

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2578

Introduced by Honorable Rodolfo G. Valencia

EXPLANATORY NOTE

Section 13, Article II of the Constitution provides:

The State recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs.

This bill seeks to provide a stronger and accountable involvement of *sangguniang kabataan* in local affairs and nation building, amending for the purpose pertinent provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

The youth sector plays a vital role in nation building. Considering that the youth constitutes the biggest bulk of the national population, it is but proper to give them wider participation in the policy and decision-making process in government. It is through the *sangguniang kabataan* that the government encourages the youth sector to involve in public and civic affairs. Providing the youth a chance to participate in local governance will help them fully realize their potential to become self-reliant, economically productive and socially responsible citizens.

This bill also seeks to increase the age of membership in the *sangguniang kabataan*. This particular provision is vital because the participation of mature and capable members is indispensable in the development of local government units. The bill likewise intends to give the *sangguniang kabataan* the fiscal autonomy and independence in its operations while maintaining open lines of coordination and communication with other government agencies or offices. Further, this bill seeks to define and rationalize their duties and responsibilities *vis-à-vis* their own constituents in the youth sector.

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



RODOLFO G. VALENCIA

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AN ACT
PROVIDING FOR A STRONGER AND ACCOUNTABLE
INVOLVEMENT OF SANGGUNIANG KABATAAN IN LOCAL
AFFAIRS AND NATION-BUILDING, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS
THE LOCAL GOVERNMENT CODE OF 1991.

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

SECTION 1. Section 329 of Chapter 3, Book II, Title Five of
Republic Act No. 7160, otherwise known as the “Local Government Code of
1991” is hereby amended to read as follows:

“SEC. 329. *Barangay Funds.* Unless otherwise provided
in this Title, all the income of the barangay from whatever

source shall accrue to its general fund and shall, at the option of the barangay concerned, be kept as trust fund in the custody of the city or municipal treasurer or be deposited in a bank, preferably government-owned, situated in or nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of this Title. [Ten percent (10%)] AT LEAST TWENTY PERCENT (20%) of the general fund of the barangay shall be set aside for the sangguniang kabataan.

THE SANGGUNIANG BARANGAY SHALL APPROPRIATE THE SANGGUNIANG KABATAAN FUND IN LUMP SUM. THE SANGGUNIANG KABATAAN (SK) SHALL HAVE FISCAL AUTONOMY IN ITS OPERATIONS AS TO DISBURSEMENTS AND ENCASHMENT OF THEIR INCOME AND EXPENSES.

(A) PROCEDURE FOR REVIEWING OF BUDGETS:

(1) ALL SK BUDGETS APPROVED BY A MAJORITY OF THE MEMBERS OF A PARTICULAR SANGGUNIANG KABATAAN SHALL BE SUBMITTED TO THE OFFICE OF THE MUNICIPAL AND CITY SK

FEDERATIONS WITHIN THE FIRST WEEK OF JANUARY OF EVERY YEAR. THE MUNICIPAL AND CITY SK FEDERATIONS SHALL REVIEW AND DELIBERATE ON THE BUDGET DURING THE SECOND WEEK OF JANUARY. ALL BUDGETS APPROVED BY THE MUNICIPAL AND CITY SK FEDERATION SHALL BE CERTIFIED AS APPROVED BY THE MUNICIPAL AND CITY SK FEDERATION PRESIDENTS.

(2) THE MUNICIPAL AND CITY SK FEDERATIONS SHALL SUBMIT THE APPROVED SK BUDGETS OF THE RESPECTIVE MEMBER SK TO THE OFFICE OF THE PROVINCIAL SK FEDERATION WITHIN THE THIRD WEEK OF JANUARY. THE PROVINCIAL SK FEDERATION SHALL REVIEW THE SUBMITTED SK BUDGETS DURING THE FOURTH WEEK OF JANUARY. THE SK BUDGETS APPROVED BY THE PROVINCIAL FEDERATION SHALL BE CERTIFIED AS APPROVED BY THE PROVINCIAL SK FEDERATION PRESIDENT.

(3) ALL REALIGNMENTS IN BARANGAY SK BUDGETS SHOULD BE SUBMITTED TO THE MUNICIPALITY OR CITY FEDERATION FOR ITS REVIEW AND SHALL BE DELIBERATED DURING THE REGULAR OR SPECIAL MEETINGS OF THE MUNICIPAL OR CITY FEDERATIONS. THE REALIGNMENT APPROVED BY THE MUNICIPAL OR CITY FEDERATIONS SHALL BE CERTIFIED AS APPROVED BY THE MUNICIPAL OR CITY SK FEDERATION PRESIDENTS.

