

AN ACT AMENDING REPUBLIC ACT NO 9164, RESETTING THE BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES

REPUBLIC ACT NO. 9340, September 22, 2005

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

SECTION 1. Section 1 of Republic Act No. 9164 is hereby amended to read as follows:

“SECTION 1. Date of Election. – There shall be synchronized barangay and sangguniang kabataan elections which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan election shall be held on the last Monday of October 2007 and every three (3) thereafter.”

SEC.2. Section 4 of Republic Act No. 9164 is hereby amended to read as follows;

“SEC. 4. Assumption of Office. – The term of office of the barangay kabataan officials elected under this Act shall commence on August 15, 2002, next following their elections. The term of office of the barangay and sangguniang kabataan officials elected in the October 2007 election and subsequent elections shall commence at noon of November 30 next following their election.”

SEC. 3. Section 5 of Republic Act No. 9164 is hereby amended to read as follows:

“SEC. 5. Hold Over. - All incumbent barangay and all sangguniang kabataan officials shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified: Provided, however, That barangay and all sangguniang kabataan officials who are ex officio members of the sangguniang bayan, sangguniang panlungsod or sangguniang panlalawigan as the case may be shall continue to serve as such members in the sanggunian concerned until the next barangay election. The Liga ng mga Barangay at the municipal, city, and provincial levels shall, within thirty (30) days after the next barangay election, conduct elections for ex officio positions in the sanggunians under the supervision of the Department of the Interior and Local Government.”

SEC. 4. Section 8 of Republic Act No. 9164 is hereby amended to read as follows:

“SEC. 8. Appropriations. – The amount necessary for the implementation of this Act shall be taken from the appropriation of the Commission on Elections (COMELEC) under the General Appropriations Act and/or supplementary appropriations thereafter.

“In addition, the savings of the COMELEC not exceeding Three hundred million pesos (P300, 000,000.00) shall be used to augment said appropriations as authorized under COMELEC Special Provision No. 2 of Republic Act No. 9162.

“The fund mentioned above may be augmented by an amount not exceeding ten percent (10%) of the sangguniang kabataan funds reserved pursuant to Section 532(c) of Republic Act No. 7160.”

SEC. 5. Implementing Rules and Regulations. – The COMELEC shall promulgate such rules and regulations necessary to implement this Act.

SEC. 6. Repealing Clause. – All laws, decrees, executive order, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 7 Separability Clause. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected and thereby remain in full force and effect.

SEC. 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspaper of general circulation.

Approved:

(Sgd.) FRANKLIN M. DRILON

(Sgd.) JOSE DE VENECIA JR.

President of the Senate Speaker of the House of Representatives

This Act which is a consolidation of Senate Bill No. 2000 and House Bill No. 3742 was finally passed by the Senate and House of Representative on September 20, 2005.

(Sgd.) OSCAR G. YABES

(Sgd.) ROBERTO P. NAZARENO

Secretary of the Senate Secretary General
House of Representatives

Approved: September 22, 2005

(Sgd.) GLORIA MACAPAGAL - ARROYO President of the Philippines

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