

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**FIFTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 3732**

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**Introduced by REP. MARC DOUGLAS IV C. CAGAS**

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**EXPLANATORY NOTE**

For decades, the Congress of the Republic of the Philippines employed numerous painstaking attempts to enact the appropriate legislative measures that will address the plight of local governments for autonomy. Local Government Units' (LGUs) slow development phase was adjudgedly attributed to the absence of mandates authorizing autonomy. Decentralization of national power is their outcry, devolution, its *raison d'être*. The legal and social impasse on how to surpass this predicament have been the cream-for-coffee not only for the brilliant minds of Congress, they remained invariable topics for lawyers *par excellence* as well.

The ratification of the 1987 Philippine Constitution shadowed hope for the proponents. No less than its framers saw potent indispensability of integrating the devolution of powers to Local Governments to magnify its role as the Republic's major partner in nation-building. Anent thereto, local and fiscal autonomies were conveyed to LGUs not only to insure unbridled administration of their local affairs, the undue meddling and intervention of the central authority even over diminutive ministerial functions would be minimized.

The passage of Republic Act 7160 into law, enabled the enforcement of the constitutional provisions along this line, hence, national power have been decentralized and devolved to local government units. Book three thereof deals with the very core of decentralization. The statute streamlined the structure of local government by re-defining the functions, powers and responsibilities of local government officials, and the creation of various leagues to insure collective representations. There were created leagues of Provincial Governors, Municipal and City Mayors, Barangay Officials and Kabataan.

As the primary planning and implementing entity of the government's policies and programs, R.A. 7160 further strengthened the role of Barangays as the basic political unit. The youth sector was also given the voice and authority at the barangay level, to participate in nation-building through the creation of the Sangguniang Kabataan. These units were given authority to, among others, promulgate resolutions necessary to carry out the objectives of the youth; initiate social, economic, cultural and moral development of its members; all of which could be exercised independently from the Barangay Council to which they are attached. Simply put, Sangguniang Kabataan Officials, despite their dubious abilities and competence in handling not only governmental affairs, but the monetary affairs as well to carry out whatever projects they have in mind, were given absolute authority to govern their political dominions.

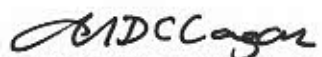
From the outset, given the nobility and righteousness of its purpose, nothing seems to be patently irregular in enfranchising the youth sector; this is what devolution essentially is for. However, as all other Offices are subjected to, if these councils no longer operate or govern germane to the rationale for which they were created, abolition thereof would highly be justified.

Since their political inception, no noted major satisfactory contribution to nation – building has so far been made by these councils. More often than not, these offices even became rich haven for the commission of graft and corruption, as some of these minors were taught and controlled by the older ones to steal hard-earned public money to the detriment of the sector which it ought to rightfully oversee. Some even ventured abusing their vested power and authority for the furtherance or commission of felonies. Others do not even participate in hearings and committee meetings. At best, and perhaps the only probable collateral contribution that these councils have, is the fact that there are certain honorariums and emoluments that the Sangguniang Kabataan Officials are entitled to, which make them in turn financially benefited and spare the government the expenditure of rearing them socially and morally upright.

Devolution is no doubt the best economic and political tool to streamline economic development in the countryside. But note should be taken, that the agencies and offices on which the vested powers would be devolved, should as well be worthy and competent. In these times where the country's economic condition is highly unstable, the concentration of the State's wealth, vis-à-vis its programs and policies should be made to focus on highly operative, competent and useful body polities. The maintenance of unworkable, useless and incompetent Offices should not be tolerated not only because it is a waste of precious money and time, eradication of which is in consonance with our serious objective of building a stronger Philippine Republic.

Disenfranchisement may be a serious consequence. However, it is submitted that the accommodation of the more compelling interest of the State to promote the welfare of the people by the eradication of useless and incompetent offices, and thereby save the government surplus expenditures, takes supremacy in the hierarchy of social problems to be addressed. At any rate, these minors are not yet possessed of juridical personality and capacity to act, thus, the denial of their right to be represented, as in the case of Sangguniang Kabataan, is totally alien to, or in conflict with the legal concept of Disenfranchisement. Youth sector is still properly represented by so many other competent marginalized sectors, and would remain to be properly represented with out the existence of the Sangguniang Kabataan.

For the foregoing, the expeditious and early passage of this measure is highly solicited.

  
Marc Douglas IV. C. Cagas

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**“AN ACT  
AMENDING PERTINENT PROVISIONS OF REPUBLIC ACT 7160,  
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, BY  
ABOLISHING IN TOTO, THE PROVISIONS RELATIVE TO THE OFFICE OF  
THE SANGGUNIAN KABATAAN”**

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

**Section 1.** The Office of the Sangguniang Kabataan Council is hereby abolished/eradicated by virtue of this Act. Sections 423 to 425 are hereby repealed, and all Offices appurtenant thereto are also hereby abolished.

**Section 2.** The local government structure in the Municipal and City Councils and the Provincial Board as modified by Section 438, Chapter 9 of Republic Act 7160 is also hereby amended accordingly, in so far as the inclusion therein as Ex-Officio member of a Sangguniang Kabataan representative.

**Section 3.** The provisions on Pederasyon ng mga Sangguniang Kabataan as embedded in Section 436 of Republic Act 7160 is also hereby rendered abolished.

**Section 4.** The Sangguniang Kabataan Officers elected by reason of the October 25, 2010 Barangay Elections are hereby authorized to complete their term of office. After which, they are incapacitated to run for the same office by virtue of the provisions of this Act.

**Section 5.** This Act shall take effect upon its approval, and its provisions be in full force upon the termination of the term of all the present Sangguniang Kabataan Officers.

Approved,