

Republic of the Philippines
House of Representatives
Quezon City
15th Congress
House Bill No. 5987



Introduced by HON. AUGUSTO BOBOY SYJUCO

EXPLANATORY NOTE

This bill seeks to postpone the Barangay and Sangguniang Kabataan Elections scheduled on October 28, 2013 and moved to October 27, 2014. This is consistent with the State principle of promoting the general welfare of the people pursuant to the 1987 Constitution.

The postponement of the 2013 Barangay and Sangguniang Kabataan Elections is based on the following considerations:

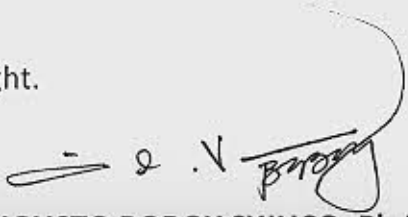
First, the current impeachment "zarzuela" has caused much national consternation, grave distress, emotional "fatigue" and mental "diarrhea" to our people who are now reacting adversely to all matters political in nature.

Second, the nation is anticipating the coming of the La Niña Phenomenon. Recently Cagayan De Oro City, Iligan City and Negros Oriental were struck by earthquake and catastrophic typhoons that caused flash floods and damaged billions of pesos worth of properties. Certainly, this is an concurrent which the government does not want to happen again but one which the government and the public should be prepared of. Instead of carrying out an election and spend billion of pesos, the government should utilize this fund as an additional contingency fund.

Third, the billions of pesos that can be saved in the event of postponement of the 2013 Barangay and Sangguniang Kabataan Elections shall be utilized by the government for various programs and projects across the nation.

To pursue the Barangay and Sangguniang Kabataan Elections this October is very untimely considering that the government has to respond to the ill-effects of earthquakes, El Niño and La Niña as well as improve the delivery of basic services such as education, health and infrastructure. In addition, our people do not want a 2nd election in 2013.

The approval of this bill is earnestly sought.


AUGUSTO BOBOY SYJUCO, Ph.D.

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Introduced by HON. AUGUSTO BOBOY SYJUCO

AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTling THE
BARANGAY AND THE SANGUNIANG KABATAAN ELECTIONS, AND FOR
OTHER PURPOSES

*Be enacted in the Senate and House of Representative of the
Philippines in Congress assembled:*

SECTION 1. Section 1 of Republic Act No. 9340 is hereby amended to read as follows:

"**SECTION 1.** Date of Election.- There shall be synchronized Barangay and Sangguniang Kabataan elections which shall be held on [October 28, 2013] **October 27, 2014.**"

SECTION 2. Section 2 Republic Act No. 9340 is hereby further amended to read as follows:

"Section 2. Term of Office. – The term of office of all Barangay and Sangguniang Kabataan officials after the effectivity of this Act shall be [three (3) years.]] **FIVE (5) YEARS** and shall commence at noon of November 30 next following their election

No barangay elective official shall serve for more than three (3) consecutive terms in the same position: Provided, however, that the term of office shall be reckoned from the 1994 barangay elections. Voluntary renunciation of office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official was elected."

SECTION 3. Section 3 of Republic Act No. 9340 as amended is hereby further amended to read as follows:

"Section 3. Hold Over.- All incumbent Barangay and Sangguniang Kabataan officials under this Act shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified. Provided, however, that all Barangay and all Sangguniang Kabataan officials who were ex officio members of the Sangguniang Bayan, Sangguniang Panglunsod or Sangguniang Panlalawigan, as the case, may be shall continue to serve as such members of the Sanggunian concerned until the next barangay election. The provisions of the Omnibus Election Code relative to the failure of elections and special elections are hereby reiterated in this Act.

SECTION 4. Section 4 of Republic Act No. 9340 as amended is hereby further amended to read as follows:

"Section 4. Appropriations – The amount necessary for the implementation of this act shall be taken from the appropriation of the Commission on Election (COMELEC) under the General Appropriations Act and/or supplementary appropriations thereafter.

In addition, the savings of the COMELEC not exceeding Three Billion Six Hundred Million Pesos (P3,600,000,000.00) shall be used to augment various plans and programs of the government across the nation as may be authorized."

SECTION 5. Implementing Rules and Regulations.- The COMELEC shall promulgate such rules and regulations necessary to implement this Act."

SECTION 6. Repealing Clause. – All laws, decrees, executive orders, letters of instruction and rules and regulations or parts thereof, inconsistent with the provisions of the Act, are hereby repealed or modified accordingly.

SECTION 7. – Separability Clause. - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SECTION 8. – Effectivity Clause.- This Act shall take effect upon its approval and publication in at least two (2) national newspaper of general circulation.

Approved"