

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7518



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

AN ACT
EXPANDING THE FUNCTION OF THE LUPONG TAGAPAMAYAPA, THEREBY
AMENDING REPUBLIC ACT No. 7160 OTHERWISE KNOWN AS THE "LOCAL
GOVERNMENT CODE", AND FOR OTHER PURPOSES

The Katarungang Pambarangay is an important arm in the local government level to promote the speedy administration of justice and help in the decongestion of cases at the judicial level.

In Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", the jurisdiction of the Katarungang Pambarangay exempts offenses punishable by imprisonment exceeding (one) year from Barangay Conciliation proceedings.

This bill seeks to expand the jurisdiction of the Katarungang Pambarangay by increasing the scope of its subject matter to include cases whose imposable penalty do not exceed two (2) years and other offenses that are often brought before members of the Lupong Tagapamayapa, without regard to the imposable penalty such as libel, qualified theft, estafa and adultery.

Litigation at trial is usually prohibitive because of occasional delays in settling motions and long queues of cases. It is lengthy and the adversarial atmosphere is exhausting. Increasing the jurisdiction of the Katarungang Pambarangay allows the tried and tested ways of settling disputes peacefully and amicably to operate more effectively. Moreover, increasing the coverage of what can be amicably settled will prevent parties from rushing the filing of cases and wasting both their resources and that of the courts.

In view of the foregoing, the approval of this bill is most earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

SECTION 1. Section 408 of R.A. No. 7160 is hereby amended to read as follows:

"Section 408. Subject Matter for Amicable Settlement; Exception Thereto. — The lupon of each barangay shall have authority to bring together the parties actually residing in the same city or municipality for amicable settlement of all disputes except:

- a. Where one party is the government, or any subdivision or instrumentality thereof;
- b. Where one party is a public officer or employee, and the dispute relates to the performance of his official functions;
- c. Offenses punishable by imprisonment exceeding [one (1)] **TWO (2)** years or a fine exceeding Five thousand pesos (P5,000.00)[;]. **PROVIDED, THAT THE LUPON SHALL EXERCISE AUTHORITY OVER THE FOLLOWING CASES, IRRESPECTIVE OF THE IMPOSABLE PENALTY AND/OR FINE:**

1. DISCOVERING SECRETS;
2. QUALIFIED THEFT;
3. SWINDLING (ESTAFA);
4. FENCING (PURSUANT TO PRESIDENTIAL DECREE NO. 1612);
5. MALICIOUS MISCHIEF;
6. LIBEL;
7. ADULTERY; AND
8. CONCUBINAGE.

d. Offenses where there is no private offended party;

e. Where the dispute involves real properties located in different cities or municipalities unless the parties thereto agree to submit their differences to amicable settlement by an appropriate lupon;

f. Disputes involving parties who actually reside in barangays of different cities or municipalities, except where such barangay units adjoin each other and the parties thereto agree to submit their differences to amicable

settlement by an appropriate lupon[;]. **PROVIDED, THAT DISPUTES INVOLVING PARTIES WHO ACTUALLY RESIDE IN BARANGAYS OF DIFFERENT PROVINCES, CITIES OR MUNICIPALITIES MAY BE BROUGHT BY THE OFFENDED PARTY TO THE I-UPON OF THE BARANGAY WHERE THE OFFENDING PARTY RESIDES;**

g. Such other classes of disputes which the President may determine in the interest of justice or upon the recommendation of the Secretary of Justice. The court in which non-criminal cases not falling within the authority of the lupon under this Code are filed may, at any time before trial, motu proprio refer the case to the lupon concerned for amicable settlement.

SEC. 2. Repealing Clause - All general and special laws, acts, city charters, decrees, executive orders, proclamations and administrative regulations, or part or parts thereof which are inconsistent with any of the provisions of this Code are hereby repealed or modified accordingly.

SEC. 3. Separability Clause. — If, for any reason or reasons, any part or provision of this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 4. Effectivity Clause. — This Code shall take effect on January first, Nineteen Hundred Ninety-Two, unless otherwise provided herein, after its complete publication in at least one (1) newspaper of general circulation.

Approved,