

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2729



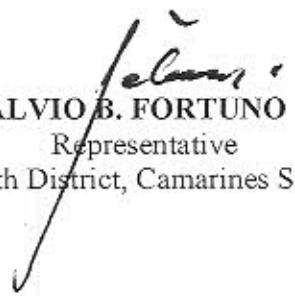
Introduced by: **REPRESENTATIVE SALVIO B. FORTUNO**

EXPLANATORY NOTE

The euphoria generated by the pronouncement after election in 2010 of then President-apparent Benigno Simeon C. Aquino III to take his oath before a punong barangay in his hometown in Tarlac has brought to the fore the issue as to whether or not the punong barangay can administer oath to the highest official of the land. The great enthusiasm experienced by punong barangays at that time had practically been doused with cold water when several legal luminaries expressed their legal views that the punong barangay has no power to administer oath except "*in connection with any matter relating to all proceedings in the implementation of the katarungang pambarangay*".

This bill therefore seeks to empower the punong barangay to administer the prescribed oath of office before any government official, including the President of the Philippines, perform their respective functions and responsibilities. The paramount objective of this piece of legislation is to give the incoming President wider latitude or great opportunity to choose who, from among the public officials, will administer oath to His Excellency. While this measure will break the long standing tradition where the President takes his oath before the Chief Justice, it will also give due recognition to the untiring support extended by the punong barangay to the President. The oath-taking ceremony, just like the seraph in heaven meeting the lowest reptiles of the dust, will give the highest official of the land the opportunity to reach out to the highest official of the lowest political unit.

In view of the foregoing, the approval of this bill is earnestly sought.


SALVIO B. FORTUNO
Representative
Fifth District, Camarines Sur

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Introduced by: **REPRESENTATIVE SALVIO B. FORTUNO**

AN ACT
AUTHORIZING THE PUNONG BARANGAY TO ADMINISTER THE OATH OF OFFICE OF ANY GOVERNMENT OFFICIAL, INCLUDING THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES, FURTHER AMENDING FOR THE PURPOSE SECTION 41 OF EXECUTIVE ORDER No. 292 OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

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

SECTION 1. Section 41 of Executive Order No. 292 as amended otherwise known as the Administrative Code of 1987 is hereby further amended to read as follows:

"SECTION 41. Officers Authorized to Administer Oaths. – The following officers have general authority to administer oath: President; Vice-President; Members and Secretaries of both Houses of Congress; Members of the Judiciary; Secretaries of Departments; provincial governors; and [lieutenant]VICE-governors, city mayors; municipal mayors; **PUNONG BARANGAYS**; bureau directors; regional directors; clerks of courts; register of deeds; other civilian officers in the public service of the government of the Philippines whose appointments are vested in the President and are subject to confirmation by the Commission on Appointments; all other constitutional officers; PAO lawyers in connection with the performance of duty; and notaries public.

SEC. 2. All laws, executive orders, presidential decrees, rules and regulations, which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) days after its publication in at least two newspapers of general circulation.

Approved,

*Approved by the Committee on Local Government
15th Congress*