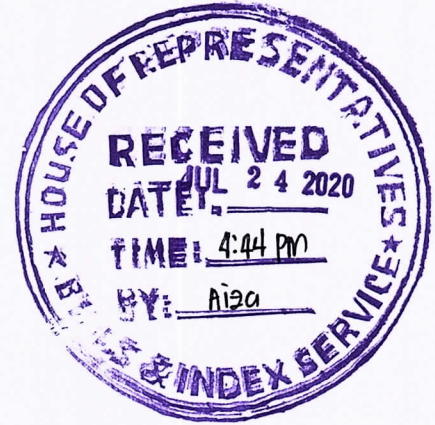


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 7179



Introduced by Representative Maria Lourdes Acosta-Alba

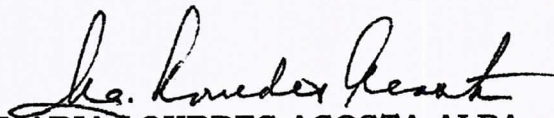
Explanatory Note

The 1987 Constitution guarantees the fundamental equality of women and men before the law and recognizes the role of women in nation-building. The Magna Carta for Women that seeks to address the inequality and discrimination of women in society emphasizes the role of the State in facilitating the equitable representation of women in policy-making and governance. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which the Philippines is a signatory, provides for States to take appropriate measures to eliminate discrimination and participate in government policy in all levels of government. However, to date, women remain underrepresented within the sphere of politics and governance.

In the 2019 National and Local elections, only 20.16 percent (8,782) of the candidates were female. In the recent years, the trend was that women occupy only less than one-third of third level positions in the government; more than one-third in government owned and controlled corporations; less than 20 percent in local government units; and more than one-third in the judiciary (Philippine Commission on Women).

Given the above considerations, there is clearly a need to adopt measures to attain gender equality between women and men in terms of political participation and representation.

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


MARIA LOURDES ACOSTA-ALBA
1st District, Bukidnon

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AN ACT
PROMOTING WOMEN PARTICIPATION AND EQUITABLE
REPRESENTATION IN AND BY POLITICAL PARTIES, GIVING
INCENTIVES THEREFOR, CREATING THE WOMEN IN POLITICAL
PARTIES EMPOWERMENT FUND, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.**- This Act shall be known as the
2 *“Women Participation and Representation in Political Parties Act of 2020.”*

3 **SEC. 2. Declaration of Policy.**- Pursuant to Section 14, Article
4 II (State Policies) of the 1987 Philippine Constitution, which recognizes
5 the role of women in nation-building and ensures fundamental equality
6 before the law of men and women, and to Section 14, Article XIII (Social
7 Justice and Human Rights) of the same Constitution, which makes it
8 an obligation of the State to provide facilities and opportunities for
9 women that will enhance and enable them to realize their full potential
10 in the service of the nation, it is hereby declared the policy of the State
11 to promote women participation and equitable representation of women
12 by providing incentives to political parties which have women agenda,
13 and which have internal policies which promote women participation
14 and equitable representation.

15 Further, Section 11 of Republic Act No. 9710, otherwise known
16 as Magna Carta of Women states that, “The State shall undertake
17 temporary special measures to accelerate the participation and

1 equitable representation of women in all spheres of society particularly
2 in the decision-making and policy-making processes in government and
3 private entities to fully realize their role as agents and beneficiaries of
4 development.” Likewise, Section 11 (e) of the Magna Carta of Women,
5 provides incentives to political parties with women’s agenda. It shall
6 likewise encourage the integration of women in the leadership
7 hierarchy, internal policy-making structures, appointive and electoral
8 nominating processes.”

9 **SEC. 3. Definition of Terms.**- As used in this Act:

10 (a) *Lawful election propaganda* shall refer to any type of
11 expense incurred, regardless of source and purpose, that relates
12 directly or indirectly, to the conduct of the electoral campaign of a
13 woman candidate. It includes all payments of money or anything of
14 value, or a contract, promise or agreement to spend, for the purpose of
15 influencing the results of the elections. It includes the use of office space
16 and facilities personally owned by the woman candidate, the monetary
17 value of which shall be assessed based on the market rates prevailing
18 in a particular area: *Provided*, That for purposes of this Act, the term
19 shall refer exclusively and specifically to lawful election propaganda of
20 women candidates.

