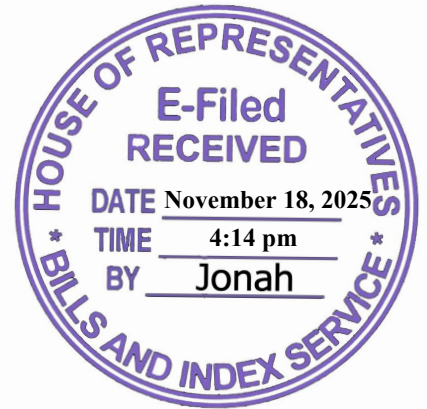


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session

HOUSE BILL NO. 6153



Introduced by **REP. JUAN CARLOS "ARJO" C. ATAYDE**

AN ACT
ESTABLISHING THE MAGNA CARTA FOR BARANGAYS

EXPLANATORY NOTE

The barangay, as the smallest political unit of government, is the cornerstone of Philippine democracy and the primary channel of citizen participation. It serves not only as the basic implementing unit of national policies and programs but also as the first line of governance where the people's needs, aspirations, and voices are most directly expressed.

This proposed measure seeks to strengthen grassroots governance by ensuring equitable resource allocation, and institutionalizing a framework that empowers barangays to address the needs of their communities.

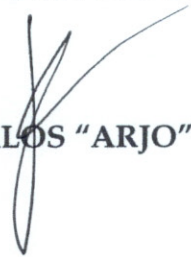
The bill mandates the provision of essential public services and facilities at the barangay level, including access to potable water, transportation, schools, health centers, and barangay halls. It guarantees that barangays receive their just and automatic share from national taxes and revenues derived from the utilization of natural resources within their jurisdictions, in accordance with the constitutional policy of fiscal decentralization.

Furthermore, the bill promotes people-centered progress by encouraging community participation through scholarship grants, priority in local employment, and the establishment of cooperative enterprises. These channels and encourage social progress, boost local economic activity, and build a shared commitment to community development.

This proposed legislation envisions a more self-reliant, participatory, and accountable local governance system. It affirms that true national development begins at

the grassroots, and that empowered barangays are essential to building an inclusive, resilient, and democratic society.

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


REP. JUAN CARLOS "ARJO" C. ATAYDE

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

3 **I. GENERAL PROVISIONS**

4 **SECTION 1. Short Title.** — This Act shall be known as "*The Magna Carta for*
5 *Barangays.*"

6 **SECTION 2. Declaration of Policy.** — It is hereby declared the policy of the State
7 to promote, develop and improve the general welfare of barangay residents, raise the
8 economic and social status of barangay officials, grant every barangay the basic facilities
9 for decent, healthy and comfortable living therein, provide measures that will ensure the
10 local autonomy of barangays for the effective performance of their role as the primary
11 planning and implementing unit of government programs, projects and activities, and as
12 a forum in which the collective views of the people in the community may be crystallized
13 and considered.

14 **SECTION 3. General Principles.** — The following are the general principles of
15 this Act:

1 (a) The national government shall provide more attention to the
2 development of the barangay, as it is the base of this country's economy.

3 (b) Every barangay shall be granted the authority and capability to solve its
4 problems at its level.

5 (c) Self-help or people power shall be the guiding principle in all barangay
6 development projects.

7 II. COMPENSATION AND BENEFITS OF BARANGAY OFFICIALS

8 **SECTION 4. The Barangay Officials as Regular Government Employees.** — The
9 Punong Barangay, Sangguniang Barangay Members, the Barangay Secretary and the
10 Barangay Treasurer are hereby declared regular government employees, and as such are
11 entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement
12 benefits and such other fringe benefits to which a regular government employee may be
13 entitled to.

14 **SECTION 5. Salaries of Barangay Officials.** — As soon as the appropriate steps
15 and measures are undertaken by each city or municipality in coordination with the
16 individual barangay involved on matters relating to the sources of funds and the
17 corresponding appropriation ordinance, which in no case shall be later than six (6)
18 months from the approval hereof, all barangay officials mentioned in Section 4 shall be
19 entitled to the following fixed salaries:

20 1. Punong Barangay - An amount equivalent to the salary of a sanggunian bayan
21 member of his municipality or city.

22 2. Members of the Sangguniang Barangay: An amount equivalent to eighty percent
23 (80%) of the salary of a sangguniang bayan member of his municipality or city.

24 3. Barangay Secretary, Barangay Treasurer: An amount equivalent to seventy-five
25 percent (75%) of the salary of a sangguniang bayan member of his municipality or city.

1 **III. BASIC PRIORITIES IN THE BARANGAY**

2 **SECTION 6. Drinking Water for Every Barangay.** — It is the right of every
3 barangay to have a regular supply of clean and potable drinking water. To attain this
4 goal, every city or municipality, as the case may be, is hereby required to construct
5 and/or maintain at least one (1) deep well with a pumping device for drawing drinking
6 water for every one thousand (1,000) residents of each barangay within its jurisdiction.

7 **SECTION 7. Transportation for Every Barangay.** — It is also the right of every
8 barangay to have public transportation available at least once a day. For this purpose,
9 every municipality or city, as the case may be, should make such necessary representation
10 before the appropriate government agencies to require public utility companies operating
11 within their jurisdictions to provide the minimum means of public transportation in
12 every barangay.

