

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3129

Introduced by **REP. ALFREDO "ALBEE" B. BENITEZ**

EXPLANATORY NOTE

Barangay Tanods are a significant part of the community because of the role they perform in the maintenance of peace and order in the Barangay. Though Barangay Tanods work on a voluntary-basis, they do not hesitate to risk their lives just to ensure the security of the people in their respective Barangays.

This proposed measure seeks to grant additional benefits and incentives to Barangay Tanods in recognition of their valuable work in the communities. Upon the enactment of this measure, Barangay Tanods will be able to claim hazard pay, health benefits, death and burial benefits and entitlement to one-time financial assistance in cases of total and permanent incapacity and injuries resulting from accident.

In view of the foregoing, passage of this measure is earnestly sought.


ALFREDO "ALBEE" B. BENITEZ

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AN ACT PROVIDING INCENTIVES TO BARANGAY TANODS AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Short Title - This Act shall be known as the "Barangay Tanod Incentives Act of 2010".

SECTION 2. Declaration of Policy - It is the declared policy of the State to promote and enhance the efficiency and responsiveness of barangay officials and employees, the government workers who make democracy work at the grassroots level in the smallest territorial and political subdivision of the government which is the barangay. To achieve this objective, the State shall adopt measures and provide such incentives not only to help ensure the faithful performance of the duties and functions of barangay tanods but also to raise their quality of life.

SECTION 3. Coverage - All barangay tanods rendering volunteer services to assist barangay officials in the effective exercise of the law enforcement for the maintenance of peace and order and the promotion of public safety: *Provided, That* they are not receiving any regular salary from other government agencies.

SECTION 4. Number of Tanods Per Barangay - Every barangay unit is entitled to enlist the services of a minimum of five (5) and a maximum of ten (10) barangay tanods whose names and dates of service shall be properly recorded and forwarded to the city/municipal authorities by the barangay secretary or the barangay chairman, for monitoring purposes.

SECTION 5. Tax Exemption - All amounts received by Barangay Tanods such as honoraria and allowances shall be exempt from income taxation. Gross benefits received by

such officials and employees, of whatever kind or character, shall likewise be exempt from taxation.

SECTION 6. Hazard Pay – All duly-appointed members of the Barangay Tanod brigades shall be granted a hazard pay during their incumbency, in the amount of One Thousand Pesos (1,000) per month.

SECTION 7. Health Benefits – All duly appointed Barangay Tanods shall be enrolled in the National Health Insurance program for them to receive and avail of an adequate package of personal health services that must include in-patient hospital care, out-patient care, emergency and transfer services, and also other supplementary health benefits as may be defined by the Philippine Health Insurance Corporation (PHIC) and the local government unit (LGU) where they render services. The premium contribution shall be borne by the LGU concerned: *Provided*, That the national government shall fifty percent (50%) of the contributions of fourth, fifth and sixth class municipalities.

SECTION 8. Death and Burial Benefits – In the event of death of a Barangay Tanod, the beneficiaries shall be entitled to Ten thousand pesos (P10,000.00) as burial assistance. In addition to the death benefits herein provided, a burial benefit of Two thousand pesos (P2,000.00) shall be paid to the beneficiaries within twenty-four hours after submission of proof of death.

Should a barangay tanod be assassinated or killed while in the performance of his duties or on the occasion thereof, his beneficiaries shall be entitled to double the amount provided above.

SECTION 9. Total and Permanent Incapacity or Disability – In the event of total and permanent incapacity, a barangay tanod shall be entitled to Five thousand pesos (P5,000.00) as disability benefit: *Provided*, That the disability occurred during his incumbency whether work-connected or not.

SECTION 10. Injuries Resulting From Accident – For work-connected injuries resulting from an accident occurring during his incumbency, a barangay tanod shall be entitled to a minimum benefit of Three thousand pesos and maximum of Five thousand pesos (P5,000.00) depending on the extent of injury.

SECTION 11. Legal Representation – Barangay tanods who may be involved as party litigants in administrative or criminal cases filed in connection with the performance

of their official duties shall, as a matter of right, be entitled to the free legal services of the Public Attorney's Office (PAO) who shall facilitate the legal representation of those barangay tanods by a counsel.

SECTION 12. Disqualification from Benefits. – No benefit shall be given to a barangay tanod or his beneficiaries when the injury, sickness, disability or death was occasioned or caused by any of the following:

- (a) His habitual drunkenness or intoxication;
- (b) His willful intention to injure or kill himself or another;
- (c) His notorious negligence; or
- (d) His unauthorized absence or abandonment of post for three (3) consecutive months.

SECTION 13. Appropriations. – The amount necessary for the implementation of this Act shall be funded out of the appropriation of the Department of Interior and Local Government (DILG) under the current Appropriations Act. Thereafter, this item shall be included in the General Appropriations Act.

SECTION 14. Implementing Rules and Regulations. – Within ninety (90) days after the approval of this Act, the DepEd, together with concerned agencies, shall prepare and promulgate the implementing rules and regulations (IRR) to carry out the provisions of this Act. The IRRs shall take effect after fifteen (15) days following their publication in a major daily newspaper of general circulation.

SECTION 15. Separability Clause – If any provision of this Act is declared invalid, the remainder or any of this provision hereof not affected thereby shall remain in force and effect.

SECTION 16. Repealing Clause – All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 17. Effectivity – The implementation of this Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general m

Approved,