

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 62

Introduced by HONORABLE LUIS R. VILLAFUERTE

EXPLANATORY NOTE

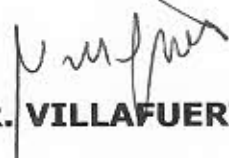
This bill seeks to reset the synchronized barangay and sangguniang kabataan elections scheduled on the last Monday of October 2010 to the 2nd Monday of May 2011 and every three years thereafter.

There are several reasons why it is advocated under this bill that the synchronized elections for barangay and sangguniang kabataan be postponed to next year:

1. With the recent elections for President, Vice-President, Senators, Congressmen and Local Government Officials, it is important that we should give the newly elected national and local officials the opportunity to concentrate on the programs and projects that they propose to launch under their new term uninterrupted by the synchronized elections for the barangay and sangguniang kabataan.
2. This country should not have two elections within the same year.
3. Since we have just completed the first automated elections, there is a need to conduct a post audit of the performance of the automated elections with a view to reviewing and evaluating the glitches, lapses, and the deficiencies that may have occurred in order to rectify such problems in order to provide further refinements and improvements in the automated system of elections. Since there are several protest cases that are pending either in the Commission on Elections (COMELEC) or with the House of Representatives Electoral Tribunal (HRET), let us allow such protest cases to go in stream before the next elections are muddled up with apprehensions and reservations as to the technical efficiency and soundness of the automated system of election.

4. The possible inflationary effects of the synchronized elections for the barangay ang sangguniang kabataan will be avoided this year if the synchronized barangay and sangguniang kabataan elections are postponed for next year.

Considering the merits of this bill, early approval hereof is earnestly requested in order to give notice to prospective candidates not to unnecessarily spend for an election campaign that will be deferred anyway.



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**AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTING THE
SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN
ELECTIONS, AND FOR OTHER PURPOSES**

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

1 **SECTION 1.** Section 1 of Republic Act No. 9164 as amended by
2 Republic Act No. 9340 is hereby amended to read as follows:

3 "SECTION 1. *Date of Election.* – **The synchronized**
4 **election scheduled on the last Monday of October 2010**
5 **for the barangay and sangguniang kabataan is hereby**
6 **deferred to the 2nd Monday of May 2011 and every**
7 **three (3) years thereafter."**

8 "Subject to the existing law on manual election,
9 **all barangay and sangguniang kabataan elections shall**
10 **be held manually."**

11 **SEC. 2.** Section 4 of Republic Act No. 9164 as amended by Republic
12 Act No. 9340 is hereby amended to read as follows:

1 "SEC. 4. *Assumption of Office.* - The term of office of
2 the barangay and sangguniang kabataan officials elected
3 under this Act shall commence **at noon of June 30, 2011,**
4 next following their elections. **Accordingly,** the term of
5 office of the barangay and sangguniang kabataan officials **to**
6 **be elected on the 2nd Monday of May 2011** and
7 subsequent elections **thereafter** shall commence at noon of
8 **June 30, 2011** next following their election."

9 **SEC. 3.** Section 5 of Republic Act No. 9164 as amended by Republic
10 Act 9340 is hereby amended to read as follows:

11 "SEC. 5. *Hold Over.* - All incumbent barangay and all
12 sangguniang kabataan officials shall remain in office unless
13 sooner removed or suspended for cause until their successors
14 shall have been elected and qualified. **Hence,** barangay and
15 all sangguniang kabataan officials who are *ex officio* members
16 of the sangguniang bayan, sangguniang panlungsod or
17 sangguniang panlalawigan as the case may be shall continue
18 to serve as such members in the sanggunian concerned until
19 the next barangay election **scheduled on the 2nd Monday**
20 **of May, 2011.** The Liga ng mga Barangay at the municipal,
21 city, and provincial levels shall, within **forty-five (45)** days
22 after the next barangay election, conduct elections for *ex*
23 *officio* positions in the sanggunians **concerned** under the

1 supervision of the Department of the Interior and Local
2 Government."

3 **SEC. 4. Implementing Rules and Regulations.** – The COMELEC
4 shall promulgate such rules and regulations as are necessary and
5 appropriate to implement this Act.

6 **SEC. 5. Repealing Clause.** – All laws, decrees, executive orders,
7 and rules and regulations, or parts thereof, inconsistent with the
8 provisions of this Act, are hereby repealed or modified accordingly.

9 **SEC. 6. Separability Clause.** – If, for any reason, any section or
10 provision of this Act is held unconstitutional or invalid, the other sections
11 or provisions hereof shall not be affected and thereby remain in full force
12 and effect.

13 **SEC. 7. Effectivity Clause.** – This Act shall take effect fifteen (15)
14 days after its complete publication in at least two (2) national newspapers
15 of general circulation.

16 Approved,