Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

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NINETEENTH CONGRESS
First Regular Session

House Bill No. **4700**

Introduced by **REPRESENTATIVE RICARDO S. CRUZ, JR.**

EXPLANATORY NOTE

Republic Act No. 7160, otherwise known as "The Local Government Code of 1991," as amended, was enacted precisely to breathe life into the constitutional mandate of local autonomy by establishing a more responsive and accountable local government structure instituted through an efficient system of decentralization. Essentially, this system is geared towards empowering local government units to achieve their full development as self-reliant communities, making them more effective and meaningful partners in the attainment of the nation's goals.

Being the basic political unit, the barangays serve as the primary planning and implementing unit of government policies, plans, programs, projects and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered" (Section 384 of the Local Government Code). As such, it is the country's ultimate front-liner in the provision of a broad range of basic services to the community, as well as in the delivery to the citizenry of their first taste of the fruits of local public service.

In this sense, the creation of barangays, upon proper compliance with the requirements set by the Constitution and the Local Government Code, thus only serves to bolster the capability of local governments to efficiently and effectively perform their respective functions, duties and responsibilities in the name of autonomy, decentralization and national growth and prosperity.

Further, the policy of establishing, protecting and enhancing fiscal autonomy on all levels of local governance is integral to the proper exercise of local government functions. This policy refers not just to the power to allocate one's resources in accordance with one's priorities but also the power to create one's own sources of revenue *in addition to* one's equitable share in the national taxes released by the central government.

Section 6, Article X of the Constitution states: "Local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them." The Internal Revenue Allotment (IRA) as incorporated in the general appropriations law enacted annually by the legislature is the "just share" contemplated by the constitutional mandate. Therefore, it is clearly an indispensable component in the grant of meaningful and true fiscal autonomy to local government units. Further, Sec. 25 of RA 7160 bolsters the Constitutional grant of a just share of LGUs in the IRA.

Thus, this bill seeks to invoke the 1987 Constitution and RA 7160 by allowing Barangay San Miguel to be entitled to a just share from the national taxes. Barangay San Miguel, located within the City of Taguig, Metro Manila, is one such barangay excluded from a share in the IRA. It has a land area of Nine Hundred Ninety-Two Thousand Eight Hundred square meters (992,800 sq.m.), more or less, and a population of Seven Thousand Four Hundred and Ninety Five (7,495). It is bounded on the North

590-D (Barangay Wawa), Rita Franco St., and Lot-386 Psu-241598 case 2 Mcadm 590-D, M. L. Q; on the East and South East, by Quezon St., Lots-573, 572, 571, 570, 569, 568, all in Case 2 Mcadm 590-D (Barangay Wawa), and an Existing Road Dike; on the South and South East, by Lot- 3949, 4174, 4175, 4177, 4228, 4229, 4379, 4337, 4336, 4339, 4229, 4342, 4344, 4345, 4347, Mcadm 590-D Case 12 Taguig Cadastral Mapping, and a portion of lot-8640; and on the West by Barangay Signal Village and NAPACOR High Tension Line. Having thus complied with the requisites prescribed under Section 386 of the Local Government Code and the plebiscite requirement contained in Section 10, Article X of the Constitution, it was separated from the original Barangay Hagonoy, and created as a separate barangay by the City Government of Taguig, acting through the Sangguniang Panlungsod, under City Ordinance No. 24-2008 approved on July 15, 2008. Its corporate existence began on October 25, 2010 when its first set of regular officials was elected, pursuant to Section 14 of the Local Government Code.

In view of these considerations, and in the face of resonating and unified public clamor for a clear and immediate legislative remedy to the matter at hand, the immediate approval of this bill is highly and earnestly sought.

Hon. Ricardo "Ading" S. Cruz Jr.
Representative
1st District, Taguig-Pateros

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NINETEENTH CONGRESS
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House Bill No. **4700**

Introduced by **REPRESENTATIVE RICARDO S. CRUZ, JR.**

AN ACT
CREATING A BARANGAY TO BE KNOWN AS BARANGAY SAN MIGUEL IN THE CITY OF TAGUIG, METROPOLITAN MANILA

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

SEC. 1. *Creation of Barangay San Miguel.* - San Miguel Proper in Barangay Hagonoy, City of Taguig, Metropolitan Manila is hereby separated from Barangay Hagonoy and constituted into a distinct and independent barangay to be known as Barangay San Miguel.

SEC. 2. *Territorial Boundaries.* - The territorial boundaries of Barangay San Miguel are hereby described as follows:

"Bounded on the North by Lot-5183 Psu-220212, Lot-5183 Psu-237646 Case 11 Mcadm 590-D Barangay of Bambang, Lot-5182, IO 5157 Case 11 590-D Mcadm 590-D Taguig Cadastral Mapping, Lot-578 Case 2 Mcadm 590-D (Barangay Wawa), Rita Franco Street, and Lot-386 Psu-241598 Case 2 Mcadm 590-D, M.L.Q.; On the East and Southeast by Quezon Street, Lots-573, 572, 571, 570, 569, 568, all in Case 2 Mcadm 590-D (Barangay Wawa), and an existing road dike; On the South and Southeast by Lots-3949, 4174, 4175, 4177, 4228, 4229, 4379, 4337, 4336, 4339, 4229, 4342, 4344, 4345, 4347, Mcadm 590-D Case 12 Taguig Cadastral Mapping, and a portion of Lot-8640; and on the West by Barangay Signal Village and NAPOCOR High Tension Line."

SEC. 3. *Conduct and Supervision of Plebiscite.* – The plebiscite conducted and supervised by the Commission on Elections (COMELEC) in Barangay Hagonoy pursuant to City Ordinance No. 24, Series of 2008 of the Sangguniang Panlungsod of the City of Taguig, which ratified the creation of Barangay San Miguel as proclaimed by the City Board of Canvassers on December 28, 2008, shall serve as substantial compliance with the plebiscite requirement under Section 10 of Republic Act No. 7160, as amended, otherwise known as the "Local Government Code of 1991".

SEC. 4. *Incumbent Barangay Officials.* - The incumbent barangay officials of Barangay San Miguel, City of Taguig shall continue to hold office until such time that their successors have been duly elected and qualified.

SEC. 5. *Public Infrastructure and Facilities.* - All public infrastructure and facilities existing therein at the time of the approval of this Act are hereby transferred without cost or compensation to and shall be administered by the new barangay.

Internal Revenue Allotment (IRA) shares pursuant to Section 285 of the Local Government Code of 1991, as amended.

SEC. 7. *Effectivity*. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

Hon. Ricardo "Ading" S. Cruz Jr.
Representative
1st District, Taguig-Pateros