

Republic of the Philippines
House of Representatives
Quezon City

Sixteenth Congress
First Regular Session



HOUSE BILL NO. 1249

Introduced by Representative DEOGRACIAS B. RAMOS, Jr.

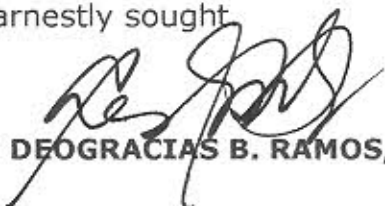
EXPLANATORY NOTE

This bill empowers the mayor to appoint the Punong Barangay from the duly elected and qualified members of the Sanggunian Barangay. It increases by one (1) the members to be elected in said Sanggunian.

By making the Punong Barangay an appointed official, the bitter rivalry between and/or among candidates for said single position prior and even after election would be averted since all candidates would be vying for the eight (8) posts in the Sanggunian Barangay. It is well known that losing candidates for the top post in the Barangay become the arch nemesis of the incumbent thereby dividing or factionalizing the barangay which in turn work against the peaceful and smooth delivery of public service at said level.

It will likewise substantially lessen election spending of the candidates.

The immediate approval of this bill is earnestly sought


DEOGRACIAS B. RAMOS, JR.

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**AN ACT MAKING THE PUNONG BARANGAY AN APPOINTED OFFICIAL,
AMENDING FOR THE PURPOSE RA NO. 7160, OTHERWISE KNOWN AS
THE LOCAL GOVERNMENT CODE OF 1991.**

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

SECTION 1. Section 39, paragraphs e of RA 7160 are hereby amended,
respectively, viz:

"SEC. 39. Qualifications. - xxx

"(e) Candidates for the position of [**punong barangay or**] member of the
sangguniang barangay must be at least eighteen (18) years of age on election
day.

SECTION 2. Section 41, paragraphs a of Republic Act No. 7160 is hereby
amended, viz:

"SEC. 41. Manner of Election. -

(a) The governor, vice- governor, city mayor, city vice-mayor, municipal
Mayor[,] **and** municipal vice-mayor[, **and punong barangay**] shall be elected
at large in their respective units by the qualified voters therein. However, the
sangguniang kabataan chairman for each barangay shall be elected by the
registered voters of the katipunan ng kabataan, as provided in this Code.

SECTION 3. Section 44 paragraph b of RA 7160 is hereby amended as
follows, viz:

"Section 44. Permanent Vacancies in the Offices of the Governor, Vice-Governor,
Mayor, and Vice-Mayor. - xxx

"(b) If a permanent vacancy occurs in the office of the punong barangay, the [highest ranking sanggunian barangay member or, in case of his permanent inability, the second highest ranking sanggunian member, shall become the punong barangay] city or municipal mayor shall appoint a new punong barangay from any of the duly elected and qualified member of the sangguniang barangay who shall only serve the unexpired term.

SECTION 4. Section 390 of RA 7160 is hereby amended, viz:

*"Section 390. Composition. - The sangguniang barangay, the legislative body of the barangay, shall be composed of the punong barangay as presiding officer, **appointed by the city or municipal mayor**, and the seven (7) regular sangguniang barangay members elected at large and sangguniang kabataan chairman, as members.*

SECTION 5. Section 444(b)(1)(v) of RA 7160 is hereby amended as follows, viz:

"Section 444. xxx

*"(v) Appoint **the punong barangay from any of the duly elected and qualified members of the sangguniang barangay**, all officials and employees whose salaries and wages are wholly or mainly paid out of municipal funds and whose appointments are not otherwise provided for in this Code, as well as those he may be authorized by law to appoint;"*

SECTION 6. Section 455(b)(1)(v) of RA 7160 is hereby amended as follows, to wit:

"Section 455. xxx

*"(v) Appoint **the punong barangay from any of the duly elected and qualified members of the sangguniang barangay**, all officials and employees whose salaries and wages are wholly or mainly paid out of municipal funds and whose appointments are not otherwise provided for in this Code, as well as those he may be authorized by law to appoint;"*

SECTION 7. All other laws, decrees, executive orders and other issuances that are inconsistent with this Act are hereby repealed.

SECTION 8. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,