

AN ACT TO AMEND AND REVISE REPUBLIC ACT NUMBERED TWENTY-THREE HUNDRED AND SEVENTY, OTHERWISE KNOWN AS **“THE BARRIO CHARTER”;**

REPUBLIC ACT NO. 3590, June 22, 1963

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Whereas, the people in the barrios of the Philippines are the backbone of the nation; and to better promote their welfare and happiness, it is necessary that they be granted greater autonomy and incentive for self-help, without the national, provincial and municipal governments relinquishing their respective obligations to them: Now, therefore,

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

ARTICLE I.—General Provisions

SECTION 1. Title of Act.—This Act shall be known and cited as the Revised Barrio Charter.

SEC. 2. Definition and general powers of barrios.—Barrios are units of municipalities or municipal districts in which they are situated. They are quasi-municipal corporations endowed with such powers as are herein provided for the performance of particular government functions, to be exercised by and through their respective barrio governments in conformity with law.

All barrios existing at the time of the approval of this amendatory Act come under the provisions hereof including poblaciones which, on December thirty-first, nineteen hundred and sixty-two, were already duly organized into one or more barrios or had already elected and organized their respective barrio councils: Provided, That in the latter case, such poblaciones are given a period of six months from and after the approval of this Amendatory Act within which to complete their organization into barrios, in accordance with section three hereof, otherwise they shall be excluded from the provisions of this Act.

It shall be competent for them in their proper corporate name to sue and be sued, to contract and be contracted with and to acquire, hold and convey real and personal property for purposes herein specified, and generally to exercise the powers herein or otherwise conferred upon them by law.

ARTICLE II.—Organization of Barrios

SEC. 3. The creation of new barrios.—Upon petition of a majority of the voters in the areas affected, a new barrio may be created or the name of an existing one may be changed by the provincial board of the province, upon recommendation of the council of the municipality or municipalities in which the proposed barrio is situated. The recommendation of the municipal council shall be embodied in a resolution approved by at least two-thirds of the entire membership of the said council: Provided, however, That no barrio may be created if its population is less than five hundred persons, nor out of chartered cities or poblaciones of municipalities.

Barrios shall not be created or their boundaries altered nor their names changed except under the provisions of this Act or by Act of Congress.

Boundaries of Barrios shall be determined by the Municipal Councils within six months after the passage of this Act. For this purpose, municipal councils shall be assisted by the Provincial Assessors and the Director of Lands or their Deputies. In the absence of formal documentary basis for fixing the boundaries, municipal councils shall be guided initially by commonly accepted boundaries. If within thirty (30) days from determination of the same no boundary disputes arise, these boundary limits shall be deemed to be final, unless new barrios are created or formal proceedings for the relocation of boundaries are instituted within the said prescribed period.

Boundary disputes between barrios within the same municipality shall be heard and decided by the municipal council subject to appeal within thirty days from receipt of notice of the decision by the barrio council concerned to the corresponding provincial board, whose decision shall be final.

Boundary disputes between barrios belonging to different municipalities shall be treated as boundary disputes between municipalities under existing provisions of law.

Boundary disputes between barrios belonging to different provinces and/or chartered cities, shall be treated as boundary disputes between provinces under existing provisions of law.

All property rights of the barrio whose boundaries are altered shall be vested in the barrio in which the property is situated after the alteration has been made.

SEC. 4. The Barrio assembly.—The barrio assembly shall consist of all persons who are residents of the barrio for at least six months, eighteen years of age or over, citizens of the Republic of the Philippines and who are duly registered in the list of barrio assembly members kept by the Barrio Secretary.

The barrio assembly shall meet at least once a year to hear the annual report of the barrio council concerning the activities and finances of the barrio.

It shall meet also at the call of the barrio council or upon written petition of at least One-Tenth of the members of the barrio assembly.

No meeting of the barrio assembly shall take place unless notice is given one week prior to the meeting except in matters involving public safety or security in which case notice within a reasonable time shall be sufficient.

