



HOUSE OF REPRESENTATIVES

H. No. 10022

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BY REPRESENTATIVES GARCIA (J.E.), CULLAMAT, ZARATE AND GAITE, PER COMMITTEE  
REPORT NO. 1155

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**AN ACT  
PROVIDING FOR THE ELECTION OF SECTORAL REPRESENTATIVES TO  
LOCAL LEGISLATIVE BODIES AND THE MANNER BY WHICH THEY SHALL  
BE ELECTED**

*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 “Local Sectoral  
2 Representation Act.”

3           **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to  
4 have sectoral representation in the local legislative bodies of provinces, cities and  
5 municipalities. Toward this end, the State shall uphold the right of the people and  
6 their organizations to effective and reasonable participation at all levels of social,  
7 political and economic decision-making.

8           **SEC. 3. Definition of Terms.** – As used in this Act:

9           (a) **Coalition** refers to an aggrupation of duly registered sectoral  
10 organizations as defined in this Section and any other sector as may be determined  
11 by the *sanggunian* concerned for political or election purposes;

12           (b) **Indigenous Cultural Communities or Indigenous Peoples** refer to a  
13 group of people or homogenous societies identified by self-ascription and ascription  
14 by others as defined under Section 3 (h) of Republic Act No. 8371 otherwise known  
15 as “*The Indigenous People’s Rights Act of 1997*”;

1 (c) **Marginalized Sector** refers to those who are under-represented and  
2 underprivileged;

3 (d) **Sectoral Organization** refers to a group of citizens belonging to any of  
4 the following sectors: (1) women, (2) workers, (3) indigenous cultural  
5 communities/indigenous peoples, (4) differently-abled persons, (5) senior citizens,  
6 (6) urban poor, (7) cooperatives, or (8) such other sector as may be determined by  
7 the *sanggunian* concerned; and

8 (e) **Workers** refer to industrial, commercial, service workers, migrant  
9 workers, informal sector workers, or agricultural workers.

10 **SEC. 4. Election of Sectoral Representatives.** – There shall be three (3)  
11 sectoral representatives each in the *sangguniang panlalawigan*, *sangguniang*  
12 *panlungsod* and *sangguniang bayan* who shall be elected as provided for in this Act:  
13 one (1) from the women sector; one (1) from the workers sector; and one (1) from  
14 any of the following sectors: indigenous cultural communities/indigenous peoples,  
15 differently-abled persons, senior citizens, urban poor, cooperatives or any other  
16 marginalized sector as may be determined by the *sanggunian* concerned.

17 The sector to be represented in the local *sanggunians* other than the women  
18 and worker sectors shall be determined through a resolution approved by a majority  
19 vote of the *sanggunian* concerned not later than one (1) year following the effectivity  
20 of this Act, taking into consideration the size and number of members of the sectors  
21 seeking representation, impact of issues and concerns of the sector in relation to  
22 the overall welfare and development of the local government unit, and adequacy of  
23 representation in other bodies of the sectors seeking representation: *Provided*, That  
24 in local government units with indigenous cultural communities or indigenous  
25 peoples, the seat shall automatically be reserved to the said sector.

26 The sector identified pursuant to the immediately preceding paragraph other  
27 than indigenous cultural communities or indigenous peoples shall continue to be  
28 represented in the local *sanggunian* until the *sanggunian* concerned shall have  
29 determined that a new sector emerged to have a better right of representation. Such  
30 determination shall be made not later than one (1) year following the effectivity of  
31 this Act.

32 The manner of selection and representation of indigenous cultural  
33 communities or indigenous peoples in local *sanggunians* shall continue to be  
34 governed by “*The Indigenous People’s Rights Act of 1997*” and the rules and  
35 regulations promulgated to implement the same.

36 **SEC. 5. Date of Election.** – The first election of sectoral representatives in  
37 the *sangguniang panlalawigan* shall be held simultaneously with the next national  
38 and local elections after the effectivity of this Act. The sectoral representatives in

1 the *sangguniang panlungsod* and *sangguniang bayan* shall be elected three (3)  
2 years thereafter.

