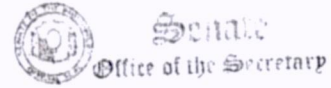


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



**SENATE**  
**S. No. 215**

'19 JUL -2 P6:15

RECEIVED

Introduced by Senator Francis "Tol" N. Tolentino

**AN ACT**  
**PROVIDING INCENTIVES TO ALL BARANGAY OFFICIALS, INCLUDING**  
**BARANGAY TANODS AND MEMBERS OF THE LUPONG TAGAPAMAYAPA, AND**  
**BARANGAY EMPLOYEES**

EXPLANATORY NOTE

Barangay officials - including tanods and members of the Lupong Tagapamayapa - and employees are expected to perform their mandated duties and responsibilities at the community level by maintaining public order, enforcing laws and ordinances, implementing relevant programs and promoting the general welfare, among others. They are considered the forefront of public service by their constituents. With this being said, they basically represent the grassroots level.

Although considered the closest government officials to the people, they are the most underappreciated among government employees in terms of salary as well as employment benefits and privileges. They do their best to deliver local services despite limited funding given to them. Thus, it is only right that the State duly recognizes these workers by granting them well-deserved benefits and incentives.

First, this bill proposes the income tax exemption of salaries, wages, compensation, remuneration, emoluments and other employment benefits. Moreover, they will be given benefit coverage under the Government Service Insurance System as well as other medical and health service government programs under existing laws.

Barangay officials and employees will also enjoy free legal representation in the event that they become involved as a party litigant in administrative or criminal case connected with the performance of their duties.

These government officials from the smallest political unit are given intensive set of duties and responsibilities to effectively serve their constituents. Hence, this proposed legislation hopes to acknowledge their importance in catalyzing meaningful change to their respective communities.<sup>1</sup>



**FRANCIS "TOL" N. TOLENTINO**

Senator

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<sup>1</sup> This was lifted from a bill filed by the late Senator Miriam Defensor Santiago in the Fourteenth Congress, First Regular Session, refiled during the Sixteenth Congress, Third Regular Session, and is now refiled during the Eighteenth Congress in her honor.



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

1 Section 1. *Short Title.* – This Act shall be known as the "Barangay Workers  
2 Incentives Act."

3 Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to promote  
4 and enhance the efficiency and responsiveness of barangay officials and employees,  
5 the government workers who make democracy work at the grassroots level in the  
6 smallest territorial and political subdivision of the government which is the barangay.  
7 To achieve this objective, the State shall adopt measures and provide such incentives  
8 not only to help ensure the faithful performance of the duties and functions of  
9 barangay officials and employees but also to raise their quality of life.

10 Sec. 3. *Tax Exemption.* – All amounts received by barangay officials, including  
11 Barangay Tanods and members of the Lupong Tagapamayapa - hereinafter  
12 particularly referred to as "barangay officials and barangay employees" - such as  
13 salaries, wages, compensation, remuneration and other emoluments like honoraria  
14 and allowances shall be exempt from income taxation. Gross benefits received by such

1 officials and employees, of whatever kind or character, shall likewise be exempted  
2 from taxation.

3       Sec. 4. *Exemption from POEA fees.* – Relatives of elected barangay officials  
4 within the first degree of consanguinity who shall decide to pursue employment  
5 outside the country shall be exempt from fees imposed by the Philippine Overseas  
6 Employment Administration.

7       Sec. 5. *GSIS Benefit Coverage.* – All barangay officials and barangay employees  
8 shall be considered members of the Government Service Insurance System (GSIS)  
9 and shall be covered with life insurance and social security protection, including  
10 retirement, disability, separation and unemployment benefits and such other benefits  
11 as may extended by the GSIS, subject to limitations provided by law.

12       The GSIS shall make special provisions in order to facilitate the inclusion of  
13 barangay officials and barangay employees, in the benefit coverage of GSIS.

14       Sec. 6. *Health Benefits.* – Government medical and health insurance programs  
15 under existing laws shall include in their coverage free basic health services and  
16 medicine to barangay officials and barangay employees.

17       Sec. 7. *Legal Representation.* – Barangay officials and employees who may be  
18 involved as party litigants in administrative or criminal cases filed in connection with  
19 the performance of their official duties shall, as a member of right, be entitled to the  
20 free legal services of the Public Attorney's Office (PAO) who shall facilitate the legal  
21 representation of the such officials and employees by a counsel.

22       Such benefit of legal representation shall include an exemption from payment  
23 of docket and other lawful fees, and of transcripts of stenographic notes which the  
24 court may order to be furnished the barangay officials and employees.

25       Sec. 8. *Implementing Rules and Regulations.* – Within six (6) months from the  
26 effectivity of this Act, the Department of Interior and Local Government, in  
27 coordination and consultation with the Department of Justice, the Department of  
28 Health, the Government Service Insurance System and other agencies concerned,  
29 shall promulgate such rules or guidelines as may be necessary for the proper  
30 implementation of this Act.

1           Sec. 9. *Separability Clause.* – If any provision or part hereof is held invalid or  
2 unconstitutional, the same shall not affect the validity and effectivity of the other  
3 provisions hereof.

4           Sec. 10. *Repealing Clause.* – All laws, decrees, orders, and issuances, or portions  
5 thereof, which are inconsistent with the provisions of this Act, are hereby repealed,  
6 amended or modified accordingly.

7           Sec. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
8 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,