

Congress of the Philippines]
TWENTIETH CONGRESS]
First Regular Session]

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS

House Bill. No. 8218



BY REPRESENTATIVE SUN J. SHIMURA

AN ACT

PROVIDING FOR THE MAGNA CARTA OF APPOINTIVE BARANGAY OFFICIALS AND PERSONNEL, INCLUDING BARANGAY TANODS, BARANGAY ANIMAL HEALTH AIDES (BAHA), BARANGAY HEALTH WORKERS (BHWs), LUPON TAGAPAMAYAPA MEMBERS, AND DAYCARE WORKERS, GRANTING THEM HONORARIA, SOCIAL SECURITY AND OTHER BENEFITS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Constitution provides that the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

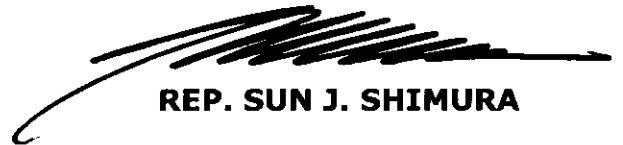
Article XIII, Section 11 further mandates that the State shall adopt an integrated and comprehensive approach to health development and shall make essential goods, health and other social services available to all the people at affordable cost.

Barangays, being the basic political units, serve as the primary planning and implementing units of government policies, plans, programs, projects, and activities in the community. In fulfilling these roles, a wide range of **appointive barangay officials and personnel** – such as the barangay treasurer, barangay secretary, barangay tanods, Barangay Animal Health Aides (BAHA), Barangay Health Workers (BHWs), Lupon Tagapamayapa members, daycare workers, barangay records custodians, administrative aides, utility workers, and other officially designated appointive personnel – perform essential functions in governance, peace and order, health, social services, and community development.

Despite their critical functions, many of these appointive barangay officials and personnel continue to receive only minimal honoraria and often lack adequate social protection, including regular PhilHealth coverage and pension or insurance benefits under the Government Service Insurance System (GSIS). This situation undermines not only their welfare and security but also the stability and professionalism of barangay service delivery.

This measure seeks to establish a **Magna Carta of Appointive Barangay Officials and Personnel** to provide, as a matter of State policy, for guaranteed minimum monthly honoraria for qualified appointive barangay officials and personnel, mandatory and/or partially subsidized PhilHealth coverage, partial allocation for GSIS insurance and retirement benefits;, allowances such as transportation and subsistence, one-time retirement cash incentive, leave benefits and preferential access to loan facilities; and protection against unjust removal and discrimination, without prejudice to the nature of highly confidential appointments.

In recognition of their significant contribution to peace and order, health, animal welfare, dispute resolution, early childhood care and development, and day-to-day local governance, the immediate passage of this bill is earnestly sought.



REP. SUN J. SHIMURA

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**PROVIDING FOR THE MAGNA CARTA OF APPOINTIVE BARANGAY
OFFICIALS AND PERSONNEL, INCLUDING BARANGAY TANODS,
BARANGAY ANIMAL HEALTH AIDES (BAHA), BARANGAY HEALTH
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OTHER BENEFITS, AND FOR OTHER PURPOSES**

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE PHILIPPINES IN
CONGRESS ASSEMBLED:

Section 1. Short Title. – This Act shall be known as the “**Magna Carta of
Appointive Barangay Officials and Personnel.**”

Section 2. Declaration of Policy. – It is hereby declared the policy of the
State to recognize, protect, and promote the welfare of appointive barangay
officials and personnel as essential partners in local governance, peace and order,
health, animal welfare, justice, and social services. Towards this end, the State
shall:

- (a) Ensure that appointive barangay officials and personnel receive just and reasonable honoraria commensurate to the nature, importance, and risks of their work;
- (b) Provide them with appropriate social protection, including health insurance and retirement or insurance benefits;
- (c) Provide adequate allowances and incentives to enable them to effectively and safely perform their duties; and
- (d) Promote their professional growth and protection from discrimination and unjust removal, without prejudice to the confidential nature of certain appointments as provided under this Act and existing laws.

