

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

'04 JUN 30 P12:02

SENATE  
S. NO. 12

RECEIVED BY: 

---

Introduced by Senator Flavier

---

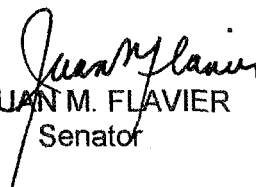
#### EXPLANATORY NOTE

This bill was originally introduced during the Eighth Congress. Re-filing it is a statement against the path of least resistance assumed by some legislators who dropped this issue from priority consideration apparently to protect their own interests.

Arguably, this measure is one of the most important electoral reform needed to level the political playing field. In fact, the COMELEC- proposed Election Code contains a prohibition on political dynasties of the simultaneous or successive candidates of persons within the third civil degree of consanguinity or affinity. Former COMELEC Chairperson Haydee Yorac would improve on this provision by including in the ban the spouse or spouses and, by analogy, the mistress of incumbent political leaders.

This bill also defines political dynasty (Sec. 3); sets forth prohibited offices (Sec 4); and provide for rejection and cancellation of certificates for the prohibition (Sec.5).

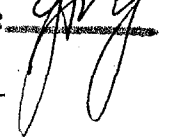
This particular measure had already passed the Senate as early as the Eight Congress. Its re-passage in this Congress is thus, earnestly prayed for.

  
JUAN M. FLAVIER  
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

04 JUN 30 12:02

SENATE  
S. NO. 12

RECEIVED BY: 

---

Introduced by Senator Flavier

---

**AN ACT  
PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES**

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

SECTION 1. Purpose and Objective. – It is the purpose and objective of this Act to translate into the practical realities of the Philippines politics the State policy enunciated in Article II, section 26 of the 1987 Constitution to “guarantee equal access to opportunities for public service and prohibit political dynasties” (Article II, section 26) and the mandate to Congress in Article XIII, Section 1 therefore to enact “measures that... reduces social, economic and political power for the common good”.

SEC. 2. Applicability. – This Act shall govern and be applicable to the next elections and to all subsequent elections to be held thereafter.

SEC. 3. Political Dynasty Defined. - As used in this Act, a political dynasty is the concentration, consolidation or perpetuation of public office and political power by persons related to one another, as defined in this act.

*Person who are related within the third civil degree of consanguinity or affinity, including their spouses and the spouses of their brother-in-law and sister-in-law (bilas) shall be deemed within the political dynasty relationship prohibited under this Act.*

SEC. 4. *Prohibited Offices.* – a) No President, Vice-President or Senator shall be succeeded in office by any family member having political dynasty relationship to such officials.

Neither may such family member be elected to or assume the position of President, Vice-President, Senator, Congressman, Governor, Vice-Governor, City Mayor or City Vice-Mayor, or Municipal Mayor or Municipal Vice-Mayor whose term of office commences during the incumbency of such official.

No such family member shall be a candidate for the office of the President, Vice-President, Senator, Congressman, Governor, Vice-Governor, City Mayor or City Vice-Mayor, or Municipal Mayor or Municipal Vice-Mayor in the same elections in which another family member within the political dynasty relationship is a candidate for President, Vice President, or Senator.

b) No Congressman, Provincial Governor, City or Municipal Mayor shall be succeeded in office by any family member having a political dynasty relationship to such officials.

Neither may such family member be elected to or assume any elective position within the same district, province, city or municipality, whose term of office commences during the incumbency of such officials nor may such family member be a candidate for any public office in the same district, province, city or municipality in the same elections, in which another family member within political dynasty relationship is a candidate for Congressman, Governor or Mayor.

SEC. 5. *Rejection and Cancellation of Certificates of Candidacies.* – Any certificate of candidacy that is presented to the Commission on Election

in violation of this Act shall be cancelled and the votes cast for the disqualified candidate shall not be counted, nor shall be proclaimed or qualified to assume office.

In the event that two or more disqualified family members having a political dynasty relationship should file their bona fide certificates of candidacy, the subordinate and lesser elective positions shall be rejected.

Whenever two or more person related within the prohibited degree or relationship shall file their bona fide certificate of candidacy for the same position, the one who filed ahead shall be given due course.

Whenever it cannot be determined with accuracy which application was filed first, the Commission on elections shall supervise the drawing of lots to decide whose certificate of candidacy shall be accepted.

*SEC. 6. Implementing Rules and Regulations.* – The Commission on Elections shall promulgate the rules and regulations for the implementation of the provisions of this Act.

*SEC. 7. Repealing Clause.* - All laws, decrees, executive orders, letters of instructions, and other issuance's or parts therefore which are inconsistent with the provisions of this Act are hereby deemed amended, modified, superseded or repealed accordingly.

*SEC. 8. Effectivity.* - this Act shall take effect fifteen (15) days upon its publication in at least two (2) newspapers of general circulation.

*Approved,*