation of this Act shall be taken  
15 from the appropriations of the Commission on Elections (COMELEC) under the General  
16 Appropriations Act and/or supplementary appropriations thereafter.

17  
18 **SEC. 6. Implementing Rules and Regulations.** The COMELEC shall, within thirty (30) days  
19 after the effectivity of this Act, promulgate such rules and regulations necessary to implement this  
20 Act

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22 **SEC. 7. Separability Clause.** If any provision or part hereof is declared unconstitutional, the  
23 remainder of this Act or any provisions not affected shall remain in full force and effect.

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25 **SEC. 8. Repealing Clause.** All laws, Presidential Decrees, Executive Orders, rules and  
26 regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed,  
27 amended or modified accordingly.

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29 **SEC. 9. Effectivity Clause.** This Act shall take effect fifteen (15) days after its publication in at  
30 least two (2) newspapers of general circulation.

31  
32 Approved,