

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress
First Regular Session

House Bill No. 1497

Introduced by **REP. AUGUSTO BOBOY SYJUCO**

EXPLANATORY NOTE

This bill seeks to postpone the Barangay and Sangguniang Kabataan Elections scheduled on October 25, 2010 and moved to year 2013. This is consistent with the State principle of promoting the general welfare of the people pursuant to the 1987 Constitution.

The postponement of the 2010 Barangay and Sangguniang Kabataan Elections is based on the following considerations:

First, the nation is seriously distressed from the effects of the El Niño Phenomenon. The budget allocated for the October 2010 Barangay and SK Elections will be put to better use for the rehabilitation of agricultural lands devastated by El Nino. Furthermore, said intended funds can be used to aid our farmers affected by El Nino in rebuilding and restoring their farmlands.

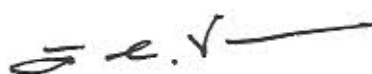
Second, the nation is anticipating the coming of the La Niña Phenomenon. Recently, Region VI, National Capital Region (NCR), as well as Northern Luzon, were struck by catastrophic typhoons that caused flash floods and damaged billions of pesos worth of properties. Certainly, this is an occurrence which the government does not want to happen again but one which the government and the public should be prepared of. Instead of carrying out an election and spend billions of pesos, the government should utilize this fund as an additional contingency fund in preparation for the destructive effects of La Niña.

Third, the billions of pesos that can be saved in the event of postponement of the 2010 Barangay and Sangguniang Kabataan Elections can be utilize by the government for various programs and projects across the nation. For instance, the allocated funds can be used in promoting education such as scholarship programs, procurement of textbooks and construction of school building. It can also be used for health related programs such as purchase of medicines and medical equipment and for infrastructure. These projects will be appreciated more by our constituents since they will directly benefit from education, health,

and infrastructure projects which will result to an improved trust rating and confidence to our government.

The nation had just undergone a very strenuous political exercise. To pursue the Barangay and Sangguniang Kabataan Elections this October is very untimely considering that the government has to respond to the ill-effects of El Nino and La Niña as well as improve the delivery of basic services such as education, health, and infrastructure.

The approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'A. Boboy Syjoco', with a long horizontal stroke extending to the right.

AUGUSTO BOBOY SYJUCO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress
First Regular Session

House Bill No. **1497**

Introduced by **HON. AUGUSTO BOBOY SYJUCO**

AN ACT
AMENDING REPUBLIC ACT NO. 9340, RESETTling THE BARANGAY
AND SANGUNIANG KABATAAN ELECTIONS, AND FOR OTHER
PURPOSES

Be enacted in 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) **October 28, 2013**. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October and every [(three (3) years)] **Five (5) Years** thereafter."

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

"Section 2. Term of Office. – The term of office of all barangay and sangguniang kabataan officials after the effectivity of this Act shall be [(three (3) years.)] **Five (5) Years** and shall commence at noon of **November 30** next following their election"

No barangay elective official shall serve for more than three (3) consecutive terms in the same position: Provided, however, That the term of office shall be reckoned from the 1994 barangay elections. Voluntary renunciation of office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official was elected.

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

Section 3. Hold Over. – All incumbent barangay officials and sangguniang kabataan officials under this Act shall remain in the 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 were ex officio members of the sangguniang bayan, sangguniang panglunsod 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 provisions of the Omnibus Election Code relative to the failure of elections and special elections are hereby reiterated in this Act.

SECTION 4. Section 4 of Republic Act No. 9340 as amended is hereby further amended to read as follows:

Section 4. Appropriations – The amount necessary for the implementation of this act shall be taken from the appropriation of the Commission on Election (COMELEC) under the General Appropriations Act and/or supplementary appropriations thereafter.

In addition, the savings of the COMELEC not exceeding Two Billion and Two Million Pesos (P 2,200,000,000.00) shall be used to augment various plans and programs of the government across the nation as may be authorized.

SECTION 5. Implementing Rules and Regulations. - The COMELEC shall promulgate such rules and regulations necessary to implement this Act.

SECTION 6. Repealing Clause. - All laws, decrees, executive orders, letters of instruction and rules and regulations or parts thereof, inconsistent with the provisions of the Act, are hereby repealed or modified accordingly.

SECTION 7. 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.

SECTION 8. Effectivity Clause. - This Act shall take effect upon its approval and publication in at least two (2) national newspaper of general circulation.

Approved.