3 **SEC. 6. Registration.** – Any sectoral organization or coalition which has been  
4 in existence for at least one (1) year following the effectivity of this Act, is duly  
5 registered with the Securities and Exchange Commission (SEC), or the Department  
6 of Labor and Employment (DOLE), or any other national government agencies or  
7 local government units that has a membership of at least two hundred (200)  
8 registered voters in the province or highly urbanized city, and at least fifty (50)  
9 registered voters in any other city or municipality where it seeks to be a candidate,  
10 shall file with the appropriate provincial, city or municipal election officer, not later  
11 than nine (9) months on the day of the election, a petition for registration and  
12 manifestation duly verified by its president or secretary stating its intention to  
13 participate in the election of sectoral representative, attaching thereto its  
14 constitution, by-laws, platform or program of government, list of officers, coalition  
15 agreement, if any, and other relevant information as the Commission on Elections  
16 (COMELEC) may prescribe.

17 The failure to submit the formal requirements prescribed in the preceding  
18 paragraph shall be a ground for dismissal of the petition, *motu proprio*, by the  
19 election officer concerned. Otherwise, the election officer shall immediately post the  
20 verified petition in the office of the election officer and in the bulletin board of the  
21 provincial, city or municipal hall, setting the same for hearing at an appointed time  
22 and date.

23 The election officer shall, after due notice and hearing, resolve said petition  
24 within thirty (30) days from the date of its submission for resolution. In case of  
25 dismissal or denial of the petition, the sectoral organization or coalition concerned  
26 may file a motion for reconsideration within five (5) days from receipt of the decision.  
27 The election officer shall resolve the motion within five (5) days.

28 If the motion for reconsideration is denied, the aggrieved party may, within  
29 five (5) days from receipt of the resolution, appeal such denial before the regional  
30 election officer in case of decisions rendered by election officers of provinces, highly  
31 urbanized cities and independent cities, and before the provincial election officer, in  
32 case of decisions rendered by election officers of other cities and municipalities. The  
33 regional or provincial election officer shall render a decision within fifteen (15) days  
34 from receipt of the appeal but in no case later than the deadline for the filing of  
35 certificates of candidacy. The decision of the regional or provincial election officer,  
36 as the case may be, shall be final, executory and non-appealable.

37 The provincial, city or municipal chapters of registered provincial, regional or  
38 national sectoral organizations or coalitions shall be deemed registered: *Provided*,  
39 That the local chapters shall notify and submit a proof of chapter affiliation and  
40 registration of such provincial, regional or national sectoral organization or coalition

1 to the provincial, city or municipal election officer: *Provided, further,* That provincial,  
2 city or municipal sectoral organizations or coalitions shall have chapters in at least  
3 twenty-five percent (25%) of the total number of municipalities or cities of a province  
4 where it seeks to be a candidate for *sangguniang panlalawigan*: *Provided, finally,*  
5 That each chapter shall have a membership of at least fifty (50) registered voters.

6 **SEC. 7. Refusal or Cancellation of Registration.** – The provincial, city or  
7 municipal election officer may, *motu proprio*, or upon verified complaint of any  
8 interested party, refuse or cancel, after due notice and hearing, the registration of  
9 any sectoral organization or coalition on any of the following grounds:

10 (a) It is a religious sect or denomination, organization or association  
11 organized solely for religious purposes;

12 (b) It advocates violence or unlawful means to seek its goal;

13 (c) It is a foreign organization;

14 (d) It receives support from any foreign government, foreign political party,  
15 foundation, organization, whether directly or through any of its officers or members  
16 or indirectly through third parties for partisan election purposes;

17 (e) It is affiliated or receives support from major political parties accredited by  
18 the COMELEC;

19 (f) It violates or fails to comply with laws, rules and regulations relating to  
20 elections;

21 (g) It declares untruthful statements in its petition;

22 (h) It was dissolved, absorbed by or merged with another sectoral  
23 organization; and

24 (i) It failed to participate in the last two (2) consecutive elections.

