

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6631**



Introduced by MAGDALO Party List Representative
Hon. Gary C. Alejano

EXPLANATORY NOTE

Executive Order No. 157 (E.O. 157) was the first piece of legislation that provided for a system of local absentee voting. In Section 7 thereof, for the purpose of the 1987 Congressional Election, absentee voting was only applied to the elections for Senator

In 1991, Section 12 of Republic Act No. 7166 (RA 7166), otherwise known as the "Synchronized National and Local Elections and Electoral Reforms Act", expanded the coverage of EO 157 by including the positions of President and Vice-President in the positions to be voted for under the local absentee voting. Hence, under RA 7166, local absentee voting is specifically limited to the elections for President, Vice-President, and Senators.

In 1995, Republic Act No. 7941 (RA 7941), otherwise known as the "Party-List System Act" was enacted into law, paving the way for the first Party-List Elections in 1998. Without any amendment being made to Section 12 of RA 7166, the Commission on Elections (COMELEC) included Party-List Representatives among the positions to be voted for under local absentee voting. While it is correct, in principle, to allow local absentee voters to elect Party-List Representatives since they are voted at large, it is submitted that the same should have been done through an amendment of RA 7166 and not through a resolution of the COMELEC.

This bill seeks therefore to institutionalize the inclusion of Party-List Representatives among the positions to be voted on under the local absentee voting by proposing an amendment to Section 12 of RA 7166 by including therein Party-List Representatives as one of the positions to be voted for under the system of local absentee voting.


REP. GARY C. ALEJANO

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AN ACT

TO INCLUDE PARTY-LIST REPRESENTATIVE IN THE LIST OF PUBLIC OFFICERS TO BE ELECTED UNDER THE LOCAL ABSENTEE VOTING, AMENDING FOR THE PURPOSE SECTION 12 OF REPUBLIC ACT NO. 7166, OTHERWISE KNOWN AS, "AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES"

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

1 **SECTION 1.** Section 12 of Republic Act No. 7166 is hereby amended to read as follows:

2
3 "Section 12. Absentee Voting. - Absentee voting as provided for in Executive Order No.
4 157 dated March 30, 1987 shall apply to the elections for President, Vice-President, [and]
5 Senators, **AND PARTY-LIST REPRESENTATIVE** only and shall be limited to
6 members of the Armed Forces of the Philippines and the Philippine National Police and
7 other government officers and employees who are duly registered voters and who, on
8 election day, may temporarily be assigned in connection with the performance of election
9 duties to places where they are not registered voters."

10
11 **SEC. 2. Separability Clause** - Should any provision of this Act be declared invalid or
12 unconstitutional, such declaration shall not affect the validity of the remaining provisions of this
13 Act.

14
15 **SEC. 3. Repealing Clause.** - All laws, presidential decrees, executive orders, resolutions,
16 rules and regulations, or any part thereof contrary to or inconsistent with the provisions of this
17 Act are hereby repealed or modified accordingly.

18
19 **SEC. 4. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
20 two (2) newspapers of general circulation.

Approved,