

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'22 JUL -7 P4 :59

SENATE
S. No. 197

RECEIVED BY: _____



Introduced by Senator Christopher Lawrence "Bong" T. Go

**AN ACT
PROVIDING FOR A MAGNA CARTA FOR BARANGAYS**

EXPLANATORY NOTE

As the basic political unit under the Local Government Code, the Barangay serves as the primary planning and implementing unit of government programs, projects, and activities. It is also the forum in which the collective views of the people in the community may be crystallized and considered. Moreover, it serves as the basic training ground for future leaders of the nation.

This bill seeks to recognize the welfare and immeasurable contribution of barangay workers to the efficiency of the government. It also seeks to raise the economic and social status of barangay officials, grant every barangay the basic facilities for decent, healthy and comfortable living, and provide new measures that will protect its enjoyment of local autonomy to ensure their effective performance.

This bill provides barangay officials with benefits and privileges accorded to a regular government employee. It provides for measures that will help ensure that barangays enjoy genuine and meaningful local autonomy. This bill also delegates to the sangguniang barangay the determination of the proper number of barangay tanods needed in their respective barangays.

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


SENATOR CHRISTOPHER/LAWRENCE "BONG" T. GO 

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

ARTICLE I
POLICY AND PRINCIPLES

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4 Section 1. *Short Title.* - This Act shall be known as the "*Magna Carta for*
5 *Barangay Act of 2022.*"
6

7 Sec. 2. *Declaration of Policy.* - It is the policy of the State to promote, develop
8 and improve the general welfare of the barangay and its residents, raise the economic
9 and social status of barangay officials, grant every barangay the basic facilities for
10 decent, healthy and comfortable living, and provide new measures that will protect its
11 enjoyment of local autonomy to ensure the effective performance of its role as the
12 primary planning and implementing unit of government programs, projects, activities,
13 and as a forum in which the collective views of the people in the community may be
14 crystallized.
15

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

18 a.) The national government shall give more attention to the development of the

- 1 barangays, as they are the country's basic political units;
- 2 b.) Every barangay shall be given the authority and capability to handle its
3 concerns on its level; and
- 4 c.) Self-help or people power shall be the guiding principle in all barangay
5 development projects.

6

7 **ARTICLE II**

8 **BARANGAY OFFICIALS**

9

10 *Sec. 4. Barangay Officials as Regular Government Employees.* – The punong
11 barangay, members of the sangguniang barangay, the sangguniang kabataan
12 chairperson, the barangay secretary and barangay treasurer in all barangays are
13 hereby declared regular government employees, and as such, are entitled to the
14 salary, emoluments, allowances such as hazard pay, Representation and
15 Transportation Allowance, Personnel Economic Relief Allowance, Productivity
16 Incentive Bonus, Clothing Allowance and 13th month pay, and other benefits such as
17 insurance, medical and dental coverage, retirement benefits, and all other fringe
18 benefits to which a regular government employee may be entitled to.

19

20 *Sec. 5. Salaries of Barangay Officials.* - As soon as the appropriate steps and
21 measures are undertaken by each city or municipality in coordination with the
22 individual barangay involved on matters relating to the sources of fund and the
23 corresponding appropriation ordinance, which in no case shall be later than six (6)
24 months from the approval hereof, all barangay officials mentioned in Section 4 hereof,
25 shall be entitled to the following fixed salaries:

- 26 a.) Punong Barangay – An amount equivalent to the salary of a sangguniang bayan
27 member of his/her municipality or city;
- 28 b.) Members of the Sangguniang Barangay – An amount equivalent to eighty
29 percent (80%) of the salary of the sangguniang bayan member of his/her
30 municipality or city; and
- 31 c.) Sangguniang Kabataan Chairperson, Barangay Secretary and Barangay
32 Treasurer – An amount equivalent to seventy-five percent (75%) of the salary

1 of the sangguniang bayan member of his/her municipality or city.

2
3 *Sec. 6. Appointment, Selection and Benefits of Barangay Tanods.* - There shall be
4 barangay tanods in every barangay who shall maintain peace and order, and enforce
5 all laws and ordinances relative to the protection of lives and properties in their
6 respective barangays. The sangguniang barangay shall, through a resolution,
7 determine the appropriate number of barangay tanods needed in their respective
8 barangay.

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

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

18 Barangay tanods shall receive the following benefits and privileges:

19 (a) Honoraria, allowances, and such other emoluments as may be authorized
20 by law or barangay, municipal or city ordinance in accordance with the
21 provisions of Republic Act No. 7160, but in no case shall it be less than Six
22 hundred pesos (P600.00) per month;

23 (b) Christmas bonus of at least One thousand pesos (P1,000.00) each, the
24 funds for which shall be taken from the general fund of the barangay or
25 from such other funds appropriated by the national government for the
26 purpose;

27 (c) Insurance coverage which shall include, but shall not be limited to
28 temporary and permanent disability, double indemnity, accident insurance,
29 death and burial benefits;

30 (d) Free medical care including subsistence, medicines, and medical attendance
31 in any government hospital or institution: *Provided*, That such hospital care
32 shall include surgery or surgical expenses, medicines, X-rays, laboratory

1 fees, and other hospital expenses; and
2 (e) Exemption during their incumbency from paying tuition and matriculation
3 fees for their legitimate dependent children attending state colleges or
4 universities. He may likewise avail of such educational benefits in a state
5 college or university located within the province or city to which the
6 barangay belongs.

