



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. **10800**



Introduced by Representative JONATHAN KEITH T. FLORES

EXPLANATORY NOTE

The barangay serves as the primary planning and implementing unit of government policies, plans, programs, projects, and activities within the community. As the foundation of local governance, each barangay official performs vital functions that directly affect the delivery of basic services and the promotion of community welfare.

Barangay officials are undoubtedly at the forefront of local governance and community service. They bear significant responsibilities in maintaining peace and order and implementing development initiatives, which often compromise their own safety and well-being.

Given these duties, it is only fitting that barangay officials be provided with fair compensation and benefits. Thus, in recognition of their vital role as frontliners in public service delivery, the proposed Magna Carta for Barangays seeks to classify barangay officials as regular government employees entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits, and other privileges accorded to regular government personnel.

The measure also strengthens the authority and capacity of barangays to meet their constituents' basic needs by ensuring access to clean and potable water, transportation, education, health services, and adequate barangay facilities.

Finally, it promotes genuine local autonomy by mandating the automatic release of barangay shares from national taxes and ensuring equitable participation in all locally collected taxes, fees, and other charges. These funds shall support barangay initiatives aimed at improving the welfare of their residents.

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

JONATHAN KEITH T. FLORES
2nd District of Bukidnon



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AN ACT
ESTABLISHING THE MAGNA CARTA FOR BARANGAYS

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

I. GENERAL PROVISIONS

SECTION 1. **Short Title.** - This Act shall be known as the “Magna Carta for Barangays.”

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

SEC. 3. **General Principles.** - The following are the general principles of this Act:

- (a) The national government shall give more attention to the development of the barangay, as it is the base of this country's economy.
- (b) Every barangay shall be given the authority and capability to address its challenges on its level.
- (c) Self-help or people power shall be the guiding principle in all barangay development projects.

II. COMPENSATION AND BENEFITS OF BARANGAY OFFICIALS

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

SEC. 5. **Salaries of Barangay Officials.** - As soon as the appropriate steps and measures are undertaken by each city or municipality in coordination with the individual barangay involved on matters relating to the sources of funds and the corresponding appropriation ordinance, which

shall in no case be later than six (6) months from the approval of this Act, all barangay officials mentioned in Section 4 hereof shall be entitled to the following fixed salaries:

Punong Barangay - An amount equivalent to the salary of a sangguniang bayan or panlungsod member of his/her municipality or city.

Sangguniang Barangay Members - An amount equivalent to eighty percent (80%) of the salary of a sangguniang bayan or panlungsod member of his/her municipality or city.

Sangguniang Kabataan Chairperson, Barangay Secretary, Barangay Treasurer - For each, an amount equivalent to seventy-five percent (75%) of the salary of a sangguniang bayan or panlungsod member of his/her municipality or city.

SEC. 6. *Appointment, Selection and Benefits of Barangay Tanods.* - There shall be barangay tanods in every barangay who shall maintain peace and order, and enforce all laws and ordinances relative to the protection of lives and property in their respective barangays. The sangguniang barangay shall, through a resolution, determine the appropriate number of barangay tanods needed in their respective barangays.

The appointment and selection of barangay tanods shall be done by the Punong Barangay with the concurrence of the majority of the members of the sangguniang barangay concerned in accordance with merit and fitness: Provided, That no person shall be appointed barangay tanod unless he or she is a citizen of the Philippines, a resident of the barangay concerned, of good moral character and of sound mind: Provided further, That patronage or partisan considerations shall not be a basis for such selection and appointment.

Barangay tanods shall be appointed to permanent status during the administration of the sangguniang barangay which appointed them.

Barangay tanods shall receive the following benefits and privileges:

- (a) Honoraria, allowances, and such other emoluments as may be authorized by law or barangay, municipal or city ordinance in accordance with the provisions of Republic Act No. 7160, but in no case shall it be less than Six hundred pesos (P600.00) per month;
- (b) Christmas bonus of at least One thousand pesos (P1,000.00) each, the funds for which shall be taken from the general fund of the barangay or from such other funds appropriated by the national government for the purpose;
- (c) Insurance coverage which shall include, but shall not be limited to temporary and permanent disability, double indemnity, accident insurance, death and burial benefits;
- (d) Free medical care including subsistence, medicines, and medical attendance in any government hospital or institution: Provided, That such hospital care shall include surgery or surgical expenses, medicines, x-rays, laboratory fees, and other hospital expenses; and
- (e) Exemption during their incumbency from paying tuition and matriculation fees for their legitimate dependent children attending state colleges or universities. They may likewise avail of such educational benefits in a state college or university located within the province or city to which the barangay belongs.

III. BASIC PRIORITIES IN THE BARANGAY

SEC. 7. *Drinking Water for Every Barangay.* - It is the right of every barangay to have a regular supply of clean and potable water. To attain this goal, every city or municipality, as the case may be, is hereby required to construct or maintain at least one (1) facility for drawing drinking water to supply the needs of every one thousand (1,000) residents in each barangay within its jurisdiction.

