

Republic of the Philippines
HOUSE OF REPRESENTATIVES
CONGRESS OF THE PHILIPPINES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. **5069**

Introduced by Honorable **REYNALDO V. UMALI**

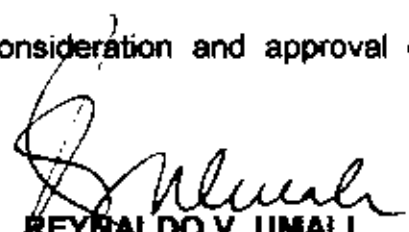
EXPLANATORY NOTE

The fundamental law of the land recognizes the vital role of the youth in nation-building. It is also the duty of the state to promote and protect the youth's physical, moral, spiritual, intellectual and social well-being. More importantly, in line with the principle of *parens patriae*, the State shall encourage their involvement in the public and civic affairs.

Currently, the youth is being represented in the local governance and community activities by the Sangguniang Kabataan. However, it was generally observed that the Sangguniang Kabataan has lost its usefulness as a mechanism for youth involvement in community development. More often than not, the Sangguniang Kabataan officials have neglected their duties because they are preoccupied with other things such as their academic studies. They cannot participate in the collective body of local governance even as they continue to receive their emoluments. The cost of having Sangguniang Kabataan is very high but the outcome and performance is below satisfaction as commonly perceived.

Therefore, this bill seeks to institute a *kagawad ng kabataan* as a regular member of the barangay council thereby abolishing the Sangguniang Kabataan, in order to maintain the representation of the youth in the public and civic affairs but diminishing the cost of having the current youth representation.

In view thereof, early consideration and approval of this bill is earnestly sought.



REYNALDO V. UMALI

Representative

Second District, Province of Oriental Mindoro

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AN ACT PROVIDING FOR THE ELECTION OF YOUTH REPRESENTATIVE TO BE KNOWN AS THE KAGAWAD NG KABATAAN AS REGULAR MEMBER OF THE SANGGUNIANG BARANGAY ABOLISHING FOR THE PURPOSE THE SANGGUNIANG KABATAAN AS PROVIDED UNDER REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE"

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

Section 1. Short Title. - This Act shall be known as the "Kagawad ng Kabataan Act."

Section 2. Kagawad ng Kabataan. - There shall be a representative of the youth sector in every Sangguniang Barangay to be known as the Kagawad ng Kabataan who shall be elected by qualified residents of the barangay who are fifteen (15) but not more than twenty-one (21) years of age on the day of the election and duly registered in the official barangay list in the custody of the barangay secretary. The election for the *Kagawad ng Kabataan* shall be held during the regular elections of barangay officials.

The Kagawad ng Kabataan shall be a regular member of the Sangguniang Barangay and shall have the same powers and privileges enjoyed by the other members of the Sangguniang Barangay.

Section 3. Duties and Responsibilities. - The kagawad ng kabataan shall exercise the following:

- a. File resolutions which shall promote the social, political, economic, cultural, intellectual, moral, spiritual and physical development of the youth within the barangay;
- b. Consult and coordinate with all youth organizations in the barangay in furtherance of youth development
- c. Exercise such other powers and perform such functions as provided for a regular member of the Sangguniang Barangay.

Section 4. Qualifications.- No person shall be elected *Kagawad ng Kabataan* unless he/she is:

- a. a citizen of the Philippines;
- b. registered voter in the barangay where he/she intends to be elected.
- c. a resident of therein for at least one (1) year immediately preceding the day of election;
- d. at least fifteen (15) years old but less than twenty one (21) years of age on the day of the election;
- e. able to read and write Filipino, English, or any other local language or dialect;
- f. must not have been convicted of any crime involving moral turpitude.

A *Kagawad ng Kabataan* who, during the term of office, shall have passed the age of twenty-one (21) years shall be allowed to serve the remaining portion of the term for which he was elected.

Section 5. Implementing Rules and Regulation. -Within six (6) months from effectivity of this Act, the Secretary of Interior and Local Government shall, in coordination with the Commission on Elections, formulate the rules and regulations to implement this Act.

Section 6. Period of Implementation. - The election for the *Kagawad ng Kabataan* shall be implemented on the next barangay elections immediately following the effectivity of this Act.

Section 7. *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 8. *Repealing Clause.* - Sections 423 to 438 of Republic Act No. 7160 are hereby repealed. All decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

This Act shall take effect upon its approval.

Approved.