

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



FIFTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 2250
05 JUN 2012

Submitted by the Committee on Local Government on _____
Re House Bill No. **6316**

Recommending its approval in substitution of House Bill Nos. 4991, 5724, 5991, 6055 and 6072

Sponsors: Representatives George P. Arraiz, Gunigundo I, Romualdo, Rodriguez (R), Bichara and Treñas

Mr. Speaker,

The Committee on Local Government to which were referred House Bill No 4991 introduced by Representative Gunigundo I, entitled:

**"AN ACT
CHANGING THE TERM OF OFFICE OF BARANGAY
OFFICIALS FROM THREE (3) TO FIVE (5) YEARS, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 9340 AND REPUBLIC
ACT 9164, AND FOR OTHER PURPOSES"**

House Bill No. 5724 introduced by Representative Romualdo entitled:

**"AN ACT
FIXING THE TERM OF BARANGAY OFFICIALS TO FIVE (5)
YEARS FOR TWO (2) CONSECUTIVE TERMS AND FOR OTHER
PURPOSES"**

House Bill No. 5991 introduced by Representatives Rodriguez (R) and Rodriguez, Jr (M), entitled:

**"AN ACT
AMENDING SECTION 43 OF REPUBLIC ACT 7160,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE
OF THE PHILIPPINES BY INCREASING BY TWO YEARS THE
TERM OF OFFICE OF BARANGAY OFFICIALS."**

House Bill No. 6055 introduced by Representatives Co. Batocabe and Garbin, Jr.
entitled

**"AN ACT
CHANGING THE TERM OF ALL BARANGAY OFFICIALS
FROM THREE (3) TO FIVE (YEARS) AND PROVIDING A
SYSTEM OF RECALL, AMENDING FOR THE PURPOSE
SECTION 43 AND SECTION 74, RESPECTIVELY OF REPUBLIC
ACT NUMBERED SEVEN THOUSAND ONE HUNDRED SIXTY,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE
OF 1991, AND FOR OTHER PURPOSES"**

and House Bill No. 6072 introduced by Representative Treñas, entitled:

**"AN ACT
SETTING THE TERM OF OFFICE OF ELECTED BARANGAY
AND SANGGUNIANG KABATAAN OFFICIALS, AMENDING
SECTION 43 OF REPUBLIC ACT NO. 7160 AND SECTIONS 1
AND 2 OF REPUBLIC ACT NO. 9164, AND FOR OTHER
PURPOSES"**

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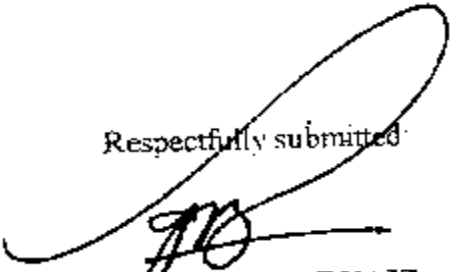
has considered the same and recommends that House Bill No. _____ entitled:

**"AN ACT
CHANGING THE TERM OF OFFICE OF BARANGAY AND
SANGGUNIANG KABATAAN OFFICIALS FROM THREE (3)
YEARS TO FIVE (YEARS), AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 9164, AS AMENDED, AND FOR OTHER
PURPOSES"**

be approved in substitution of House Bill Nos. 4991, 5724, 5991, 6055 and 6072 with Representatives Gunigundo I, Romualdo, Rodriguez (R), Rodriguez (M), Co, Batocabe, Treñas, Arnaiz, Garbin, Jr., Bichara, Fortuno, Gonzalez (F), Sarmiento (C), Sarmiento (M.S.), Malapitan, Almonte, Dayanghirang, Ramos, Jr., Arroyo (D), Bautista, Acharon, Unabia, Estrella, Guanlao, Hataman-Salliman, Cortuna, Magsaysay (E), Lapus, Lico, Catamco,

Jalosios (R), Yambao, Alvarez, Montejo, Cabaluna III, Paras, Bataoil, Panotes, Jaafar, Balindong, Ong, Rodriguez, Jr (I), Sy-Alvarado, Ebdane, Alfonso, Teodoro, Garay, Garin (S), Defensor, Jr., Ocampos, Miraflores, Garcia (A), Acop and Golez (R) as authors thereof.

Respectfully submitted



GEORGE P. ARNAIZ

Chairman

Committee on Local Government

**THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES**

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

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 6316

Introduced by: **REPRESENTATIVES GUNIGUNDO I. ROMCALDO, RODRIGUEZ (R), RODRIGUEZ (M), CO, BATOCABE, TREÑAS, ARNAIZ, GARBIN, JR., BICHARA, FORTUNO, GONZALEZ (F), SARMIENTO (C), SARMIENTO (M.S.), MALAPITAN, ALMONTE, DAYANGHIRANG, RAMOS, JR., ARROYO (D), BAUTISTA, ACHARON, UNABIA, ESTRELLA, GUANLAO, BATAMAN-SALLIMAN, CORTUNA, MAGSAYSAY (E), LICO, CATAMCO, JALOSJOS (R), YAMBAO, ALVAREZ, MONTEJO, CABALUNA III, PARAS, BATAOIL, PANOTES, JAAFAR, BALINDONG, ONG, RODRIGUEZ, JR. (T), LAPUS, SY-ALVARADO, EBDANE, ALFONSO, TEODORO, GARAY, GARIN (S), DEFENSOR, JR., OCAMPOS, MIRAFLORES, GARCIA (A), ACOP AND GOLEZ (R)**

AN ACT
CHANGING THE TERM OF OFFICE OF BARANGAY AND SANGGUNIAN
KABATAAN OFFICIALS FROM THREE (3) YEARS TO FIVE (YEARS),
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED,
AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 1 of Republic Act No. 9164 as amended by Republic Act
2 No. 9340, is hereby further amended to read as follows:

3 **"SECTION 1. *Date of Election.*** – There shall be synchronized
4 barangay and sangguniang kabataan elections which shall be held on July
5 15, 2002. Subsequent synchronized barangay and sangguniang kabataan
6 elections shall be held on the last Monday of October [2007] 2015 and
7 every FIVE (5) [three (3)] years thereafter."

