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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

First Regular Session
TWENTIETH CONGRESS

House Bill No. 3965



Introduced by REP. JESUS MANUEL "BONG" C. SUNTAY

EXPLANATORY NOTE

The barangay is the foundation of our local government system, the first recourse of our citizens, and the enduring face of governance at the grassroots. Yet the men and women who serve in this vital institution often do so without the dignity of adequate compensation or institutional support.

This Magna Carta elevates barangay officials to the status of regular government personnel, entitled to salaries, benefits, and protection commensurate with their responsibilities. It affirms the right of every barangay to the means of delivering essential services, including the provision of safe and potable water.

To dignify barangay service is to strengthen the nation at its base. This measure proclaims that the governance of our smallest political unit is no less a matter of national importance.

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

A handwritten signature in black ink, appearing to be "Bong C. Suntay", written over a horizontal line.

REP. JESUS MANUEL "BONG" C. SUNTAY

1 **Republic of the Philippines**
2 **HOUSE OF REPRESENTATIVES**
3 **Quezon City**

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5 **First Regular Session**
6 **TWENTIETH CONGRESS**
7

8 **House Bill No. 3965**
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10 Introduced by REP. JESUS MANUEL “BONG” C. SUNTAY
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13 **AN ACT PROVIDING FOR A MAGNA CARTA FOR BARANGAYS**

14 Be it enacted by the Senate and the House of Representatives of the Philippines in
15 Congress assembled:
16

17 **TITLE I**

18 **TITLE, DECLARATION OF POLICY, AND GENERAL PRINCIPLES**

19 Section 1. *Short Title.* – This Act shall be known as "The Magna Carta for
20 Barangays."

21 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote, develop and
22 improve the general welfare of barangay residents, raise the economic and social status
23 of barangay officials, grant every barangay, the basic facilities for decent, healthy and
24 comfortable living therein and provide new measures that will inspire its enjoyment of
25 local autonomy to ensure the effective performance of its role as the primary planning
26 and implementing unit of government programs, projects and activities, and as a forum
27 in which the collective views of the people in the community may be crystallized and
28 considered.

29 Sec. 3. *General Principles.* – The following are the general principles of this Act:

- 30 a. The national government shall give more attention to the development of the
31 barangay, as it is the base of this country's economy.
32 b. Every barangay shall be given the authority and capability to solve its problems
33 on its level.
34 c. Self-help or people power shall be the guiding principle in all barangay
35 development projects.

1 **TITLE II**

2 **BARANGAY OFFICIALS AS REGULAR GOVERNMENT EMPLOYEES**

3 Sec. 4. *The Barangay Officials as Regular Government Employees.* – The punong
4 barangay, sangguniang barangay members, the sangguniang kabataan (SK) chairperson,
5 the barangay secretary and barangay treasure in all barangays are hereby declared regular
6 employees, and as such are entitled to fixed salaries, allowances, insurance, medical and
7 dental coverage, retirement benefits and such other fringe benefits to which a regular
8 government employee may be entitled to.

9 Sec. 5. *Salaries of Barangay Officials.* – As soon as the appropriate steps and
10 measures are undertaken by each city or municipality in coordination with the individual
11 barangay involved on matters relating to the sources of fund and the corresponding
12 appropriation ordinance, which in no case shall be later than six (6) months from the
13 approval hereof, all barangay officials mentioned in paragraph 4 hereof shall be entitled
14 to the following fixed salaries:

- 15 a. Punong Barangay - An amount equivalent to the salary of a sangguniang bayan
16 member of his/her municipality;
- 17 b. Sangguniang Barangay Members - An amount equivalent to eighty percent
18 (80%) of the salary of a sangguniang bayan member of his/her municipality;
- 19 c. SK Chairperson, Barangay Secretary, Barangay Treasurer - For each, an
20 amount equivalent to seventy-five percent (75%) of the salary of a sangguniang
21 bayan member of his/her municipality.
- 22

23 **TITLE III**

24 **BASIC PRIORITIES IN THE BARANGAY**

25 Sec. 6. *Drinking Water for Every Barangay.* – It is the right of every barangay to
26 have a regular supply of clean and potable drinking water. To attain this goal, every city
27 and municipality, as the case may be, is hereby required to construct and/or maintain at
28 least one deep well with pumping device for drawing drinking water to supply the needs
29 of every one thousand residents for each barangay within its jurisdiction.

30 Sec. 7. *Transportation for Every Barangay.* – It is also the right of every barangay
31 to have public transportation available at least once a day. For this purpose, every
32 municipality or city, as the case may be, should make such necessary representations

1 before the appropriate government agencies to require public utility companies operating
2 within its jurisdiction to provide the minimum means of transportation in every barangay.

3 *Sec. 8. Schools, Health Centers and Barangay Halls for the Barangays.* – Every
4 barangay is entitled to have at least one elementary school: Provided, That there shall be
5 at least one high school for every five (5) kilometers from the barangay center. It shall also
6 be the right of every barangay to have one health center and one barangay hall.

8 **TITLE IV**

9 **MEASURES TO ASSURE THE ENJOYMENT OF LOCAL AUTONOMY**

10 *Sec. 9. Automatic Release of Share from National Taxes.* – It shall be the duty of
11 the National Treasury to remit automatically to the barangays every end of the calendar
12 year their just share from the national taxes.