Section 3. Definition of Terms. – For purposes of this Act:

(a) **"Appointive barangay officials and personnel"** shall refer to persons who are officially appointed or designated by competent authority, and who regularly and continuously render service in the barangay, including but not limited to:

1. Barangay Treasurer;
2. Barangay Secretary;
3. Barangay Tanods;
4. Barangay Animal Health Aides (BAHA);
5. Barangay Health Workers (BHWs);
6. Members of the Lupon Tagapamayapa;
7. Daycare Workers / Child Development Workers;
8. Barangay Records Custodians;
9. Barangay Administrative Assistants or Aides;
10. Barangay Utility Workers; and
11. Such other appointive barangay personnel as may be recognized by the Department of the Interior and Local Government (DILG) and the Department of Budget and Management (DBM) through appropriate guidelines.

(b) **"Honoraria"** shall refer to the regular monetary compensation received by appointive barangay officials and personnel for services rendered, over and above any allowance or benefit granted under existing laws.

(c) **"Local Government Units (LGUs)"** shall refer to provinces, cities, municipalities, and barangays as defined under Republic Act No. 7160, otherwise known as the "Local Government Code of 1991."

(d) **"Confidential appointive barangay positions"** shall refer to positions of a highly confidential nature where there is a close and intimate relationship that ensures freedom of discussion, exchange of views, and discretion on official matters with the appointing authority, as may be further defined in the implementing rules and regulations (IRR) consistent with Civil Service Commission (CSC) rules.

Section 4. Registry of Appointive Barangay Officials and Personnel. – Each city or municipal government, through its local government operations officer and in coordination with the barangays, shall establish and maintain an updated **Registry of Appointive Barangay Officials and Personnel** within its jurisdiction.

The Registry shall contain the name, position, category (e.g., tanod, BAHA, BHW, Lupon, daycare worker, etc.), date of appointment or designation, classification of position (including whether confidential in nature), and status of service of each covered person, and shall be updated at least once every year. A copy of the updated Registry shall be submitted to the DILG City or Municipal Field Office, the Provincial DILG Office, and consolidated at the DILG Regional Office. The DILG shall maintain a **National Registry of Appointive Barangay Officials and Personnel** for monitoring and policy-making purposes.

All duly registered appointive barangay officials and personnel shall be issued appropriate proof of registration and service.

Section 5. Qualifications. – To qualify as an appointive barangay official or personnel covered by this Act, a person must:

- (a) Be officially appointed or designated to a covered barangay position under this Act and existing laws or DILG-DBM guidelines;
- (b) Be at least eighteen (18) years of age at the time of appointment or designation, unless otherwise provided by law for specific positions;
- (c) Be a Filipino citizen and preferably a resident of the barangay concerned; and
- (d) Be physically and mentally fit to discharge the duties of the office.

Additional qualifications, including relevant training (e.g., for BHWs, BAHA, daycare workers, and tanods), may be prescribed by the DILG, DOH, Department of Social Welfare and Development (DSWD), Department of Agriculture (DA), DBM, and the CSC consistent with existing laws.

Section 6. Duties and Functions. – The specific duties and functions of appointive barangay officials and personnel shall be consistent with those prescribed under the Local Government Code of 1991, relevant issuances of the DILG and other concerned agencies, and local ordinances, and may include:

- (a) For Barangay Treasurer and Secretary – custodianship of funds and records, preparation of financial reports, minutes of sessions, and issuance of certifications;
- (b) For Barangay Tanods – assisting in the maintenance of peace and order, crime prevention, and enforcement of barangay ordinances;
- (c) For BAHA – assisting in animal health programs, vaccination, monitoring of animal diseases, and related activities in coordination with DA and local veterinarians;
- (d) For BHWs – provision of primary health care and related community health services, in accordance with DOH standards;
- (e) For Lupon Tagapamayapa Members – amicable settlement of disputes and mediation/conciliation functions under the Katarungang Pambarangay Law;
- (f) For Daycare / Child Development Workers – provision of early childhood care and development services, in coordination with the DSWD and LGU;

- (g) For Records Custodians, Administrative Aides, and Utility Workers – administrative, clerical, records management, frontline, logistical, and maintenance support; and
- (h) Such other functions as may be provided by law, ordinance, or appropriate regulations, consistent with public service and accountability.

No appointive barangay official or personnel shall be required to engage in any partisan political activity as a condition for appointment or continued service.

Section 7. Mandatory Provision of Honoraria. – Notwithstanding the limitations prescribed under Section 325 (a) of Republic Act No. 7160, as amended, all appointive barangay officials and personnel covered by this Act who are actively and regularly performing their duties shall be entitled to a **monthly honoraria** of not less than **Three thousand pesos (P3,000.00)**, subject to periodic adjustment based on inflation and the Consumer Price Index (CPI) as may be recommended by the DBM.