The barrio lieutenant, or in his absence, the councilman acting as barrio lieutenant, or any assembly member selected during the meeting, shall act as presiding officer at all meetings of the barrio assembly. The barrio secretary or in his absence, any member designated by the presiding officer to act as secretary shall discharge the duties of secretary of the barrio assembly.

For the purpose of conducting business and taking any official action in the barrio assembly, it is necessary that at least one-fifth of the members of the barrio assembly be present to constitute a quorum. All actions shall require a majority vote of those present at the meeting, there being a quorum.

SEC. 5. Powers of the barrio assembly.— The powers of the barrio assembly shall be as follows:

- To recommend to the barrio council the adoption of measures for the welfare of the barrio;
- To decide on the holding of a plebiscite as provided for in section 6 of this Act;
- To act on budgetary and supplemental appropriations and special tax ordinances submitted for its approval by the barrio council and
- To hear the annual report of the barrio council concerning the activities and finances of the assembly.

SEC. 6. Plebiscite.—A plebiscite may be held in the barrio when authorized by a majority vote of the

members present in the barrio assembly, there being a quorum, or when called by at least four members of the barrio council: Provided, however, That no plebiscite shall be held until after thirty days from its approval by either body, and such plebiscite has been given the widest publicity in the barrio, stating the date, time, and place thereof, the questions or issues to be decided, action to be taken by the voters, and such other information relevant to the holding of the plebiscite.

All duly registered barrio assembly members qualified to vote may vote in the plebiscite. Voting procedures may be made either in writing as in regular elections, and/or declaration by the voters to the board of election tellers. The board of election tellers shall be the same board envisioned by section 8, paragraph 2 of this Act, in case of vacancies in this body, the barrio council may fill the same.

A plebiscite may be called to decide on the recall of any member of the barrio council. A plebiscite shall be called to approve any budgetary, supplemental appropriations or special tax ordinances.

For taking action on any of the above enumerated measures, majority vote of all the barrio assembly members registered in the list of the barrio secretary is necessary.

SEC. 7. The barrio council.—In each barrio, there shall be organized a barrio council which shall have as members the following:

- One barrio lieutenant; and
- Six barrio councilmen.

SEC. 8. Election of the barrio council.— On the second Sunday of January immediately following the regular elections for municipal and provincial officials, a regular election shall be held to elect a barrio lieutenant and six councilmen. In case of failure of election on the second Sunday of January, it may be held on any day within the month of January to be determined by the barrio council: Provided, That, if for any reason no election is held within the month of January, the provincial governor shall, upon resolution of the barrio council or written petition by at least fifty members of the barrio assembly, fix the date, of the election which shall not be beyond forty days from receipt of said resolution or petition.

The same procedure shall be followed with regard to election of officials of newly-created barrios. Those who obtain the highest number of votes for the position for which they are candidates shall be declared elected by the election tellers who have been appointed by the provincial governor for the purpose of conducting the election in the newly-created barrio. In case of a tie, the same shall be decided by drawing lots immediately after the counting of votes and the winner shall be declared elected. The officials elected shall assume office immediately by taking oath before any person authorized to administer oaths and shall hold office for four years or until their successors shall have been elected and qualified.

Not later than the last Sunday of December of the year immediately preceding the elections, the barrio council shall elect a board of three election tellers, one of whom shall be a public school teacher, who shall be the chairman to conduct the election, count the votes, and proclaim the winners. The barrio council shall also designate the polling place and date of election. Immediately thereafter, it shall cause the publication of the date and place of election and the office to be filled.

Not later than the first Sunday of January of the election year in accordance with this section, there shall be a registration of new voters to be conducted by the board of tellers. Any voter may challenge the qualifications of any person seeking to register and said challenge shall be heard and decided on the same day by the board of tellers.

