

'19 JUL 11 P 1:27

**SENATE**

S. No. 366

RECEIVED \_\_\_\_\_  


---

Introduced by SEN. SHERWIN T. GATCHALIAN

---

**MAGNA CARTA FOR BARANGAY OFFICIALS**

EXPLANATORY NOTE

The role of the Barangay in our society is crucial as they are the basic unit where the primary planning and implementation of government programs are effected. A microcosm of the government, which by itself is authorized to enact laws, enforce them, as well as exercise judicial functions in its katarungang pambarangay duties, and peace enforcement through the tanods – the barangay officials are on-call 24/7 for the welfare of its constituency. Their political jurisdiction maybe small, but their duties are expansive and calls for direct assimilation among members of the community.

The provision in the Local Government Code enumerating the benefits and privileges for these barangays officials leave much to be desired. If we are to effectively give to the local government units the self-sufficiency that the government envisions, we must be able to provide the conditions conducive to a productive leadership. The Punong Barangay, Treasurer and Secretary should be granted government plantilla positions for the proper benefits of government employees to be granted to them.

Moreover, the tenure of service of the Barangay Chairman and Kagawads need to be lengthened to provide a longer implementation period of set programs for these basic units of the local government.

This bill proposes to fill-in the inequities in the present law by providing for the regularization of the Punong Barangay, Treasurer and Secretary; increase in the benefits of the Barangay Kagawads, members of the Lupon Tagapamayapa, and Tanods – the much needed benefit and privilege to our hard-working barangays officials.

Approval of this bill is earnestly sought.



**SHERWIN T. GATCHALIAN**

'19 JUL 11 P 1:27

**SENATE**

S. No. 366

RECEIVED BY 

---

Introduced by SEN. SHERWIN T. GATCHALIAN

---

**MAGNA CARTA FOR BARANGAY OFFICIALS**

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

1       Sec. 1. *Short Title.* - This act shall be known as the "Magna Carta for  
2 Barangay Officials".

3       Sec. 2. *Objectives.* The Objectives of this Act are as follows:

- 4           a) The payment of just and equitable compensation to all government  
5           personnel in accordance with the principle of equal pay for work of  
6           equal value;
- 7           b) In order to attract professional leaders with expertise critical to the  
8           development of barangays, the rates with which barangay officials  
9           should be paid must be upgraded and at least made comparable to  
10          that received by a skilled professional in the government service, in  
11          order to attract, retain and motivate a corps of competent public  
12          servants;
- 13          c) Because the duties performed by these Barangay officials constitute  
14          executive, legislative and, judicial functions, the compensation  
15          should be at salary levels commensurate to these responsibilities;
- 16          d) The efficient management of the basic political units involve  
17          managerial competence, an acumen that deserves rightful  
18          recompense;



1 e) In order to establish autonomy devoid of corrupt and moral  
2 suasions from higher elective officials.

3 Sec. 3. *Coverage.* – All elective barangay officials, including the Punong  
4 Barangay, Members of the Sangguniang Barangay; and appointed officials including  
5 the Barangay Secretary, Barangay Treasurer, members of the Lupon Tagapamayapa  
6 and Barangay Tanods.

7 Sec. 4. *Term of Office.* – the term of office of all elective Barangay Officials  
8 shall be for five (5) years upon effectivity of this Act.

9 No elective Barangay official shall serve for more than two (2) consecutive  
10 terms for the same position.

11 Sec. 5. *Compensation of Barangay Officials.* – The Punong Barangay,  
12 Members of the Sangguniang Bayan, Barangay Treasurer, and Barangay Secretary  
13 shall be considered as regular government employees and shall henceforth be  
14 entitled to all the benefits provided by the government which shall include but not  
15 limited to salaries, allowances, benefits and incentives applicable to all government  
16 personnel. The salary rate for positions covered by this Act shall be as follows:

- 17 a) The Punong Barangay shall be entitled to the fixed rate of Salary Grade  
18 12 under the Salary Standardization Law;
- 19 b) The Members of the Sangguniang Bayan shall receive the fixed rate of  
20 Salary Grade 10 under the Salary Standardization Law;
- 21 c) The Barangay Secretary and Barangay Treasurer shall be entitled to  
22 the fixed rate of Salary Grade 8 under the Salary Standardization Law.