13 *Sec. 10. Transfer of Fund to Barangay for the Maintenance of Roads and*
14 *Bridges.*– All public funds appropriated from the national treasury for the maintenance
15 of barangay roads and bridges and other similar constructions shall be transferred or
16 remitted directly to the general fund of every barangay for their proper disposition by the
17 barangay officials.

18 *Sec. 11. Mandatory Share of Barangays in All Taxes, Fees or Other Charges.* –
19 Twenty-five percent (25%) of all taxes collected on real property located within the
20 barangay shall be considered barangay funds and shall be allocated in accordance with
21 existing laws. In addition thereto, each barangay shall be entitled to ten percent (10%)
22 from all other forms of taxes, fees, penalties, compromises or other charges collected from
23 persons residing in the barangay or entities whose offices and/or manufacturing plant is
24 located within the barangay.

25 *Sec. 12. Equitable Share of the Barangay from the Proceeds of the Utilization and*
26 *Development of National Wealth.* – Every barangay shall be entitled to an equitable share
27 of the proceeds derived from the exploitation, development and utilization of natural
28 wealth within its territory. The amount of barangay share shall be determined by the city
29 or municipality concerned after consultations with the concessionaires, the municipal or
30 city officials and barangay officials, taking into account the extent of the exposure of the
31 barangay residents to pollution, food and ecological imbalance: Provided, however, That
32 this equitable sharing rate for each barangay shall be resolved by all parties concerned

1 not later than six (6) months from the approval of this Act. Revenues derived from this
2 source shall also from part of the general fund of the barangay.

3 4 **TITLE V**

5 **CAPACITY BUILDING OF BARANGAY OFFICIALS**

6 *Sec. 13. Mandatory Training Programs for Barangay Officials and Personnel. –*
7 Prior to assuming office, newly elected barangay officials and appointed barangay
8 personnel shall undertake mandatory training programs to develop their skills relative to
9 governance, public policy, administration and leadership. For these purposes, the
10 Department of Interior and Local Government with the assistance of the Development
11 Academy of the Philippines (DAP), the Local Government Academy (LGA), and the
12 University of the Philippines-National College of Public Administration and Governance
13 (UP-NCPAG), shall jointly design and implement the mandatory and continuing training
14 programs for barangay officials.

15 16 **TITLE VI**

17 **SUNDRY MATTERS**

18 *Sec. 14. Scholarship Grant. –* Every barangay shall sponsor at least one scholarship
19 grant every year leading to any bachelor degree to be awarded by a committee of five
20 persons appointed by the Sangguniang Barangay with the approval of the Punong
21 Barangay after competitive examinations are given to applicants who should be bona fide
22 residents of the barangay. The grant shall include tuition fees and all other school fees,
23 reasonable allowances for school books, supplies and transportation and other expenses
24 as the barangay may deem appropriate.

25 *Sec. 15. Priority in Employment. –* Residents in every barangay shall have the
26 priority in the hiring of workers and laborers to be needed in any government
27 construction or development projects within the barangay.

28 *Sec. 16. Cooperative Enterprise. –* Cooperative enterprises in the barangay shall
29 be encouraged and every barangay is directed to give full assistance for the establishment
30 and organization of said enterprises and to take every possible effort to make cooperative
31 undertakings a way of life in the barangay.

1 **TITLE VII**

2 **ADMINISTRATION AND ENFORCEMENT**

3 *Sec. 17. Implementing Rules and Regulations.* – The Secretary of the Department
4 of Interior and Local Government shall promulgate such rules and regulations as may be
5 necessary to implement the provisions of this Act. Rules and regulations issued pursuant
6 to this Section shall take effect thirty (30) days after publication in a national newspaper
7 of general circulation and by such other means as the Secretary of Local Government
8 deems reasonably sufficient to give interested parties general notice of such issuance.

9 *Sec. 18. Budgetary Estimates.* – The Secretary of Department of Interior and Local
10 Government shall submit to the Congress the necessary budgetary estimates to
11 implement the provisions of this Act concerning the allowances, insurance, medical,
12 dental and retirement benefits and other fringe benefits of barangay officials, the basic
13 priorities in the barangays, capacity building for barangay officials and, the barangay
14 scholarship grant.

15 *Sec. 19. Penal Provision.* – Any person who shall willfully interfere with, restrain
16 or coerce any barangay official or barangay resident in the exercise of his or their rights
17 guaranteed by this Act or who shall in any other manner commit any act to defeat any of
18 the provisions of this Act shall, upon conviction, be punished by a fine of not less than five
19 hundred pesos nor more than two thousand pesos, or by imprisonment of six months and
20 one day, or both, subject to the discretion of the court. If the offender is a public official,
21 the court shall order his dismissal from the government service.

22 *Sec. 20. Repealing Clause.* – All Acts and decrees, executive orders, implementing
23 rules and regulations or parts thereof, inconsistent with the provisions of this Act are
24 hereby repealed, amended or modified accordingly.

25 *Sec. 21. Separability Clause.* – If any provisions of this Act are declared invalid,
26 the remainder or any provisions thereof not affected thereby shall remain in force and
27 effect.

28 *Sec. 22. Effectivity.* – This Act shall take effect fifteen (15) days after publication in
29 the Official Gazette or in two (2) national newspapers of general circulation.

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31 *Approved,*