Voting shall be by secret ballot. It shall be held in the place designated by the Barrio Council. Voting shall start from seven o'clock in the morning up to six o'clock in the afternoon, except when there are still voters within thirty meters of the polling place, in which case they shall be allowed to vote. The voters shall have the right to vote in the order of their entrance to the polling place, identifying themselves to the board of election tellers, who will check their names against the certified list of voters furnished by the barrio secretary. Each candidate shall be allowed to appoint one watcher each, who, upon presentation of his appointment signed by the candidate concerned to the board of election tellers, may be allowed inside the polling place during the election proceedings. Any voter or watcher may challenge a voter. No person shall be allowed to enter the voting booths, except the voters actually voting.

Candidates shall file their certificates of candidacy with the barrio secretary, not later than the first Sunday of January of the election year. Any five registered voters may also file the certificates of candidacy of any qualified person.

Any vote in favor of a person who has not filed a certificate of candidacy or in favor of a candidate for an office for which he did not present himself, shall be void and counted as a stray vote but shall not invalidate the whole ballot.

All disputes as to procedure before and during the balloting shall be decided by the Board of Election Tellers.

All disputes over barrio elections shall be brought before the justice of the peace court of the municipality concerned; And in the determination and decision thereof, the court shall follow as closely as possible the procedure prescribed for inferior courts in Rule 4, Rules of Court. The decision of the justice of the peace court shall be appealable pursuant to the Rules of Court to the Court of First Instance whose decision shall be final on questions of fact.

SEC. 9. The Commission on Election shall in addition to the powers and functions conferred upon it by the constitution have overall supervision over all elections of the members of the Barrio Council, with powers to promulgate the necessary rules and regulations consistent with the provisions of this Act,

SEC. 10. Qualifications of Voters and Candidates.—Every citizen of the Philippines, twenty one years of age or over, able to read and write, who has been a resident of the barrio during the six months immediately preceding the election, duly registered in the list of voters kept by the barrio secretary, who is not otherwise disqualified, may vote or be a candidate in the barrio elections.

The following persons shall not be qualified to vote:

- Any person who has been sentenced by final judgment to suffer one year or more of imprisonment, within two years after service of his sentence;
- Any person who has violated his allegiance to the Republic of the Philippines; and
- insane or feeble-minded persons.

SEC. 11. Rights of Succession.—Where no special elections are held to fill a permanent vacancy in the office of barrio lieutenant, arising from death, permanent incapacity, resignation, abandonment, and recall of the incumbent in a plebiscite held pursuant to section six of this Act; or where there is failure to elect a qualified candidate, the councilman who obtained the largest number of votes in the barrio elections immediately preceding shall assume the office of barrio lieutenant. If for some reason the councilman who obtained the largest number of votes is incapacitated from assuming the office of barrio lieutenant or refuses to assume such office, the councilman who obtained the next largest number of votes in the barrio elections immediately preceding shall

assume the office of the barrio lieutenant, and so on until the permanent vacancy in the office of the barrio lieutenant is filled.

There is abandonment of office of barrio lieutenant if the incumbent fails or refuses without lawful cause to enter upon the discharge of his duties within a period of six months from the time he ceases or neglects to perform his official duties.

Should the barrio lieutenant elect die before assumption of office or fail to qualify for any reason, the councilman who obtained the largest number of votes in the barrio elections immediately preceding shall assume office until the barrio lieutenant qualifies. In case of tie between the councilmen who obtained the largest number of votes in the barrio election immediately preceding, the barrio council will decide on who shall succeed. In the event that no special election is held and for some reason the senior councilman-elect is incapacitated from assuming the office of barrio lieutenant, the rule of succession described in the first paragraph of this section shall be followed.

In the event of temporary incapacity of the barrio lieutenant to perform the duties of his office on account of absence on leave, sickness, or any temporary incapacity, the senior councilman shall perform the duties and exercise the powers of the barrio lieutenant except, unless unanimously authorized by the barrio council, the power to point, suspend or dismiss employees. In the event that the senior councilman is temporarily incapacitated to perform the duties of the barrio lieutenant or refuses assume such office, the councilman who obtained the next largest number of votes among the incumbent councilmen in the barrio elections immediately preceding shall perform the duties and exercise the powers of the barrio lieutenant except, unless unanimously authorized by the barrio council, the power to appoint, suspend or dismiss employees.

SEC. 12. Supervisory Powers of the Municipal Mayor—The municipal mayor shall exercise the power of supervision over barrio officials. He shall receive and investigate complaints made under oath against barrio officers for neglect of duty, oppression, corruption or other form of misconduct in office, and conviction by final judgment of any crime involving moral turpitude. For minor delinquency, he may reprimand the offender; and if a more severe punishment seems to be desirable, he shall submit written charges touching the matter to the municipal council, furnishing a copy of such charges to the respondent and law enforcement agencies either personally or by registered mail. Upon recommendation of the Barrio council the municipal mayor may in such case suspend the officer pending action by the council, if in his opinion the charge be one affecting the official integrity of the officer in question, but in no case shall the period of pension exceed thirty days.

Where suspension is thus affected the written charges against the officer shall be filed within five days with the municipal council, which shall adopt the procedure specified in sections twenty-one hundred eighty-nine to twenty-one hundred ninety of the Revised Administrative Code.

The decision of the municipal council shall be appealable within ten days from notice thereof to the provincial board, whose decision shall be final.

ARTICLE III.—Powers, Rights and Duties

SEC. 13. Powers and duties of the barrio council.—The barrio council shall have the following powers, duties and responsibilities:

- To promulgate barrio ordinances and resolutions not inconsistent with law or municipal ordinances as may be necessary to carry into effect and discharge the powers and duties conferred upon it by law and such as shall be necessary and proper to provide for health and safety, promote the prosperity, improve the morals, peace, order, comfort and convenience of the community and inhabitants thereof and the protection of property therein;

- To construct and/or maintain within its boundaries the following public works: barrio roads, bridges, viaducts, sidewalks, playgrounds and parks; school buildings; water supply, drainage, irrigation, sewerage, and public toilet facilities; and other public works projects and facilities; and for this purpose to exercise the power of eminent domain with the approval of the municipal council;
- To undertake cooperative enterprises that will improve the economic condition and well-being of the barrio residents. Such enterprises may include credit unions; stores for the sale or purchase of commodities and/or produce; warehouses; and activities relating to agricultural and livestock production and marketing, fishing, home arts, barrio industries, and other activities which may promote the welfare of the barrio inhabitants;
- To provide reasonable compensation or per diems as well as travel expenses for the barrio council members and other officials of the barrio, the total of all of which shall not exceed thirty per centum of the total annual income of the barrio nor should such compensation or per diems and travel expenses exceed the compensation, or per diems and travel expenses granted to municipal councilors of the municipality to which such barrio belong and the compensation granted to the barrio lieutenant should not exceed the salary granted to the mayor of the same municipality: Provided, That this provision shall not apply to the barrio treasurer and barrio secretary;
- To accept in all or any of the foregoing public works and cooperative enterprises such cooperation as is made available by municipal, provincial, and national governmental agencies established by law to render financial, technical, and advisory assistance to barrios and to barrio residents: Provided, however, That in accepting such cooperation, the barrio council may not pledge sums of money for expenditure in excess of amounts currently in the barrio treasury or encumbered for other purposes;
- To employ or contribute to the expenses of employing community development workers under terms of agreement made with the office of the Presidential Assistance on Community Development or with any other bureau or agency of the government;
- To submit to the municipal council such suggestions or recommendations as it may see fit for the improvement of its barrio and/or for the welfare of the inhabitants thereof;
- To provide for the publication by town crier or such other means as they see fit, of laws, ordinances, and/or matters of public interest;
- To hold benefits in their respective barrios without having to secure permits from the Social Welfare Administration or the municipal mayor. The proceeds from such benefits shall be tax-exempt and shall accrue to the barrio general fund; Provided, That in the appropriation thereof, the specific purpose for which the benefit has been held shall have been first satisfied: Provided, further, That no benefit shall be held within a barrio within a period of one hundred twenty days immediately preceding any national or local elections.
- To organize at least twice a month such lectures, programs, and/or community assemblies as may serve to educate and enlighten the people on moral, civic, political, educational, and other matters of public interest;
- To regulate the use of cement palay or copra driers (patios) or similar projects constructed with government funds for public service within the jurisdiction of the barrio and to charge reasonable fees for such use;
- To provide for the organization of fire brigades;
- To organize annually as soon after the barrio council shall have been elected and qualified, committees composed of men and women of high moral standing and integrity in the barrio to take care of the problem of juvenile delinquency, if the same exists, by providing spiritual help and moral guidance to the juvenile delinquents and by helping them secure wholesome recreations and entertainment in the barrio or elsewhere;