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8 **ARTICLE III**
9 **BASIC PRIORITIES IN THE BARANGAY**

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11 *Sec. 7. Drinking Water for Every Barangay.* - It is the right of every barangay
12 to have a regular supply of clean and potable water. To attain this goal, every city or
13 municipality, as the case may be, is hereby required to construct or maintain at least
14 one (1) facility for drawing drinking water to supply the needs of every one thousand
15 (1,000) residents for each barangay within its jurisdiction.

16
17 *Sec. 8. Transportation for Every Barangay.* - It is also the right of every
18 barangay to have public transportation available at least once a day. For this purpose,
19 every municipality or city, as the case may be, should make such necessary
20 representations before appropriate government agencies to require public utility
21 companies operating primarily within its jurisdiction to provide the minimum means of
22 transportation in every barangay.

23
24 *Sec. 9. Schools, Health Centers, and Barangay Halls for the Barangays.* - As far
25 as practicable, every barangay is entitled to have at least one (1) kindergarten and at
26 least one (1) elementary school: *Provided,* That there shall be at least one high school
27 for every five (5) kilometers from the barangay center. It shall also be the right of
28 every barangay to have one (1) health center and one (1) barangay hall.

29
30 **ARTICLE IV**
31 **MEASURES TO ASSURE THE ENJOYMENT OF LOCAL AUTONOMY**

32 *Sec. 10. Automatic Release of Share from National Taxes.* – The share of each

1 barangay from all national taxes shall be released, without need of further action,
2 directly to the barangay treasurer. The national taxes to be included in the base for
3 computing the just share of barangays shall include, but not be limited to, the
4 following:

5 (a) The national internal revenue taxes enumerated in Section 21 of
6 the National Internal Revenue Code, as amended, collected by the Bureau
7 of Internal Revenue and the Bureau of Customs;

8 (b) Tariff and customs duties collected by the Bureau of Customs;

9 (c) 60% of the national taxes collected from the exploitation and development
10 of the national wealth.

11 (d) The remaining 40% of the national taxes collected from the exploitation
12 and development of the national wealth shall exclusively accrue to the host
13 Local Government Units pursuant to Section 290 of Republic Act No.
14 7160 (Local Government Code);

15 (e) 85% of the excise taxes collected from locally manufactured Virginia and
16 other tobacco products.

17 (f) The remaining 15% shall accrue to the special purpose funds created by
18 Republic Act No. 7171 and Republic Act No. 7227;

19 (g) The entire 50% of the national taxes collected under Sections 106, 108 and
20 116 of the NIRC as provided under Section 283 of the NIRC;

21 (h) 5% of the 25% franchise taxes given to the National Government under
22 Section 6 of Republic Act No. 6631 and Section 8 of Republic Act No. 6632;
23 and

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

26
27 *Sec. 11. Transfer of Funds to Barangay for the Maintenance of Roads and*
28 *Bridges.* – All public funds appropriated from the National Treasury for the
29 maintenance of barangay roads and bridges and other similar construction works shall
30 be transferred or remitted directly to the general fund of every barangay for their
31 proper disposition by barangay officials, subject to auditing laws, rules, and
32 regulations.

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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 office 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* – For the exploitation, utilization, and development of natural resources within its territory, every barangay shall be entitled to an equitable share of the proceeds derived therefrom. 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 from part of the general fund of the barangay.

ARTICLE V
MISCELLANEOUS BENEFITS

Sec. 14. *Scholarship Grant.* – Every barangay shall sponsor at least one (1) college scholarship grant every year to be awarded by a committee of five (5) persons appointed by the Sangguniang Barangay, with the approval of the Punong Barangay, after competitive examinations are given to applicants, who should be bona fide residents of the barangay. The grant shall include tuition fees and all other school fees, reasonable allowances for school books, supplies, transportation, and other expenses as the barangay may deem appropriate.

1 in full force and effect.

2

3 Sec. 21. *Repealing Clause.* – All acts and decrees, executive orders,
4 implementing rules and regulations or parts thereof, inconsistent with the provisions
5 of this Act are hereby repealed, amended or modified accordingly.

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7 Sec. 22. *Effectivity.* - This Act shall take effect fifteen days (15) after its
8 complete publication in at least two (2) newspapers of general circulation in the
9 Philippines.

Approved,