

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 1706



Introduced by Representative
HORACIO P. SUANSING, JR.

AN ACT
CREATING BARANGAY PAG-ASA IN THE MUNICIPALITY OF KALAMANSIG,
PROVINCE OF SULTAN KUDARAT

EXPLANATORY NOTE

This bill seeks to create Barangay Pag-asa, in the Municipality of Kalamansig, Province of Sultan Kudarat, as a government unit created by virtue of a law, pursuant to Section 385 of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of 1991, in order for said Barangay to be entitled to a direct Internal Revenue Allotment (IRA) from the Department of Budget and Management (DBM).

On September 16, 1994, Barangay Pag-asa was created by the Provincial Government of Sultan Kudarat by adopting Ordinance No. 1 (Sixth Regular Session) of the Sangguniang Panlalawigan through the recommendation of the Sangguniang Bayan of Kalamansig. This was ratified by a plebiscite conducted by the Commission on Elections (COMELEC) on November 12, 1995.

Per latest available data, Barangay Pag-asa has a total land area of 72.64 hectares, a total population of 5,667 with 1,169 households and 3,144 registered voters, which is in compliance with Section 386 of the Local Government Code requiring a minimum population of two thousand (2,000) inhabitants to create a barangay. It is composed of seven (7) puroks: Purok Isla Verde, Purok Baliwasan, Purok Narra, Purok Seaside, Purok Golden Duranta, Purok PC Area and Purok Riverside.

According to Section 385 of the Local Government Code, a Barangay may be created either by law or by an ordinance. It provides:

Manner of Creation. — A barangay may be created, divided, merged, abolished, or its boundary substantially altered, by law or by an ordinance of the Sangguniang Panlalawigan or Sangguniang Panlungsod, subject to approval by a majority of the votes cast in a plebiscite to be conducted by the COMELEC in the local government unit or units directly affected within such period of time as may be determined by the law or ordinance creating said

barangay. In the case of the creation of barangays by the Sangguniang Panlalawigan, the recommendation of the Sangguniang Bayan concerned shall be necessary.

As it was created by an ordinance, Section 285 of the Local Government Code applies. It 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." Thus, notwithstanding its existence for more than 20 years, Barangay Pag-asa has never received a direct share of Internal Revenue Allotment (IRA) of barangays from the Department of Budget and Management (DBM). Currently, it receives quarterly financial aid from the province and the municipality in the amount of Four Hundred Thousand Pesos (P400,000.00) and Eight Hundred Thousand Pesos (P800,000.00), respectively. These amounts, however, are insufficient to cover the development needs, administrative services, and mandatory and statutory obligations of said Barangay, especially in consideration of its growing population. Accordingly, the financial constraints of the Barangay have caused challenges in properly discharging its duties and responsibilities to support the needs of its constituents and provide basic social services as mandated by law.

Given the above, this bill calls for the creation of Barangay Pag-asa in the Municipality of Kalamansig, Province of Sultan Kudarat as a government unit by virtue of a law, pursuant to Section 385 of the Local Government Code of 1991, in order to entitle the same to IRA shares allocated to barangays and thereby ensure its economic and financial viability.

The immediate approval of this bill is earnestly sought.¹


HORACIO P. SUANSING, JR.
Second District of Sultan Kudarat

¹ This bill was initially filed in the 18th Congress by Rep. Horacio P. Suansing, Jr.

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

SECTION 1. *Creation of Barangay Pag-asa* — There is hereby created a barangay to be known as Barangay Pag-asa in the Municipality of Kalamansig, Province of Sultan Kudarat.

The territorial boundaries of Barangay Pag-asa are in accordance with the metes and bounds in Ordinance No. 1 of the Sangguniang Panlalawigan of the Province of Sultan Kudarat creating Barangay Pag-asa, as ratified by the plebiscite conducted and supervised by the Commission on Elections (COMELEC) on November 12, 1995.

SECTION 2. *Conduct and Supervision of Plebiscite* — The plebiscite conducted and supervised by the Commission on Elections (COMELEC) on November 12, 1995, which ratified Ordinance No. 1 of the Sangguniang Panlalawigan of the Province of Sultan Kudarat creating Barangay Pag-asa, shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160 or the Local Government Code of 1991, as amended.

SECTION 3. *Incumbent Barangay Officials* — The incumbent barangay officials of Barangay Pag-asa, Municipality of Kalamansig, Province of Sultan Kudarat, shall continue to hold office until such time that their successors have been duly elected and qualified.

SECTION 4. *Public Infrastructure and Facilities* — All 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 to the new barangay, and shall be likewise administered by the new barangay.

SECTION 5. *Internal Revenue Allotment Shares* — Barangay Pag-asa 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 6. *Separability Clause.* — If any provision or part hereof is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

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

Approved,