

1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Batasan Hills, Quezon City
4

5
6 **TWENTIETH CONGRESS**
7 First Regular Session
8

9 **6193**
10 **HOUSE BILL No. _____**
11



12 -----
13 Introduced by
14 **ACT Teachers Party-List Rep. ANTONIO L. TINIO,**
15 **Gabriela Women's Party Rep. SARAH JANE I. ELAGO,**
16 **and KABATAAN Party-List Rep. RENEE LOUISE M. CO**
17 -----

18
19 **AN ACT**
20 **TO ENSURE THAT THE PARTY-LIST SYSTEM IS RESERVED**
21 **FOR THE MARGINALIZED AND UNDERREPRESENTED AMENDING**
22 **FOR THAT PURPOSE REPUBLIC ACT 7941, OTHERWISE KNOWN**
23 **AS THE "PARTY-LIST SYSTEM ACT"**
24

25
26 **EXPLANATORY NOTE**
27

28 There is an urgent need to restore the party-list system to its original purpose,
29 which is to give the marginalized sectors representation and voice in Congress. The
30 party-list system has been bastardized throughout the years, and there is therefore an
31 even more urgent need now to strengthen and further improve it so as not to make
32 useless and illusory the representation of marginalized and underrepresented sectors of
33 our country.
34

35 The party-list system was first instituted in 1987 via the Constitution itself. By
36 letter, spirit, and history of our fundamental law, the party-list system is the mechanism
37 by which labor, peasant, urban poor, indigenous cultural communities, women, youth,
38 and such other sectors participate in the steering of the course of our country. They
39 cannot come into national politics as major players by any other means. Due to painful
40 experience under martial law and the regimes before it, the framers and the Filipino
41 people who ratified the Constitution considered it indispensable for these sectors to have
42 a "special place" in the new political system. Indeed, the Constitutions protect these
43 sectors—and, consequently, the party-list system itself—in the context of social justice,
44 human rights, and the national objective of reducing social, economic, and political
45 inequalities (Article XIII).
46

1 Unfortunately, the question of whether the party-list is intended for the
2 marginalized and underrepresented was made an issue during the course of the
3 implementation of the Constitution and Republic Act 7941 or the *Party-List System Act*.
4 At first, the Supreme Court in *Bayan Muna vs. COMELEC, et al.* (G.R. No. 147613,
5 June 26, 2001, consolidated with *Bagong Bayani vs. COMELEC*) ruled thus:

6
7 The party-list system is **a social justice tool designed not only to give**
8 **more law to the great masses of our people who have less in life, but**
9 **also to enable them to become veritable lawmakers themselves,**
10 **empowered to participate directly in the enactment of laws designed**
11 **to benefit them.** It intends to make the marginalized and the
12 underrepresented not merely passive recipients of the State's
13 benevolence, but active participants in the mainstream of representative
14 democracy.

15
16 But despite the said ruling, the Commission on Elections effectively reversed the
17 Supreme Court when it allowed nominees to run for the party-list elections who have
18 not demonstrated their membership or advocacy. As long as they are a member of a
19 supposed marginalized and underrepresented group at least ninety days before the
20 elections, such nominees can have the chance to sit as congressman or congresswoman
21 using the party-list system as a “backdoor” and alternative to district representation.

22
23 Party-list representatives are mandated to make up 20% of the total number of
24 Members of the House of Representatives, but in the past few elections and particularly
25 in the 20th Congress, there is a growing concern on the domination of party-lists and
26 nominees who **do not truly represent the marginalized and underrepresented** but
27 come from powerful, economic, dynastic, and political interests. In fact, before the 20th
28 Congress opened, election watchdog Kontra Daya warned that “32 out of the 54
29 winning party-list groups do not represent the poor.” Based on their February 2025
30 study of the party-lists allowed by COMELEC to be printed on the 2025 ballot, 32 were
31 flagged as “not representing the marginalized and underrepresented” and “38 incoming
32 party-list representatives (or 60.32%)...either belong to political dynasties, big
33 businesses or have military/police connections.”¹

34
35 The impact of the entry of those who do not belong to the marginalized and
36 underrepresented is disastrous like a raging tsunami—this practically obliterates the
37 constitutional intent. By allowing those who form part of the 80% to also invade the
38 constitutionally reserved seats of the 20%, the marginalized and underrepresented have
39 been marginalized and underrepresented in their own turf. This also closes off the venue
40 for the expression of the voice and interest of the poor and the already underrepresented.

