

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**Thirteenth Congress
First Regular Session**

HOUSE BILL NO. 2858



Introduced by Honorable BIENVENIDO M. ABANTE, JR.

EXPLANATORY NOTE

As enshrined in the Constitution, it is the policy of the State to promote a just and dynamic social order that would free the people from poverty through policies that provide adequate social services, a rising standard of living and an improved quality of life for all, and that Congress is mandated to give highest priority to the enactment of measures that reduce social and economic inequalities.

The barangay is the smallest political subdivision of the government where its officials and employees are personally and directly in contact with the people on a daily basis, thereby making them the frontliners of the national government in addressing their immediate needs. Our barangay officials and employees therefore should be motivated to be efficient and faithful in the performance of their duties and responsibilities, for the barangay is an essential, if not indispensable, unit of society and its strength is the strength of our nation, and its growth and prosperity is joy and profit to our people. Increasing therefore the benefits of, and providing additional incentives to, our barangay officials and employees becomes imperative.

In the light of the foregoing, the immediate passage of this Bill is earnestly prayed for.


BIENVENIDO M. ABANTE, JR.

Republic of the Philippines

HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2858

Introduced by Honorable BIENVENIDO M. ABANTE, JR.

AN ACT
INCREASING THE BENEFITS OF AND PROVIDING INCENTIVES TO
BARANGAY OFFICIALS AND EMPLOYEES INCLUDING BARANGAY
TANODS, AND MEMBERS OF THE LUPONG TAGAPAMAYAPA AND
PANGKAT NG TAPAPAGKASUNDO, AMENDING FOR THE PURPOSE
SECTIONS 393 AND 406 OF THE LOCAL GOVERNMENT CODE OF 1991.

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

Section. 1. Title. – This Act shall be known as the “Barangay Officials and Employees Incentives Act of 2004”.

Sec. 2. Declaration of Policy. – Realizing that the barangay is the smallest political subdivision of the government where its officials and employees are directly and personally in contact with the people on a daily basis thereby making them the frontliners of the national government in addressing their immediate needs, the state hereby declares its policy to provide benefits and incentives to barangay officials and employees not only to enhance their efficiency and ensure the faithful performance of their duties and responsibilities but also to help them in the financial needs of their families.

Sec.3. Health Benefits.- Barangay Official and employees who are not covered by the health benefits provided for under Section 393 of the Local Government Code of 1991 shall, during their incumbency, be entitled to free insurance coverage which shall include temporary or permanent disability, double indemnity accidental insurance, death

and burial benefits, and free medical care including subsistence, medicines and medical attendance in any government hospital or institution.

Sec. 4. Tax Incentives. - All monetary benefits such as salaries, allowances or honoraria received by barangay officials and employees including barangay tanods and members of the Lupong Tagapamayapa and Pangkat ng Tagapagkasundo as such shall be exempt from taxation.

Sec. 5. Legal Services Incentives.- Barangay Officials and employees, including barangay tanods and members of the Lupong Tagapamayapa and Pangkat ng Tagapagkasundo, who may be involved in any litigation, whether criminal, civil or administrative, by reason of or in connection with the performance of their official duties shall, as a matter of right , be assisted and represented in such litigation by the Public Attorneys Office, and shall be exempt from the payment of docket and other legal fees, including the cost of stenographic notes, in such litigation.

Sec. 6. Section 393 of the Local Government Code of 1991 is hereby amended to read as follows:

“SEC. 393. Benefits of Barangay Officials.- (a) Barangay Officials, including barangay tanods and members of the lupong tagapamayapa, shall receive honoraria, allowances, and such other emoluments as may be authorized by law or barangay, municipal or city ordinance in accordance with the provisions of this code, but in no case shall it be less than Two Thousand Pesos (Php 2,000.00) per month for the punong barangay, One Thousand Pesos (Php 1,000.00) per month for the sangguniang barangay members, barangay treasurer and barangay secretary , and Three Hundred Pesos (Php 300.00) per month for barangay tanod: Provided, however, That the annual appropriations for personal services shall be subject to the budgetary limitations prescribed under title Five, Book II of this code:

(b) The punong barangay, the sangguniang barangay members, the barangay treasurer, the barangay secretary, and the barangay tanod shall also:

(1) Be entitled to Christmas bonus of at least One Thousand Five Hundred Pesos (Php 1,500.00) each, the funds for which shall be taken from the general fund of the barangay or from such other funds appropriated by the national government for the purpose;

(2) x x x x x x x x x x

(3) x x x x x x x x x x

(4) x x x x x x x x x x

(5) x x x x x x x x x x

(c) x x x x x x x x x x

(d) All duly appointed members of the barangay tanod brigades, or their equivalent, which shall number not more than twenty (20) in each barangay, shall be entitled to a hazard pay of not less than one hundred fifty pesos (Php150.00) per tour of duty actually served.

Sec. 7. Section 406 of the Local Government Code of 1991 is hereby amended to read as follows:

“SEC.406. Character of Office and Service of Lupon Members. (a) x x x

(b) The lupon or pangkat members shall receive honoraria, allowances and such other emoluments as may be authorized by law or barangay municipal or city ordinance which shall not be less than three hundred pesos (Php 300.00) each for every hearing where such member actually sat as such. In addition, the Department of the Interior and Local Government shall provide a system of granting economic or other incentives to the lupon or pangkat members who adequately demonstrate the ability to judiciously and expeditiously resolve cases referred to them.

While in the performance of their duties, the lupon or pangkat members, whether in public or private employment, shall be deemed to be on official time, and shall not suffer from any diminution in compensation or allowance from said employment by reason thereof.”

Sec. 8. Implementing Rules and Regulations.- The DILG, DOH, GSIS, DOJ, and other concerned agencies shall, within four (4) months from the effectivity of this act, promulgate jointly such rules or guidelines as may be necessary for the efficient implementation of the provision of this Act.

Sec. 9. Separability Clause.- If for any reason, any section or provision of this Act, or any portion thereof, or the application of such section, provision, or portion thereof to any person, group or circumstance is declared invalid or unconstitutional, the remaining provisions of this act shall not be affected by such declaration and shall remain in force and effect.

Sec. 10. Repealing Clause. - The provisions of other laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 11. Effectivity. – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,