(4) ALL BUDGETS AND REALIGNMENTS SHOULD BE DELIBERATED AND APPROVED BY THE MAJORITY OF ALL THE MEMBERS OF THE FEDERATION CONCERNED DURING ITS REGULAR OR SPECIAL MEETINGS.

(B) ALLOCATION OF BUDGET:

(1) THE BUDGET SUBMITTED FOR REVIEW TO THE MUNICIPAL, CITY AND PROVINCIAL SK FEDERATION SHOULD INCLUDE ALLOCATIONS FOR

THE FOLLOWING WITH THEIR PRESCRIBED PERCENTAGES:

- | | | | |
|-------|--------------------------|---|-----|
| (i) | GREEN BRIGADE | - | 10% |
| (ii) | LIVELIHOOD | - | 20% |
| (iii) | CAPABILITY BUILDING | - | 20% |
| (iv) | ANTI-DRUG ABUSE CAMPAIGN | - | 10% |

(2) THE REMAINING FORTY PERCENT (40%) SHALL BE ALLOCATED BY THE SK DEPENDING ON THE NEEDS OF THE YOUTH IN THE BARANGAY AND FOR AS LONG AS IT IS FOR PUBLIC PURPOSE.”

SEC. 2. Section 423 of the same Code is hereby amended to read as follows:

“SEC. 423. *Creation and Election.* – (a) There shall be in every barangay a sangguniang kabataan to be composed of a chairman, seven (7) members, a secretary, and a treasurer. THE SECRETARY AND TREASURER SHALL BE

or the local dialect, and must not have been convicted of any crime involving moral turpitude.

(B) A SANGGUNIAN KABATAAN OFFICIAL WHO, DURING HIS TERM OF OFFICE, SHALL HAVE PASSED THE AGE OF TWENTY-THREE (23) YEARS SHALL BE ALLOWED TO SERVE THE REMAINING PORTION OF THE TERM FOR WHICH HE WAS ELECTED.”

SEC. 5. Section 433 of the same Code is hereby amended to read as follows:

“SEC. 433. *Sangguniang Kabataan Treasurer*. - The sangguniang kabataan treasurer shall:

(a) Take custody of all sangguniang kabataan property and funds, [not otherwise deposited with the city or municipal treasurer;] THE LATTER TO BE DEPOSITED IN A BANK PREFERABLY GOVERNMENT-OWNED, SITUATED IN OR NEAREST TO ITS AREA OF JURISDICTION IN THE

APPOINTED BY THE SANGGUNIANG KABATAAN
CHAIRMAN FROM THE MEMBERS THEREOF WITH THE
CONCURRENCE OF THE SANGGUNIANG KABATAAN.

THE SANGGUNIANG KABATAAN CHAIRMAN WHO IS ELECTED AS PEDERASYON PRESIDENT SHALL AUTOMATICALLY SERVE AS AN *EX-OFFICIO* MEMBER IN SPECIAL BODIES, SUCH AS BUT NOT LIMITED TO, THE LOCAL HEALTH BOARD, PEACE AND ORDER COUNCIL, LOCAL DEVELOPMENT COUNCIL AND LOCAL TOURISM COUNCIL. AS SUCH, HE SHALL HAVE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS, AND ENJOY THE SAME PRIVILEGES AS THE REGULAR MEMBERS OF THESE SPECIAL BODIES.

(b). xxx xxx xxx

SEC. 3. Section 424 of the same Code is hereby amended to read as follows:

“SEC. 424. *Katipunan ng Kabataan*. – The katipunan ng kabataan shall be composed of all citizens of the Philippines actually residing in the barangay for at least six (6) months, who are AT LEAST fifteen (15) but not more than [twenty-one (21)] TWENTY-THREE (23) years of age, and who are duly registered in the list of the sangguniang kabataan or in the official barangay list in the custody of the barangay secretary.”

SEC. 4. Section 428 of the same Code is hereby amended to read as follows:

“SEC. 428. *Qualifications*. – (A) An elective official of the sangguniang kabataan must be a citizen of the Philippines, a qualified voter of the katipunan ng kabataan, a resident of the barangay for at least one (1) year immediately prior to election, at least [fifteen (15)] EIGHTEEN (18) years but not more than [twenty-one (21)] TWENTY-THREE (23) years of age on the day of his election, able to read and write Filipino, English,

or the local dialect, and must not have been convicted of any crime involving moral turpitude.

