

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3131

Introduced by Representative MARLYN PRIMICIAS-AGABAS

EXPLANATORY NOTE

The katarungang pambarangay or the barangay justice system was introduced in the Local Government Code of 1991 and has been instrumental in resolution of disputes more accessible to the people, especially the poor, and in the decongesting of court dockets. Indeed, the system has been a vital tool in the delivery of justice at the grassroots level.

With the passage of time, the katarungang pambarangay system needs to be strengthened in order to effectively and efficiently address the proper amicable settlements within the barangays to achieve the purposes for which the law was created.

It is then proposed for the expansion of the subject matter for amicable settlements for offenses punishable by imprisonment not exceeding two (2) years from the original one (1) year or a fine not exceeding ten thousand pesos (P10,000.00) from the original five thousand pesos (P5,000.00). Furthermore, it is proposed that the lupon be given additional functions or powers such as to adopt guidelines on the conduct of amicable settlements and to request the assistance of any department, bureau, office, or agency of the government in the performance of its functions. The same power to request the assistance of any department, bureau, office, or agency is also given to the pangkat.

The objective of de-clogging the court dockets, settling of disputes in a non-adversarial manner thereby maintaining peace within the barangay, and providing assistance to the lupon and pangkat to enforce its summons or resolutions will go a long way in the enhancement of our katarungang pambarangay system.

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


MARLYN PRIMICIAS-AGABAS
6th District, Pangasinan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3131

Introduced by Representative MARLYN PRIMICIAS-AGABAS

AN ACT
STRENGTHENING THE KATARUNGANG PAMBARANGAY SYSTEM,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE
KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. Section 408 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

“SEC. 408. Subject Matter for Amicable Settlement; Exception Thereto. - The lupon of each barangay shall have authority to bring together the parties actually residing in the same city or municipality for amicable settlement of all disputes except:

X X X

(c) Offenses punishable by imprisonment exceeding **two (2) years** or a fine exceeding **Ten thousand pesos (P10,000.00)**;

X X X”

SECTION 2. Section 402 of the same Act is hereby amended to read as follows:

“SEC. 402. Functions of the Lupon. - The lupon shall: (a) Exercise administrative supervision over the conciliation panels provided herein;

(b) Meet regularly once a month to provide a forum for exchange of ideas among its members and the public on matters relevant to the amicable settlement of disputes, and to enable various conciliation panel members to share with one another their observations and experiences in effecting speedy resolution of disputes; (and)

(c) Adopt guidelines on the conduct of amicable settlements;

(d) Request the assistance of any department, bureau, office, or agency of the government in the performance of its functions; and

(e) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.”

SECTION 3. Section 410 of the same Act is hereby amended to read as follows:

“SEC. 410. Procedure for Amicable Settlement. - (a) Who may initiate proceeding - Upon payment of the appropriate filing fee, any individual who has a cause of action against another individual involving any matter within the authority of the lupon may complain, orally or in writing, to the lupon chairman of the barangay.

x x x

(d) Issuance of summons; hearing; grounds for disqualification - The pangkat shall convene not later than three (3) days from its constitution, on the day and hour set by the lupon chairman, to hear both parties and their witnesses, simplify issues, and explore all possibilities for amicable settlement. For this purpose, the pangkat may issue summons for the personal appearance of parties and witnesses before it **and may request the assistance from police officers or from any department, bureau, office, or agency of the government.** In the event that a party moves to disqualify any member of the pangkat by reason of relationship, bias, interest, or any other similar grounds discovered after the constitution of the pangkat, the matter shall be resolved by the affirmative vote of the majority of the pangkat whose decision shall be final. Should disqualification be decided upon, the resulting vacancy shall be filled as herein provided for.

x x x”

SECTION 4. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 5. *Repealing Clause.* – All laws, acts, ordinances, executive orders, proclamations and administrative regulations, or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SECTION 6. *Effectivity.* – This act shall take effect immediately after its publication in a newspaper of general circulation.

Approved,