

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



17th CONGRESS
First Regular Session

House Bill No. **4507**

Introduced by
Davao del Norte First District Representative
Pantaleon D. Alvarez

EXPLANATORY NOTE

This bill seeks to remedy the inequity brought about by the last paragraph of Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991. The said paragraph provides that the financial requirements of barangays created by the local government units (LGUs) after the effectivity of the Local Government shall be the responsibility of the LGUs concerned.

Such provision effectively precluded Barangays Magugpo East, Magugpo West, Magugpo North and Magugpo South om Tagum City, Province of Davao del Norte to receive Internal Revenue Allotment (IRA) that other barangays are entitled to have under normal circumstances. Magugpo East, Magugpo West, Magugpo North and Magugpo South were created pursuant to Provincial Ordinance No. 2, series of 1993, which was passed and enacted by the Sangguniang Panlalawigan on 23 August 1993.

The barangays are regarded as the basic political unit. It serves as the primary planning and implementing unit of government policies, plans, programs, projects and activities in the community.

Article II, Section 24 of the Philippine Constitution provides that the State shall ensure the autonomy of local governments. Relative thereto, the Local Government Code also declares under Section 2 that it is the policy of the State that its territorial and political subdivisions shall enjoy genuine and meaningful local autonomy to enable them to attain development as self-reliant communities, thus making them effective partners in the attainment of national goals. However, the conduct of barangay affairs and operations entail necessary expenses and are sometimes costly.

The provision in the last paragraph of Section 285 of R.A. No. 7160 deprives some barangays of their just share in the national taxes, in this case Magugpo East, Magugpo West, Magugpo North and Magugpo South.

Hence, this Representation is constrained to file this bill with the hope that pending the amendment of the said iniquitous provision of R.A. No. 7160, a more expedient remedy can be availed of for the said non-IRA barangays to level the playing field of opportunity amongst equals through an act of Congress.

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



PANTALEON D. ALVAREZ

Representative

First District

Davao del Norte

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

SEVENTEENTH CONGRESS

First Regular Session

4507
HOUSE BILL No. _____

Introduced by Honorable PANTALEON D. ALVAREZ

AN ACT

**DIVIDING BARANGAY MAGUGPO IN THE CITY OF TAGUM, PROVINCE
OF DAVAO DEL NORTE INTO FIVE (5) DISTINCT AND INDEPENDENT
BARANGAYS TO BE KNOWN AS BARANGAY MAGUGPO POBLACION,
BARANGAY MAGUGPO EAST, BARANGAY MAGUGPO WEST, BARANGAY
MAGUGPO NORTH AND BARANGAY MAGUGPO SOUTH**

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

SECTION 1. *Division of Barangay Magugpo.* — Barangay Magugpo in the City of Tagum, Province of Davao del Norte is hereby divided into five (5) distinct and independent barangays to be known as 1) Barangay Magugpo Poblacion, 2) Barangay Magugpo East, 3) Barangay Magugpo West, 4) Barangay Magugpo North, and 5) Barangay Magugpo South.

SECTION 2. *Territorial Boundaries.* — The territorial boundaries of each barangay created in the immediately preceding section shall be as follows:

1) Barangay Magugpo Poblacion

“Beginning at a point being the road junction of Sobrecarey St., Pioneer Avenue, Pagsabangan Road, and Dalisay Road, hence South 53 East, traversing centerline of roadway up to the junction of Pioneer Avenue and Seminary Drive, North 54 East, following Seminary Drive up to crossing Domingo Subdivision Road; South 85 East, passing Domingo Subdivision Road up to its junction with the National Highway, South 40 West, following National

Highway to Magugpo Crossing, south 53 30 East, to crossing Gamao Road, North 87 West, to junction National Highway up to crossing Sobrecarey St., and North 2 30 East, passing Sobrecarey St., to the point of beginning. Bearings true.

"Bounded on the North along Pioneer Avenue, Seminary Drive and Domingo Subdivision Road, by portion of Barangay Magugpo West and Barangay Magugpo North on the Southeast along National Highway, by Barangay Magugpo East and Visayan Village and on the West, by Barangay Magugpo South."