(B) A SANGGUNIANG KABATAAN OFFICIAL WHO, DURING HIS TERM OF OFFICE, SHALL HAVE PASSED THE AGE OF TWENTY-THREE (23) YEARS SHALL BE ALLOWED TO SERVE THE REMAINING PORTION OF THE TERM FOR WHICH HE WAS ELECTED.”

SEC. 5. Section 433 of the same Code is hereby amended to read as follows:

“SEC. 433. *Sangguniang Kabataan Treasurer.* - The sangguniang kabataan treasurer shall:

(a) Take custody of all sangguniang kabataan property and funds, [not otherwise deposited with the city or municipal treasurer;] THE LATTER TO BE DEPOSITED IN A BANK PREFERABLY GOVERNMENT-OWNED, SITUATED IN OR NEAREST TO ITS AREA OF JURISDICTION IN THE

NAME OF THE SANGGUNIANG KABATAAN OR TO BE
DEPOSITED WITH THE CITY OR MUNICIPAL
TREASURER;

(b) xxx

(c) xxx

(d) xxx

(e) Submit to the sangguniang kabataan and to the
sangguniang barangay certified and detailed statements of
actual income and expenditures at the end of every [month]
QUARTER AND THE SAME SHALL BE PUBLISHED OR
POSTED IN THE AREA DESIGNATED FOR THIS
PURPOSE; and

(f) xxx”

SEC. 6. Section 434 of the same Code is hereby amended to read as
follows:

“SEC. 434. *Privileges of Sangguniang Kabataan
Officials.* – The sangguniang kabataan chairman shall have the

same privileges enjoyed by other sangguniang barangay officials under this Code subject to such requirements and limitations provided herein.

(A) THE SANGGUNIANG KABATAAN CHAIRMAN AND/OR THE SK FEDERATION PRESIDENT IN EACH FEDERATION LEVEL SHALL RECEIVE A MONTHLY HONORARIA OR SALARY CORRESPONDING TO THAT RECEIVED BY OTHER MEMBERS OF THE SANGGUNIAN IN WHICH HE SITS AS AN *EX OFFICIO* MEMBER;

(B) SANGGUNIAN KABATAAN MEMBERS SHALL RECEIVE A MONTHLY HONORARIA EQUIVALENT TO TEN (10%) PERCENT OF THE HONORARIUM RECEIVED BY THE SK CHAIRMAN, BUT IN NO CASE SHALL EXCEED TWO HUNDRED PESOS (P 200.00) EACH PER MONTH WHICH SHALL BE APPROPRIATED FROM THE SK BUDGET;

(C) THE SK CHAIRMAN SHALL BE CONSIDERED A PERSON IN AUTHORITY AS DEFINED

BY LAW IN CONNECTION WITH THE ACTUAL
DISCHARGE OF HIS OFFICIAL FUNCTIONS AS SUCH;
AND

(D) THE SANGGUNIANG KAGAWAD SHALL BE
CONSIDERED AS AN AGENT OF PERSON IN
AUTHORITY AS DEFINED BY LAW IN CONNECTION
WITH THE ACTUAL DISCHARGE OF HIS OFFICIAL
FUNCTIONS AS SUCH.

During their incumbency, sangguniang kabataan officials shall be exempt from payment of tuition and matriculation fees while enrolled in public tertiary schools, including state colleges and universities. The National Government shall reimburse said college or university the amount of the tuition and matriculation fees: *Provided*, That, to qualify for the privilege, the said officials shall enroll in the state college or university within or nearest their area of jurisdiction.

SEC. 7. Section 435 of the same Code is hereby amended to read as follows:

“SEC. 435. *Succession and Filling of Vacancies.* – (a)

In case a sangguniang kabataan chairman refuses to assume office, fails to qualify, is convicted of a felony, voluntarily resigns, dies, is permanently incapacitated, is removed from office, or has been absent without leave for more than three (3) consecutive months, AS MANIFESTED IN THE RECORDS OF THE SANGGUNIANG BARANGAY SESSIONS, OR HAS BEEN ABSENT WITHOUT VALID REASON FOR TWO (2) CONSECUTIVE REGULAR MEETINGS OF THE SANGGUNIANG KABATAAN, OR FOR FAILURE TO CALL A REGULAR MEETING OF THE SANGGUNIANG KABATAAN AND/OR OF THE KATIPUNAN NG KABATAAN, the sangguniang kabataan member who obtained the next highest number of votes in the election immediately preceding shall assume the office of the chairman for the unexpired portion of the term, and shall discharge the powers and duties, and enjoy the rights and privileges appurtenant to the office. In case the said member refuses to assume the

position or fails to qualify, the sanggunian member obtaining the next highest number of votes shall assume the position of the chairman for the unexpired portion of the term.”

