

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4355



Introduced by Hon. Elpidio F. Barzaga, Jr.

EXPLANATORY NOTE

Section 384 of the Local Government Code of 1991 (Republic Act No. 7160) defined the primary role of the Barangay to "serve as the primary planning and implementing unit of government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered, and where disputes may be amicably settled." Being the basic political unit in our system of government, the Barangay is in the frontlines in the delivery of basic services and addressing the needs of the community.

Barangay New Era of the then Municipality of Dasmariñas was created by virtue of Provincial Ordinance No. 4-S-91 of Provincial Sanggunian of Cavite which was enacted on 24 January 1991. A plebiscite was held on 01 August 1993 of which the affirmative votes won and thereby ratified the creation of Barangay New Era (*formerly Barangay Sampaloc V*) into a regular barangay from its mother Barangay, Sampaloc I, in the then Municipality of Dasmariñas, Province of Cavite.

The Municipality Dasmariñas was converted into a component city of Cavite on 26 November 2009, pursuant to Republic Act No. 9723.

However, since Barangay New Era was created by virtue of a provincial ordinance and its creation was ratified only after the effectivity of the Local Government Code, it does not enjoy any share in the internal revenue allocation (IRA) pursuant to the last paragraph of Section 285 of the Local Government Code of 1991 which provides: "that the financial requirements of barangays created by local government units after the effectivity of this Code shall be the responsibility of the local government unit concerned." Although it was created by a provincial ordinance prior to the effectivity of the Local Government Code or before 01 January 1992, the plebiscite was only held on 01 August 1993, thereby it was not included in the list of barangays entitled to receive internal revenue allocation from the national government.

At present, Barangay New Era has a population of 3,142, based on the 2010 national census. To keep Barangay New Era operational in the delivery of basic services and responsive to the needs of its community, the City Government of Dasmariñas provides financial assistance to Barangay New Era. However, due to meager resources, such assistance does not fully result in the delivery of adequate services to the people of Barangay New Era not to mention funds needed to implement its local development projects.

By enacting a law for the creation of Barangay New Era, said barangay will be entitled to receive its just share in the internal revenue allotment (IRA). Such entitlement to a share in the IRA would greatly improve the financial capability of Barangay New Era and would enable the Barangay to efficiently and effectively perform its functions, duties and responsibilities, to the end that the fruits of public service will trickle to the level closest to the citizenry, which is the Barangay.

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



ATTY. ELPIDIO F. BARZAGA, JR.
Representative
Lone District of the City of Dasmariñas

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**AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY
NEW ERA IN THE CITY OF DASMARIÑAS, PROVINCE OF CAVITE**

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

SECTION 1. *Creation of Barangay New Era.* – There is hereby created a barangay to be known as Barangay New Era in the City of Dasmariñas, Province of Cavite.

SEC. 2. *Conduct and Supervision of Plebiscite.* – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) pursuant to Provincial Ordinance No. 4-S-91 of the Provincial Sanggunian of Cavite, which ratified the creation of Barangay New Era as proclaimed by the Plebiscite Board of Canvasser on 01 August 1993 shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, as amended, otherwise known as the “Local Government Code of 1991.”

SEC. 3. *Barangay Officials.* - The incumbent elected barangay officials of Barangay New Era, City of Dasmariñas shall continue to hold office until such time that their successors have been duly elected and qualified.

SEC. 4. *Public Infrastructure and Facilities.* - All existing public infrastructure and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation and shall be administered by the new barangay.

SEC. 5. *Internal Revenue Allotment Shares.* - Barangay New Era shall be entitled to the Internal Revenue Allotment (IRA) shares pursuant to Section 285 of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

SEC. 7. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,