21 (b) *Certified political party* shall refer to a political party
22 qualified to receive incentives for the development and implementation
23 of its women and gender and development agenda and to augment
24 funds reserved for the lawful election propaganda of its women
25 candidates, and certified as such by the Commission on Elections
26 (COMELEC), with the assistance of the Philippine Commission on
27 Women (PCW).

28 (c) *Disclosure requirement* shall refer to the duty of women
29 candidates and political parties, as defined in this Act, to reveal the
30 details of the incentives and expenditures given and received by them
31 as incentives and their share in the Women in Political Parties
32 Empowerment Fund.

1 (d) *Woman member of a political party* shall refer to a biological
2 or transgender woman of good standing in a political party who
3 complied with the requirements of party membership, including the
4 payment of membership dues, and coming from the women sector.

5 (e) *Political party* shall refer to a political party, party-list, or
6 an organized group of persons duly registered with the Commission
7 on Elections, pursuing or advocating a platform, principles and
8 policies for the general conduct of government and for women's
9 empowerment, and which nominates and supports its members as
10 candidates for public office.

11 (f) *Women in Political Parties Empowerment Fund or Fund* shall
12 refer to the fund for the development and implementation of a political
13 party's women and gender and development agenda, and which may
14 be used to augment funds for the campaign activities of women
15 candidates, as provided for by this Act.

16 **SEC. 4. Development and Implementation of a Women and**
17 **Gender and Development Agenda.**- Political parties are mandated to
18 craft and implement a clear women and gender and development
19 agenda and program consistent with their party philosophy and ideals.
20 The members of the political party shall endeavor to act in accordance
21 with this agenda and pursue programs to fulfill party commitments.
22 This agenda shall form part of the requirements for the accreditation of
23 political parties by the COMELEC. The PCW shall assist the political
24 parties in development of this agenda

25 **SEC. 5. Participation and Equitable Representation in**
26 **Political Parties.**- Women representation in a political party shall refer
27 to the integration of women in the leadership of a political party and its
28 internal policy-making structures: *Provided*, That such leaders are *bona*
29 *fide* women members of the political party: *Provided*, further, That
30 women representation in a political party shall be equitable whenever
31 women leaders occupy at least thirty percent (30%) of the leadership
32 and internal policy-making structures of the political party: *Provided*,

1 *finally*, That the PCW, with the assistance of the COMELEC, shall certify
2 the equitable nature of representation in a political party.

3 **SEC. 6. Participation and Equitable Representation by Political**
4 **Parties.**- Women representation by a political party shall refer to the
5 nomination of women as official candidates of the political party to
6 elective positions in the government: *Provided*, That such nominees are
7 *bona fide* women members of the political party: *Provided, further*, That
8 women representation by a political party shall be equitable whenever
9 at least thirty percent (30%) of women are nominated as official
10 candidates of the political party: *Provided, further*, That the PCW, with
11 the assistance of the COMELEC, shall certify the equitable nature of
12 representation by a political party; *Provided, finally*, That substitution
13 of women candidates shall be discouraged.

14 **SEC. 7. Incentives for Equitable Representation In and By A**
15 **Political Party.**- A political party registered with and certified by the
16 COMELEC to have equitable representation as stated in Sections 5 and
17 6 of this Act, shall be allowed to access the *Women in Political Parties*
18 *Empowerment Fund*, established by virtue of this Act, to fund their
19 women and gender and development agenda, and to augment funds for
20 the lawful election propaganda of their women candidates.