SEC. 8. *Transportation for Every Barangay.* - It is also the right of every barangay to have public transportation available at least once a day. For this purpose, every municipality or city, as the case may be, shall make such necessary representations before the appropriate government agencies to require public utility companies operating primarily within its jurisdiction to provide the minimum means of transportation in every barangay.

SEC. 9. *Schools, Health Centers and Barangay Halls for the Barangays.* - Every barangay is entitled to have at least one (1) kindergarten and at least one (1) elementary school: Provided, That there shall be at least one high school for every five (5) kilometers from the barangay center. It shall also be the right of every barangay to have one health center and one barangay hall.

IV. MEASURES TO ASSURE THE ENJOYMENT OF LOCAL AUTONOMY

SEC. 10. *Automatic Release of Share from National Taxes.* - The share of each barangay from all national taxes shall be released, without need of further action, directly to the barangay treasurer. The national taxes to be included in the base for computing the just share of barangays shall include, but not limited to, the following:

- (a) The national internal revenue taxes enumerated in Section 21 of the National Internal Revenue Code (NIRC), as amended, collected by the Bureau of Internal Revenue and the Bureau of Customs;
- (b) Tariff and customs duties collected by the Bureau of Customs;
- (c) 60% of the national taxes collected from the exploitation and development of the national wealth;
- (d) The remaining 40% of the national taxes collected from the exploitation and development of the national wealth shall exclusively accrue to the host Local Government Units (LGUs) pursuant to Section 290 of Republic Act No. 7160 (Local Government Code);
- (e) 85% of the excise taxes collected from locally manufactured Virginia and other tobacco products;
- (f) The remaining 15% shall accrue to the special purpose funds created by Republic Act No. 7171 and Republic Act No. 7227;
- (g) The entire 50% of the national taxes collected under Sections 106, 108 and 116 of the NIRC as provided under Section 283 of the NIRC;
- (h) 5% of the 25% franchise taxes given to the National Government under Section 6 of Republic Act No. 6631 and Section 8 of Republic Act No. 6632; and

- (i) The appropriate sharing for the Bangsamoro Autonomous Region in Muslim Mindanao under Republic Act No. 11054.

SEC. 11. ***Transfer of Funds to Barangay for the Maintenance of Roads and Bridges.*** - All public funds appropriated from the National Treasury for the maintenance of barangay roads and bridges and other similar constructions shall be transferred to the barangay officials, subject to auditing laws, rules, and regulations.

SEC. 12. ***Mandatory Share of Barangays in All Taxes, Fees or Other Charges.*** - Twenty-five percent (25%) of all taxes collected on real property located within the barangay shall be considered barangay funds and shall be allocated in accordance with existing laws. In addition thereto, each barangay shall be entitled to ten percent (10%) from all other forms of taxes, fees, penalties, compromises or other charges collected from persons residing in the barangay or entities whose offices and/or manufacturing plant is located within the barangay.

SEC. 13. ***Equitable Share of the Barangay from the Proceeds of the Utilization and Development of National Wealth.*** - Every barangay shall be entitled to an equitable share of the proceeds derived from the exploitation, development and utilization of natural wealth within its territory. The amount of barangay share shall be determined by the city or municipality concerned after consultations with the concessionaires, the municipal or city officials and barangay officials, taking into account the extent of the exposure of the barangay residents to pollution, flood and ecological imbalance: Provided, That this equitable sharing rate for each barangay shall be resolved by all parties concerned not later than six (6) months from the approval of this Act. Revenues derived from this source shall also form part of the general fund of the barangay.

V. MISCELLANEOUS BENEFITS

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

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

SEC. 16. ***Cooperative Enterprise.*** - Cooperative enterprises in the barangay shall be encouraged and every barangay is directed to give full assistance for the establishment and organization of said enterprises and to make every possible effort to make cooperative undertakings a way of life in the barangay.

VI. ADMINISTRATION AND ENFORCEMENT

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

SEC. 18. ***Budgetary Estimates.*** - The Secretary of the Interior and Local Government shall submit to the Congress the necessary budgetary estimates to implement the provisions of this Act

concerning the allowances, insurance, medical, dental and retirement benefits and other fringe benefits of barangay officials, the basic priorities in the barangays and the barangay scholarship grant.

SEC. 19. ***Penal Provision.*** - Any person who shall willfully interfere with, restrain or coerce any barangay official or barangay resident in the exercise of his or their rights guaranteed by this Act or who shall in any other manner commit any act to defeat any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Five hundred (Php 500.00) pesos nor more than Two thousand (Php 2,000.00) pesos, or by imprisonment of six (6) months and one (1) day, or both, subject to the discretion of the court.

If the offender is a public official, the court shall order his dismissal from the government service.

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

SEC. 21. ***Separability Clause.*** - If any provisions of this Act are declared invalid or unconstitutional, the remainder or any provisions thereof not affected thereby shall remain in force and effect.

SEC. 22. ***Effectivity.*** - This Act shall take effect fifteen (15) days after completion of its publication in the Official Gazette or in any newspaper of general circulation.

Approved,