

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
**First Regular Session**



**HOUSE BILL NO. 874**

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Introduced by: **Rep. RACHEL MARGUERITE "CUTIE" DEL MAR**

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### **EXPLANATORY NOTE**

The prevalence of political dynasties had been clearly established and apparent in political spectrum in the Philippines. Undisputedly, political dynasties have negative consequences that includes increased poverty, corruption, and reduced electoral competition. They can also lead to the concentration of power within families, undermining democratic principles and limiting opportunities for broader participation in politics. Furthermore, they can contribute to unequal development between regions, with dynastic politicians potentially diverting resources to their own areas and neglecting others.

For more than three decades after the ratification of the Constitution, no law has yet been passed for the relating to the prohibition of political dynasty in the Philippines. As explicitly expressed in Article II Section 26 of the 1987 Philippine Constitution: "The State shall guarantee equal access to opportunities for public service and prohibit political dynasties, as may be defined by law."

There had been attempts from both houses of Congress to verify the noble intent of the charter. The Congress, in both chambers, have been heavily criticized for the toll in the passage of the Anti-Political Dynasty bill. This is because the very legislators who should be enacting the measure were the same legislators that belonged to the political dynasty. Only leadership with political will can really passed this measure and should truly be applauded for advancing the interest of the nation than of themselves.

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

  
**RACHEL MARGUERITE "CUTIE" DEL MAR**

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**AN ACT**  
**PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES**

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

**SECTION 1. Title.** - This Act shall be known as "***The Anti-Political Dynasty Act.***"

**SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to guarantee equal access and opportunity to public office and service to the public. Towards the end, it is likewise declared the policy of the state to prohibit political dynasties as hereinafter defined.

**SEC. 3. Definition of Terms.** - For the purposes of this Act, the following definitions shall be used:

- (a) "*Political dynasty*" refers to the concentration, consolidation or perpetuation of public office and political power by persons related to one another;
- (b) "*Political dynasty relationship*" exists when a person who is the spouse of an incumbent elective office or a relative within the second civil degree of consanguinity or affinity of an incumbent elective official holds or runs for an elective office simultaneously with the incumbent elective official within the same city and/or province or occupies the same office immediately after the term of office of the incumbent elective official. A political dynasty shall also be deemed to exist where two (2) or more persons

who are spouses or are related within the second civil degree of consanguinity or affinity run simultaneously for elective public office within the same city and/or province, even if neither is so related to an incumbent elective official;

- (c) "*Spouse*" refers to the legal or common law wife or husband of the incumbent elective official;
- (d) "*Second civil degree of consanguinity or affinity*" includes the relatives of a person who may be the latter's brother or sister, direct ascendant or direct descendant, whether legitimate or illegitimate, full or half blood, including their spouses;
- (e) "*Term limits*" refers to the maximum term limits for elected public officials as provided for in the Constitution;
- (f) "*Running for an elective office*" commences when the certificate of candidacy has been filed before the Commission on Elections (COMELEC);
- (g) "*Holding an elective office*" commences when the public official takes the oath of office.

**SEC 4. Application.** - This Act shall govern and be applicable to the next elections and to all subsequent elections thereafter.

**SEC. 5. Persons Covered; Prohibited Candidates.** - No spouse, or person related within the second degree of consanguinity or affinity, whether legitimate or illegitimate, full or half blood, to an incumbent elective official seeking re-election shall be allowed to hold or run for any elective office in the same province in the same election.

In case the constituency of the incumbent elective official is national in character, the above relatives shall be disqualified from running only within the same province where the former is a registered voter.

In case where none of the candidates is related to an incumbent elective official within the second degree of consanguinity or affinity, but are related to one another within the said prohibited degree, they, including their spouses, shall be disqualified from holding or running for any local elective office within the same province in the same election.

In all cases, no person within the prohibited civil degree of relationship to the incumbent shall immediately succeed to the position of the latter.

**SEC. 6. Statement with the Commission on Elections.** - Any person running for any elective public office shall file a sworn statement with the COMELEC that he or she does not have a political dynasty relationship with any of the incumbent elective official running for an elective public office in the same city and/or province other than that of the position earlier mentioned.

**SEC. 7. Effect of Violation of the Prohibition.** - The COMELEC shall, *motu proprio* or upon verified petition of any interested party, deny due course to any certificate of candidacy filed in violation of this Act and the votes cast for the disqualified candidate, if any, shall not be counted and deemed not counted nor shall such candidate be proclaimed nor be qualified to assume office.

**SEC 8. Period for Filing Petition for Disqualification.** - Any citizen of voting age, candidate or duly registered political party, organization, or coalition of political parties may file with the COMELEC, after the last day for filing or certificates of candidacy and before proclamation, a petition to disqualify a candidate on grounds provided for under Section 5 hereof.

In the event a candidate disqualified under this Act shall have been proclaimed and has assumed office, his or her political dynasty relationship shall be a ground for disqualification in appropriate *quo warranto* or other proceedings.

**SEC. 9. Summary Proceedings.** - The petition shall be heard and decided summarily by the COMELEC, after due notice and hearing, and its decision shall be executory after the lapse of five (5) days from receipt thereof by the losing party.

**SEC 10. Effect of Petition if Unresolved Before Completion of Canvass.** - If the petition, for reasons beyond the control of the COMELEC, cannot be decided before the completion of the canvass, the votes cast for the respondent shall be included in the counting and canvassing: *Provided however*, that in cases where disqualified candidate has been proclaimed he or she shall forfeit his or her right to the office upon the decision of the COMELEC, as the case maybe.

**SEC. 11. Implementing Rules and Regulation.** - The COMELEC shall promulgate the rules and regulation for the implementation of the provisions of this Act.

**SEC. 12. Repealing Clause.** - All laws inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 13. Separability Clause.** - If any of the sections or provisions of this Act is held invalid, all the other provisions not affected thereby shall remain valid.

**SEC. 14. Effectivity Clause.** - This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation in the Philippines.

Approved,