41
42 The Supreme Court in *Atong Paglaum vs. COMELEC* (2013) completely
43 overturned itself on the progressive idea for a “Filipino-style” and “social justice tool”

¹ 6 out of 10 party-list reps don't represent marginalized -Kontra Daya. *Philippine Daily Inquirer*, 19 May 2025. <https://www.inquirer.net/444634/6-out-of-10-of-incoming-party-lists-do-not-represent-poor-watchdog/>

1 party-list system, and ruled that national and regional parties or organizations and
2 political parties—all of which already dominate not just the Lower House but the entire
3 political scene—need not come from the marginalized and underrepresented to
4 participate in the party-list system. This practically opened the floodgates for the rich,
5 the powerful elites and the political dynasties to freely participate in the party-list
6 elections, thereby further limiting, even obliterating, the only and tiny space for the poor
7 and underrepresented sectors to become active participants in legislation and in crafting
8 laws that will benefit their sectors.

9
10 Changes have to be made to make sure that the COMELEC, the Supreme Court,
11 or any other can no longer interfere with what the Constitution mandates.

12
13 The main purpose of this Bill is to address this violation of the constitutional and
14 statutory intent for the party-list system by amending the *Party-list System Act*. It
15 proposes to provide eligibility requirements and set up mechanisms to democratize the
16 party-list system in order to secure what the Constitution seeks to protect.

17
18 This Bill proposes that:

- 19
20 1. The intent and the purpose of the Constitution to reserve 20% of the Members
21 of the House of Representatives for the marginalized and underrepresented
22 will be strictly complied with by adopting certain specific measures to
23 implement the intent of both RA 7941 and the Constitution as defined in the
24 Supreme Court's decision in *Bayan Muna vs. COMELEC*, and *Ang Bagong*
25 *Bayani-OFW Labor Party, et al. vs. COMELEC et al.*. Additional criteria for
26 nominees should be also enforced for a stricter compliance with the intent of
27 the Constitution regarding party-list representation, including the
28 disqualification of persons coming from political dynasties and contractors
29 of government projects.
30
31 2. The nomination of party-list representatives will be done by the highest
32 policy-making body of the party-list group. This will enable its membership
33 to democratically choose their nominees.

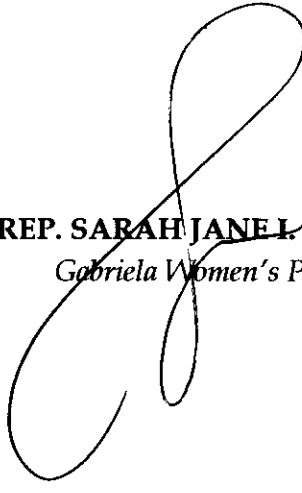
34
35 We must fulfill our historic duty of amending the party-list law to make sure that
36 the very law's original intent, and that of the Constitution, survives.

37
38 Bayan Muna Party-List Reps. Satur Ocampo, Crispin Beltran and Liza Maza first
39 filed this measure as HB 4775 in the 12th Congress. It was refiled by the Makabayan
40 Bloc in the succeeding Congresses. In the 12th and 16th Congresses, the Bill was
41 approved at the committee level. However, Congress failed to tackle it in the plenary.
42 In view of the foregoing, the Makabayan Bloc, once again, seeks the immediate passage
43 of this Bill this 20th Congress.



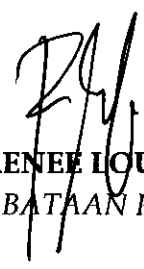
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HOUSE BILL No. 6193

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AN ACT
TO ENSURE THAT THE PARTY-LIST SYSTEM IS RESERVED
FOR THE MARGINALIZED AND UNDERREPRESENTED AMENDING
FOR THAT PURPOSE REPUBLIC ACT 7941, OTHERWISE KNOWN
AS THE "PARTY-LIST SYSTEM ACT"

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

SECTION 1. Title. This Act shall be known as the ***"Genuine Party-List Group and Nominee Act."***

SEC. 2. Section 5 of Republic Act 7941, otherwise known as the ***"Party-List System Act,"*** is hereby amended to read as follows:

Section 5. Registration. Any organized group of persons may register as a party, organization or coalition for purposes of the party-list system by filing with the COMELEC not later than [ninety (90)] **ONE HUNDRED TWENTY (120)** days before the election a petition verified by its president or secretary stating its desire to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations, attaching thereto its constitution, by-laws, platform or program of government, list of officers, coalition agreement and other relevant information as the COMELEC may require: *Provided,* That the sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, elderly,

1 handicapped, women, youth, veterans, overseas workers, and
2 professionals.

