

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
Third Regular Session

House Bill No. **6420**

Introduced by: Representative Emi Calixto-Rubiano

Explanatory Note

This proposed measure seeks to postpone or reset the Barangay elections slated this October 2016 to October 2018, amending for the purpose Republic Act No. 9340.

Considering that there will soon be nationwide elections this coming May 2016, it would be prudent and advisable to reset the next barangay elections this October 2016 to October 2018. It is noteworthy that the elected officials of the barangay, being the basic unit of our country's social structure, should be insulated from the influence of partisan politics. In a decided case of *Occena v. Comelec*, GR L-60258, January 1984, the High Court held that "it would definitely enhance the objective and impartial discharge of their duties for barangay officials to be shielded from political loyalty."

Moreover, the Barangay elections will necessitate a considerable amount of government expenditure. The billions of pesos that can be saved by reason of its postponement can be used for other government projects like the construction of roads, bridges, school buildings and other worthy endeavors.

Thus, an extension of two (2) years would be prudent not only to make certain the stability of the barangay leadership and its affairs but also to guarantee that the programs and projects initiated will be aptly carried out and would come to its realization.

In view of the foregoing, the passage of this measure is earnestly sought.

A handwritten signature in dark ink, appearing to read "Emi Calixto-Rubiano".

EMI CALIXTO-RUBIANO
Representative
Lone District of Pasay City

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**AN ACT RESETTING THE DATE OF BARANGAY ELECTIONS TO OCTOBER
2018, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9340**

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

Section 1. Section 1 of Republic Act No. 9340 is hereby amended to read as follows:

“SEC. 1. *Date of Election.* – The Barangay elections to be held on 10 October 2016 is hereby postponed and reset to 08 October 2018.”

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

“SEC. 2. *Asumption of Office.* – The term of office of elective barangay officials under this Act shall commence on 30 November 2018, following their elections.

Section 3. The provisions of Section 5 of Republic Act No. 9164, as amended by Section 3 of Republic Act No. 9340 with regard to “hold over”, shall remain in full force and applicable under this Act.

Section 4. *Implementating Rules and Regulations.* The Commission on Elections shall promulgate the implementing rules and regulations necessary to implement this Act.

Section 5. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,