

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

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 000000 238

INTRODUCED BY REPRESENTATIVE PEDRO P. ROMUALDO

EXPLANATORY NOTE

The country has just experienced its first full automated elections last May 10, 2010 for national and local positions. However, there are still allegations and speculations of irregularities and massive cheating. With a large number of null votes of more than two million votes, certain safeguards must be in place to assure or minimize disenfranchisement of voters and to ensure clean, honest, orderly and credible elections.

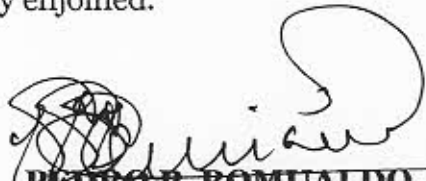
At present, there is still an urgent need to review the existing automation law to effect the necessary safeguards to assure the Filipino voters that all votes cast are accounted for properly and are auditable. It is therefore recommended that we further amend Republic Act No. 9340 which has set the synchronized Barangay and Sangguniang Kabataan elections on October 2010.

While we are still reviewing the automation law and the entire automation process, there is no need to push through with the Barangay and Sangguniang Kabataan Elections set on October 2010. This will also give enough time for Comelec to focus on finishing its job on the automation elections and attend to various protest cases.

It is therefore recommended that the synchronized Barangay and Sangguniang Kabataan elections be reset to the 2nd week of October 2012 and all incumbent Barangay and Sangguniang Kabataan officials shall remain in office and be on hold over capacity until they are suspended or removed for cause and until their successors shall be elected and qualified. All Barangay and Sangguniang *ex officio* members of the Sangguniang Bayan or Sangguniang Panlalawigan shall continue to serve as such until the next Barangay elections.

Our country will have a respite on elections and funds earmarked for the Barangay and Sangguniang Kabataan elections will become savings of the Commission on Elections. Thus, the funds will revert back to the coffers of the government. The extended period will allow us to institutionalize certain mechanisms to ensure that the next automation elections will be clean, credible, honest, auditable and orderly as well as minimize disenfranchisement of votes.

Your support for the early passage of this bill is highly enjoined.


PEDRO P. ROMUALDO

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HOUSE BILL NO. 00000 233

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AN ACT
AMENDING FURTHER REPUBLIC ACT NO. 9340, "AN ACT AMENDING
REPUBLIC ACT NO. 9164, RESETTling THE BARANGAY AND
SANGGUNIANg KABATAAN ELECTIONS, AND FOR OTHER PURPOSES".

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

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

"SECTION 1. Date of Election. – There shall be synchronized Barangay and Sangguniang Kabataan elections which shall be held on [July 15, 2002] **THE SECOND MONDAY OF OCTOBER 2012 AND EVERY THREE (3) YEARS THEREAFTER.** [Subsequent synchronized Barangay and Sangguniang Kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter.

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

"SECTION 2. Assumption of Office. – The term of office of the Barangay and Sangguniang Kabataan officials elected under this Act shall commence [on August 14, 2002,] **AT NOON OF NOVEMBER 30,** next following their elections. [The term of office of the Barangay and Sangguniang Kabataan officials elected in the October 2007 election and subsequent elections shall commence at noon of November 30 next following their elections.]"

SEC. 3. Implementing Rules and Regulations. – The COMELEC shall promulgate such rules and regulations necessary to implement this Act.

SEC. 4. Repealing Clause. – All laws, decrees, executive orders and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed 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 and thereby remain in full force and effect.

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

Approved,