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SENATE
S. No. 1913

PREPARED BY THE COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION WITH SENATORS ROCO, LINA, JR., ROMULO, HERRERA, MACEDA, RASUL, SHAHANI, TOLENTINO, OPLE, MACAPAGAL, TAÑADA AND SOTTO III AS AUTHORS THEREOF

AN ACT PROVIDING FOR A SYSTEM OF ELECTING MEMBERS OF THE HOUSE OF REPRESENTATIVES THROUGH A PARTY-LIST SYSTEM

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

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

3 SEC. 2. *Declaration of Policy.* - It is the declared policy of the
4 State to promote proportional representation in the House of
5 Representatives through the party-list system of registered national,
6 regional and sectoral parties or organizations or coalitions thereof
7 which will enable persons who lack well-defined political constituencies
8 but who could contribute to the formulation and enactment of
9 appropriate legislation that will benefit the nation as a whole, to
10 become members of the House of Representatives.

11 SEC. 3. *Definition of Terms.* - For purposes of this Act, the follow-

1 ing terms shall mean:

2 a) Party-list system is a mechanism of proportional
3 representation in the House of Representatives through national,
4 regional, and sectoral parties or organizations or coalitions thereof
5 registered with the Commission on Elections (COMELEC).

6 b) A party or organization may mean either a political party or a
7 sectoral organization or a coalition of political parties and/or sectoral
8 organizations.

9 c) A political party refers to an organized group of citizens
10 mainly qualified voters, advocating the same ideology, political ideas
11 and principles for the general conduct of the government.

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

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

21 e) A coalition refers to an aggrupation of duly registered
22 political parties organized for political and/or election purposes.

23 SEC. 4. *Registration.* - Any organized group of persons may
24 register as a political party, organization, or coalition for purposes
25 of the party-list system by filing with the COMELEC not later

1 than ninety (90) days before an election a petition verified by its
2 president and secretary stating its desire to participate in the party-
3 list system as a national political party or a regional political party, or
4 a sectoral organization, or a coalition of such parties or organizations
5 attaching thereto its constitution, by laws, platform or program of
6 government, list of officers and members, and other information
7 required by the COMELEC for national, regional or sectoral parties
8 or organizations: *Provided*, That the sectors shall include labor,
9 peasant, fisherfolk, urban poor, indigenous cultural communities,
10 elderly, handicapped, women, youth, veterans and overseas workers.

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

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

16 *SEC. 5. Refusal and/or Cancellation of Registration.* - The
17 COMELEC may, *motu proprio* or upon verified complaint of any
18 interested party, refuse or cancel, after due notice and hearing,
19 the registration of any national, regional or sectoral party or organiza-
20 tion on any of the following grounds:

21 1) it is a religious sect or denomination, organization or associa-
22 tion organized for religious purposes;

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

24 3) it is a foreign party or organization;

25 4) it is receiving support from any foreign government, foreign

1 political party, foundation, organization whether directly or through any
2 of its officers or members or indirectly through third parties for partisan
3 purposes;

4 5) it violates or fails to comply with laws, rules or regulations
5 relating to elections;

6 6) it declares untruthful statements in its petition;

7 7) it is not in existence for at least one (1) year; and

8 8) it fails to participate in the last two (2) preceding elections or
9 fails to obtain at least ten *per centum* (10%) of the votes cast under the
10 party-list system in either of the last two (2) preceding elections for
11 the constituency in which it has registered.

12 SEC. 6. *Manifestation to Participate in Party-List System.* -

13 Any political party, organization, or coalition already registered with
14 the COMELEC need not register anew. However, such party, organiza-
15 tion, or coalition shall file with the COMELEC, not later than sixty (60)
16 days before the election, a manifestation of its desire to participate in
17 the party-list system.

18 SEC. 7. *Certified List of Registered Parties.* - The COMELEC

19 shall, not later than forty-five (45) days before the election, prepare a
20 certified list of national, regional or sectoral parties, organizations or
21 coalitions which have applied or who manifested their desire to
22 participate and are qualified to participate under the party-list system
23 and distribute copies thereof to all the precincts for posting in the polling
24 places on election day. The names of the party-list nominees shall not
25 be shown on the certified list.

