

Congress of the Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4500



Introduced by Representative **ABRAHAM KAHLIL B. MITRA**

EXPLANATORY NOTE

"Ours is a government of laws, not of men" as often been said. Yet, the Republic of the Philippines has undergone through several irregular transitions of government in manners questionably Constitutional.

These uncertainties in the manner of government transitions have caused irreparable damage to the Republic of the Philippines both politically and economically, including the image of the country internationally. Such questionable exercises and adventurism has now threatened the very soul of the nation, the ideals of the Filipino people and the very fibers of democracy as anchored on the strength of the Philippine Constitution.

The time has come for the State to protect itself from parties who threatens to use force or other unconstitutional or illegal means or in a manner not in accordance with procedure mandated by the Constitution to take over the government.

While it is a recognized fact that "people power" has been so declared by the Supreme Court as a constitutional manner of effecting changes in the government or of decisions to that effect, such a manner of change may be misused and abused.

Nevertheless, in extreme situations and constitutional uncertainty, a hiatus in the administrative functions of the national government should be prevented and an unhampered delivery of at least the basic services to the people.

With the prevailing provisions, passage of this bill is earnestly sought.


ABRAHAM KAHLIL B. MITRA
2nd District of Palawan

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Introduced by Representative **ABRAHAM KAHLIL B. MITRA**

AN ACT
AFFIRMING THE SANCTITY OF THE CONSTITUTION AND MANDATING THE
PROVINCES, CITIES AND AUTONOMOUS REGIONS OF THE REPUBLIC OF
THE PHILIPPINES TO WITHHOLD RECOGNITION OF THE AUTHORITY OF
THE NATIONAL GOVERNMENT AND TO ASSUME ABSOLUTE POLITICAL,
ADMINISTRATIVE, AND ECONOMIC AUTONOMIES, IN CASES WHERE
SUCH AUTHORITY OF THE NATIONAL GOVERNMENT IS ASSUMED BY
ANY PART IN VIOLATION OF THE CONSTITUTION AND FOR OTHER
PURPOSES.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the Philippine
2 Constitutional Sanctity Act of 2005”.
3

4 SECTION 2. *Authority of the Provinces, Cities and Autonomous Regions* - It
5 shall be the duty of all Provinces, Cities and Autonomous Regions of the Republic of
6 Philippines, as affirmation of the sanctity of the Philippine Constitution, to withhold
7 recognition of the authority of the National Government and to assume absolute
8 political, administrative and economic autonomies, in case where such authority of
9 the national government is assumed by any party in violation of the Philippine
10 Constitution or in contravention with the manner outlined and mandated by the
11 Constitution subject to Section 4 hereof.
12

13 SECTION 3. *Effects of Withholding Recognition of Authority* – In the event of
14 such withholding of recognition of authority, the Provinces and Autonomous Regions
15 shall have the following powers and authority:
16

- 17 a. Assume absolute political, administrative and economic control and
18 supervision over all national government functions within their
19 respective territories;

- 1 b. Withhold remittance to the National Treasury of all monies
2 generated and taxes collected from all persons, properties and
3 activities within respective jurisdiction.
- 4 c. Assume all regulatory and discretionary powers of the national
5 government in the development of their respective territories,
6 including the utilization and exploration of its natural resources;
- 7 d. Issue permits, licenses, and other requirements to all parties as
8 may be appropriated to a particular activity, including those
9 ordinarily granted by the national government; and
- 10 e. Do all other acts and things necessary and desirable to effect the
11 foregoing.

12

13 SECTION 4. *Declaration of Constitutionality or Return to Constitutional*
14 *Process.* The Provinces, Cities and Autonomous Regions shall forthwith recognize and
15 reaffirm the authority of the National Government immediately after the Supreme Court
16 of the Philippines shall have declared that the circumstances obtaining is Constitutional
17 and/or that the present National Government Authority is constitutional and henceforth
18 the powers and authority vested unto the Provincial, City and Autonomous Regions
19 under Section 3 hereof immediately revert back to the National Government.

20

21 Any and all monies and taxes collected by the Provinces, Cities and Autonomous
22 Regions that otherwise pertains to the National Government shall forthwith be
23 transmitted to the National Treasury.

24

25 SECTION 5. *Separability.* If for any cause any part of this Act is declared
26 unconstitutional, the rest of the provisions shall remain in full force and effect.

27

28 SECTION 6. *Effectivity.* This Act shall take effect fifteen (15) days after
29 its publication.

30

31 *Approved,*