

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4514**



Introduced by CHRISTOPHER S. CO and RODEL M. BATOCABE

EXPLANATORY NOTE

The passage of this bill seeks to amend Section 408 of Republic Act 7160 (Local Government Code) pertaining to the Katarungang Pambarangay Law by increasing the jurisdiction or the number of cases that may be filed in the barangay level of our justice system.

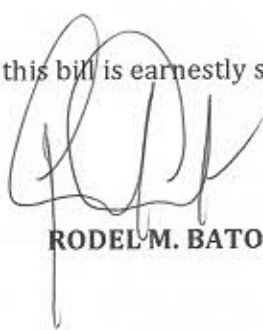
Considered as a basic tenet of constitutional law, the right to a speedy administration of justice is given prime importance. Also, it has been the policy of the State to remove, as swiftly as possible, the numerous cases that clog the dockets of the courts. It is in response to this that numerous laws have been passed, one of which is P.D. 1508 later repealed by the Local Government Code. Such a law establishes a procedure as regards amicably settling disputes at the barangay level.

As with any other law, the viability of the Katarungang Pambarangay Law would always be tested after the passage of time. It is nonetheless commendable at the outset for conjuring a novel and concrete approach to the problem of clogged court dockets. Although this novel approach has gained ground, the recent statistics of the number of cases reaching the court system is still alarming.

It is expressly provided in Section 16, Article III of the 1987 Constitution that one of the constitutional rights of Filipino citizen is the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies. Pursuant to this provision, the State has the obligation to set up the mechanism to ensure the speedy resolution of the disputes among its citizens.

In light of all these circumstances, the swift passage of this bill is earnestly sought.


CHRISTOPHER S. CO


RODEL M. BATOCABE

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AN ACT AMENDING SECTION 408 OF REPUBLIC ACT 7160 (LOCAL GOVERNMENT CODE OF 1991) OTHERWISE KNOWN AS THE KATARUNGANG PAMBARANGAY LAW, PROVIDING FOR A MORE EXPANDED JURISDICTION THEREOF

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

SECTION 1. Section 408 of Republic Act 7160 is hereby amended to read as follows:

SECTION 408. Subject Matter for Amicable Settlement; Exception Thereto. – The lupon of each barangay shall have authority to bring together the parties actually residing in the same **PROVINCE** [city of municipality] for amicable settlement of all disputes except:

- (a) Where one party is the government, or any subdivision or instrumentality thereof;
- (b) Where one party is a public officer or employee, and the dispute relates to the performance of his official functions;
- (c) Offenses punishable by imprisonment exceeding **SIX (6) YEARS** [⁶one (1) year^S] or a fine exceeding **ONE HUNDRED THOUSAND PESOS (P100,000.00)** [five thousand pesos (P5,000.00)];
- (d) Offenses where there is no private offended party;
- (e) Where the dispute involves real properties located in different **PROVINCES** [cities of municipalities] unless the parties thereto agree to submit their differences to amicable settlement by an appropriate lupon;
- (f) Disputes involving parties who actually reside in barangays of different **PROVINCES** [cities or municipalities], except where such barangay units adjoin each other and the parties thereto agree to submit their differences to amicable settlement by an appropriate lupon;
- (g) Such other classes of disputes which the President may determine in the interest of justice or upon the recommendation of the Secretary of Justice.

The court in which non-criminal cases not falling within the authority of the lupon under this Code

are filed may, at any time before trial, motu proprio refer the case to the lupon concerned for amicable settlement.

SECTION 2. Implementing Rules and Regulations. – Within ninety (90) days after the approval of this amendment, the Department of Interior and Local Government (DILG) shall prepare and promulgate the necessary rules and regulations needed to implement the amendatory provisions.

SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at least one (1) newspaper of general circulation.

Approved.