

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Metro Manila

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2537



Introduced by Representative EDGAR R. ERICE

EXPLANATORY NOTE

The instant bill seeks the deferment of the Sangguniang Kabataan elections scheduled this October 28, 2013 to the last Monday of October next year. This is in order to give Congress sufficient time to seriously consider the various pending proposals for the abolition of SK as an institution.

It cannot be denied that there is a groundswell of momentum in favor of terminating the SK's existence in view of the widespread observation that instead of serving as a training ground for the country's future leaders, it has become a tool and a vehicle for the proliferation of corruption. The Sangguniang Kabataan is no longer fulfilling the noble purpose for which it was created. Even the Commission on Elections (COMELEC) and the Parish Pastoral Council for Responsible Voting (PPCRV) have been quoted in the media calling for the abolition of SK, alleging "that it exposes the youth to various forms of poll fraud and is only being used by unscrupulous local officials for corruption".

However, the tedious nature of legislation necessitates the allocation of adequate time for this august chamber to consider and fully deliberate on the pros and cons of maintaining the SK as a mechanism for youth participation in governance. For one, there is the issue of whether the 10% budget allocation for youth programs should be continued, or whether the SK should revert back to pure volunteerism as it was in the days of its predecessor, the Kabataang Barangay. For another, there is the legal question of whether persons who are too young to be allowed to enter into contracts, or to even get married, should nevertheless be permitted to administer millions of government funds as elected officials.

For still another, there is the recent finding that the low turnout of voters for Sangguniang Kabataan is a manifestation of the declining interest of the youth in the SK polls or in public service. After all, conventional wisdom states that young people should be in school finishing their studies, rather than in government learning political skills.

All of these point to the urgent need of postponing the SK elections so that the burning debate will not be rendered moot and academic by the installation of a new set of Sangguniang Kabataan officials. Add to this the fact that according to the COMELEC, the government stands to save at least P1.1 billion in election expenses if the said SK polls would be abolished.

In the light of the foregoing premises, the undersigned strongly recommends the immediate approval of this bill.



EDGAR R. ERICE

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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HOUSE BILL NO. 2537

Begun and held in Metro Manila, on _____, the _____th day of _____,
twenty hundred and thirteen.

Introduced by Representative EDGAR R. ERICE

AN ACT
DEFERRING THE SANGGUNIANG KABATAAN ELECTIONS TO THE LAST
MONDAY OF OCTOBER 2014, AMENDING FOR THIS PURPOSE REPUBLIC
ACT NO. 9340 ENTITLED "AN ACT AMENDING REPUBLIC ACT NO. 9164,
RESETTING THE BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS,
AND FOR OTHER PURPOSES."

*Be it enacted by the Senate and House of Representatives 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 separate Barangay and
Sangguniang Kabataan elections, with the former to be held on October 28, 2013,
while the latter to be held on the last Monday of October 2014. Subsequent
Barangay elections shall be held on the last Monday of October 2016 and every
three (3) years thereafter.

Subsequent Sangguniang Kabataan elections shall be held on the last
Monday of October 2017 and every three (3) years thereafter, unless Congress
passes a law abolishing the Sangguniang Kabataan as an institution."

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

"SECTION 2. **Assumption of Office.** - The terms of office of the Barangay and
Sangguniang Kabataan officials elected under this Act shall commence at noon of
November 30 next following their election."

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

"SEC. 3. **Hold Over.** - All incumbent Barangay and all Sangguniang Kabataan officials 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 are *ex officio* members of the Sangguniang Bayan, Sangguniang Panlungsod or Sangguniang Panlalawigan as the case may be shall continue to serve as such members in the Sanggunian concerned until the next Barangay or Sangguniang Kabataan elections. The Liga ng mga Barangay at the municipal, city, and provincial levels shall, within thirty (30) days after the next Barangay election, conduct elections for *ex officio* positions in the Sanggunians under the supervision of the Department of the Interior and Local Government."

SECTION 4. All other provisions of Republic Act No. 9340 are hereby deemed re-enacted.

SECTION 5. **Implementing Rules and Regulations.** - The Commission on Elections (COMELEC) shall promulgate such rules and regulations as are necessary to implement this Act.

SECTION 6. **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 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 fifteen (15) days after the completion of its publication in at least two (2) national newspapers of general circulation.