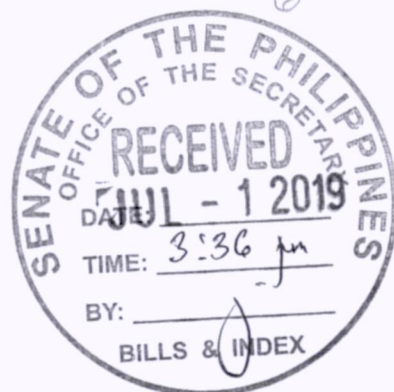


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



SENATE  
S. No. 96

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Introduced by Senator Aquilino “Koko” Pimentel III

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AN ACT  
PROVIDING FOR A MAGNA CARTA FOR BARANGAYS

EXPLANATORY NOTE

As the basic political unit, the importance of barangays in our system of government cannot be overemphasized. It is therefore fitting that measures to promote the welfare and prosperity of barangays be enshrined in a Magna Carta to give due recognition to the crucial role they play. This legislative measure thus proposes that a Magna Carta for Barangays be enacted containing these guarantees:

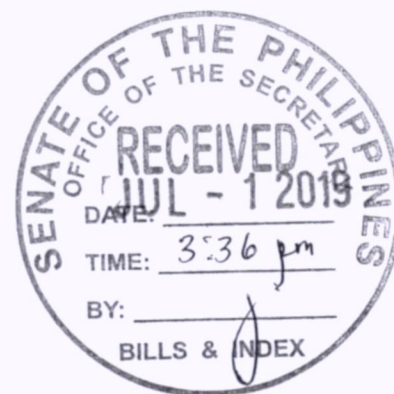
1. That barangay officials be considered as regular government employees with fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits, and other fringe benefits to which a regular government employee is entitled;
2. Basic necessities, such as regular supply of clean and potable water, public transportation, schools, health centers, and barangay halls, should be provided to every barangay;
3. Automatic release of share from national taxes;
4. Transfer of funds to the barangay for maintenance of roads and bridges within its area of jurisdiction;

5. Mandatory share of barangays in taxes, fees and other charges;  
and
6. Priority in employment for residents of barangays where a government construction or development will be implemented.

In view of the foregoing, approval of this measure is earnestly sought.

  
**AQUILINO "KOKO" PIMENTEL III**

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



SENATE  
S. No. 96

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Introduced by Senator Aquilino “Koko” Pimentel III

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AN ACT  
PROVIDING FOR A 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

1  
2  
3  
4  
5       **SECTION 1.** *Short Title.* — This Act shall be known as the “Magna  
6 Carta for Barangays.”  
7

8       **SEC. 2.** *Declaration of Policy.* — It is the policy of the State to  
9 promote, develop, and improve the general welfare of barangay residents,  
10 raise the economic and social status of barangay officials, grant every  
11 barangay the basic facilities for decent, healthy, and comfortable living  
12 therein and provide new measures that will ensure its enjoyment of local  
13 autonomy for the effective performance of its role as the primary planning  
14 and implementing unit of government programs, projects, and activities,  
15 and as a forum in which the collective views of the people in the  
16 community may be crystallized and considered.  
17

18       **SEC. 3.** *General Principles.* — The following are the general  
19 principles of this Act:

1  
2 a) The national government shall give more attention to the  
3 development of the barangays, as they are the country's basic political  
4 units;

5  
6 b) Every barangay shall be given the authority and capability to  
7 handle its concern on its level; and

8  
9 c) Self-help or people power shall be the guiding principle in all  
10 barangay development projects.

11  
12 **ARTICLE II**  
13 **BARANGAY OFFICIALS AS REGULAR GOVERNMENT**  
14 **EMPLOYEES**

15  
16 **SEC. 4.** *Barangay Officials as Regular Government Employees.* —  
17 The punong barangay, members of the sangguniang barangay, the  
18 sangguniang kabataan chairperson, the barangay secretary, and barangay  
19 treasurer in all barangays are hereby declared regular government  
20 employees, and as such are entitled to the salary, emoluments, allowances,  
21 and benefits, such as but not limited to insurance, medical and dental  
22 coverage, retirement benefits, and all the other fringe benefits, to which a  
23 regular government employee may be entitled to.