3
4 The COMELEC shall publish the petition in at least two (2) national
5 newspapers of general circulation.
6

7 **NO GROUP, ORGANIZATION OR POLITICAL PARTY SHALL**
8 **BE ELIGIBLE FOR REGISTRATION AS A PARTY-LIST GROUP**
9 **UNLESS IT HAS PROVEN IN AN EVIDENTIARY PUBLIC**
10 **HEARING THAT SHALL BE CONDUCTED BY THE COMELEC**
11 **THAT IT TRULY REPRESENTS MARGINALIZED AND**
12 **UNDERREPRESENTED SECTOR/S AND ITS NOMINEES**
13 **BELONG TO THE SECTOR/S THEY SEEK TO REPRESENT;**
14 ***PROVIDED, THAT COMELEC SHALL NOTIFY ALL DULY***
15 **REGISTERED AND ACCREDITED PARTY-LIST GROUPS,**
16 **ORGANIZATION OR POLITICAL PARTIES OF THE HEARING**
17 **AT LEAST TEN DAYS PRIOR TO THE SAID HEARING.**
18

19 The COMELEC shall, after due notice and hearing, resolve the petition
20 within fifteen (15) days from the date it was submitted for decision but in
21 no case not later than ninety (90) days before election.
22

23 **SEC. 3.** Section 8 of the said Act is hereby amended to read as follows:
24

25 **Section 7. *Certified List of Registered Parties.*** The COMELEC shall, not
26 later than [sixty] **NINETY [(60)] (90)** days before election, prepare a
27 certified list of national, regional, or sectoral parties, organizations or
28 coalitions which have applied or who have manifested their desire to
29 participate under the party-list system and distribute copies thereof to all
30 precincts for posting in the polling places on election day. The names of
31 the party-list nominees shall not be shown on the certified list.
32

33 **SEC. 4.** Section 8 of the said Act is hereby amended to read as follows:
34

35 **Section 8. *Nomination of Party-List Representatives.*** – Each registered
36 party, organization, or coalition shall submit to the Commission on
37 Elections (COMELEC) not later than **SIXTY (60)** days before the
38 election a list of names, not less than **SIX (6)**, from which party-list
39 representatives shall be chosen in case it obtains the required number of
40 votes. **THE LIST OF NOMINEES TO BE SUBMITTED TO THE**
41 **COMELEC MUST BE APPROVED BY THE HIGHEST**
42 **DECISION-MAKING BODY OF THE PARTY-LIST GROUP.**
43

44 A person may be nominated in one (1) list only. Only persons who have
45 given their consent in writing may be named in the list. The list shall not
46 include any candidate for any elective office of person who has lost [his]

1 **THEIR** bid for an elective office in the immediately preceding election.
2 No change of names or alteration of the order of the nominees shall be
3 allowed after the same shall have been submitted to the COMELEC
4 except where the nominee dies, [or withdraws in writing his nomination]
5 or becomes incapacitated, in which case the name of the substitute
6 nominees shall be placed last in the list. Incumbent sectoral
7 representatives in the House of Representatives who are nominated in the
8 party-list system shall not be considered resigned.

9
10 **NO PERSON OCCUPYING AN APPOINTIVE OR ELECTIVE**
11 **POST SHALL BE INCLUDED IN THE LIST UNLESS THEY**
12 **ENCLOSE THEREIN THEIR LETTER OF RESIGNATION TO**
13 **THAT OFFICE AND THE DUE ACCEPTANCE OR APPROVAL**
14 **THEREOF.**

15
16 **SEC. 5.** Section 9 of the said Act is hereby amended to read as follows:

17
18 **Section 9. *Qualifications of Party-List Nominees.*** No person shall be
19 nominated as party-list representative unless [he is] **THEY ARE** a
20 natural-born citizen of the Philippines, a registered voter, a resident of the
21 Philippines for a period of not less than one (1) year immediately
22 preceding the day of the election, able to read and write, a bona fide
23 member of the party or organization which [he] **THEY** seek[s] to
24 represent for at least ninety (90) days preceding the day of [the election]
25 **THE FILING OF THEIR ACCEPTANCE OF NOMINATION**, and
26 is at least twenty-five (25) years of age on the day of the election.

