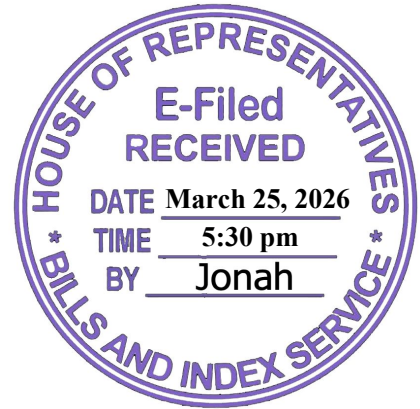


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **8790**



Introduced by **REP. NATHANIEL “Atty. Nat” M. ODUCAO**

EXPLANATORY NOTE

The Party-List System was enshrined in the 1987 Constitution as a mechanism to give meaningful representation to marginalized and underrepresented sectors of society. Republic Act No. 7941 was enacted to operationalize this constitutional mandate and to ensure that sectors historically excluded from political power would have a voice in the House of Representatives.

However, more than two decades since its enactment, the party-list system has increasingly been subjected to abuse. Groups and nominees that do not genuinely belong to, nor meaningfully represent, marginalized and underrepresented sectors have been able to participate and secure seats in Congress. The entry of political dynasties, vested economic interests, and nominees with conflicts of interest has diluted the very purpose of the party-list system and eroded public trust in its integrity.

This bill, to be known as the “Genuine Party-List Representation and Nomination Act,” seeks to restore the original intent of the party-list system by strengthening the standards for registration, nomination, and substitution of party-list groups and their nominees.

First, the bill amends the registration process by requiring party-list groups to prove, in an evidentiary public hearing conducted by the Commission on Elections (COMELEC), that they genuinely represent marginalized and underrepresented sectors, and that their nominees actually belong to the sectors they seek to represent. This reform introduces transparency, due process, and public scrutiny into party-list accreditation.

Second, the bill tightens the rules on nomination by extending filing periods, requiring approval of nominees by the highest decision-making body of the party-list organization, and increasing the minimum number of nominees. It also limits substitutions strictly to cases of death or incapacity, thereby curbing the practice of strategic or opportunistic nominee replacement.

Third, the bill strengthens the qualifications of party-list nominees by prohibiting individuals who are closely related to incumbent elected officials or who have interests as government contractors from becoming nominees. These safeguards are intended to prevent political dynasties and conflicts of interest from undermining sectoral representation.

Finally, the bill provides a clear mechanism within the House of Representatives for party-list nominees who wish to contest or dispute their removal or substitution, ensuring respect for due process

and for the institution, while preserving the right of party-list organizations to discipline or remove their members on lawful and reasonable grounds.

In sum, this measure reaffirms that the party-list system is not a mere alternative electoral route for elite and traditional politics, but a constitutional instrument for social justice and inclusive governance. The immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'N. Oducado', with a small circular stamp or mark near the end of the signature.

REP. NATHANIEL “ATTY. NAT” M. ODOCADO
1 Tahanan Party List

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TWENTIETH CONGRESS
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HOUSE BILL NO. **8790**

Introduced by **REP. NATHANIEL “ATTY. NAT” M. ODUCAO**

**AN ACT TO ENSURE THAT THE PARTY-LIST SYSTEM IS RESERVED FOR
THE MARGINALIZED AND UNDERREPRESENTED AMENDING REPUBLIC ACT
NO. 7941 OR THE “PARTY-LIST SYSTEM ACT”**

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

1 **Section 1. Short Title.** – This Act shall be known as the "*Genuine Party-List*
2 *Representation and Nomination Act.*"

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

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

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

17 *NO GROUP, ORGANIZATION OR POLITICAL PARTY SHALL BE ELIGIBLE*
18 *FOR REGISTRATION AS A PARTY-LIST GROUP UNLESS IT HAS PROVEN IN AN*
19 *EVIDENTIARY PUBLIC HEARING THAT SHALL BE CONDUCTED BY THE*
20 *COMELEC THAT IT TRULY REPRESENTS MARGINALIZED AND*

1 UNDERREPRESENTED SECTOR/S AND ITS NOMINEES BELONG TO THE SECTOR/S
2 THEY SEEK TO REPRESENT; PROVIDED, THAT COMELEC SHALL NOTIFY ALL
3 DULY REGISTERED AND ACCREDITED PARTY-LIST GROUPS, ORGANIZATION OR
4 POLITICAL PARTIES OF THE HEARING AT LEAST TEN DAYS PRIOR TO THE SAID
5 HEARING.