- To prepare, subject to the provisions of Section 21 of this Act, annual and supplemental budgets, and special tax ordinances;

- To enter into contracts for and in behalf of the barrio and to authorize the barrio lieutenant to do so and the barrio treasurer to make direct purchases amounting to not more than one hundred pesos at any one time for the ordinary and essential needs of the barrio.

When the contract conveys real property or interest therein or which creates a lien upon the same, such contracts shall be executed in behalf of the barrio by the barrio lieutenant upon resolution of the barrio council with the approval of the municipal mayor and the provincial governor.

No contracts involving the expenditure of one thousand pesos or more shall be entered into or authorized until the treasurer of the barrio shall have certified to the barrio council that funds have been duly appropriated for such purpose and the amount necessary to cover the proposed contract is available for expenditure on account thereof. Such certificate shall be attached to and become a part of the proposed contract and the sum so certified shall not thereafter be available for expenditure for any other purpose until the contract in question is lawfully abrogated or discharged. This provision shall not however apply to purchases on installment basis by the barrio.

- To act on resignations of barrio council members;

- To exercise such powers as are necessary to carry out the foregoing provisions;

- To initiate and submit to the barrio assembly community programs of economic and social benefit to the inhabitants of the barrio.

SEC. 14. Powers, duties and responsibilities of the Barrio Lieutenant and members of the barrio council.—The barrio lieutenant shall discharge the following powers, duties and responsibilities:

- To enforce all laws and ordinances which are operative within the barrio;

- To negotiate and sign and enter into contracts for and in behalf of the barrio, upon authorization of the barrio council;

- To look after the maintenance of public order in the barrio and to assist the municipal mayor and the municipal councilor in charge of the district in the performance of their duties in such barrio;

- To preside over the meetings of the barrio assembly and the barrio council;

- To appoint a barrio treasurer, a barrio secretary, and such other officials who shall fill positions authorized by the barrio council for the smooth operation of the barrio government, with approval of the majority of all members of the barrio council. These barrio officials may for cause as provided in the case of other barrio officials be removed by the barrio lieutenant upon a vote of two-thirds of the members of the barrio council: Provided, that the decision of removal is appealable within fifteen days from receipt thereof to the municipal council whose decision is ultimately appealable within fifteen days from receipt thereof of the provincial board whose decision shall be final;

- To organize and lead an emergency group whenever same may be necessary for the maintenance of peace and order within the barrio;

- To approve vouchers relating to the disbursement of barrio funds;

- To attend conventions of barrio lieutenants and/or to represent the barrio in case such representation is needed; and

- To look after the general welfare of the barrio. The barrio councilmen shall discharge the following duties:

- To assist the barrio lieutenant in the discharge of his duties;
- To attend meetings of the barrio council;
- To act as peace officer and as such to take charge in the maintenance of public order in the areas where he is assigned by the barrio lieutenant; and
- To perform such other duties as the barrio lieutenant may delegate.