13 **SECTION 8. Schools, Health Centers and Barangay Halls for the Barangays.** —
14 Every barangay is entitled to have at least one (1) elementary school, provided that there
15 shall be at least one (1) high school every five (5) kilometers from the barangay center. It
16 shall also be the right of every barangay to have one (1) health center and one (1) barangay
17 hall.

18 **III. MEASURES TO ASSURE THE ENJOYMENT OF LOCAL AUTONOMY**

19 **SECTION 9. Automatic Release of Share from National Taxes.** — It shall be the
20 duty of the National Treasury to automatically remit to the barangays their just share
21 from the national taxes at the end of the calendar year.

22 **SECTION 10. Transfer of Funds to Barangays for Road and Bridge Maintenance.**
23 — All public funds appropriated from the national treasury for the maintenance of
24 barangay roads and bridges and other similar constructions shall be transferred or
25 remitted directly to the general fund of every barangay for proper disposition by their
26 respective barangay officials, subject to auditing laws, rules, and regulations.

1 **SECTION 11. Mandatory Share of Barangay in All Taxes, Fees, or Other**
2 **Charges.** — Twenty-five percent (25%) of all taxes collected on real properties located
3 within the barangay shall be considered barangay funds and shall be allocated in
4 accordance with existing laws. In addition thereto, each barangay shall be entitled to ten
5 percent (10%) of all other forms of taxes, fees, penalties, compromises or other charges
6 collected from persons residing in the barangay or entities whose offices and/or
7 manufacturing plants are located within the barangay.

8 **SECTION 12. Equitable Share of the Barangay from the Proceeds of the**
9 **Utilization and Development of National Wealth.** — Every barangay shall be entitled
10 to an equitable share of the proceeds derived from the exploitation, utilization, and
11 development of natural resources within its territory. The amount of the barangay share
12 shall be determined by the municipality or city concerned after consultations with the
13 concessionaires, the municipal or city officials and barangay officials, taking into account
14 the extent of the exposure of the barangay residents to pollution, floods, and other
15 ecological imbalances: Provided, however, That the equitable sharing rate for each
16 barangay shall be resolved by all concerned parties not later than six (6) months from the
17 approval of this Act. Revenues derived from this source shall form part of the general
18 fund of the barangay concerned.

19 **IV. MISCELLANEOUS MATTERS**

20 **SECTION 13. Scholarship Grant.**— Every barangay shall sponsor at least one (1)
21 scholarship grant every year leading to any bachelor degree, to be awarded by a
22 committee of five (5) persons appointed by the Sangguniang Barangay, with the approval
23 of the Punong Barangay, after competitive examinations are given to applicants who
24 should be bona fide residents of the barangay. The grant shall include tuition fees and all
25 other school fees, reasonable allowances for school books, supplies and transportation
26 and other expenses as the barangay may deem necessary and appropriate.

1 **SECTION 14. Priority in Employment.** — Residents of every barangay shall
2 receive priority in the hiring of workers and laborers for any government construction or
3 development project within their respective barangays.

4 **SECTION 15. Cooperative Enterprise.** — Cooperative enterprises in the barangay
5 shall be encouraged and every barangay is directed to give full assistance for the
6 establishment and organization of such enterprises and to take every possible effort to
7 make cooperative undertakings a way of life in the barangay.

8 **V. ADMINISTRATION AND ENFORCEMENT**

9 **SECTION 16. Rules and Regulations.** — The Secretary of the Department of the
10 Interior and Local Government (DILG) and the Secretary of the Department of Budget
11 and Management (DBM) shall promulgate such rules and regulations as may be
12 necessary to implement the provisions of this Act. Rules and regulations issued pursuant
13 to this Section shall take effect thirty (30) days after publication in a national newspaper
14 of general circulation and by such other means as the Secretary of the DILG shall deem
15 reasonably sufficient to provide interested parties general notice of such issuance.

16 **SECTION 17. Budgetary Estimates.** — The Secretary of the DILG and the
17 Secretary of the DBM shall submit to Congress the necessary budgetary estimates to
18 implement the provisions of this Act concerning the salaries, allowances, insurance,
19 medical, dental, and retirement benefits and other fringe benefits of barangay officials,
20 the basic priorities in the barangays, and the barangay scholarship grant.

21 **SECTION 18. Penal Provision.** — Any person who shall willfully interfere with,
22 restrain or coerce any barangay official or barangay resident in relation to the exercise of
23 his or their rights guaranteed by this Act, or who shall in any other manner commit any
24 act to defeat any of the provisions thereof, upon conviction, be punished by a fine of not
25 less than Five Hundred Pesos (Php 500.00) nor more than Two Thousand Pesos (Php
26 2,000.00), or by imprisonment of up to six (6) months, or both, subject to the discretion of
27 the court. If the offender is a public official, the court shall order his dismissal from the
28 government service.

1 **SECTION 19. Separability Clause.** — If any portion or provision of this Act is
2 declared invalid, the remainder or any provisions thereof not affected thereby shall
3 remain in force and effect.

4 **SECTION 20. Repealing Clause.** — All acts and decrees, executive orders,
5 implementing rules and regulations, or parts thereof, inconsistent with the provisions of
6 this Act are hereby repealed, amended or modified accordingly.

7 **SECTION 21. Effectivity.** — This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in at least two (2) national newspapers of general
9 circulation.

10 Approved,