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

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

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

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

17 *Section 8. Nomination of Party-List Representatives. - Each registered party,*
18 *organization, or coalition shall submit to the Commission on Elections (COMELEC) not*
19 *later than [forty-five (45)] SIXTY (60) days before the election a list of names, not less than*
20 *[five (5)] SIX (6), from which party-list representatives shall be chosen in case it obtains*
21 *the required number of votes.*

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

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

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

2 *Section 9. Qualifications of Party-List Nominees. No person shall be nominated as*
3 *party-list representative unless [he is| THEY ARE a natural-born citizen of the Philippines,*
4 *a registered voter, a resident of the Philippines for a period of not less than one (1) year*
5 *immediately preceding the day of the election, able to read and write, a bona fide member*
6 *of the party or organization which [he] THEY seek[s] to represent for at least ninety (90)*
7 *days preceding the day of [the election] THE FILING OF THEIR ACCEPTANCE OF*
8 *NOMINATION, and is at least twenty-five (25) years of age on the day of the election. In*
9 *case of a nominee of the youth sector, [he] THEY must at least be twenty-five (25) but not*
10 *more than thirty (30) years of age on the day of the election. Any youth sectoral*
11 *representative who attains the age of thirty (30) during [his] THEIR term shall be allowed*
12 *to continue in office until the expiration of [his] THEIR term.*

13 *ALL NOMINEES, INCLUDING THOSE OF THE YOUTH SECTOR, SHALL NOT*
14 *BE QUALIFIED TO BECOME A PARTY-LIST NOMINEE IF THE PERSON:*

15 *(a) IS RELATED BY AFFINITY OR CONSANGUINITY TO THE THIRD DEGREE TO*
16 *ANY INCUMBENT ELECTED OFFICIAL; OR*

17 *(b) IS OR HAS BEEN A CONTRACTOR IN ANY GOVERNMENT PROJECT,*
18 *INCLUDING BUT NOT LIMITED TO INFRASTRUCTURE PROJECTS,*
19 *WHETHER AS AN INDIVIDUAL OR AS AN INCORPORATOR, DIRECTOR, OR*
20 *OFFICER.*

21 **SEC. 6.** Section 16 of the said Act is hereby amended to read as follows:

22 *Sec. 16. Vacancy AND SUBSTITUTION. – In case of vacancy in seats reserved for*
23 *party-list representatives, the vacancy shall be automatically filled by the next*
24 *representative from the list of nominees in the order submitted to the COMELEC by the*
25 *same party, organization, or coalition, who shall serve for the unexpired term. If the list is*
26 *exhausted, the party, organization, or coalition concerned shall submit additional*
27 *nominees.*

28 *THE HOUSE OF REPRESENTATIVES, THROUGH ITS RULES, SHALL*
29 *PROVIDE A MECHANISM TO DISPUTE OR CONTEST THE REMOVAL OR*
30 *SUBSTITUTION OF A SITTING PARTY-LIST NOMINEE AND SHALL PREVENT SUCH*
31 *REMOVAL OR SUBSTITUTION SHOULD IT BE FOUND TO BE ATTENDED WITH*
32 *DISREGARD FOR DUE PROCESS OR THE RIGHTS VESTED UPON THE*
33 *INCUMBENT NOMINEE AS A MEMBER OF THE HOUSE OF REPRESENTATIVES.*

34 *NO SUBSTITUTIONS SHALL TAKE PLACE DESIGNED TO CIRCUMVENT THE*
35 *LAWS ON PARTY-LIST REPRESENTATION AND THE QUALIFICATIONS OF PARTY-*

1 *LIST NOMINEES. PROVIDED, THAT THE PARTY-LIST ORGANIZATION RESERVES*
2 *THE RIGHT TO DISCIPLINE, SUSPEND, OR REPLACE ITS NOMINEES BASED ON*
3 *REASONABLE AND LAWFUL GROUNDS.*

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

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

10 **SEC. 9. *Effectivity Clause.*** - This Act shall take effect after fifteen (15) days following the
11 completion of its publication in the *Official Gazette*, or in a national newspaper of general
12 circulation.

13 *Approved,*