

PROVIDING FOR A SYSTEM OF REGISTRATION FOR MEMBERS OF THE BARANGAYS (CITIZENS ASSEMBLIES).

PRESIDENTIAL DECREE NO. 210 [], June 08, 1973*

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WHEREAS, Presidential Decree No. 86, dated December 31, 1973, created the Barangays (Citizens Assemblies) in order to broaden the base of citizen participation in the democratic process and to afford ample opportunities for the citizenry to express their views on important national issues;

WHEREAS, Presidential Decree No. 86-A, dated January 5, 1973, strengthening and defining the role of Barangays (Citizens Assemblies) states that they shall constitute the base for citizen participation in governmental affairs and their collective views considered in the formulation of national policies or programs;

WHEREAS, Presidential Decree No. 86-B, dated January 7, 1973, provided, among others, that important national issues shall from time to time be referred to the Barangays for resolution;

WHEREAS, the Barangays have been recognized and accepted as instrumentalities of the sovereign will of the people;

WHEREAS, the Commission on Elections has now been duly constituted pursuant to the New Constitution of the Republic of the Philippines; and

WHEREAS, pursuant to Section 4, Article V, of the New Constitution, it shall be the obligation of every citizen qualified to vote to register and cast his vote;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, do hereby order and decree to be part of the laws of the land the following:

SECTION 1. Supervision of the Commission on Elections. The Commission on Elections shall, in addition to the powers and functions conferred upon it by the Constitution, have direct supervision and control in the registration of members of the Barangays (Citizens Assemblies) and shall exercise and perform such other powers and functions as may be conferred upon it by this Decree.

SEC. 2. Participation in the Barangay (Citizens Assembly). — In order that a qualified person may participate and vote in any meeting or referendum of the Barangay created under Presidential Decree No. 86, he must be registered in the Barangay list of the barrio, barangay or district where he resides.

SEC. 3. Definitions. — As used in this Decree, unless the context indicates otherwise:

- "Barangays" (Citizens Assemblies) refer to the bodies constituted under Presidential Decree No. 86, dated December 31, 1972, and to wards in cities where there are no barrios.
- "List" shall refer to the registered members of the Barangay,

- "Barrio Captain" and "Members of the Barrio Council" shall be understood to mean those who were duly elected as such under the revised Barrio Charter, or their duly authorized replacements.

- "Barangay Chairman" and "Barangay Leaders" shall refer to those who are appointed by City Mayors in accordance with this Decree.

SEC. 4. Barangay List. — There shall be a list of all the members of the Barangay in each barrio, barangay or district containing the name, sex, civil status, residence and date of birth of each member. The list shall be under the custody of the Barrio Captain or Barangay Chairman.

SEC. 5. Registration Officers. — The Barrio Captain and members of the Barrio Council, or in the case of chartered cities where there are no existing barrios, the barangay chairman and barangay leaders shall be the ex officio registration officers in their respective barrios, barangays or districts and shall take charge of the registration of the members of the barangays therein without prejudice to the power of the Commission to deputize public schoolteachers and such other officials or employees whenever the need arises to help in the registration of barangay members.

In cities or areas thereof where no barrios exist, the City Mayor shall appoint the barangay chairman and barangay leaders: Provided, That the number of Barangay Leaders for each barangay or district shall not be more than ten, one of whom shall be the barangay or district secretary.

SEC. 6. Who must register. — Every person, literate or not, fifteen years of age or over, who has resided in the barrio, barangay or district for at least six months and who is a Filipino citizen must register with any of the registration officers of the barrio, barangay or district where he resides: Provided, however, That any person who on account of his profession or calling may not be able to register in his barrio, barangay or district may register in the barrio, barangay or district where he is temporarily residing.

SEC. 7. Application for Registration. — Every person who is qualified to register as member of the barangay shall register by personally appearing before any of the registration officers of the barrio, barangay or district at such place which the latter may designate with proper notices to the barrio, barangay or district members. Registration may also be done at the residence of the registration officers.

To expedite the registration, the registration officers shall also conduct a house-to-house registration.

SEC. 8. Approval or Disapproval of Application. — If the registration officer finds the applicant qualified, he shall enter his name in the list in his possession, and he shall require the applicant to fill the registration record which shall contain the name, sex, civil status, residence, date of birth and signature of the applicant. One copy shall be retained by the applicant and the other copy shall be transmitted to the Election Registrar of the city, municipality and municipal district.

In case the applicant is illiterate or cannot by himself accomplish the registration record, the registration officer shall accomplish the same for and in behalf of the applicant who shall thereafter affix his thumbmark in the presence of two witnesses who must also affix their signatures thereon.

