

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



FIFTEENTH (15th) CONGRESS

Second Regular Session

5367
House Bill No. _____

Introduced by **Honorable Pastor M. Alcover Jr.**

EXPLANATORY NOTE

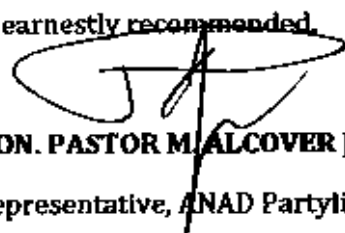
This bill seeks to professionalize the Barangay Officials, from the Punong Barangay to the Members of the Sangguniang Barangay, including the Barangay treasurer, the Barangay Secretary, the Sangguniang Kabataan Chairman, and down to the Barangay Tanods, who, under this bill, shall be renamed "Barangay Auxiliary Police or BAP," by providing them with fixed salaries, entitling them to the full benefits of a regular government employee, except security of tenure for the elected Barangay Officials, and establishing minimum qualifications for the hiring of appointed Barangay Officials.

In order to give more meaning to the policy of decentralization and autonomy of the local government units, as espoused by the Local Government Code of 1991, it is imperative that the basic unit of our political subdivisions, which is the Barangay, should be strengthened by empowering the Barangay Officials and giving them more incentives to serve their constituents full-time and with utmost dedication.

Today, our Barangay Officials are only receiving honoraria as compensation for the services they rendered to their barangay government. Most often, these honoraria are so measly to meet even the most basic needs of the families of our Barangay Officials. As a result, they cannot perform their duties as Barangay Officials full-time because they are forced to go moonlighting to make both ends meet, thus severely affecting the quality of their services.

The Barangay is not only the basic unit of our political subdivisions, but also the very foundation of our democratic system of government. It is the frontline in the promotion and maintenance of national peace. Strengthening our Barangays ensures the stability of the peace and order situation of the country which is conducive for economic development thus securing the blessings of a true democratic society

In view of the foregoing, approval of this bill is earnestly recommended.


HON. PASTOR M. ALCOVER JR.
Representative, ANAD Partylist

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AN ACT

PROFESSIONALIZING THE BARANGAY OFFICIALS BY PROVIDING THEM WITH FIXED SALARIES, ENTITLING THEM TO THE FULL BENEFITS OF A REGULAR GOVERNMENT EMPLOYEE, EXCEPT SECURITY OF TENURE FOR THE ELECTED BARANGAY OFFICIALS, AND ESTABLISHING MINIMUM QUALIFICATIONS FOR THE HIRING OF APPOINTED BARANGAY OFFICIALS

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

SECTION 1. Title of the Act. - This Act shall be known as the "Barangay Officials Professionalization Act."

SEC. 2. Declaration of policy. - It is the policy of the State to strengthen the basic unit of our political subdivisions, which is the Barangay, and promote, develop and improve the welfare of the Barangay residents to ensure national economic development and stability of the peace and order situations in the country thereby securing the blessings of a true democratic society. Toward this end, the Barangay officials shall be professionalized and raise their social and economic status by providing them with fixed salaries, entitling them to the full benefits of a regular government employee, except security of tenure for the elected Barangay Officials, and establishing minimum qualifications for the hiring of appointed Barangay Officials.

SEC. 2. The Barangay Auxiliary Police. - For purposes of this Act, the Barangay Tanods are hereby renamed as "Barangay Auxiliary Police or BAP."

SEC. 3. Barangay Officials as Entitled to the Full Benefits of a Regular Government Employee. - All Barangay Officials, whether elected or appointed, including the members of the Barangay Auxiliary Police or BAP, are hereby declared entitled to the full benefits of a regular government employee, such as fixed salaries, allowances, insurance, medical and dental coverage, retirement and such other benefits to which a regular government employee is entitled to under existing laws, except that elected Barangay Officials shall not be entitled to a security of tenure.

SEC. 4. Mandatory Full-time Service for All Elected Barangay Officials. - Immediately after the effectivity of this Act, it shall be mandatory for all elected Punong Barangay and members of the Sangguniang Barangay to serve in their respective capacities as elected Barangay Officials full-time.

SEC. 5. Salaries of Barangay Officials. - The Punong Barangay, the members of the Sangguniang Barangay, the Sangguniang Kabataan Chairman, the Barangay Secretary, the Barangay Treasurer and the members of the Barangay Auxiliary Police shall be entitled to the following fixed salaries:

Punong Barangay - An amount equivalent to the salary of a Sangguniang Bayan Member of his Municipality;

Sangguniang Barangay Member - An amount equivalent to eighty percent (80%) of the salary of a Sangguniang Bayan Member of his Municipality;

Sangguniang Kabataan Chairman, Barangay Secretary, Barangay Treasurer - For each, an amount equivalent to seventy-five percent (75%) of the salary of a Sangguniang Bayan Member of his Municipality;

Barangay Auxiliary Police Member - An amount equivalent to fifty percent (50%) of the salary of an enlisted personnel of the Philippine National Police with the rank of Police Officer One (PO1).

