

REPUBLIC ACT No. 9164

AN ACT PROVIDING FOR SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991", AND FOR OTHER PURPOSES

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

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 elections shall be held on the last Monday of October and every three (3) years thereafter.

Sec. 2. Term of Office. - The term of office of all barangay and sangguniang kabataan officials after the effectivity of this Act shall be three (3) years.

No barangay elective official shall serve for more than three (3) consecutive terms in the same position: Provided, however, That the term of office shall be reckoned from the 1994 barangay elections. Voluntary renunciation of office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official was elected.

Sec. 3. Registration. - For purposes of the July 15, 2002 synchronized barangay and sangguniang kabataan elections provided under this Act, a special registration of voters for the sangguniang kabataan shall be fixed by the Commission on Elections (COMELEC). Subsequent registration of barangay and sangguniang kabataan voters shall be governed by Republic Act No. 8189.

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

Sec. 5. Hold Over. - All incumbent barangay officials and sangguniang kabataan officials shall remain in office unless sooner removed or suspended for cause until their successors shall have been elected and qualified. The provisions of the Omnibus Election Code relative to the failure of elections and special elections are hereby reiterated in this Act.

Sec. 6. Section 424 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

"Sec. 424. Katipunan ng Kabataan.- The katipunan ng kabataan shall be composed of Filipino citizens actually residing in the barangay for at least six (6) months, who are fifteen (15) but less than eighteen (18) years of age on the day of the election, and who are duly registered in the list of the sangguniang kabataan or in the official barangay list in the custody of the barangay secretary."

Sec. 7. Section 428 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

"Sec. 428. Qualifications.- An elective official of the sangguniang kabataan must be a Filipino citizen, a qualified voter of the katipunan ng kabataan, a resident of the *barangay* for at least one (1) year immediately prior to election, at least fifteen (15) years but less than eighteen (18) years of age on the day of the election, able to read and write Filipino, English, or the local dialect, and must not have been convicted of any crime involving moral turpitude."

Sec. 8. Appropriation. - The amount of one billion one hundred million pesos (P1,100,000,000.00) needed for the purpose shall be charged from the appropriation of the COMELEC authorized under Republic Act No. 9162, otherwise known as the FY 2002 General Appropriations Act.

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 the Republic Act No. 9162.

The funds 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. 9. Applicability of Other Election Laws. - The Omnibus Election Code and other existing election laws, as far as practicable, shall apply to barangay and sangguniang kabataan elections.

Sec. 10. Implementing Rules and Regulations. The COMELEC shall promulgate such rules and regulations necessary to implement this Act.

Sec. 11. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, such sections or parts not affected thereby shall remain in full force and effect.

Sec. 12. Repealing Clause. - All decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 13. Effectivity Clause. - This Act shall take effect seven (7) days after its complete publication in two (2) newspapers of general circulation.