SEC. 15. Duties and responsibilities of the barrio treasurer and barrio secretary.—The barrio treasurer, who shall hold office until the end of the term of the barrio lieutenant who appointed him and who shall be bonded in accordance with existing laws and in amounts to be determined by the barrio council but not exceeding ten thousand pesos, shall discharge the following duties:

- To be the custodian of barrio property and barrio funds not deposited with the municipal treasurer;
- To collect and receive taxes, fees, contributions, monies, materials, and all other resources accruing to the barrio treasury, for which he shall issue official receipts;
- To disburse funds in accordance with the financial procedures provided for in this Act;
- To submit to the barrio council certified and detailed statements of actual receipts and expenditures and estimated receipts for the ensuing fiscal year for the preparation of the barrio budget not later than one month before the said ensuing fiscal year;
- To render a public accounting within one month after the end of each fiscal year of all barrio funds and property and which had been under his custody; and
- To certify to the availability of funds whenever necessary.

The barrio secretary who shall hold office until the end of the term of the barrio lieutenant who appointed him, shall discharge the following duties:

- To be custodian of all records of the barrio council and' barrio assembly;
- To keep minutes of all meetings of the barrio council and barrio assembly;
- To record the proceedings of barrio council and barrio assembly meetings;
- To prepare separate lists of the members of the barrio assembly and the registered voters of the barrio, and to have the same posted in conspicuous places within the barrio;
- To register all new members of the barrio assembly in accordance with the provisions of this Act; and
- To prepare all necessary election forms, such as certificates of candidacy, ballots, certificate of election returns, record of challenges, and such other forms necessary in the conduct of barrio elections or plebiscite.

SEC. 16. Privileges of barrio council officials.—In addition to the rights and privileges now granted by existing laws to barrio council officials, including the barrio treasurer and barrio secretary, they shall, if they are not receiving any salary for their services:

- Have preference in appointments in and to any government office, agency or instrumentality, or in and to any government-owned or controlled corporation;
- Have preference to purchase public lands and government-owned or managed agricultural farms or subdivisions, to obtain homesteads, concessions and franchises, and other privileges for the exploitation of the natural resources

which are permissible and made available under existing laws. The preference in paragraphs (a) and (b) is subject to the condition that they shall have fully served their term and that all other qualifications are equal;

- Be entitled to free hospitalization, in any government hospital and given priority in free wards of private hospitals for any injury, disease, or sickness incurred in line of duty; and
- Be exempted during their incumbency from paying tuition and/or matriculation fees for their children attending public elementary schools.

Provided, That the privileges in paragraphs a, b, c, and d in this sections shall not apply to any council official who has a total net asset of at least twenty thousand pesos or a yearly net income of two thousand four hundred pesos.

SEC. 17. Taxing powers of the barrio council.—The barrio council may levy, raise and collect monies from the following sources: Provided, however, That taxes or license fees imposed by a barrio council shall not exceed fifty per centum of a similar tax or fee already levied, assessed or imposed by the municipal council.

- License on stores, and signs, signboards, and billboards, displayed or maintained in any place exposed to public view except those displayed at the place where profession or business advertised is conducted;
- A tax on gamecocks owned by residents of the barrio and on the cockfights conducted therein: Provided, That nothing herein shall authorize the barrio council to permit cockfights; and
- An additional percentage, not exceeding one-fourth of one per cent of the assessed valuation of the property within the barrio, collected by the municipal treasurer along with the tax on real property levied for municipal purposes by the municipality and deposited in the name of the barrio with the municipal treasurer.

SEC. 18. Other powers of the barrio council.—In addition to the other powers now granted by this Act, the barrio council may accept or solicit monies, materials, and other contributions from the following sources:

- Monies, materials and voluntary labor for specific public works and cooperative enterprises of the barrio raised from residents, landholders, producers, and merchants of the barrio;
- Monies from grants-in-aid, subsidies, contributions, and revenue made available to barrios from municipal, provincial, or national funds; and
- Monies from private agencies and individuals.

Monies or properties donated by private agencies and individuals for specific purpose or purposes shall accrue to a special trust fund for that purpose.

ARTICLE IV.—Procedures

SEC. 19. Procedures in barrio councils.—The barrio lieutenant shall be the presiding officer of the barrio council. Regular meetings of the barrio council shall be held at least once a month at the call of the barrio lieutenant. Special meetings may also be called by him and by any other three members of the barrio council at any time.