SEC. 6. Hiring, Qualifications and Benefits of the Barangay Secretary and the Barangay Treasurer. - If the position of the Barangay Secretary or Barangay Treasurer becomes vacant, the Punong Barangay shall make a public announcement and post notices in conspicuous places of his Barangay of such vacancy. After thirty (30) days from such announcement and posting of notices, the Punong Barangay shall submit the list of applicants to the office of the Municipal or City Mayor for screening and issuance of appointments.

Applicants for the position of Barangay Secretary or Barangay Treasurer must possess the following qualifications:

- Must be a college graduate;
- Must be a permanent resident of the Barangay;
- Must not be related to the Punong Barangay or to any member of the Sangguniang Barangay within the fourth civil degree of sanguinity or affinity;
- Must possess a career service eligibility from the Civil Service Commission; and
- Must not have been criminally, civilly or administratively charged in any court of law in the Philippines.

The Barangay Secretary and Barangay Treasurer are hereby declared plantilla positions and as such, they shall serve full-time and are entitled to a security of tenure and to all other benefits that a regular government employee is entitled to under existing laws. The Punong Barangay shall only have direct supervision over them.

SEC. 7. Recruitment, Qualifications, Training and Benefits of the Barangay Auxiliary Police (BAP). - Not later than sixty (60) days from the effectivity of this Act, each Punong Barangay in the country shall make a public announcement and post notices in conspicuous places of his Barangay the recruitment of not more than fifteen (15) Barangay Auxiliary Police who must possess the following qualifications:

- Must be eighteen (18) years old but not more than fifty (50) years old at the time of application;
- Must be a permanent resident of the Barangay;
- At least a high school graduate;
- Must be physically and mentally fit; and
- Must not have been criminally, civilly or administratively charged in any court of law in the Philippines.

After thirty (30) days from the date of announcement and posting of notices of the recruitment of Barangay Auxiliary Police, the Punong Barangay shall forward the list of applicants to the Provincial or City, in case of chartered cities, Chief of Police who shall screen the applicants to determine their physical and mental fitness for law enforcement and civil security duty. Those who will pass the screening shall undergo two (2) months of basic law enforcement and civil security training to be administered and supervised by the Provincial or City Chief of Police. After two (2) months of basic law enforcement and civil security training, the provincial or City Chief of Police shall issue a certificate to those who shall successfully graduate therefrom which shall certify that they are fit and ready to report for duty as Barangay Auxiliary Police of their respective Barangays.

The Punong Barangay shall only have direct supervision over the Barangay Auxiliary Police and they shall be considered as regular auxiliary member of the Philippine National Police. As such, they shall serve full-time and are entitled to a security of tenure and to fifty percent (50%) of all the benefits that a Police Officer One (PO1) member of the Philippine National Police is entitled to under existing laws.

The Provincial or City Chief of police shall have direct control over the BAP and may impose disciplinary action on them based on the complaint filed directly to his office by the Punong Barangay. The BAP may also be armed upon the request of the Punong Barangay if based on the supporting documents and on his actual assessment of the peace and order situation of the requesting Barangay, the Provincial or City Chief of Police finds that there is an extreme necessity to grant the request.

SEC. 8. Rules and Regulations. - Within thirty (30) days from its effectivity, the Secretary of the Department of Interior and Local Government (DILG) shall promulgate the necessary rules and regulations for the proper implementation of the provisions of this Act. Within the same period, the Philippine National Police is also hereby ordered to formulate the guidelines and training manuals for the screening and training of Barangay Auxiliary Police recruits and determine the standard equipment or tools to be issued to them which shall be circulated to all Provincial or City Chief of Police in the country.

SEC. 9. Budgetary Estimates. - The Secretary of Interior and Local Government shall submit to Congress the budgetary estimates necessary to implement the provisions of this Act concerning the allowances, insurance, medical, dental, retirement and other benefits of Barangay Officials including the necessary additional budgetary allocations for the Philippine National Police for the training, salary and other benefits of the Barangay Auxiliary Police.

SEC. 10. Transitory Provision. - Section 3 and Section 5 hereof shall immediately apply to all incumbent Barangay Officials, whether elected or appointed, upon the effectivity of this Act.

All Barangay Secretaries and Barangay Treasurers serving during the effectivity of this Act shall be allowed to continue holding their positions until the end of the term of office of the incumbent Punong Barangay under whom they are serving. Nothing herein, however, shall be interpreted as barring them from reapplying to the same positions they are holding provided that they meet the qualifications set forth in Section 6 of this Act.

All Barangay Tanods serving during the effectivity of this Act shall be allowed to temporarily continue serving as Barangay Tanod until after the newly recruited Barangay Auxiliary Police have finished their training and have been certified by the Provincial or City Chief of Police as fit and ready to report for duty. Barangay Tanods serving during the effectivity of this Act may also apply as Barangay Auxiliary Police provided that they possess the qualifications set forth in Section 7 of this Act.

SEC. 11. *Repealing Clause.* - All Acts, decrees, executive orders, implementing rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC.12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette and in two (2) newspapers of national circulation.

Approved