(b) xxx

(c) xxx

(d) xxx

(E) IN CASE OF VACANCY IN THE POSITIONS OF THE SANGGUNIANG KABATAAN MEMBERS, THE SANGGUNIANG KABATAAN CHAIRMAN SHALL SUBMIT IN CONSULTATION WITH THE KATIPUNAN NG MGA KABATAAN OF THE BARANGAY CONCERNED WITH CONCURRENCE FROM THE SANGGUNIANG KABATAAN, AS THE CASE MAY BE, WITHIN THIRTY (30) DAYS FROM THE EXISTENCE OF VACANCY, AND LIKEWISE, MANDATING THE PRESIDENT OF THE PANLUNGSOD OR PAMBAYANG PEDERASYON NG MGA SANGGUNIANG KABATAAN TO ACT ON THE SUBMITTED LIST WITHIN TEN (10) DAYS FROM RECEIPT HEREOF.

IN THE ABSENCE OF A REGULAR ELECTED CHAIRMAN AND MEMBERS, THE PRESIDENT OF THE PANLUNGSOD/PAMBAYANG PEDERASYON NG MGA SANGGUNIANG KABATAAN AS THE CASE MAY BE SHOULD SUBMIT A OF AT LEAST THREE (3) NOMINEES FOR EVERY POSITION IN CONSULTATION WITH THE KATIPUNAN NG MGA KABATAAN OF THE BARANGAY CONCERNED, TO THE PRESIDENT OF THE PANLALAWIGANG PEDERASYON NG MGA SANGGUNIANG KABATAAN WHO SHOULD ACT ON THE LIST WITHIN TEN (10) DAYS FROM RECEIPT HEREOF. IN CASE OF DELAY OR POSTPONEMENT OF FEDERATION ELECTIONS, THE DAYS EQUIVALENT TO THE DAYS OF POSTPONEMENT OR DELAY BEFORE ITS FINAL COMMENCEMENT SHALL BE ADDED TO THE DAYS DURING WHICH THE RESPECTIVE PRESIDENT SHOULD ACT ON THE MATTERS HEREIN STATED.

(F) THE SANGGUNIANG KABATAAN CHAIRMAN WHO IS ELECTED AS PRESIDENT OF THE PEDERASYON SHALL BE AUTOMATICALLY SUCCEEDED BY THE SANGGUNIANG KABATAAN MEMBER WHO OBTAINED THE NEXT HIGHEST NUMBER OF VOTES IN THE ELECTION IMMEDIATELY PRECEDING AND SHALL ASSUME THE OFFICE OF THE CHAIRMAN FOR THE UNEXPIRED PORTION OF THE TERM, AND SHALL DISCHARGE THE POWERS AND DUTIES, AND ENJOY THE RIGHTS AND PRIVILEGES APPURTENANT TO THE OFFICE.

(G) THE PRESIDENT OF THE SANGGUNIANG KABATAAN PEDERASYON WHO SHALL BE ELECTED AS THE SANGGUNIANG KABATAAN REGIONAL DIRECTOR IN THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL SERVE AS AN *EX-OFFICIO* MEMBER OF THE REGIONAL DEVELOPMENT COUNCIL, THE REGIONAL TOURISM COUNCIL WITHOUT NEED OF FURTHER

APPOINTMENT AND SHALL HAVE THE SAME POWERS, DISCHARGE THE SAME DUTIES AND FUNCTIONS, AND ENJOY THE SAME PRIVILEGES AS REGULAR MEMBERS.”

SEC. 8. Section 436 of the same Code is hereby amended to read as follows:

“SEC. 436. *Pederasyon ng Mga Sangguniang Kabataan.*

– (a) There shall be an organization of all the pederasyon ng mga sangguniang kabataan to be known as follows: xxx

(b) xxx

(c) xxx

(D) THE PRESIDENT OF THE PAMBANSANG PEDERASYON NG MGA SANGGUNIANG KABATAAN SHALL SERVE AS *EX-OFFICIO* COMMISSIONER OF THE NATIONAL YOUTH COMMISSION AS PROVIDED FOR UNDER REPUBLIC ACT NO. 8044. AS *EX-OFFICIO*