1 SEC. 8. *Nomination of Party-List Representatives.* - Each
2 registered party, organization or coalition shall submit to the COMELEC
3 not later than fifty (50) days before the election a list of ten (10)
4 names from which party-list representatives shall be chosen in case it
5 obtains the required number of votes: *Provided*, That for purposes of the
6 May 8, 1995 elections, a maximum of three (3) names shall be submitted.

7 The list shall not include candidates for any elective office.

8 SEC. 9. *Qualifications of Party-list Nominees.* - No person shall
9 be nominated as party-list representatives unless he is a natural-born
10 citizen of the Philippines, a registered voter, is at least twenty-five (25)
11 years of age on the date of the election, able to read and write and a
12 *bona fide* member of the party or organization which he seeks to
13 represent for at least ninety (90) days preceding the day of the election.

14 In the case of a nominee for the youth sector, he must at least be
15 twenty-five (25) but not more a than twenty-eight (28) years of age on
16 the day of the election. Any youth sectoral representative who attains
17 the age of twenty-eight (28) years during his term shall be allowed
18 to continue in office until the expiration of his term.

19 SEC. 10. *Manner of Voting.* - Every voter shall be entitled to
20 two (2) votes: the first is a vote for the candidate for Member of the
21 House of Representatives in his legislative district, and the second, a
22 vote for the party, organization, or coalition he wants represented in the
23 House of Representatives. A vote cast for a party, organization, or
24 coalition not entitled to be voted for shall not be counted.

25 SEC. 11. *Number of Party-List Representatives.* - The party-list

1 representatives shall constitute twenty *percentum* (20%) of the total
2 number of the Members of the House of Representatives including
3 those under the party-list. Of the total number of party-list
4 representatives, thirty *percentum* (30%) shall be allocated to national
5 parties or organizations, twenty *percentum* (20%) to regional parties
6 or organizations and the remaining fifty *percentum* (50%) to sectoral
7 organizations: *Provided*, That for the 1995 elections, sixty *percentum*
8 (60%) shall be allocated to national parties or organizations and
9 forty *percentum* (40%) to regional parties or organizations to be
10 elected in the manner herein provided.

11 SEC. 12. *Procedure in Allocating Seats for Party-List Representa-*
12 *tives.* - The COMELEC shall tally all the votes for the parties, organiza-
13 tions, or coalitions in each of the three (3) categories (national,
14 regional and sectoral) on a nationwide basis, rank them according to
15 the number of votes received and allocate party-list representatives
16 proportionately according to the percentage of votes obtained by each
17 party or organization as against the total nationwide votes cast in its
18 category until all seats are filled up: *Provided, however*, That in the case
19 of sectoral organizations, all the aforementioned sectors in Section 4
20 shall be entitled to at least one (1) seat each: *Provided, further*, That
21 the maximum number of seats that any national, regional, or sectoral
22 organization can be allotted is ten (10): and *Provided, finally*, That any
23 national, regional, or sectoral party or organization to be entitled to a
24 seat, must obtain at least two *percentum* (2%) of the total votes cast
25 under the party-list system in the election.

1 In the election of 1995, twenty-five (25) party-list representatives
2 shall be elected, and in 1998 fifty (50) shall be elected.

3 **SEC. 13. *How Party-list Representatives are Chosen.*** - Party-list
4 representatives shall be proclaimed by the COMELEC based on the
5 list of names submitted by the respective parties, organizations, or
6 coalitions to the COMELEC according to their ranking in said list.

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

14 **SEC. 15. *Change of Affiliation; Effect.*** - Any elected party-list
15 representative who changes his political party or sectoral affiliation
16 during his term of office shall forfeit his seat: *Provided, however,* That
17 if he changes his political party or sectoral affiliation within six (6)
18 months before an election, he shall not be eligible for nomination as
19 a party-list representative under his new political party.

20 **SEC. 16 *Vacancy.*** - In case of vacancy in the seats reserved for
21 party-list representatives, the vacancy shall be automatically filled by
22 the next representative from the list of nominees in the order submitted
23 to the COMELEC by the same party, organization, or coalition, who shall
24 serve for the unexpired term.

25 **SEC. 17. *Rules and Regulations.*** - The COMELEC is hereby

902

1 empowered to promulgate rules and regulations as may be necessary to
2 carry out the purpose of this Act.

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

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

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

Approved,