27
28 In case of a nominee of the youth sector, [he] **THEY** must at least be
29 twenty-five (25) but not more than thirty (30) years of age on the day of
30 the election. Any youth sectoral representative who attains the age of
31 thirty (30) during [his] **THEIR** term shall be allowed to continue in office
32 until the expiration of [his] **THEIR** term.

33
34 **9.1 ALL NOMINEES, INCLUDING THOSE OF THE**
35 **YOUTH SECTOR, SHALL NOT BE QUALIFIED TO**
36 **BECOME A PARTY-LIST NOMINEE IF THEY ARE A**
37 **PERSON:**

38
39 **(a) WHO WERE ELECTED AND SERVED OFFICE AT**
40 **ANY TIME AS VICE MAYOR, MAYOR, VICE**
41 **GOVERNOR, GOVERNOR, DISTRICT**
42 **REPRESENTATIVE, SENATOR, VICE PRESIDENT AND**
43 **PRESIDENT;**

44
45 **(b) WHO ARE RELATED BY AFFINITY OR**
46 **CONSANGUINITY TO THE 4TH DEGREE, TO**

1 INCUMBENT GOVERNMENT OFFICIALS REFERRED
2 TO IN PARAGRAPH (a) ABOVE;

3
4 (c) WHO WERE APPOINTED AND SERVED OFFICE
5 FROM THE POSITION OF BUREAU CHIEF UP TO ANY
6 POSITION IN THE CABINET WITHIN FIVE YEARS
7 FROM THE PARTY-LIST ELECTION THEY ARE BEING
8 NOMINATED FOR;

9
10 d) WHO IS OR HAD BEEN A CONTRACTOR IN ANY
11 GOVERNMENT PROJECT, INCLUDING BUT NOT
12 LIMITED TO INFRASTRUCTURE PROJECTS,
13 WHETHER AS AN INDIVIDUAL OR AS AN
14 INCORPORATOR, DIRECTOR, OFFICER, OR PERSON
15 IN ANY WAY RELATED TO A CORPORATION THAT IS
16 OR HAD BEEN A CONTRACTOR;

17
18 (e) WHO SERVED AS THE PROVINCIAL DIRECTOR OF
19 THE PNP OR BATTALION COMMANDER OF THE AFP
20 OR ANY HIGHER POSITION WITHIN FIVE YEARS
21 FROM THE PARTY-LIST ELECTION THEY ARE BEING
22 NOMINATED FOR; AND

23
24 (f) WHOSE INCOME IS MORE THAN THE BASE PAY OF
25 A PARTY-LIST MEMBER OF THE HOUSE OF
26 REPRESENTATIVES IN THE CONGRESS DURING THE
27 PARTY-LIST ELECTION THEY ARE NOMINATED FOR.

28
29 NOMINEES SHALL SUBMIT TO THE PARTY-LIST
30 ORGANIZATION THEY WISH TO REPRESENT AND
31 THE COMELEC UPON THE FILING OF THEIR
32 ACCEPTANCE OF NOMINATION, THEIR LATEST
33 INCOME TAX RETURN AND STATEMENT OF ASSETS
34 AND LIABILITIES (SALN) WHICH SHALL BE OPEN TO
35 THE SCRUTINY OF THE PUBLIC AND ANY
36 INTERESTED PARTY.

37
38 SEC. 6. Sections 16 up to 22 of the said Act shall be renumbered as Sections 17 to 23.

39
40 SEC. 7. *Separability Clause.* If any section or provision of this Act shall be declared
41 unconstitutional or invalid, the other sections or provisions not affected thereby shall
42 remain in full force and effect.

43
44 SEC. 8. *Repealing Clause.* All laws, decrees, orders, rules and regulations and other
45 issuance inconsistent with the provisions of this Act are deemed modified, revoked or
46 repealed accordingly.

1
2 **SEC. 9. *Effectivity*.** This Act shall take effect fifteen (15) days after its publication in
3 two (2) leading newspapers of general circulation.
4
5 *Approved,*