

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 1098

Introduced by Reps. Anthony Rolando T. Golez, Jr., Dakila Carlo E. Cua, Eric G. Singson, Jr.
and Emmanuel D. Pacquiao

EXPLANATORY NOTE

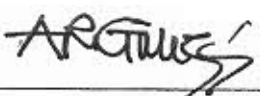
This bill seeks to postpone the Barangay and Sangguniang Kabataan elections scheduled to be held this October 2010 by amending Sections 1, 2 and 5 of RA No. 9340 otherwise known as "An Act Amending Republic Act No. 9164, resetting the Barangay and Sangguniang Kabataan Elections, and for other purposes."

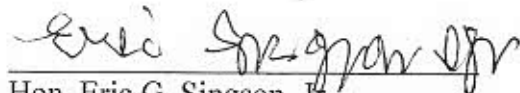
Holding the Barangay and Sangguniang Kabataan elections barely five months after the conclusion of national and local elections is highly divisive and counter-productive. It cannot be denied that elections breed animosity, enmity and antagonistic feelings. It destroys relationships between friends, relatives and siblings. Suffice it to state, ample time is needed to heal the wounds that were created by such democratic exercise. Five months after the lapse of an election, our people are just starting to completely mend fences, repair relationships, rebuild trust and confidence. The new Congress is just commencing to craft its legislative agenda while the executive is just again trying to focus its development priorities and concerns. We will again be confronted with all the usual characteristics of our elections---mudslinging, political bickering, unholy alliances accusations and counter-accusations, etc.

Thus, at a time when we are already starting to move towards unity and development, we shall again try to destroy our initial gains by holding a highly divisive exercise. Definitely, we should give our people a breathing space and sufficient time to again participate in a highly personal and heated democratic exercise called elections.

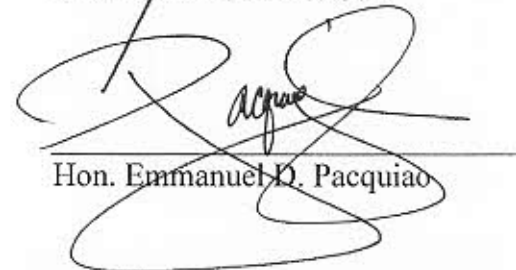
We have to contend with budget deficit this year. To add another election will further deplete resources in our government, to the tune of approximately P2 B; the amount appropriated in the 2007 Synchronized Barangay and SK (Sangguniang Kabataan) elections. Whatever money we could save in this crucial period of national rebuilding could then be directed to more priority concerns: health, additional classrooms, infrastructure, housing and the like.

In this context, we are proposing this Bill for the postponement and amending Sections 1 2 and 5 of RA 9340 otherwise known as the "An Act Amending Republic Act No. 9164, resetting the Barangay and Sangguniang Kabataan Elections, and for other Purposes" which was approved on September 22, 2005.


Hon. Anthony Rolando T. Golez, Jr.


Hon. Eric G. Singson, Jr.


Hon. Dakila Carlo E. Cua


Hon. Emmanuel D. Pacquiao

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AN ACT

MANDATING THE RESETTING OF THE OCTOBER 2010 BARANGAY AND SANGGUNIAN KABATAAN ELECTIONS TO OCTOBER 2011 AND AMENDING SECTIONS 1, 2 AND 5 OF RA 9340 OTHERWISE KNOWN AS AN ACT AMENDING REPUBLIC ACT NO. 9164, RESETTING THE BARANGAY AND SANGGUNIAN 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. 9340 is hereby amended to read as follows:

“SEC 1. *Date of Election.* - There shall be synchronized Barangay and Sangguniang Kabataan elections which shall be held on OCTOBER, 2010. Subsequent synchronized Barangay and Sangguniang Kabataan election shall be held on the last Monday of OCTOBER, 2011 and every three (3) years thereafter.”

SECTION 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 NOVEMBER 24, 2011, next following their elections. the term of office of the barangay and sangguniang kabataan officials elected in the OCTOBER 2011 election and subsequent elections shall commence at November 30 next following their election.”

SECTION 3. Section 5 of Republic Act No. 9340 is hereby amended to read as follows:

"SEC. 5. *Hold Over.* - All incumbent barangay and all 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 all 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 sangguniang 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 sangguniang under the supervision of the Department of the Interior and Local Government."

SECTION 4. Implementing Rules and Regulations. The COMELEC shall promulgate such rules and regulations necessary to implement this Act.

SECTION 5. Separability Clause. If any provision of this Act is declared unconstitutional or invalid, such sections or parts not affected thereby shall remain in full force and effect.

SECTION 6. All decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provision of this Act are hereby repealed or modified accordingly.

SECTION 7. Effectivity Clause. This act shall take effect seven (7) days after its complete publication in two (2) newspapers of general circulation.

Approved,