

Republic of the Philippines
Congress of the Philippines

Senate

Manila City

Fourteenth Congress

First Regular Session



RESOLUTION No. 154

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT ANY ATTEMPT BY THE HOUSE OF REPRESENTATIVES TO UNILATERALLY PROPOSE AMENDMENTS TO, OR REVISION OF, THE CONSTITUTION WITHOUT THE APPROVAL BY THREE-FOURTHS (3/4) OF THE SENATE VOTING SEPARATELY IS UNCONSTITUTIONAL

WHEREAS, Article XVII of the 1987 Philippine Constitution provides that any amendment to, or revision of, the Constitution may be proposed by: (1) the Congress, *upon a vote of three-fourths of all its Members*; or (2) a constitutional convention;

WHEREAS, on the other hand, Section 1 of Article VI of the Constitution on Legislative Department specifically states that the legislative power shall be vested in the Congress of the Philippines *which shall consist of a Senate and a House of Representatives*, except to the extent reserved to the people by the provision on initiative and referendum;

WHEREAS, it is clear from the provisions of the Constitution that any proposed amendment to, or revision of, the Constitution requires the approval of the Senate and House of Representatives *voting separately*;

WHEREAS, in order to amend the Constitution, a Constituent Assembly may be convened with the three-fourths ($3/4$) vote of approval, *or one hundred ninety six (196) votes by the two (2) chambers*, to wit the Senate and House of Representatives;

WHEREAS, separate voting of the two (2) chambers would require one hundred seventy nine (179) votes from the House of Representatives and eighteen (18) votes from the Senate;

WHEREAS, it will render the Senate inutile and irrelevant when joint voting of the two (2) chambers is implemented *since all the one hundred ninety six (196) votes may come from the two hundred thirty eight (238) members of the House of Representatives*: Now, therefore, be it


Resolved, to express, as it hereby expresses, the sense of the Senate, That in accordance with the provisions of the Constitution, any amendments to, or revision of, the Constitution shall be done with the approval by three-fourths ($3/4$) of the *Senate voting separately from the House of Representatives*. Any attempt by the House of Representatives to unilaterally propose amendments to, or revision of, the Constitution without the approval by three-fourths ($3/4$) of the Senate voting separately is unconstitutional.

Adopted,


JUAN PONCE ENRILE

President of the Senate

This Resolution was adopted by the Senate on
December 15, 2008.


EMMA LIRIO-REYES
Secretary of the Senate