24  
25 **SEC. 5.** *Salaries of Barangay Officials.* – As soon as the appropriate  
26 steps and measures are undertaken by each city or municipality in  
27 coordination with the individual barangay involved on matters relating to  
28 the sources of fund and the corresponding appropriation ordinance, which  
29 in no case shall be later than six (6) months from the approval hereof, the  
30 following barangay officials shall be entitled to the following fixed  
31 salaries:

32  
33  
34 **Punong Barangay**

An amount equivalent to the  
35 salary of a sangguniang bayan  
36 member of his municipality or  
37 city.

1  
2 **Members of the**  
3 **Sangguniang Barangay**

An amount equivalent to eighty percent (80%) of the salary of a sangguniang bayan member of his municipality or city.

4  
5  
6  
7 **Sangguniang Kabataan**  
8 **Chairperson, Barangay**  
9 **Secretary, Barangay**  
10 **Treasurer**

An amount equivalent to seventy-five percent (75%) of the salary of sangguniang bayan member of his municipality or city.

11  
12  
13  
14 **ARTICLE III**  
15 **BASIC PRIORITIES IN THE BARANGAY**

16  
17 **SEC. 6.** *Drinking Water for Every Barangay.* – It is the right of  
18 every barangay to have a regular supply of clean and potable water. To  
19 attain this goal, every city or municipality, as the case may be, is hereby  
20 required to construct or maintain at least one (1) facility for drawing  
21 drinking water to supply the needs of every one thousand (1,000) residents  
22 for each barangay within its jurisdiction.

23  
24 **SEC. 7.** *Transportation for Every Barangay.* – It is also the right of  
25 every barangay to have public transportation available at least once a day.  
26 For this purpose, every municipality or city, as the case may be, should  
27 make such necessary representations before appropriate government  
28 agencies to require public utility companies operating primarily within its  
29 jurisdiction to provide the minimum means of transportation in every  
30 barangay.

31  
32 **SEC. 8.** *Schools, Health Centers, and Barangay Halls for the*  
33 *Barangays.* — As far as practicable, every barangay is entitled to have at  
34 least one (1) kindergarten and at least one (1) elementary school:  
35 *Provided, That* there shall be at least one high school for every five (5)  
36 kilometers from the barangay center. It shall also be the right of every  
37 barangay to have one (1) health center and one (1) barangay hall.

1  
2  
3 **ARTICLE IV**  
4 **MEASURES TO ASSURE THE ENJOYMENT**  
5 **OF LOCAL AUTONOMY**  
6

7 **SEC. 9.** *Automatic Release of Share from National Taxes.* – The  
8 allotment representing the share of the barangay from the national taxes  
9 shall be released without need of any further action directly to the  
10 barangay treasurer on a quarterly basis within five (5) days after the end  
11 of each quarter.  
12

13 **SEC. 10.** *Transfer of Funds to Barangay for the Maintenance of*  
14 *Roads and Bridges.* – All public funds appropriated from the National  
15 Treasury for the maintenance of barangay roads and bridges and other  
16 similar construction works shall be transferred or remitted directly to the  
17 general fund of every barangay for their proper disposition by barangay  
18 officials, subject to auditing laws, rules, and regulations.  
19

20 **SEC. 11.** *Mandatory Share of Barangays in All Taxes, Fees, or*  
21 *Other Charges.* –Twenty-five percent (25%) of all taxes collected on real  
22 property located within the barangay shall be considered barangay funds  
23 and shall be allocated in accordance with existing laws. In addition  
24 thereto, each barangay shall be entitled to ten percent (10%) from all other  
25 forms of taxes, fees, penalties, compromises, or other charges collected  
26 from persons residing in the barangay or entities whose office or  
27 manufacturing plant is located within the barangay.  
28