In order to transact business, the barrio council must constitute a quorum of a majority of its members. All ordinances and resolutions must be approved by a majority vote of those present.

At the first meeting of the newly elected barrio council, the barrio lieutenant, with the approval of the majority of the councilmen shall name the chairman and members of the standing and special committees to study and report from time to time on various problems that come before the council.

The barrio council and the barrio assembly may hold their sessions in the barrio hall or public school building the barrio during hours when there are no classes, or in any house or lot in the barrio the provisional or permanent use of which may be granted for said purpose free of charge.

SEC 20. Effectivity of barrio ordinances.—A barrio ordinance shall take effect on the date fixed for its effectivity, or in the absence thereof, sixty days after its passage by the barrio council unless in the meantime a plebiscite is called under section six of this Act in which case the ordinance shall take effect fifteen days after the ordinance is confirmed, which date, however, shall not be earlier than that fixed in the ordinance, within ten days after its passage, the barrio council shall furnish copies of the ordinance to the municipal council, which shall have the power to review said ordinance to determine whether it is inconsistent with law or municipal ordinance. If the municipal council does not take action on the ordinance within sixty days after its submission, it shall be deemed as consistent with law or municipal ordinance. If within sixty days the municipal council finds that the ordinance is inconsistent with law or municipal ordinance, the municipal council shall return it to the barrio council for adjustment, amendment or repeal, in which case the effectivity of the ordinance is suspended. In case the barrio council disagrees with the disapproval of the municipal council, the dispute shall be referred to the provincial fiscal for final action.

A tax ordinance shall go into effect on the fifteenth day after its passage, unless the ordinance shall provide otherwise: Provided, however, That the Secretary of Finance shall have authority to suspend the effectivity of any ordinance within one hundred and twenty days after its passage, if, in his opinion, the tax or fee therein levied or imposed is unjust, excessive, oppressive, or confiscatory, and when the said secretary exercises this authority the effectivity of such ordinance shall be suspended. In such event, the barrio council may appeal the decision of the Secretary of Finance to the court during the pendency of which case the tax levied shall be considered as paid under protest.

All ordinances pertaining to fishing or fisheries Promulgated by the barrio council shall be submitted to the Secretary of Agriculture and Natural Resources for approval and shall be in full force and effect unless notice of their disapproval is communicated by the Secretary to the barrio council concerned within thirty days after receipt of the ordinance.

Any violation of barrio ordinances duly promulgated shall be punished by a fine of not more than one hundred pesos or imprisonment of not more than fifteen days, or both such fine and imprisonment, in the discretion of the court.

SEC. 21. Budgetary appropriations.—The barrio council shall prepare the budget on performance basis. The barrio council may enact annual and supplemental budgetary appropriations and/or special tax ordinances for specific projects.

The annual budgetary appropriation shall not exceed the estimated tax receipts and/or income for the ensuing year, certified as collectible by the municipal and the barrio treasurers concerned. Provisions shall be made for the statutory and current contracted obligations of the barrio; and no barrio official or employee shall receive a salary higher than the maximum salary provided for by subsisting salary laws and executive orders.

If the barrio council shall fail to enact a budget before the beginning of the ensuing fiscal year, the budget for the preceding fiscal year shall be deemed reenacted. Changes in the budget may be effected by supplemental budgets prepared and adopted in the same manner as the annual budget.

Copies of the barrio budgets shall be furnished the municipal treasurer within ten days from their approval who shall have the power to review such budgets in order to see to it that the above provisions are complied with.

If within thirty days after the submission the municipal treasurer takes no action, the said budget shall be deemed to have complied with the above provisions. If within thirty days after submission to him of the budgets and upon examination thereof the salary laws and executive orders have been violated he shall advise the barrio treasurer. Following receipt of such advise from the municipal treasurer, it shall be unlawful for the barrio treasurer to make further disbursement of funds for any of the items or purposes in question except as may be expressly authorized in said advice of the municipal treasurer, unless the budgets shall have been corrected or revised to meet the objections presented in said advice, and until such corrections or revisions shall have been submitted and approved by the municipal treasurer which approval may not be unreasonably withheld.