Local government units may grant higher honoraria through local ordinances and subject to budgetary requirements and existing laws.

Section 8. Subsistence Allowance. – All appointive barangay officials and personnel who render service within the premises of the barangay hall or designated barangay facilities for at least the minimum prescribed number of hours per day, or who are assigned to isolated or remote barangay facilities, shall be entitled to a **subsistence allowance** equivalent to the meals they take in the course of their duty, which shall be computed in accordance with prevailing circumstances as determined by the LGU concerned.

In no case shall such subsistence allowance be less than **One hundred pesos (P100.00)** per day, subject to periodic review by the DBM.

Section 9. Transportation Allowance. – All appointive barangay officials and personnel, in the performance of their official duties and responsibilities, shall be entitled to a **transportation allowance** of not less than **One thousand pesos (P1,000.00)** per month, subject to auditing rules and regulations and to adjustments as may be recommended by the DBM.

Local government units may provide higher transportation allowances by ordinance, subject to existing laws and budgetary limitations.

Section 10. PhilHealth Coverage. – All appointive barangay officials and personnel covered by this Act shall be mandatorily enrolled in the National Health Insurance Program as **indirect or direct contributors**, subject to PhilHealth guidelines.

(a) At least fifty percent (50%) of the PhilHealth premium contribution shall be borne by the barangay or city/municipal LGU concerned, chargeable against their respective funds, including the Special Health Fund where applicable under Republic Act No. 11223, otherwise known as the **“Universal Health Care Act.”**

(b) The remaining portion of the premium may be sourced from national government subsidies, local funds, or the personal share of the appointive barangay official or personnel, as may be provided in the IRR.

Section 11. GSIS Coverage and Benefits. – The Government Service Insurance System (GSIS) shall design and administer a **special insurance and retirement benefits package** suited to the status and unique circumstances of appointive barangay officials and personnel.

(a) LGUs concerned shall allocate a **partial share** of contributions for the GSIS insurance package of qualified appointive barangay officials and personnel, subject to GSIS and DBM guidelines. (b) The national government may provide counterpart funding or subsidies to support the GSIS coverage of appointive barangay officials and personnel, particularly in low-income and geographically isolated and disadvantaged areas (GIDAs). (c) Years of continuous service as a covered appointive barangay official or personnel shall, to the extent feasible and consistent with GSIS laws, be creditable for the computation of retirement and other GSIS benefits.

Section 12. One-Time Retirement Cash Incentive. – An appointive barangay official or personnel who has continuously and satisfactorily served for at least **fifteen (15) years** shall be entitled to a **one-time retirement cash incentive** of not less than **One hundred thousand pesos (P100,000.00)** in recognition of loyalty and dedicated service.

This retirement cash incentive shall be borne by the municipality or city concerned. In the case of component cities, the provincial government may provide assistance for this purpose.

Section 13. Leave Benefits. – All appointive barangay officials and personnel covered by this Act shall be entitled to **sick, vacation, and maternity leaves** as may be prescribed in the IRR, consistent with CSC policies and existing laws.

During such approved leaves, the appointive barangay officials and personnel shall continue to receive their monthly honoraria for such period as may be provided in the IRR and in accordance with existing laws and practices.

Section 14. Preferential Access to Loan Facilities. – Within one hundred eighty (180) days after the effectivity of this Act, the DILG, in coordination with the GSIS, Land Bank of the Philippines, Development Bank of the Philippines, People's Credit and Finance Corporation (PCFC), cooperative banks, and other concerned government financial institutions, shall establish a mechanism that shall provide **organized appointive barangay officials and personnel** access to loan services.

- (a) The agencies providing loan services shall set aside at least **one percent (1%)** of their loanable funds for organized groups of appointive barangay officials and personnel that have community-based income-generating projects or livelihood undertakings in support of local development programs.
- (b) Loan terms and conditions shall take into account the income profile and capacity to pay of appointive barangay officials and personnel.

Section 15. Other Benefits and Incentives. – Subject to availability of funds and in accordance with DBM, DILG, and CSC guidelines, appointive barangay officials and personnel may additionally be granted:

- (a) **Christmas or Year-End Cash Gift** – A cash gift not less than the minimum monthly honoraria, to be given every December from the general fund of the barangay or such other funds appropriated by law;
- (b) **Free or Subsidized Training** – Access to capacity-building programs, seminars, and skills development activities relevant to their functions, in coordination with the DILG, DOH, DSWD, DA, CSC, GSIS, PhilHealth, and other agencies; and
- (c) **Emergency and Medical Assistance** – To the extent practicable, emergency assistance or medical support analogous to what may be granted to similarly situated local personnel, as may be provided in local ordinances.