2) Barangay Magugpo East

"Beginning at a point being the junction of National Highway and Apokon Road, thence; North 40-00' East, traversing the National Highway to crossing New Corella Provincial Road, South 54 00' East, passing the boundary between Magugpo and Barangay Magdum up to Hijo River, Southwest, following down stream of Hijo River up to the South corner of lot 381-B-2, Northwest direction passing the boundary between Barangay Apokon, South 23 00' West, passing boundary between Zafra Subdivision, Barabad Compound and Pilar Village of Barangay Apokon up to Apokokn Road, and North 47 30' West, passing Apokon Road to the point of beginning. Bearings true.

"Bounded on the Northeast, by Barangay Magdum, on the Southeast, by Hijo River, on the South by Barangay Apokon, on the Southwest, by Barangay Visayan Village, and on the Northwest, by Barangays Magugpo Poblacion and Magugpo North."

3) Barangay Magugpo West

"Beginning at a point being the junction of Pioneer Avenue and Seminary Drive, thence, North 53 00' West, traversing Pioneer Avenue and Pagsabangan Road up to the boundary between Barangay Magugpo and Barangay Mankilam, South 45 00' East, to the road at Purok Santol connecting Seminary Drive, and South 14 00' West, following the road and Seminary Drive to the point of beginning. Bearings true.

"Bounded on the North, by Barangay La Filipina on the East, by Barangay Magugpo North on the Southeast, by Barangay Magugpo Poblacion on the Southwest, by Barangays Magugpo Poblacion and Magugpo South, and on the Northwest, by Barangay Mankilam."

4) Barangay Magugpo North

"Beginning at a point being the junction of National Highway and New Corella Road, hence; South 40 East, passing National Highway to crossing Domingo Subdivision Road, North 53 West, following Domingo Subdivision Road to its junction with Seminary Drive, North 20 3East, following along Seminary Drive up to the North corner of lot 602 of Purok Santol, North 79 30 East, following the boundary with Barangay La Filipina up to the Provincial Road, and South 67 00 East, passing Provincial Road to the point of beginning. Bearings true.

"Bounded on the North and Northeast, by Barangay La Filipina and Magdum, on the Southeast, by Barangay Magugpo Poblacion and on the Northwest, by Barangay Magugpo West."

5) Barangay Magugpo South

"Beginning at a point, being the junction of Sobrecarey St., Pagsabangan Road, Dalisay Road and Pioneer Avenue, thence; Highway, South 2 30' West, traversing Sobrecarey St., up to its junction with the National Highway South 37 30' West, passing National Highway to the South corner of the same lot, South 73-30', passing South of lot 715-B-2-C, owned by Chiong "Oy" Uy to the South Corner of lot 715-C-2, owned by Sol Rusles, South 83-30' West, to the south corner of lot 2778, 721, passing further along the boundaries between Sison Subdivision, Cervantes District, Teacher's Village, and the Barangay of San Miguel and Mankilam up to Pagsabangan Road, and South 63-30' East, following Pagsabangan Road to the point of beginning. Bearings true.

"Boundaries on the Northeast, by Barangay Magugpo West, on the East, by Barangay Magugpo Poblacion, on the South, by Barangay Visayan Village, and on the West, by Barangay San Miguel and Mankilam."

SECTION 3. *Conduct and Supervision of Plebiscite.* — The plebiscite conducted and supervised by the Commission on Elections (COMELEC) in Barangay Magugpo pursuant to Provincial Ordinance No. 2, S-1993 of the Province of Davao del Norte, which ratified the division of the barangay into five (5) distinct and independent barangays, namely, Barangay Magugpo Poblacion, Barangay Magugpo East, Barangay Magugpo West, Barangay Magugpo North, and Barangay Magugpo South, as proclaimed by the Plebiscite Board of Canvassers on September 4, 1994, 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.

SECTION 4. *Incumbent Barangay Officials.* — The incumbent barangay officials of Barangay Magugpo Poblacion, Barangay Magugpo East, Barangay Magugpo West, Barangay Magugpo North, and Barangay Magugpo South of the City of Tagum, Province of Davao del Norte, shall continue to hold office until such time that their successors have been duly elected and qualified.

SECTION 5. *Public Infrastructure and Facilities.* — All existing public infrastructures and facilities for public use existing therein at the time of the approval of this Act are hereby transferred without cost or compensation to and shall be administered by the new barangays.

SECTION 6. *Internal Revenue Allotment Shares.* — All barangays herein created, namely, Barangay Magugpo Poblacion, Barangay Magugpo East, Barangay Magugpo West, Barangay Magugpo North, and Barangay Magugpo South, shall be entitled to 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.

SECTION 7. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,