Upon ascertaining that the barrio budget has not made provisions for all statutory and/or current contractual obligations of the barrio, or that said budget has appropriated an aggregate amount exceeding the estimated tax receipts or income for the ensuing year, the municipal treasurer shall within thirty days after receipt of the barrio budget have the power to declare the same as inoperative and to return the budget forthwith to the barrio council for the proper adjustment in which event, the barrio shall operate on the previous year's budget until such time as a new budget shall have been made meeting the objections presented by the municipal treasurer.

Budgetary, supplemental appropriations, and special tax ordinances shall take effect on the date fixed for its effectivity if before such time the barrio assembly shall have approved them in a plebiscite called for the purpose, and if no date of effectivity is provided therein, after the expiration of fifteen days following the plebiscite.

SEC. 22. Financial procedure.—The barrio treasurer shall collect all taxes due or unpaid including real property taxes, fees and contributions due the barrio treasury for which he shall issue official receipts and shall deposit all collections with the municipal treasurer within a period of one week after receipt thereof. He shall disburse the same in accordance with the budget and upon resolutions of the barrio council, upon vouchers signed by the payee and approved by the barrio lieutenant, and subject to the availability of funds in the barrio treasury, and to all existing and applicable auditing rules and regulation.

For the purpose of simplifying purchasing procedures, barrio treasurers may be authorized by the barrio council under the provisions of Section 13 of this Act to make direct purchases amounting to not more than one hundred pesos at one time for the ordinary and essential needs of the barrio: Provided, That the petty cash that the barrio treasurer may be authorized to hold for the purpose shall not exceed twenty per cent of the funds available and in the credit of the barrio treasury.

The financial records of the barrio council shall be kept in the Office of the municipal treasurer in a simplified manner as prescribed by the General Auditing Office. Representatives of the General Auditing Office shall annually audit such accounts and make a report of the audit to the barrio council and to the municipal council. The General Auditing Office shall prescribe and put into effect simplified accounting procedures for barrio finances within a reasonable time after the passage of this Act.

For purposes of maintaining the books of accounts in the office of the municipal treasurer in proper order, the municipal treasurer and/or groups of treasurers of municipalities may employ the necessary personnel whose salary shall be paid by the barrios concerned in proportion to their respective annual income.

SEC. 23. Share in real estate taxes.—Ten per cent of all taxes collected on real property located within the barrio regardless of where payment and collection was made, Shall accrue to the barrio general fund, which sums shall be deducted in equal amounts from the respective shares of the province and municipality. The municipal treasurer may designate the barrio lieutenant and/or the barrio treasurer as his deputy to collect said taxes: Provided, That should a bond be required for the purpose, the municipal government should pay the premium thereof in addition to the premiums of bonds that may be required by section fifteen of this Act.

ARTICLE V.—Final Provisions

SEC. 24. Sixty days from and after approval of this Act, barrio lieutenants shall be called barrio captains and from that time, any and all reference made in existing laws to barrio lieutenants, including the definition of their functions and duties in barrio government, shall be deemed to refer to barrio captains.

SEC. 25. Announcements.—Notices and publications of ordinances, resolutions and actions taken or to be taken by the barrio assembly or barrio council shall be posted in the barrio hall, barrio school, barrio market or in any other conspicuous place or by verbal announcement by a street crier.

SEC. 26. Extent of applicability.—Notwithstanding the provisions of any city charter to the contrary, the foregoing provisions shall be made applicable only to such barrios within the jurisdiction of chartered cities as were existing before the enactment of Republic Act Numbered Two thousand three hundred seventy.

SEC. 27. Repealing clause.—Republic Act Numbered Twenty-three hundred seventy and such other laws or regulations relating to barrio government in conflict or inconsistent with the provisions of this Act are hereby repealed.

SEC. 28. Separability clause.—If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SEC. 29. Effectivity of the Act.—This Act shall take upon its approval.

Approved, June 22, 1963.

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