

Republic of the Philippines
Congress of the Philippines

Metro Manila

Seventeenth Congress

First Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fifth day of July, two thousand sixteen.

[REPUBLIC ACT NO. 10923]

AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, PRESCRIBING ADDITIONAL RULES GOVERNING THE CONDUCT OF BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS AND FOR OTHER PURPOSES

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, as amended by Republic Act No. 9340 and Republic Act No. 10656, is hereby further 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 elections shall be held on the last Monday

of October 2007 and every three (3) years thereafter: *Provided*, That the barangay and sangguniang kabataan elections on October 31, 2016 shall be postponed to the fourth Monday of October 2017. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the second Monday of May 2020 and every three (3) years thereafter.”

SEC. 2. Section 4 of Republic Act No. 9164, as amended by Republic Act No. 9340, is hereby amended to read as follows:

“SEC. 4. *Assumption of Office.* – The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence at noon of November 30 next following their election: *Provided, however*, That the term of office of the barangay and sangguniang kabataan officials elected in the May 2020 elections and subsequently thereafter, shall commence at noon of June 30 next following their election.”

SEC. 3. *Hold Over.* – Until their successors shall have been duly elected and qualified, all incumbent barangay officials shall remain in office, unless sooner removed or suspended for cause.

SEC. 4. Section 3 of Republic Act No. 6679 is hereby amended to read as follows:

“SEC. 3. *Ban on Government Projects.* – The construction or maintenance of barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding.”

SEC. 5. *Prohibition on Appointments of Government Officials and Employees.* – The appointment or hiring of new employees, creation of new position, promotion, or giving of salary increases, remuneration or privileges in the barangay shall be prohibited for a period of ten (10) days immediately

preceding the election, the provisions of Section 261, paragraph (g), of the Omnibus Election Code to the contrary notwithstanding.

SEC. 6. *Use of Appropriations.* – The following appropriations for the Commission on Elections (COMELEC) shall be considered as continuing appropriations and shall be used exclusively for the conduct of the barangay and sangguniang kabataan registration and elections:

(a) The amount of Nine hundred thirty-six million one hundred twenty-nine thousand pesos (P936,129,000) appropriated for the sangguniang kabataan elections and One hundred fifty-five million one hundred sixty-seven thousand pesos (P155,167,000) appropriated for the sangguniang kabataan registration under Republic Act No. 10651, otherwise known as “The 2015 General Appropriations Act”; and

(b) The amount of Five billion nine hundred ninety-four million two hundred forty-three thousand pesos (P5,994,243,000) for the sangguniang kabataan and barangay elections and Five hundred six million two hundred seventy-four thousand pesos (P506,274,000) appropriated for the sangguniang kabataan and barangay elections under Republic Act No. 10717, otherwise known as “The 2016 General Appropriations Act”.

SEC. 7. *Use of Sangguniang Kabataan Fund.* – Until the new sangguniang kabataan officials shall have been duly elected and qualified, the sangguniang barangay shall not use the sangguniang kabataan fund except for youth development and empowerment programs as provided in Republic Act No. 10742, otherwise known as “The Sangguniang Kabataan Reform Act of 2015”.


SEC. 8. *Implementing Rules and Regulations.* – The COMELEC shall, within ninety (90) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act.

SEC. 9. *Separability Clause.* – If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provisions not affected shall remain in full force and effect.

SEC. 10. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.


SEC. 11. *Effectivity.* - This Act shall take effect immediately after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.


Approved,


PANTALEON D. ALVAREZ
*Speaker of the House
of Representatives*



AQUILINO "KOKO" PIMENTEL III
President of the Senate

This Act was finally passed by the Senate and the House of Representatives on September 13, 2016.


CESAR S. PAREJA
*Secretary General
House of Representatives*


LUTGARDO B. BARBO
Secretary of the Senate

Approved: **OCT 15 2016**


RODRIGO ROA DUTERTE
President of the Philippines



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