


SENATE  
S. No. 1552

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Introduced by **Senator Richard J. Gordon**

**AN ACT POSTPONING THE OCTOBER 2017 BARANGAY AND SANGGUNIANG  
KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164,  
AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10656, REPUBLIC ACT  
NO. 10923, AND FOR OTHER PURPOSES**


**EXPLANATORY NOTE**

Given the difficulties our country face today, as well as the expenses being incurred, as a result of the ongoing armed conflict in Marawi City that began on 23 May 2017, the proclamation and extension of Martial Law in Mindanao through Proclamation No. 216, and the prevalence of illegal drugs, it is but proper to postpone the barangay and sangguniang kabataan elections in October 2017 to October 2018, to give the government ample time to maintain peace and order, protect lives, and promote the general welfare of the people.

Significantly, illegal drugs have corrupted most of the barangays. According to the Philippine Drug Enforcement Agency (PDEA), there are around four (4) million drug users in the Philippines and forty-seven percent (47%) of barangays throughout the country are drug-affected, with ninety-four percent (94%) of all barangays in Metro Manila as drug-infiltrated. Various reports state that too many barangay officials have been contaminated. Therefore, conducting the 2017 scheduled barangay elections will only lead to the victory of drug money-backed barangay officials because, as of the moment, they are the ones who are powerful and influential.

The problem of illegal drugs is not only an issue of law and order, but also extends to the issues on health, social, and economic well-being of individuals. The barangays – our basic political unit – should take the lead in protecting the communities from crimes, especially those involving illegal drugs, in order to protect the general welfare of the people.

The budget for conducting the barangay and sangguniang kabataan elections in 2017 may be used in subsequent elections. Meanwhile, the government can focus on the restoration and rehabilitation of the areas affected by the armed conflict in Marawi City and in the promotion of the general welfare of the people, at the same time, ensure peace and order.

  
**RICHARD J. GORDON**  
Senator

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

1           **Sec. 1. Declaration of Policy.** – It is the prime duty of the State to serve and protect the  
2 people. In line with this duty, the State seeks to maintain peace and order, the protection of life,  
3 and the promotion of the general welfare. Given the events occurring, such as: the armed conflict  
4 in Marawi City, the proclamation and extension of Martial Law in Mindanao, and the prevalence  
5 of illegal drugs, it is hereby declared the policy of the State to postpone the October 2017  
6 barangay and sangguniang kabataan elections to October 2018 to provide ample time for the  
7 government to maintain peace and order and protect the general welfare of the people.

8           **Sec. 2.** Section 1 of Republic Act No. 9164, as amended by Republic Act No. 9340,  
9 Republic Act No. 10656, and Republic Act No. 10923, is hereby further amended to read as  
10 follows:

11                   **“SECTION 1. Date of Election.** – There shall be synchronized barangay and  
12 sangguniang kabataan elections, which shall be held on July 15, 2002. Subsequent  
13 synchronized barangay and sangguniang kabataan elections shall be held on the last  
14 Monday of October 2007 and every three (3) years thereafter: Provided, That the  
15 barangay and sangguniang kabataan elections on the fourth Monday of October  
16 2017 shall be postponed to the fourth Monday of October 2018. Subsequent  
17 synchronized barangay and sangguniang kabataan elections shall be held on the  
18 second Monday of May 2021 and every three (3) years thereafter.”

19           **Sec. 3.** Section 4 of Republic Act No. 9164, as amended by Republic Act No. 9340 and  
20 Republic Act No. 10923, is hereby amended to read as follows:

21                   **“SECTION 4. Assumption of Office.** – The term of office of the barangay and  
22 sangguniang kabataan officials elected under this Act shall commence at noon of  
23 November 30 next following their election: *Provided, however,* That the term of

1 office of the barangay and sangguniang kabataan officials elected in the May 2021  
2 elections and subsequently thereafter, shall commence at noon of June 30 next  
3 following their election.”

4 **Sec. 4. Hold Over.** - Until their successors shall have been duly elected and qualified, all  
5 incumbent barangay officials shall remain in office, unless sooner removed or suspended for  
6 cause.

7 **Sec. 5. Return of Appropriations.** - The appropriations for the Commission on Elections  
8 (COMELEC) for the conduct of the barangay and sangguniang kabataan elections shall be  
9 returned to the Treasury upon approval of this Act.

10 **Sec. 6. Implementing Rules and Regulations.** - The COMELEC shall, within thirty (30)  
11 days after the effectivity of this Act, promulgate such rules and regulations necessary to  
12 implement this Act.

13 **Sec. 7. Repealing Clause.** - All other laws, acts, presidential decrees, executive orders,  
14 issuances, presidential proclamations, rules and regulations or parts thereof, which are contrary  
15 to and inconsistent with any provision of this Act are hereby repealed, amended, or modified  
16 accordingly.

17 **Sec. 8. Separability Clause.** - If any portion or provision of this Act is declared  
18 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in  
19 force and effect.

20 **Sec. 9. Effectivity.** - This Act shall take effect fifteen (15) days following the completion of  
21 its publication either in the Official Gazette or in a newspaper of general circulation in the  
22 Philippines.

23 *Approved,*