25 **SEC. 8. Manifestation to Participate in Elections.** – Any sectoral organization  
26 or coalition already registered with the COMELEC need not register anew. However,  
27 such organization shall file with the provincial, city or municipal election officer, not  
28 later than nine (9) months before every election, a manifestation of its intention to  
29 participate in the elections of sectoral representatives: *Provided,* That a coalition  
30 may run only for one and the same sector in a province, city or municipality:  
31 *Provided, further,* That no member-organization of the coalition which has  
32 manifested its desire to participate in the elections shall be eligible to run in the same  
33 local government unit.

34 **SEC. 9. Certified List of Registered Sectoral Organizations and Coalitions.** –  
35 The provincial, city and municipal election officer shall, not later than sixty (60) days  
36 before election, prepare a certified list of sectoral organizations and coalitions which

1 have applied or manifested their desire to participate in the election of sectoral  
2 representatives to the local *sanggunians* and distribute copies thereof to all  
3 precincts for posting in the polling places on election day. The names of the  
4 nominees shall not be shown on the certified list.

5 **SEC. 10. *Nomination of Sectoral Representative.*** – Each registered sectoral  
6 organization or coalition shall submit to the provincial, city or municipal election  
7 officer concerned not later than forty-five (45) days before the election, a list of  
8 nominees, ranking them as the first, second and third nominees.

9 No person shall be nominated in more than one (1) list. Only persons who  
10 have given their consent in writing may be included in the list. The list shall not  
11 include any candidate for any elective office or a person who has lost in any national  
12 or local election other than that of sectoral representative in the immediately  
13 preceding election. No change of names or alteration of the order of nominees shall  
14 be allowed after the same are submitted to the COMELEC except in cases where  
15 the nominee dies, withdraws in writing, or becomes incapacitated.

16 **SEC. 11. *Qualifications of Sectoral Nominees.*** – No person may be  
17 nominated as sectoral representative unless such nominee is:

18 (a) A citizen of the Philippines;

19 (b) A registered voter in the city or municipality where the nominee intends to  
20 be elected;

21 (c) A resident therein for at least one (1) year immediately preceding the day  
22 of the election;

23 (d) At least twenty-three (23) years of age, for *sangguniang panlalawigan* and  
24 *sangguniang panlungsod* of highly urbanized cities, and at least eighteen (18) years  
25 of age, for *sangguniang panlungsod* of other cities and *sangguniang bayan*, on the  
26 day of election;

27 (e) A bona fide member of the sectoral organization or coalition which the  
28 nominee seeks to represent for at least ninety (90) days preceding the day of the  
29 election; and

30 (f) Able to read and write Filipino or any other local dialect of the local  
31 government unit where the nominee seeks to be elected.

32 **SEC. 12. *Disqualification of Sectoral Nominees.*** – The following are  
33 disqualified as nominees for sectoral representatives:

34 (a) Those sentenced by final judgment of an offense involving moral turpitude  
35 or an offense punishable by imprisonment of one (1) year or more, within two (2)  
36 years after serving the sentence;

- 1 (b) Those removed from office by final judgment in an administrative case;
- 2 (c) Those convicted by final judgment for violating the oath of allegiance to  
3 the Republic of the Philippines;
- 4 (d) Those with dual citizenship;
- 5 (e) Fugitives from justice in criminal or nonpolitical cases locally or abroad;
- 6 (f) Permanent residents in a foreign country or those who have acquired the  
7 right to reside abroad and continue to avail of the same right;
- 8 (g) Members of major political parties accredited by the COMELEC or  
9 incumbent elected officials upon their nomination;
- 10 (h) Those whose income and assets are way beyond the average income  
11 and assets of the members of the sector they seek to represent; and
- 12 (i) Persons declared insane by competent authority.

