

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
FIFTEENTH CONGRESS

House Bill No. 122

Introduced by Rep. Maria Carmen Zamora-Apsay

EXPLANATORY NOTE

In amendment to the Local Government Code of 1991, Republic Act No. 9164 provided for the first synchronized barangay and sangguniang kabataan elections in July 15, 2002 with the subsequent elections for the concerned posts to be held on the last Monday of October three years thereafter.

On September 22, 2005, however, Republic Act No. 9340 was signed by then President Gloria Macapagal Arroyo resetting the synchronized barangay and sangguniang kabataan elections for the last Monday of October 2007 and every three years thereafter. The main reason for the resetting at the time was the proximity of the previous presidential, national and local elections to the then scheduled political exercise. The country was still reeling from the high cost of the 2004 polls and the hundreds of millions of pesos needed to carry out the barangay and SK elections will further drain the coffers of government. The legislature felt that it was prudent to distance the country from too much politicking and insulate the exercise from partisan influences, hence, the rescheduling of the barangay and SK elections for 2007.

Unfortunately, we find ourselves in a similar bind almost three years after the last barangay and SK elections. The presidential, national and local elections have just been concluded and the exercise to choose our leaders in the most basic political subdivision is scheduled to take place too soon. Many feel that the barangay and SK elections for October 2010 will only heighten the political animosities and rivalries still seething at the local level. This will only fuel unwanted political activities and render the exercise devoid of its supposed non-partisan character. On top of this, we feel that the country cannot afford the financial cost of the said elections given the billions of pesos we have just dispensed for the recent polls.

It is our strong stand that the barangay and SK elections should be reset because of the foregoing explanation.

Immediate approval of this bill is respectfully sought.


MARIA CARMEN ZAMORA-APSAY

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AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 9164, AS AMENDED BY
REPUBLIC ACT NO. 9340, RESETTING THE BARANGAY AND
SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES

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

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

“SECTION 1. *Date of Election.* —The synchronized barangay and sangguniang kabataan elections scheduled for the last Monday of October 2010 is hereby reset to be held on the last Monday of October 2013. Subsequent synchronized barangay and sangguniang kabataan elections shall be held every three (3) years thereafter.”

SEC. 2. Section 5 of Republic Act No. 9164, as amended by Republic Act No. 9340, is hereby amended to read as follows:

“SEC. 5. *Hold Over.* —All incumbent barangay and sangguniang kabataan officials shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified: *Provided, however,* That barangay and sangguniang kabataan officials who are *ex officio* members of the sangguniang bayan, sangguniang panlungsod or sangguniang panlalawigan as the case may be shall continue to serve as such members in the sanggunian concerned until the next barangay election. The Liga ng mga Barangay at the municipal, city, and provincial levels shall, within thirty (30) days after the next barangay election, conduct elections for *ex officio* positions in the sanggunians under the supervision of the Department of the Interior and Local Government.”

SEC. 3. *Implementing Rules and Regulations.*—The Commission on Elections (COMELEC) shall promulgate such rules and regulations necessary to implement this Act.

SEC. 4. *Repealing Clause.*—All laws, presidential decrees, orders, issuances, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby amended or modified accordingly.

SEC. 5. *Separability Clause.*—If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby remain in full force and effect.

SEC. 6. *Effectivity.*—This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,