23 Sec. 6. *Benefits of Barangay Tanods and Lupon Tagapamayapa.* - The  
24 Barangay Tanods, which shall number not more than twenty (20) in each barangay,  
25 and Members of the Lupon Tagapamayapa, which shall number to ten (10) in each  
26 barangay, shall be entitled to:

- 27 (1) Not less than Two Thousand Pesos (P2,000) monthly allowance;
- 28 (2) Christmas Bonus of Two Thousand Pesos (P2,000);
- 29 (3) Insurance coverage during their incumbency, which shall include, but shall  
30 not be limited to temporary and permanent disability, double indemnity,  
31 accident insurance, death and burial benefits, in accordance with Republic  
32 Act Numbered Sixty-Nine Hundred Forty-Two (R.A. No. 6942), entitled "An

1 Act Increasing the Insurance Benefits of Local Government Officials and  
2 Providing Funds Therefor;”

3 (4) Free medical care, including subsistence, medicines, and medical  
4 assistance in any government hospital or institution: *Provided, That* such  
5 hospital care shall include surgery or surgical expenses, medicines, X-rays,  
6 laboratory fees, and other hospital expenses.

7 In case of extreme urgency where there is no available government  
8 hospital or institution, the barangay official concerned may submit himself  
9 for immediate attendance to the nearest private clinic, hospital or  
10 institution and the expenses not exceeding Five thousand pesos  
11 (P5,000.00) that may be incurred therein shall be chargeable against the  
12 funds of the barangay concerned;

13 (5) Be exempted, during their incumbency, from paying tuition and  
14 matriculation fees for their legitimate dependent children attending state  
15 college or universities, or local colleges and universities;

16 (6) Be entitled to appropriate civil service eligibility on the basis of the number  
17 of years of service to the barangay, pursuant to the rules and regulations  
18 issued by the Civil Service Commission;

19 (7) Be entitled to a lump sum retirement gratuity pay equivalent to one (1)  
20 year honorarium to be taken from the barangay retirement gratuity fund,  
21 as mentioned in Section 7 of this Act: *provided, however,* that a retiree is  
22 at least sixty (60) years of age with a minimum of nine (9) years in service  
23 at the time of the retirement;

24 *Sec. 7. Barangay Retirement Gratuity Fund (BRGF) Created.* – There is  
25 hereby created a Barangay Retirement Gratuity Fund (BRGF) which shall be used to  
26 fund the retirement gratuity of barangay tanods and members of the Lupon ng  
27 Tagapamayapa, as mentioned in this Act. The amount equivalent to one percent  
28 (1%) of the share of the national government under Section 284 of the Local  
29 Government Code of 1991, as amended, shall be used for this purpose.

30 The Department of the Interior and Local Government (DILG) shall administer  
31 and ensure the appropriate disbursement of the Fund.

32



1           Sec. 8. *Capacity Development and Enhancement Program for Barangay*  
2 *Secretary, Treasurer, Barangay Tanods and Members of the Lupon Tagapamayapa –*

3           The Department of Interior and Local Government (DILG), through the Local  
4 Government Academy (LGA), shall develop capacity development and enhancement  
5 programs for Barangay Secretaries, Barangay Treasurers, Barangay Tanods, and  
6 Members of the Lupon Tagapamayapa.

7           The Department of Finance, through the Bureau of Local Government Finance,  
8 shall assist in the development of a program for Barangay Treasurers, and the  
9 Department of Justice shall assist for Barangay Tanods and Members of the Lupon  
10 Tagapamayapa.

11           The Programs shall develop comprehensive training manuals, and based  
12 thereon, execute the conduct of trainings necessary and appropriate to ensure the  
13 professionalization of the aforementioned barangay officials, for the efficient delivery  
14 of services at the barangay level.

15           Sec. 9. *Implementing Rules and Regulation.* – The Department of Budget and  
16 Management (DBM), in coordination with the Government Service Insurance System  
17 (GSIS), the Department of Interior and Local Government (DILG), and the  
18 Department of Finance (DOF) shall issue the necessary rules and regulation to  
19 implement this Act.

20           Sec. 10. *Funding Source.* – The amount necessary for the implementation of  
21 this Act shall be charged against the respective funds of both the Barangay and the  
22 City or Municipality which it is part of. Local government units which do not have  
23 adequate or sufficient funds shall be assisted by the National Government.

24           Sec. 11. *Amendatory Provisions.* -

25           (1) Section 43, Chapter I, Title II, of Republic Act No. 7160 or *An Act*  
26           *Providing for a Local Government Code of 1991;*

27           (2) Section 393, of Republic Act No. 7160 or *An Act Providing for a Local*  
28           *Government Code of 1991;*

29           (3) R.A. No. 6942, *An Act Increasing The Insurance Benefits of Local*  
30           *Government Officials And Providing Funds Therefore.*

1           Sec. 12. *Separability Clause.* – If for any reason any section or provision of  
2 this Act is declared to be unconstitutional or invalid, the other sections or provisions  
3 thereof which are not affected thereby shall continue to be in full force and effect.

4           Sec. 13. *Repealing Clause.* – All laws, decrees, orders, rules or regulations or  
5 parts thereof inconsistent with the provisions of this Act are hereby repealed,  
6 amended or modified accordingly.

7           Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
8 publication in a newspaper of general circulation.

*Approved,*