

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

Nineteenth Congress
First Regular Session

HOUSE BILL NO. 3024



Introduced by Hon. Amparo Maria J. Zamora

EXPLANATORY NOTE

This is a re-filed version of House Bill (H.B.) No. 358, substituted by H.B. No. 4752 introduced by Former Representative Maria Laarni Cayetano during the 18th Congress. The bill was passed on November 4, 2019 and has been transmitted and received by Senate on November 5, 2019.

This bill seeks to create Barangay Central Bicutan, separate from its original Barangay – Barangay Upper Bicutan. Based on the 2020 Census on Population conducted by the Philippine Statistics Authority¹, the total population in Central Bicutan is 33,851 while the population in Upper Bicutan is 44,592. This emphasizes the high need for reapportionment and the creation of separate Barangay Central Bicutan.

Being the basic political unit, barangays 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" (Section 384 of the Local Government Code). As such, it is the country's ultimate front-liner in the provision of a broad range of basic services to the community, as well as in the delivery to the citizenry of their first taste of the fruits of local public service. This is strengthened by the policy of establishing, protecting and enhancing fiscal autonomy on all levels of local governance is integral to the proper exercise of local government functions. This policy refers not just to the power to allocate one's resources in accordance with one's priorities but also the power to create one's own sources of revenue in addition to one's equitable share in the national taxes released by the central government.

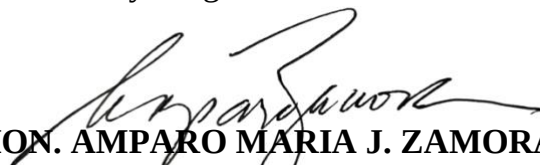
¹ Philippine Statistics Authority, 2020 Census on Population and Housing, <https://psa.gov.ph/content/2020-census-population-and-housing-2020-cph-population-counts-declared-official-president>

Section 6, Article X of our Constitution states: "Local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them." The Internal Revenue Allotment (IRA) as incorporated in the general appropriations law enacted annually by the legislature is the "just share" contemplated by the constitutional mandate. Therefore, it is clearly an indispensable component in the grant of meaningful and true fiscal autonomy to local government units. Further, Sec. 25 of RA 7160 bolsters the Constitutional grant of a just share of LGUs in the IRA.

In this sense, the creation of barangays, upon proper compliance with the requirements set by the Constitution and the Local Government Code only serves to bolster the capability of local governments to perform their respective functions, duties and responsibilities efficiently and effectively in the name of autonomy, decentralization and national growth and prosperity. Thus, this bill seeks to invoke the 1987 Constitution and RA 7160 by allowing Barangay Central Bicutan to be entitled to a just share from the national taxes. Barangay Central Bicutan, located within the City of Taguig, Metro Manila, is one such barangay excluded from a share in the IRA. It has a land area of Four Hundred Ninety Two Thousand Four Hundred square meters (492,400 sq.m.), more or less, and a population of Thirty Three Thousand Eight Hundred and Fifty-One (33,851) . It is bounded on the Northeast and East by a creek and Maharlika Road, Lapu-Lapu Street and Bonifacio Street; on the South by Bonifacio Street; and on the West and Northwest by F.T.I. Compound and Parañaque Cadastre.

Having thus complied with the requisites prescribed under Section 386 of the Local Government Code and the plebiscite requirement contained in Section 10, Article X of the Constitution; it was separated from the original Barangay Upper Bicutan created as a separate Barangay by the City Government of Taguig, acting through the Sangguniang Panlungsod, under City Ordinance No. 57-2008 approved on September 1, 2008. Its corporate existence began on October 25, 2010 when its first set of regular officials was elected, pursuant to Section 14 of the Local Government Code.

In view of these considerations, and in the face of resonating and unified public clamor for a clear and immediate legislative remedy to the matter at hand, the immediate approval of this bill is highly and earnestly sought.


HON. AMPARO MARIA J. ZAMORA
Representative, 2nd District of Taguig

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AN ACT
CREATING A BARANGAY TO BE KNOWN AS BARANGAY CENTRAL
BICUTAN IN THE CITY OF TAGUIG

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

1 **SECTION 1.** *Creation of Barangay Central Bicutan.* – The Central
2 Bicutan Proper in Barangay Upper Bicutan, City of Taguig is hereby separated
3 from Barangay Upper Bicutan and constituted into a distinct and independent
4 barangay to be known as Barangay Central Bicutan..

5 **SEC. 2.** *Territorial Boundaries.* – The territorial boundaries of Barangay
6 Central Bicutan are hereby described as follows:

7 "Bounded on the Northeast and East by a creek and Maharlika Road,
8 Lapu-Lapu Street and Bonifacio Street;
9 On the South by Bonifacio Street; and
10 On the West and Northwest by F.T.I. Compound and Parañaque
11 Cadastre."

12 **SEC. 3.** *Conduct and Supervision of Plebiscite.* – The plebiscite
13 conducted and supervised by the Commission on Elections (COMELEC) in
14 Barangay Upper Bicutan pursuant to City Ordinance No. 57, Series of 2008

1 of the Sangguniang Panlungsod of the City of Taguig, which ratified the creation
2 of Barangay Central Bicutan as proclaimed by the City Board of Canvassers
3 on December 28, 2008, shall serve as substantial compliance with the plebiscite
4 requirement under Section 10 of Republic Act No. 7160, as amended, otherwise
5 known as the "Local Government Code of 1991".

6 **SEC. 4. *Incumbent Barangay Officials.*** – The incumbent barangay
7 officials of Barangay Central Bicutan, City of Taguig shall continue to hold office
8 until such time that their successors have been duly elected and qualified.

9 **SEC. 5. *Public Infrastructure and Facilities.*** - All public infrastructure
10 and facilities existing therein at the time of the approval of this Act are
11 hereby transferred without cost or compensation to and shall be administered
12 by the new barangay.

13 **SEC. 6. *Internal Revenue Allotment Shares*** - Barangay Central Bicutan
14 shall be entitled to the Internal Revenue Allotment (IRA) shares pursuant to
15 Section 285 of the Local Government Code of 1991, as amended.

16 **SEC. 7. *Effectivity.*** - This Act shall take effect fifteen (15) days after
17 publication in the Official Gazette or in two (2) national newspapers of general
18 circulation.

19 *Approved,*