Section 16. Security of Tenure and Removal from Service. – No appointive barangay official or personnel duly registered under this Act shall be removed from office except for just cause, after due process, and in accordance with applicable laws, rules, and regulations.

However, the security of tenure provided under this Act shall not apply to appointments which are, by their nature, highly confidential as defined in Section 3(d) hereof and under existing Civil Service laws, rules, and regulations. Such confidential appointive barangay officials and personnel may be replaced at the pleasure of the appointing authority, without prejudice to the payment of any accrued benefits due them under existing laws.

In cases of alleged unjust removal of non-confidential appointive barangay officials or personnel, the concerned individual may file a complaint before the appropriate office of the DILG or other bodies as provided in the IRR. If found to be unjustly removed, the appointive barangay official or personnel shall be entitled to reinstatement without loss of honoraria and benefits from the time of termination up to the time of reinstatement.

Section 17. Protection Against Discrimination. – Discrimination against any appointive barangay official or personnel by reason of gender, civil status, creed, religious or political beliefs, ethnicity, or disability, in the exercise of their functions and responsibilities, is hereby prohibited.

The DILG, CSC, and the Commission on Human Rights (CHR) shall establish mechanisms for receiving and resolving discrimination complaints involving appointive barangay officials and personnel.

Section 18. Right to Self-Organization. – Appointive barangay officials and personnel shall have the right to freely form, join, or assist organizations, associations, or federations to protect and promote their welfare, and to seek redress of grievances through peaceful and lawful means, with due regard to the continuous operation of essential barangay services.

Section 19. Representation in Local Special Bodies. – The DILG shall issue guidelines to ensure appropriate representation of appointive barangay officials and personnel, including but not limited to tanods, BHWs, BAHA, Lupon Tagapamayapa, and daycare workers, in consultation and coordination mechanisms, where practicable, such as barangay development councils, local special bodies, and capacity-building programs.

Section 20. Capacity Building and Professional Development. – The DILG, in coordination with the DBM, CSC, GSIS, PhilHealth, DOH, DSWD, DA, and other concerned agencies, shall:

- (a) Develop and implement training modules addressing peace and order, health, animal health and welfare, dispute resolution, early childhood care and development, financial management, records management, ethics, and other relevant competencies for appointive barangay officials and personnel;
- (b) Encourage LGUs to establish local training centers or to partner with academic institutions, civil society organizations, and NGOs for the professional development of appointive barangay officials and personnel; and
- (c) Promote ladderized and accredited training programs aligned with the Philippine Qualifications Framework (PQF), to allow appointive barangay officials and personnel to pursue higher education or career advancement.

Section 21. Penalty Clause. – Any local government official who willfully and unjustifiably refuses to implement the provisions of this Act, or who discriminates against or unjustly removes any appointive barangay official or personnel in violation hereof, may be administratively and criminally charged in accordance with existing laws.

Section 22. Appropriations. – The amount necessary for the initial implementation of this Act shall be charged against the **National Tax Allotment (NTA)** of LGUs, other local funds, and, where applicable, the **Special Health Fund** under Republic Act No. 11223. Thereafter, such sums as may be necessary shall be included in the respective annual budgets of the concerned LGUs, subject to existing budgetary and auditing rules and regulations.

The national government may appropriate additional funds to support PhilHealth and GSIS contributions and capacity-building programs for appointive barangay officials and personnel, especially in low-income LGUs.

Section 23. Implementing Rules and Regulations. – Within one hundred eighty (180) days from the effectivity of this Act, the DILG and DBM shall, in consultation with the CSC, GSIS, PhilHealth, DOH, DSWD, DA, the Department of Finance (DOF), the League of Provinces, League of Cities, League of Municipalities, Liga ng mga Barangay, and organizations of appointive barangay officials and personnel, promulgate the rules and regulations to effectively implement the provisions of this Act.

Section 24. Separability Clause. – If any portion or provision of this Act is declared invalid or unconstitutional, the remaining portions or provisions hereof shall remain in full force and effect.

Section 25. Repealing Clause. – All laws, decrees, executive orders, rules, and regulations, or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

Section 26. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least one (1) newspaper of general circulation.

Approved.