



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9667**



Introduced by Representative GERALDINE B. ROMAN

EXPLANATORY NOTE

Among the basic tenets of the 1987 Philippine Constitution are: 1) the recognition of the role of women in nation-building; and 2) the safeguard of the fundamental equality before the law of women and men. The Magna Carta of Women spells out these policies to eradicate discrimination by acknowledging, defending, accomplishing, and fostering the rights of Filipino women, particularly those in the marginalized and the vulnerable. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which the Philippines has acceded, provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life. Thus far, women stay tapered in number in the affairs of state.

As of January 2023, official data on women in public service provided by the Philippine Statistics Authority indicates that 1) one out of four (23.4%) elected public officials in the recent elections were females; 2) almost one out of three (27.3%) of all Members of the House of Representatives are women; 3) there is an increasing proportion of Filipino women who were elected into public office since 1988 – from 16.1% in 1988 to 23.4% in the last elections; 4) almost one out of five (17.8%) commissioned officers were women; 5) slightly more than half (55.8%) of all government personnel are women; and 6) to some extent, there are more (54.3%) female judges than men in the Philippines.

As an outcome of continuous enhancement from the 16th, 17th and 18th Congresses, this bill seeks to promote women participation and representation in and by political parties by giving incentives through the Women in Political Parties Empowerment Fund upon compliance with the requisites of the 40-60 gender quota scheme.

The ends of equality, development and peace can only be realized with the dynamic involvement of women and the integration of their standpoint in all stages of decision-making in all aspects of politics and public life.

Hence, the enactment of this bill is strongly pursued.


GERALDINE B. ROMAN



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AN ACT
PROMOTING WOMEN PARTICIPATION AND 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 “*Women Participation and*
2 *Representation in Political Parties Act.*”

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

agenda and which have internal policies which promote women participation and equitable representation.

Further, Section 11 of Republic Act No. 9710, otherwise known as Magna Carta of Women states that, "The State shall undertake temporary special measures to accelerate the participation and equitable representation of women in all spheres of society particularly in the decision-making and policy-making processes in government and private entities to fully realize their role as agents and beneficiaries of development." Likewise, Section 11 (e) of the Magna Carta of Women, provides incentives to political parties with women's agenda. It shall likewise encourage the integration of women in the leadership hierarchy, internal policy-making structures, appointive and electoral nominating processes".

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

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

(b) *Certified political party* shall refer to a political party qualified to receive incentives for the development and implementation of its women and gender and development agenda and to augment funds reserved for the campaign expenditures of its women candidates, and certified as such by the Commission on Elections (COMELEC), with the assistance of the Philippine Commission on Women (PCW).

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

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

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

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

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

25 **SEC. 5. *Participation and Representation in Political Parties.*** - Women
26 representation in a political party shall refer to the integration of women in the leadership
27 of a political party and its internal policy-making structures: *Provided, That* such leaders

are *bona fide* women members of the political party: *Provided, further,* That representation shall be within the gender quota, wherein the percentage of either females or males in a political party shall not be less than forty percent (40%) nor more than sixty percent (60%) of the leadership and internal policy-making structures of the political party: *Provided further,* That political parties participating in the party-list system may still qualify for the incentive for as long as the percentage of females in their leadership and internal policy-making structure is at least forty percent (40%) even if it exceeds sixty percent (60%). *Provided, finally,* That the COMELEC, shall certify the ratio of representation of women and men in a political party.

SEC. 6. Participation and Representation by Political Parties. - Women representation by a political party shall refer to the nomination of women as official candidates of the political party to elective positions in the government: *Provided,* That such nominees are *bona fide* women members of the political party: *Provided, further,* That representation shall be within the gender quota, wherein the percentage of either females or males by a political party shall not be less than forty percent (40%) nor more than sixty percent (60%) of those nominated as official candidates of the political party: *Provided further,* That political parties participating in the party-list system may still qualify for the incentive if at least three (3) of their nominees are female: *Provided, further,* That the COMELEC, shall certify the ratio of representation of women and men by a political party and substitution of women nominees by male candidates shall not be allowed. Any substitution made in violation thereof, shall cause the political party to return the amount released to it through the women empowerment fund.

SEC. 7. Incentives for Women Representation In and By A Political Party. - A political party registered with and certified by the COMELEC to have women representation as stated in Sections 5 and 6 of this Act, shall be allowed to access the *Women in Political Parties Empowerment Fund*, established by virtue of this Act, to fund their women and

gender and development agenda, and to augment funds for the campaign expenditures of their women candidates.

SEC. 8. Establishment of the Women in Political Parties Empowerment Fund.

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

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

(b) Finance of the campaign activities of the political party's women candidates.

The share of each of the political parties from the Fund shall be released only upon proof that the concerned political party has raised an amount specifically for the development and implementation of the political party's women and gender and development agenda: *Provided*, That the 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 campaign expenditures, and (2) 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.

1 **SEC. 9. Allowable Women and Gender and Development Activities.** - The
2 COMELEC and the PCW shall issue guidelines for the development and implementation
3 of gender and development programs and activities under Section 8 of this Act.

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

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

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

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

24 **SEC. 14. Implementing Rules and Regulations.** – Within ninety (90) days from
25 the effectivity of this Act, the COMELEC as the lead agency, in coordination with the PCW,
26 all concerned government departments and agencies and at least three (3) women's
27 organizations with proven track record of involvement and promotion of the rights and

welfare of Filipino women shall formulate the implementing rules and regulations of this Act.

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

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

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

Approved,