Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 1409

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

Political parties play a vital role in the country's quest for political and economic development. The political party system in the country is basically confined to personalities rather than issues and political platforms. There have been many attempts to reform the orientation of our political parties in the past so as to veer way from the concept of traditional politics, but unfortunately they have not been successful because of lack of legal institutional framework to govern system of political parties.

Our history tells us that political parties in the Philippines are normally used only as political vehicles to win an election. Hence, most political aspirants change political parties for convenience, rather than because of conviction. This only shows the lack of ideological commitment of the members of party because they choose parties based on the rise and fall of the tide of opportunity. "Turncoatism" should never be encouraged nor tolerated since it only distorts the concept of word of honor and dignity of a leader.

It is this light that the Political Party Act should be enacted. It is imperative that political party system should be strengthened if we want to develop and achieve genuine political development and democratization. ' We have to enact laws to prevent the system of ward politics and political chameleons that we have today.

The bill aims to revitalize our major political parties to make them more responsive to the needs of their members and their constituents as well.

A Party Development Fund shall be created to provide subsidy to political parties of national character for their operational expenses and party building activities not only for electoral campaign but also for their developmental programs. These funds shall be appropriated in the national budget.

A political party may qualify to receive a portion from the Party Development Fund if its national candidates garnered at least 15% of the popular vote in the most recent general elections.

For their part, political parties should institute internal control mechanisms within political parties to promote accountability and transparency.

The bill also encourages the political parties to raise its funds through Party Foundation to finance their activities so that they will develop self-sufficiency and lessen their dependence on contributions from illegal sources.

This bill envisions changing the norm of having political butterflies during and after the election period. It aims to give importance to party ideals and policy agenda rather than the political pragmatism and survival: the bill proposes that any member of the party wanting to change his party affiliation after being elected on that party's ticket, should first resign from his elective position and must seek a fresh mandate from the electorate. Likewise, defecting persons cannot be appointed or hold any position in any public office, till after the expiration of the term within which they were elected.

In general, the proposed bill hopes to transform the Philippine political parties from personality-oriented to issue-oriented political organizations. Thus, we can provide our constituents with better brand of party politics.

In view of the urgent need to address the irregularities in the political party system, the passage of this bill is urgently sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 1409

Introduced by **Rep. Roseller L. Barinaga**

AN ACT
STRENGTHENING THE POLITICAL PARTY SYSTEM

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

SECTION 1. *Short Title.* This shall be known as the "Political Party Act of 2004".

SEC. 2. *Declaration of Policy.* It shall be the policy of the State to:

a) promote the institutionalization of political parties, and development of party platforms;
b) ensure political accountability and transparency in the party system;
c) reduce opportunities for graft and corruption in the country;
d) still party loyalty and discipline.

SEC. 3. *Definition of policy agenda and program of governance.* – Political parties are mandated to craft a clear policy agenda and program of governance consistent to their party philosophy and ideals. The members of the political party shall endeavor to act in accordance with the defined party platform and pursue programs to fulfill party commitments.

SEC. 4. *Selection of Candidates.* The selection process for candidates shall be democratized through the adoption of a process that is fair, open and transparent, and would promote participation of choice from the members of the party. Towards this end, each political party is mandated to formulate a system of nomination and selection of candidates.

SEC. 5. *Party Defection.* Any member of the party wanting to change his party affiliation after being elected on that party's ticket should first resign from any elective position and must seek a fresh mandate from the electorate. Likewise, defecting persons cannot be appointed or hold any position in any public office, till after the expiration of the term within which they were elected.

SEC. 6. *Creation of a Political Party Foundation.* The political party shall be encouraged to set up a non-stock, non-profit foundation in order to raise funds in accordance with the programs and activities of the party. The foundation shall be registered to the Securities and Exchange Commission and shall comply with the existing laws and regulations.

SEC. 7. *Party Development Fund.* A Party Developmental Fund is hereby created to provide subsidy to political parties of national character for operational expenses and party development.

A political party may qualify to receive a portion from the Party Development Fund if its national candidate garnered at least 15% of the popular vote in the most recent general elections.

The Party Development Fund shall be provided with appropriations under the General Appropriations Act.

SEC. 8. *Uses of the Party Development Fund.* The Party Development Fund shall be used for the following purposes:

a) at least half of the grant must be allocated for branch administration, membership recruitment and civic education;
b) for research and policy development;
c) education and training of members;
d) institution building and constituent outreach program; and
e) other reasonable expenses that will help in strengthening the party.

SEC. 9. *Party Ethics.* In exchange for state subsidy, political parties should institute internal control mechanisms within political parties to promote accountability and transparency.

Each political party is encouraged to develop and enforce an internal code of conduct and ethical standards for its party members to uphold the values and standards of public life, and to formulate and implement disciplinary procedures for party members.

In addition, no political party should sponsor and select a candidate, who has been either convicted by any court for any criminal offence or against whom the court has framed criminal charges.

SEC. 10. *Disclosure.* The political party officials, including branch Chairpersons must submit a sworn statement of their assets and liabilities to the Commission on Elections (COMELEC) regardless of whether or not they hold public office. Said documents shall form part of public record. The auditing of all the financial accounts or political parties on an annual basis shall be compulsory and shall be conducted by an independent external auditor.

In addition, annual party audits and financial reports shall likewise be publicly disclosed to show all the expenditures and sources of all funds.

SEC. 11. *Establishment of an Internal Disciplinary Committee.* An Internal Disciplinary Committee shall be created to address and investigate complaints and irregularities within the party.

SEC. 12. *Rules and Regulations.* The COMELEC shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.

SEC. 13. *Repealing Clause.* All laws, orders, issuances, rules and regulations or Part thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 14. *Separability Clause.* If for any reason, any section or provision of this Act shall be questioned in any court and shall be held unconstitutional or invalid, no other section or provision of this Act shall be affected thereby.

SEC. 15. *Effectivity.* This Act shall take effect fifteen (15) days from its Publication in the official gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved.