

April 3, 2008

HON. PEDRO N. REBUCIAS
Barangay Kagawad
Barangay Hall
Pondol, Balamban
6041 Cebu

Dear Kagawad Rebutias:

This has reference to your letter dated March 24, 2008, requesting legal opinion on the naming of barangay roads by the sangguniang barangay after deceased former punong barangays and deceased former barangay and municipal council members, and on the division of barangays.

On the naming of barangay roads, it is not among the powers granted to barangays. Under the Local Government Code of 1991, the authority is given to the sangguniang panlungsod and sangguniang bayan in consultation with the Philippine Historical Commission.

As regards the division of a barangay, the Local Government Code of 1991 provides that a barangay may be created, divided, merged, abolished or its boundary substantially altered by law or ordinance of the sangguniang panlalawigan or sangguniang panlungsod, subject to approval by a majority of the votes cast in a plebiscite to be conducted by COMELEC in the local government unit or units directly affected within such period of time as may be determined by the law or ordinance.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director

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