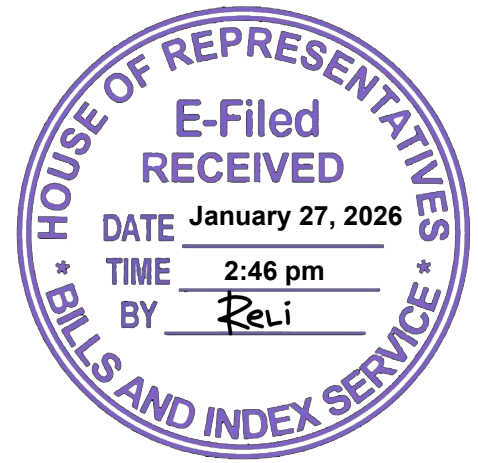


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7411**



Introduced by **Rep. WOWO FORTES**

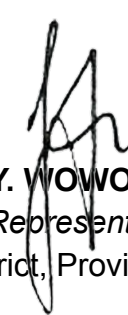
EXPLANATORY NOTE

The Party-List System, established through Republic Act No. 7941, otherwise known as the Party-List System Act, was designed as a mechanism to ensure representation for the marginalized and underrepresented sectors of society, thereby broadening the base of political participation in the legislature. This system is crucial for achieving a more equitable distribution of power and giving voice to groups typically excluded from traditional political competition.

However, the noble intent of the Party-List System Act has been compromised, as the party-list seats have increasingly been utilized by groups or individuals who do not genuinely belong to, or advocate for, the marginalized sectors intended to benefit from the law. This utilization by established political entities or well-funded interests defeats the constitutional mandate of the system, creating a systemic issue that warrants legislative correction.

Therefore, this bill seeks to reform the Party-List System Act to ensure that its privileges are strictly reserved for the sectors that the law was intended to benefit. By imposing stricter requirements on registration and nomination, this bill aims to restore the integrity of the system and secure genuine representation for the marginalized and underrepresented in Congress.

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


ATTY. WOWO FORTES
Representative

Second District, Province of Sorsogon

Twentieth Congress of the
Republic of the Philippines
First Regular Session

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7411**

Introduced by **Rep. WOWO FORTES**

**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 House of Representatives of the Philippines in the
Congress assembled:*

SEC. 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, handicapped, women, youth,
veterans, overseas workers, and professionals.

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

**NO GROUP, ORGANIZATION OR POLITICAL PARTY SHALL BE
ELIGIBLE FOR REGISTRATION AS AP ARTY-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 (10) 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 Commission on Elections (COMELEC) not later than [forty-four (45)] **SIXTY (60)** days before the election a list of names, not less than [five (5)] **SIX (6)**, from which party-list representatives shall be chosen in case it obtains the required number of votes. **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 office of person who has lost [his] **THEIR** bid for an elective office in the immediately preceding election. No change of names or alteration of the order of the nominees shall be allowed after the same shall have been submitted to the COMELEC except where the nominee dies, [or withdraws in writing his nomination] or becomes incapacitated, in which case the name of the substitute nominees shall be placed last in the list. Incumbent sectoral representatives in the House of Representatives who are nominated in the party-list system shall not be considered resigned.

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

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

Section 9. *Qualifications of Party-List Representatives.* – 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.

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

- a) **WHO WERE ELECTED AND SERVED OFFICE AT ANY TIME AS VICE MAYOR, MAYOR, VICE GOVERNOR, GOVERNOR, DISTRICT REPRESENTATIVE, SENATOR, VICE PRESIDENT AND PRESIDENT;**
- b) **WHO ARE RELATED BY AFFINITY OR CONSANGUINITY TO THE 4TH DEGREE, TO INCUMBENT GOVERNMENT OFFICIALS REFERRED TO IN PARAGRAPH a) ABOVE;**
- c) **WHO WERE APPOINTED AND SERVED OFFICE FROM THE POSITION OF BUREAU CHIEF UP TO ANY POSITION IN THE CABINET WITHIN FIVE YEARS FROM THE PARTY-LIST ELECTION THEY ARE BEING NOMINATED FOR;**
- d) **WHO IS OR HAD BEEN A CONTRACTOR IN ANY GOVERNMENT PROJECT, INCLUDING BUT NOT LIMITED TO INFRASTRUCTURE PROJECTS, WHETHER AS AN INDIVIDUAL OR AS AN INCORPORATOR, DIRECTOR, OFFICER, OR PERSON IN ANY WAY RELATED TO A CORPORATION THAT IS OR HAD BEEN A CONTRACTOR;**
- e) **WHO SERVED AS THE PROVINCIAL DIRECTOR OF THE PNP OR BATTALION COMMANDER OF THE AFP OR ANY HIGHER POSITION WITHIN FIVE YEARS FROM THE PARTY-LIST ELECTION THEY ARE BEING NOMINATED FOR; AND**
- f) **WHOSE INCOME IS MORE THAN THE BASE PAY OF A PARTY-LIST MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE CONGRESS DURING THE PARTY-LIST ELECTION THEY ARE NOMINATED FOR.**

NOMINEES SHALL SUBMIT TO THE PARTY-LIST ORGANIZATION THEY WISH TO REPRESENT AND THE COMELEC UPON THE FILING OF THEIR ACCEPTANCE OF NOMINATION, THEIR LATEST INCOME TAX RETURN AND STATEMENT OF ASSETS AND LIABILITIES (SALN) WHICH

**SHALL BE OPEN TO THE SCRUTINY OF THE PUBLIC AND
ANY INTERESTED PARTY.**

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

SEC. 7. *Separability Clause.* – If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SEC. 8. *Repealing Clause.* – All laws, presidential decrees, executive orders, letters of instruction, administrative rules and regulations or parts thereof, which are contrary to or inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,