1 **SEC. 2.** Section 2 of Republic Act No. 9164 as amended, is hereby further
2 amended to read as follows:

3 **"SEC. 2. *Term of Office*.** - The term of office of all barangay and
4 sangguniang kabataan officials after the effectivity of this Act shall be
5 FIVE (5) [three (3)] years

6 No barangay official shall serve for more than three (3)
7 consecutive terms in the same position: *Provided, however,* That the term
8 of office shall be reckoned from the [1994] 2002 barangay elections.
9 Voluntary renunciation of office for any length of time shall not be
10 considered as an interruption in the continuity of service for the full term
11 for which the elective official was elected."

12 **SEC. 3.** Section 4 of Republic Act No. 9164 as amended, is hereby further
13 amended to read as follows:

14 **"SEC. 4. *Assumption of Office*.** - The term of office of barangay
15 and sangguniang kabataan officials elected under this Act shall commence
16 on August 15, 2002, next following their elections. The term of office of
17 barangay and sangguniang kabataan officials elected in the October [2007]
18 2015 election and subsequent elections shall commence at noon of
19 [November 30] DECEMBER 1, next following their election. "

20 **SEC. 4. *Hold Over*.** - All incumbent barangay and sangguniang kabataan officials
21 shall remain in office until sooner removed or suspended for cause until their successors
22 shall have been elected and qualified: *Provided, however,* That barangay and
23 sangguniang kabataan officials who are *ex officio* members of the sangguniang bayan,
24 panlungsod or sangguniang panlalawigan as the case may be shall continue to serve as
25 such members in the sanggunian concerned until the next barangay election. The Liga ng
26 mga Barangay at the municipal, city, and provincial levels shall, within thirty (30) days
27 after the next barangay election, conduct elections in the sanggunians under the
28 supervision of the Department of Interior and Local Government (DILG).

1 **SEC. 5. *Limitations on Recall.*** – No recall of any barangay official shall take
2 place within two (2) years from the date of the official's assumption to office and within
3 one (1) year before a regular barangay election.

4 **SEC. 6. *Implementing Rules and Regulations.*** – The Commission on Elections
5 (COMELEC) shall, within thirty (30) days after the effectivity of this Act, promulgate
6 such rules and regulations necessary to implement this Act.

7 **SEC. 7. *Repealing Clause.*** – Section 74 of Republic Act No. 7160 as amended,
8 otherwise known as the Local Government Code of 1991 in so far as the Limitations on
9 Recall of any barangay official, and all laws, decrees, executive orders, rules and
10 regulations inconsistent with the provisions of this Act are hereby amended, repealed or
11 modified accordingly.

12 **SEC. 8. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its
13 publication in any newspaper of general circulation.

14 ***Approved.***

FACT SHEET

House Bill Nos. 4991, 5724, 5991, 6055, and 6072
(As approved by the Committee on May 23, 2012)

CHANGING THE TERM OF OFFICE OF BARANGAY AND SANGGUNIANG KABATAAN OFFICIALS FROM THREE (3) YEARS TO FIVE (5) YEARS

Introduced by Representatives GUNIGUNDO I, ROMUALDO, RODRIGUEZ (R), RODRIGUEZ (M), CO, BICHARA TREÑAS, ARNAIZ, BATOCABE, GARBIN, JR., FORTUNO, GONZALEZ, (F), SARMIENTO (C), SARMIENTO (M.S), MALAPITAN, ALMONTE, DAYANGHIRANG, RAMOS, JR., ARROYO (D), BAUTISTA, ACHARON, UNABIA, ESTRELLA, GUANLAO, HATAMAN-SALLIMAN, CORTUNA, MAGSAYSAY (E), LICO, CATAMCO, JALOSJOS (R), YAMBABO, ALVAREZ, MONTEJO, CABALUNA III, PARAS, BATAOIL, PANOTES, JAAFAR, BALINDONG, ONG, RODRIGUEZ, JR. (I), SY-ALVARADO, EBDANE, ALFONSO, TEODORO GARAY, GARIN (S), DEFENSOR, JR., OCAMPOS, MIRAFLORES, GARCIA (A), ACOP AND GOLEZ (R)

*Committee Referral : **Committee on Local Government***
*Committee Chairperson: **Rep. George P. Arnaiz***

OBJECTIVE

- To rationalize the exercise of barangay elections which, when conducted every three years, is a huge drain on our financial resources;
- To give barangay officials enough time to develop stability in barangay affairs and thus improve the delivery of basic services.

KEY PROVISIONS

- Changes the term of office of barangay and sangguniang kabataan officials from three (3) to five (5) Years;
- Extends the term of office of barangay officials for two more years;
- Sets the next barangay elections on the last Monday of October 2015;
- Fixes the date of assumption to office of the newly created barangay officials on 1 December, 2015;
- Provides that no recall shall be initiated on the first two (2) years upon assumption and on the last year year of the term of office.

RELATED LAWS

- Republic Act Nos. 7160, 9164 and 9340 which set the term of office of Barangay and sangguniang kabataan officials;
- Republic Act No. 9244 which provides for a recall process.