21 **SEC. 8. Establishment of the Women in Political Parties**
22 **Empowerment Fund.**- There is hereby established a *Women in Political*
23 *Parties Empowerment Fund*, hereinafter referred to as the "*Fund*," which
24 shall be the source of incentives for political parties complying with
25 Section 7 of this Act. The incentives given to political parties from the
26 Fund shall be used directly and exclusively for the following purposes:

27 (a) Development and implementation of the political party's
28 women and gender and development agenda, and

29 (b) Finance of the campaign activities of the political party's
30 women candidates. The share of each of the political parties from the
31 Fund shall be released only upon proof that the concerned political
32 party has raised an amount specifically for the development and
33 implementation of the political party's women and gender and

development agenda: *Provided*, That, notwithstanding Sections 5, 6, and 7 of this Act, no political party shall be given its share in the Fund until it has given proof that there are political party funds segregated and reserved for the political party's women and gender and development agenda: *Provided, further*, That the amount to be released from the fund shall be equal to the amount so segregated and reserved: *Provided, finally*, That unreleased amounts because of the political party's failure to segregate and reserve such amounts, if any, shall be forfeited and reverted to the General Fund of the government.

For purposes of this Act, all releases from the *Fund* during a non-election year shall be used exclusively for the political party's women and gender and development agenda. Amounts released from the *Fund* during an election year shall be divided as follows: (1) sixty percent (60%) shall be used for lawful election propaganda, and forty percent (40%) shall be used for women and gender and development agenda.

The political parties availing of the incentives from the *Fund* shall maintain a separate financial account for the amounts given them by virtue of this Act.

SEC. 9. Allowable Women and Gender and Development Activities. - The COMELEC and the PCW shall provide a comprehensive list of specific activities which shall be considered as a development and implementation activity under Section 8 of this Act.

SEC. 10. Certification.- A political party which conforms with Sections 5 and 6 of this Act, and which desires to be entitled to the incentives, rights, and privileges and to perform the responsibilities, provided in this Act, may ask for a Certification from the COMELEC, under such rules and regulations that the COMELEC, in coordination with the PCW, shall prescribe consistent with the provisions of this Act. The criteria in Sections 5 and 6 of this Act shall set the eligibility requirement for the said Certification. A duly-certified political party shall be entitled to the incentives, rights, and privileges and to perform the responsibilities, as provided in Section 7 and Section 11 of this Act.

1 **SEC. 11. Full Disclosure.**- A political party whose officials are
2 certified by the COMELEC to be eligible, and which, in fact, has availed
3 of the incentives under Section 7 of this Act, shall be required to submit
4 with the PCW, the COMELEC, and the Commission on Audit (COA) a
5 public disclosure of the amounts it received and the expenditures made
6 thereon at the end of every fiscal year.

7 **SEC. 12. Failure to Comply with Disclosure Requirements.**-
8 Failure of a certified political party to comply with the provisions of this
9 Act, particularly with Section 11, will result in its disqualification from
10 receiving a share in the *Fund* and the forfeiture of all rights and
11 privileges to which the said political party would have been entitled
12 under this Act.

13 **SEC. 13. Appropriations.**- The amount necessary for the
14 implementation of the provisions of this Act shall be included in the
15 General Appropriations Act.

16 **SEC. 14. Lead Agency, Implementing Rules and Regulations.**-
17 The COMELEC is hereby mandated as the regulatory and certifying
18 agency charged with enforcing the provisions of this Act, and shall lead
19 in the formulation of the necessary rules and regulations to effectively
20 implement the provisions of this Act.

21 **SEC. 15. Separability Clause.**- If any part, section or provision of
22 this Act is held invalid or unconstitutional, other provisions not affected
23 thereby shall remain in full force and effect.

24 **SEC. 16. Repealing Clause.**- All laws, decrees, orders, rules and
25 regulations or other issuances, which are inconsistent with the
26 provisions of this Act, particularly those in the Magna Carta of Women
27 (R.A. 9710), if any, are hereby repealed, amended or modified
28 accordingly.

29 **SEC. 17. Effectivity.**- This Act shall take effect fifteen (15) days after
30 its publication in at least two (2) newspapers of general circulation.

Approved,