COMMISSIONER, HE SHALL BE ENTITLED TO THE SAME RANK, COMPENSATION, RIGHTS AND PRIVILEGES OF A DEPARTMENT ASSISTANT SECRETARY. THE ELECTED VICE-PRESIDENT OF THE PEDERASYON NG MGA SANGGUNIANG KABATAAN FROM WHICH THE NATIONAL PRESIDENT COMES FROM SHALL AUTOMATICALLY ASSUME THE POSITION AS PRESIDENT OF THE PEDERASYON WITHOUT NEED FOR FURTHER APPOINTMENT;

(E) THE PAMBANSANG PEDERASYON NG SANGGUNIANG KABATAAN SHALL MAINTAIN ITS OWN SECRETARIAT FOR EFFICIENT COORDINATION AND EFFECTIVE IMPLEMENTATION OF ITS PROGRAMS;

(F) THE PAMBANSANG PEDERASYON NG SANGGUNIANG KABATAAN SHALL BE INDEPENDENT OF ALL GOVERNMENT OFFICES AND AGENCIES IN ITS OPERATIONS. IT SHALL DEVELOP ACTIVE LINES OF COORDINATION AND COMMUNICATION WITH GOVERNMENT OFFICES AND AGENCIES AND SHALL

BE SOLELY RESPONSIBLE FOR ALL ITS POLICIES AND OPERATIONS. AT THE END OF EACH CALENDAR YEAR, IT SHALL SUBMIT TO THE PRESIDENT OF THE PHILIPPINES, THROUGH THE NATIONAL YOUTH COMMISSION, AN ANNUAL REPORT OF PROGRAMS AND ACTIVITIES, INCLUDING A FINANCIAL STATEMENT OF ALL ITS FUNDS AND DISBURSEMENTS;

(G) THE PAMBANSANG PEDERASYON NG SANGGUNIANG KABATAAN IS HEREBY AUTHORIZED TO RECEIVE DONATIONS, REQUESTS, GRANTS AND FUNDS FROM OTHER SOURCES, INCLUDING PROCEEDS FROM DRAWS OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO), SUBJECT TO THE PERTINENT PROVISIONS OF LAW; AND

(H) THE PAMBANSANG PEDERASYON NG SANGGUNIANG KABATAAN SHALL BE EXEMPT FROM ALL FORMS OF TAXATION OR OTHER IMPOSITIONS, AND SHALL BE FREE FROM ALL DUTIES AND ALL

OTHER IMPOSTS ON ANY EQUIPMENT, ARTICLES OR
GOODS NECESSARY FOR ITS OPERATIONS.”

SEC. 9. Section 437 of the same Code is hereby amended to read as
follows:

“SEC. 437. *Constitution and By-Laws.* – The term of
office, manner of election, removal [and], suspension AND
DISCIPLINARY ACTION of the officers AND MEMBERS
of the pederasyon ng mga sangguniang kabataan at all levels
AND THE SANGGUNIANG KABATAAN AT THE
BARANGAY LEVEL shall be EXCLUSIVELY governed by
the constitution and by-laws of the [pederasyon]
SANGGUNIANG KABATAAN PROMULGATED AND
RATIFIED BY THE SANGGUNIANG KABATAAN
NATIONAL FEDERATION in conformity with the provisions
of this Code and national policies on youth.

THE PAMBANSANG PEDERASYON NG
SANGGUNIANG KABATAAN SHALL PROMULGATE

THE APPROPRIATE GUIDELINES FOR THE CONDUCT OF THE PEDERASYON ELECTIONS AT ALL LEVELS IN CONSULTATION WITH THE COMMISSION ON ELECTIONS AND THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT: *PROVIDED*, THAT THE GROUNDS AND THE MANNER FOR THEIR REMOVAL FROM OFFICE SHALL BE CLEARLY STATED THEREIN.

THE CHAIRMAN/PRESIDENT OF THE PEDERASYON AT ANY LEVEL, WHO IS REMOVED FROM HIS POSITION, SHALL ALSO BE REMOVED IN THE SANGGUNIAN WHERE HE IS AN *EX-OFFICIO* MEMBER.

THE CHAIRMAN/PRESIDENT OF THE PEDERASYON AT ANY LEVEL, OR THE SK CHAIRMAN WHEN REMOVED AS *EX-OFFICIO* MEMBER OF THE SANGGUNIAN ON THE GROUNDS PROVIDED IN THE LOCAL GOVERNMENT CODE, SHALL BE AUTOMATICALLY REMOVED AS

CHAIRMAN/PRESIDENT OF THE PEDERASYON
CONCERNED.”

SEC. 10. *Repealing Clause.* – All laws, executive orders, proclamations, presidential decrees, rules and regulations, and other issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 11. *Separability Clause.* – If, for any reason or reasons, any part or provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,