The registration record shall be authenticated by the registration officer: Provided, however, That once an applicant's name is entered in the list, failure or omission to accomplish the registration record shall not affect his inclusion therein: Provided, further, That the registration record shall be accomplished and submitted within a reasonable time.

SEC. 9. Cancellation of Registration. - Any member who wants to transfer his registration must first cancel his registration by appearing personally before any registration officer or by filing in writing a request for

cancellation stating the reasons therefor.

SEC. 10. Preparation of Barangay List. — The Barrio Captain, or in the case of cities, the Barangay Chairman, shall prepare in duplicate in a form to be prescribed by the Commission on Elections, the barangay list containing all the names of duly registered members arranged alphabetically. For this purpose, the registration officers shall submit immediately to the Barrio Captain or Barangay Chairman concerned the names of members registered by them for inclusion in the barangay list. The list shall be authenticated by the Barrio Captain or Barangay Chairman as the case may be and by the head teacher of the public school of the barrio, barangay or district, or in his absence, the most senior public schoolteacher of the barrio, barangay or district.

The original copy of the list shall be transmitted to the Election Registrar of the city, municipality or municipal district and the duplicate copy shall be retained by the Barrio Captain or the Barangay Chairman.

The registration records of the members shall likewise be forwarded to the Election Registrar of the city, municipality or municipal district who shall compile them and bind them by barrios, barangays or districts together with the corresponding barangay list.

In the event that the barangay list is lost, destroyed, or otherwise not available for use at any barangay meeting or referendum, the list in the custody of the Election Registrar shall be used in lieu thereof.

SEC. 11. Penal Provisions.—

(a) Failure of any registration officer to comply with his duties and functions within the period prescribed shall be ground for disciplinary action in accordance with the revised Barrio Charter: Provided, however, That when a registration officer refuses to perform certain acts required of him under this Decree the penalty shall be a fine of not less than fifty pesos but not more than two hundred pesos or an imprisonment of not less than one month but not more than one year, or both fine and imprisonment in the discretion of the court;

(b) Any qualified person who fails without justifiable excuse to register within the period prescribed by law shall be guilty of an offense punishable with a fine of twenty pesos;

(c) The following shall be guilty of an offense punishable with imprisonment of not less than one month nor more than six months:

- Any person who registers more than once.
- Any registering officer who knowingly registers a person not duly qualified to be registered or who refuses to accept any application for registration.
- Any person who delays, hinders or obstructs another from registering.

SEC. 12. Jurisdiction of Court.— The municipal or city courts as the case may be shall have jurisdiction over all the offenses punishable under this Decree, subject to appeal to the Court of First Instance the decision of which shall be final.

SEC. 13. Prosecution of Offenses.— Acts punishable by this Decree, shall be prosecuted in the same manner as election offenses punishable by the Election Code of 1971.

SEC. 14. Transitory Provision. — Without prejudice to the registration of persons not included, any list prepared and used in the referendum of January 1973 in accordance with Presidential Decrees Nos. 86, 86-A, 86 B duly certified as such by the Secretary of the Department of Local Governments and Community Development or his duly designated representative shall be adopted for purposes of this Decree after the said list shall have been posted in at least three conspicuous places in the barrio, barangay or district, or in case the list is of such thickness

or volume that it is impractical to post it, deposited in the offices of schools where it shall be open for public scrutiny, for a period of five days. In case there are complaints against the inclusion of persons not qualified to be registered, the question shall be determined by the Registrar of the city, municipal or municipal district, but the entire list shall not be affected.

After the reglementary period of publication prescribed in the preceding paragraph, the list shall then be authenticated in the same manner as provided in Section 10 herein.

SEC. 15. Promulgation of Rules. — The Commission on Elections shall promulgate such rules and regulations and prescribe and/or furnish such forms and reglementary periods for certain acts required herein to be performed.

The Commission is also authorized to provide for the updating of lists and to promulgate rules concerning disputes over registration and other matters related to barangay affairs.

The Commission on Elections may procure any supply, material or service needed for the implementation of this Decree either by negotiation or through sealed quotation if it finds the requirements of public bidding impracticable to observe.

SEC. 16. Barangay Affairs Department.—The Commission on Elections is hereby authorized to organize a department, office or agency to administer the affairs of barangays, including the holding of referendum and other forms of consultation.

To implement the provisions of this Decree the amount of THREE MILLION PESOS (P3,000,000.00) is hereby appropriated out of any funds in the National Treasury not otherwise appropriated.

SEC. 17. Repealing Clause. — All laws, executive orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SEC. 18. Effectivity. — This Decree shall take effect immediately.

Done in the City of Manila, this 8th day of June, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

[*] Amended by Presidential Decree No. 227.

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