29 **SEC. 12.** *Equitable Share of the Barangay from the Proceeds of the*  
30 *Utilization and Development of National Wealth.* – For the exploitation,  
31 utilization, and development of natural resources within its territory, every  
32 barangay shall be entitled to an equitable share of the proceeds derived  
33 therefrom. The amount of barangay share shall be determined by the city  
34 or municipality concerned after consultations with the concessionaires,  
35 the municipal or city officials and barangay officials, taking into account  
36 the extent of the exposure of the barangay residents to pollution, flood and  
37 ecological imbalance: *Provided, That, this equitable sharing rate for each*

1 barangay shall be resolved by all parties concerned not later than six (6)  
2 months from the approval of this Act.

3  
4 Revenues derived from this source shall also form part of the general  
5 fund of the barangay.

6  
7 **ARTICLE V**  
8 **MISCELLANEOUS BENEFITS**

9  
10 **SEC. 13. *Scholarship Grant.*** – Every barangay shall sponsor at least  
11 one (1) scholarship grant every year leading to any bachelor degree to be  
12 awarded by a committee of five (5) persons appointed by the Sangguniang  
13 Barangay, with the approval of the Punong Barangay, after competitive  
14 examinations are given to applicants, who should be *bona fide* residents  
15 of the barangay. The grant shall include tuition fees and other school fees,  
16 reasonable allowances for schoolbooks, supplies, transportation, and  
17 other expenses as the barangay may deem appropriate.

18  
19 **SEC. 14. *Priority in Employment.*** – Residents in every barangay  
20 shall have priority in the hiring of workers and laborers to be needed in  
21 any government construction or development project within the barangay.

22  
23 **SEC. 15. *Cooperative Enterprise.*** – Cooperative enterprises in the  
24 barangay shall be encouraged and every barangay is directed to give full  
25 assistance for the establishment and organization of said enterprises to  
26 take every possible effort to make cooperative undertakings a way of life  
27 in the barangay.

28  
29 **ARTICLE VI**  
30 **ADMINISTRATION AND ENFORCEMENT**

31  
32 **SEC. 16. *Rules and Regulations.*** – The Secretary of the Interior and  
33 Local Government shall promulgate within ninety (90) days from  
34 approval hereof, such rules and regulations as may be necessary to  
35 implement the provisions of this Act. Rules and regulations issued  
36 pursuant to this section shall take effect (30) days after publication in a  
37 newspaper of general circulation and by such other means as the Secretary

1 deems reasonably sufficient to give interested parties general notice of  
2 such issuance.

3  
4 **SEC. 17. Appropriations.** – The amount necessary to implement the  
5 provisions of this Act shall be included in the annual General  
6 Appropriations Act.

7  
8 **SEC. 18. Penal Provisions.** – Any person who shall willfully  
9 interfere with, restrain, or coerce any barangay official or barangay  
10 resident in the exercise of the rights guaranteed by this Act or who shall  
11 in any other manner commit any act to defeat any of the provisions of this  
12 Act shall, upon conviction, be punished by a fine of not less than Five  
13 hundred pesos (P500.00) nor more than Two thousand pesos (P2,000.00),  
14 or by imprisonment of six (6) months and one (1) day, or both fine and  
15 imprisonment, subject to the discretion of the court.

16  
17 If the offender is a public official, the court shall, after conviction,  
18 order his dismissal from service, in addition to the imposable penalties.

19  
20 **SEC. 19. Separability Clause.** – If any provision of this Act is  
21 declared invalid or unconstitutional, the other provisions not affected by  
22 such declaration shall remain in full force and effect.

23  
24 **SEC. 20. Repealing Clause.** – All laws, executive and  
25 administrative orders, rules and regulations inconsistent with the  
26 foregoing provisions are hereby repealed or modified accordingly.

27  
28 **SEC. 21. Effectivity.** – This Act shall take effect fifteen (15) days  
29 after its publication in the Official Gazette or in a newspaper of general  
30 circulation.

*Approved,*