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(Prepared by the Committee on Electoral Reforms)

Introduced by Senators Roco, Lina, Romulo, Herrera, Maceda,
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Julian
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AN ACT
PROVIDING FOR A SYSTEM OF ELECTING MEMBERS OF THE HOUSE OF
REPRESENTATIVES THROUGH A PARTY-LIST SYSTEM

SECTION 1. Title. - This Act shall be known as "The Party-
List Act."

SEC. 2. Declaration of Policy. - It is the declared policy
of the State to promote proportional representation in the House
of Representatives by persons who could contribute to the
formulation and enactment of appropriate legislation which could
benefit the nation as a whole but who lack a well-defined
political constituency. Towards this end, highly qualified and
eminent persons shall be selected to become members of the House
of Representatives through a party-list system of registered
national, regional and sectoral parties or organization.

SEC. 3. Definition of Terms. - For purposes of this Act, the
following terms shall mean:

a) Party-list system is a mechanism of proportional
representation in the House of Representatives of national,
regional, and sectoral parties or organizations registered with
the Commission on Elections.

b) A party or organization may mean either a political party
or a sectoral organization.

c) A political party refers to an organized group of quali-
fied voters advocating the same ideology, political ideas and
principles for the general conduct of the government.

It may be a national party wherein its constituency is spread over the geographical territory of at least a majority of the regions. It may likewise be a regional party wherein its constituency is spread over the geographical territory of at least a majority of the cities and provinces comprising the region.

d) A sectoral organization refers to a group of qualified voters who are bound together by similar physical attributes or characteristics, or by employment, interests and ideas, not necessarily political in character, for mutual aid and protection.

SEC. 4. Registration - Any organized group of persons may register as a political party, organization, or coalition for purposes of the party-list system by filing with the Commission on Elections not later than ninety (90) days before an election a petition verified by its president and secretary, attaching thereto its constitution, by laws, platform or program of government, list of officers and members, and other information required by the Commission on Elections for national or sectoral parties or organizations. The Commission on Elections shall publish the petition in at least two (2) national newspapers of general circulation.

The Commission on Elections shall, after due notice and hearing, resolve the petition within fifteen (15) days from the date it is submitted for decision and in every case not later than sixty (60) days before elections.

SEC. 5. Refusal and/or Cancellation of Registration. - The Commission may, motu proprio or upon verified complaint of any interested party, refuse or cancel, after due notice and hearing, the registration of any national, regional or sectoral party or organization on the following grounds:

1) It is a religious sect or denomination, organized for religious purposes;

2) It uses violence or unlawful means to seek its goal;

3) It is a foreign party or organization;

4) It is receiving support from any foreign government, or acceptance by it or any of its members of financial contributions from foreign governments;

5) Violation of, or non-compliance with laws, rules or regulations relating to elections;

6) Untruthful statements in its petition;

7) Failure to participate in the last two (2) preceding elections or its failure to obtain at least ten percent (10%) of the votes cast under the party-list system in either of the last two (2) preceding elections for the constituency in which it has registered;

8) It fields candidates in the legislative districts during the elections in which it participates under the party-list system.

SEC. 6. Manifestation to participate in Party-list System. - Any political party, organization, or coalition already registered with the Commission need not register anew. However, such party, organization, or coalition shall file with the Commission, not later than sixty (60) days before the election, a manifestation of its desire to participate in the party-list system.

SEC. 7. Certified List of Registered Parties. - The Commission shall, not later than forty-five (45) days before the elections, prepare a certified list of national, regional or sectoral parties, organizations or coalitions which have applied and are qualified to participate under the party-list system and

distribute copies thereof to all the 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. 8. Nomination of Party-list Representatives. - Each registered party, organization or coalition shall submit to the Commission not later than fifty (50) days before the election a list of five (5) names from which party-list representatives shall be chosen in case it obtains the required number of votes; provided, that, for purposes of the May 8, 1995 elections, a maximum of three (3) names shall be submitted.

The list shall not include candidates for regular members of the House of Representatives.

SEC. 9. Qualifications of Party-list Nominees. - No person shall be nominated as party-list representative unless he is a natural-born citizens of the Philippines for at least one (1) year immediately preceding the day of the election, a bona fide member of the party or organization, with a national, regional or sectoral constituency which he seeks to represent, a registered voter, and on the date of the election, is at least (25) years of age.

In the case of a nominee for the youth sector, he must at least be eighteen (18) but not more than twenty-one (21) years of age on the day of the election. Any youth sectoral representative who attains the age of twenty-one (21) years during his term shall be allowed to continue in office until the expiration of his term.

SEC. 10. Manner of Voting. - Every voter shall be entitled to two (2) votes: the first is a vote for the candidate for Member of the House of Representatives in his legislative district, and the second, a vote for the party, organization, or

coalition he wants represented in the House of Representatives. A vote cast for a party, organization, or coalition not entitled to be voted for shall not be counted.

SEC. 11. Number of Party-List Representatives. - The party-list representatives shall constitute twenty percentum (20%) of the total number of the Members of the House of Representatives including those under the party-list. Of the total number of party-list representatives, thirty percentum (30%) must be allocated to national parties or organizations, thirty percentum (30%) to regional parties or organizations and the remaining forty percentum (40%) to sectoral organizations: Provided, that the forty percentum (40%) allocated to sectoral organizations must be equitably distributed as far as practicable by nominees coming from the labor, peasant, urban poor, indigenous cultural communities, elderly, handicapped and overseas Filipinos, except the religious sector.

SEC. 12. Procedure in Allocating Seats for Party-list Representatives. - The Commission shall tally all the votes for the parties, organizations, or coalitions on a nationwide basis, rank them according to the number of votes received as against the total number of registered voters nationwide, and allocate party-list representatives proportionately according to the percentage of votes obtained until all seats are filled up.

A political party, organization, or coalition shall be entitled to a maximum of five (5) seats; provided, that, for purposes of the May 8, 1995 elections, a maximum of three (3) seats shall be available.

SEC. 13. How Party-list Representatives are Chosen. - Party-list representatives shall be proclaimed by the Commission based on the list of names submitted by the respective parties,

organizations, or coalitions to the Commission according to their ranking in said list.

SEC. 14. Term of Office. - Party-list representatives shall be elected for a term of three (3) years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election. No party-list representative shall serve for more than three (3) consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered an interruption in the continuity of his service for the full term for which he was elected.

SEC. 15. Change of Affiliation; effect. - Any elected party-list representative who changes his political party or sectoral affiliation during his term of office shall forfeit his seat.

SEC. 16. Vacancy. - In case of vacancy in the seats reserved for party-list representatives, the President shall fill the vacancy by appointing a representative from the list of nominees in the order submitted to the Commission on Election by the same party, organization, or coalition, who shall serve for the unexpired term.

SEC. 17. Rules and Regulations. - The Commission on Election is hereby empowered to promulgate rules and regulations as may be necessary to carry out the purpose of this Act.

SEC. 18. Separability Clause. - In any part of this Act is held invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SEC. 19. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed.

SEC. 20. Effectivity. - This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,



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