13 **SEC. 13. *Nominees Holding Appointive Office.*** – Any person holding  
14 appointive office or position in the government, including active members of the  
15 Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), and  
16 other law enforcement agencies and officers and employees of government-owned  
17 or controlled corporations and their subsidiaries shall be considered *ipso facto*  
18 resigned from office upon acceptance of the nomination as a candidate for the  
19 position of sectoral representative.

20 **SEC. 14. *Manner of Voting.*** – The sectoral representatives shall be voted at  
21 large. Every registered voter shall be entitled to vote for each of the positions  
22 reserved for sectoral representatives in the local *sanggunians*: *Provided*, That a vote  
23 cast for a sectoral organization or coalition not entitled to be voted upon shall not be  
24 counted.

25 **SEC. 15. *Term of Office.*** – The sectoral representatives shall be elected for  
26 a term of three (3) years. No sectoral representative shall serve for more than three  
27 (3) consecutive terms in the same position. Voluntary renunciation of the office for  
28 any length of time or any term sharing arrangement among nominees within the  
29 sector shall not be considered as an interruption in the continuity of service for the  
30 full term for which the sectoral representative concerned was elected.

31 If the sectoral organization or coalition which nominated a sectoral  
32 representative is dissolved or disbanded during one's incumbency, the  
33 representative shall, *ipso facto*, lose representation, and the seat shall be deemed  
34 vacant.

35 **SEC. 16. *Effect of Change, Termination of Affiliation.*** – Any elected sectoral  
36 representative who changes organizational affiliation or whose affiliation in the

1 organization represented is terminated by that organization during the sectoral  
2 representative's tenure in office, shall forfeit the seat and shall not be eligible for  
3 nomination by any other sectoral organization or coalition.

4 **SEC. 17. Vacancy.** – In case a permanent vacancy in any of the seats for  
5 sectoral representatives occurs, the vacancy shall be immediately filled by the next  
6 nominee of the organization or coalition represented by the person who caused the  
7 vacancy as appearing in the list of nominees submitted to the provincial, city or  
8 municipal election officer pursuant to Section 10 of this Act: *Provided*, That the  
9 successor shall serve only the unexpired portion of the term of the vacated office.

10 In case the list of nominees is exhausted, the sectoral organization or  
11 coalition concerned shall submit the name of an additional nominee to the provincial,  
12 city or municipal election officer concerned: *Provided*, That the new nominee is not  
13 disqualified under this Act: *Provided, further*, That this procedure shall equally apply  
14 if the vacancy is caused by the recall of the nominee by the organization or coalition  
15 that the former represents.

16 **SEC. 18. Rights of Sectoral Representatives.** – Sectoral Representatives  
17 shall be entitled to the same salaries, emoluments, rights, privileges, and benefits  
18 enjoyed by regular members of the *sanggunian*.

19 **SEC. 19. Voters' Education.** – The COMELEC shall carry out a continuing  
20 and systematic campaign in newspapers of general circulation, radio and other  
21 media forms, as well as through seminars, symposia, and other non-traditional  
22 means to educate the public and fully inform the electorate about the election of  
23 sectoral representatives.

24 **SEC. 20. Rules and Regulations.** – The COMELEC shall promulgate the  
25 rules and regulations necessary to implement this Act.

26 **SEC. 21. Separability Clause.** – If any part or provision of this Act is declared  
27 invalid or unconstitutional, the other parts or provisions not affected thereby shall  
28 continue to be in full force and effect.

29 **SEC. 22. Repealing Clause.** – Sections 41(c), 446(b), 457(b) and 467(b) of  
30 Republic Act No. 7160, as amended, otherwise known as the Local Government  
31 Code of 1991, and all other laws, presidential decrees, executive orders, rules and  
32 regulations inconsistent with this Act are hereby repealed or amended accordingly.

33 **SEC. 23. Effectivity.** – This Act shall take effect fifteen (15) days after its  
34 publication in the *Official Gazette* or in a newspaper of general circulation.

**Approved,**