

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7118



Introduced by: Kababaihan Kabalikatan para sa Kapakanan at Kaunlaran ng Bayan (4K) Party-list
Representative Iris Marie D. Montes

AN ACT

ENSURING THAT THE PARTY-LIST SYSTEM IS RESERVED FOR THE MARGINALIZED AND UNDERREPRESENTED, PROVIDING FOR THE EQUITABLE PARTICIPATION OF WOMEN, AND AMENDING REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS THE "PARTY-LIST SYSTEM ACT"

EXPLANATORY NOTE

Republic Act No, 7941, otherwise known as the "Party-List System Act" was enacted to "enable Filipino citizens belonging to marginalized and underrepresented sectors, organizations and parties" who lack well-defined political constituencies, "but who could contribute to the formulation and enactment of appropriate legislation that will benefit the nation, as a whole," to become members of the House of Representatives.

Women comprising approximately half of the population in this country are among those who are marginalized and under-represented.

As the State recognizes the role of women in nation building, it is therefore necessary that women be given equal rights and opportunities for political representation, articulation, and action.

Presently, the State of women's political representation needs to be advanced. This can be achieved by instituting structures and mechanisms whereby their political representation and involvement is assured.

In this light, this bill seeks to institute a scheme in the Party List System that will increase the chances for political representation of women. It provides that at least forty percent (40%) of the five nominees per registered organization be women; and that at least one of the first three positions be occupied by a woman nominee.

Also, it seeks to restore the party-list system to its original purpose by introducing safeguards to ensure that party-list groups are genuinely representative of marginalized and underrepresented sectors. Among the key reforms are:

- Requiring public hearings to prove that groups genuinely represent the sectors they claim to serve; and

- Ensuring nominees truly come from the sector they represent, while disqualifying persons from political dynasties and those with financial links to corporations that have benefited from government contracts, effectively preventing elite capture.

This measure ensures that the party-list system truly serves the people and empowers ordinary Filipinos to have a real voice in Congress thereby paving the way for a more inclusive, accountable, and meaningful democracy, and the kind of government the Filipino people deserve.

In view thereof, approval of this bill is earnestly sought.


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa Kapakanan
at Kaunlaran ng Bayan (4K) Party-list

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

SECTION 1. *Short 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 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, fisher-folk, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, veterans, overseas workers, and professionals.

The COMELEC shall publish the petition in its official website and at least two (2) national newspapers of general circulation.

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

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

SEC. 3. Section 7 of the said Act is hereby amended to read as follows:

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

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

Section 8. Nomination of Party-List Representatives. - Each registered party, organization or coalition shall submit to the COMELEC not later than forty-five (45) days before the election a list of names, not less than five (5), AT LEAST FORTY PERCENT (40%) OF WHICH MUST BE WOMEN, from which party-list representatives shall be chosen in case it obtains the required number of votes[.] PROVIDED, THAT EACH REGISTERED PARTY, ORGANIZATION, OR COALITION, BEFORE SUBMITTING THE LIST TO THE COMELEC, NOMINATED AMONG THEMSELVES, REPRESENTATIVES OF AN EVEN NUMBER, FIFTY PERCENT (50%) OF WHICH ARE WOMEN; PROVIDED, FURTHER, THAT THE FINAL FIVE (5) REPRESENTATIVES SHALL CONSIST OF AT LEAST 40% WOMEN CHOSEN BY THE REGISTERED PARTY, ORGANIZATION, OR COALITION; PROVIDED, FINALLY, THAT THE RANKING OF THE FINAL FIVE (5) REPRESENTATIVES SHALL ENSURE THAT AT LEAST ONE OF THE FIRST THREE POSITIONS SHALL BE OCCUPIED BY A WOMAN NOMINEE.

THE LIST OF NOMINEES TO BE SUBMITTED TO THE COMELEC MUST BE APPROVED BY THE HIGHEST DECISION-MAKING BODY OF THE PARTY-LIST GROUP.

A person may be nominated in one (1) list only. Only persons who have given their consent in writing may be named in the list. The list shall not include any candidate for any elective position who has lost his bid for an elective office in the immediately preceding election. No change of names or alteration of the order of nominees shall be allowed after the same shall have been submitted to the COMELEC except in cases where the nominee dies, or withdraws in writing his nomination, or becomes incapacitated in which case the name of the substitute nominee shall be placed in the list. Incumbent sectoral representatives in the House of Representative who are nominated in the party-list system shall not be considered resigned."

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

"Section 9. Qualifications of Party-List Nominees. - No person shall be nominated as party-list representative unless [he is] THEY ARE a natural-born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the

election, able to read and write, a bona fide member of the party or organization which [he] THEY seek[s] to represent for at least ninety (90) days preceding the day of [the election] THE FILING OF THEIR ACCEPTANCE OF NOMINATION, and is at least twenty-five (25) years of age on the day of the election. In case of a nominee of the youth sector, [he] THEY must at least be twenty-five (25) but not more than thirty (30) years of age on the day of the election. Any youth sectoral representative who attains the age of thirty (30) during [his] THEIR term shall be allowed to continue in office until the expiration of [his] THEIR term.

ALL NOMINEES, INCLUDING THOSE OF THE YOUTH SECTOR, SHALL NOT BE QUALIFIED TO BECOME A PARTY-LIST NOMINEE IF THE PERSON IS RELATED BY CONSANGUINITY TO THE SECOND DEGREE TO ANY INCUMBENT ELECTED NATIONAL OFFICIAL.

SEC. 6. *Separability Clause.* - If any provision is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC. 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,