

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6005



Introduced by Representative Jerry P. Treñas

EXPLANATORY NOTE

The spirit of our laws and the practical realities of the highly political and divisive nature of the upcoming May 2013 elections dictate that the next Barangay election, which is slated on October 2013, be postponed to a later date.

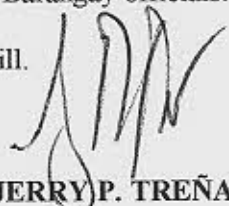
The Barangay is the basic unit of the country's social structure. It has therefore been decided by the lawmakers of our country to insulate the barangays from the influence of partisan politics. Unfortunately, the next Barangay election is scheduled on the same year as the nationwide national and local elections in 2013. Suffice it to say, the highly polarizing and political nature of the May 2013 elections will greatly influence the conduct and outcome of the next Barangay election, if such is to take place immediately after the national and local elections.

It was noted by the Supreme Court, in the case of *Occeña vs. Comelec*, that there are good reasons for insulating the Barangay from the divisive and debilitating effects of a partisan political campaign, as the Barangay Captain and the Barangay Council also act as agencies for neutral community actions such as distribution of basic necessities, conducting plebiscites and settling local disputes. Hence, the High Tribunal noted that "it would definitely enhance the objective and impartial discharge of their duties for barangay officials to be shielded from political loyalty."¹

It is therefore prudent to postpone the Barangay election to a date which is not proximate to the next national/local elections.

Moreover, the postponement of the 2013 Barangay election will allow the incumbent Barangay officials to continue to implement their projects and initiatives. Scheduling a nationwide Barangay election too soon will disrupt the continuity of the programs and the implementation of projects in the various Barangays all over the country. Hence, it is best to schedule the next Barangay election on the last Monday of October 2015, which is five (5) years after the last elections of Barangay officials.

In view of the foregoing, I highly encourage the approval of this bill.



JERRY P. TREÑAS

¹ *Occeña vs. Comelec*, G.R. No. L-60258 (January 31, 1984)

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AN ACT RESETTING THE 2013 BARANGAY ELECTIONS TO THE LAST MONDAY OF OCTOBER 2015.

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

Section 1. The 2013 Barangay elections scheduled on October 2013 is hereby postponed and reset to the last Monday of October 2015.

Section 2. All incumbent Barangay officials shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified.

Section 3. The Commission on Elections shall promulgate the implementing rules and regulations necessary to implement this Act.

Section 4. *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 5. *Repealing Clause.* - All laws, decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

Section 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,