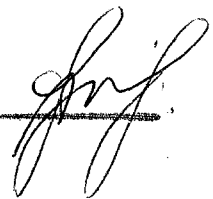


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P2:00

SENATE

RECEIVED BY: 

S. B. No. 168

Introduced by Senator **LUISA "LOI" P. EJERCITO ESTRADA**

EXPLANATORY NOTE

The purpose of the Party List System Act is to "enable Filipino citizens belonging to marginalized and under represented sectors, organizations and parties" which lack well defined political constituencies but who could "contribute to the formulation and enactment of appropriate legislation that will benefit the nation as a whole, to become members of the House of Representatives." Women, comprising approximately half of the population not only in this country but also globally as well, are among those who are marginalized and under represented.

As the State recognizes the role of women in nation building, it is therefore necessary that women be given equal rights, opportunities and chances, for political representation, articulation and action.

Presently, the state of women's political representation needs improvement. This can be achieved by instituting structures and mechanisms whereby their political representation and involvement is assured.

There are various reasons why women's political representation needs to be advanced. The need for feminist legislation cannot be emphasized, and there is no doubt that women are more reliable feminists than men. There is likewise benefit in terms of increased competition for public office hence, the quality of political leadership will necessarily improve because of the larger number of individuals involved. There is great value in providing of a venue for women's ideals and issues in a country or world where approximately half of the population are women.

Finally, increased women's participation is due to a number of factors. The political system and structures are not friendly to women. Political party leaders usually discriminate against them and they are not encouraged to run or are discouraged to run for office.

Needless to say, political parties are crucial women's chances in public office. This is implemented by having women represented in the parties' governing bodies and in party groups that determine who will be candidates for public office. And because party lists are nominated, it is feasible to ensure significant women's representation.

Instituting a scheme in the Party List System that will increase women's representation is just a step towards the achievement of equalization of political REPRESENTATION FOR WOMEN AND MEN.

Thus, the early passage of this bill is earnestly solicited.

Luisa P. Ejercito Estrada
LUISA "LOI" P. EJERCITO ESTRADA
Senator

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AN ACT
AMENDING REPUBLIC ACT SEVENTY NINE FORTY ONE,
OTHERWISE KNOWN AS THE PARTY LIST SYSTEM ACT

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

SECTION 1. Section 8 of the Republic Act Seventy Nine Forty One is hereby amended to read as follows:

"Section 8. Nomination of Party List Representatives. -
Each registered party, organization or coalition shall submit to the COMELEC not later than forty five (45) days before the election a list of names, not less than five (5), at least [half] FORTY PERCENT (40%) of which must be women, from which party representatives shall be chosen in case it obtains the required number of votes [.] : *PROVIDED* , THAT EACH REGISTERED PARTY, ORGANIZATION OR COALITION, BEFORE SUBMITTING THE LIST TO THE COMELEC, NOMINATED AMONG THEMSELVES, REPRESENTATIVES OF AN EVEN NUMBER, FIFTY PERCENT (50%) OF WHICH ARE WOMEN WHO, ASIDE FROM HAVING THE QUALIFICATIONS LISTED UNDER SECTION 9 OF THIS ACT, ARE ALSO RECOGNIZED AS CHAMPIONS OF

WOMEN'S CAUSES: *PROVIDED, FURTHER,* THAT THE FINAL FIVE REPRESENTATIVES WILL CONSIST OF TWO MEN AND TWO WOMEN CHOSEN BY THE REGISTERED PARTY, ORGANIZATION OR COALITION, WITH THE LAST REPRESENTATIVES CHOSEN BY DRAWING LOTS AMONG THE REMAINING NOMINEES: *PROVIDED, FINALLY,* THAT THE RANKING OF THE FINAL REPRESENTATIVES, BE DONE BY DRAWING LOTS, WITH AT LEAST ONE OF THE FIRST THREE POSITIONS TO BE OCCUPIED BY A WOMAN NOMINEE.

A person may be nominated in one (1) list only. Only persons who have given their consent in writing maybe named in the list. The list shall not include any candidate for any elective position who has lost his/her bid for an elective office in the immediately preceding election. No change of names or alteration of the order of the committees shall be allowed after the same shall have been submitted to the COMELEC except in cases where the nominee dies or withdraws in writing his/her nomination or becomes incapacitated in which case the name of the substitute nominee shall be placed in the list. Incumbent sectoral representatives in the House of Representatives who are nominated in the party-list system shall not be considered resigned.”

SEC. 2. Section 11 of the same law is hereby amended to read as follows:

“Sec. 11. *Number of Party-List Representatives.* - The party-list representative shall constitute twenty percent (20%) of the total number of the members of the House of Representatives including those under the party-list.

For the purposes of the election, the first five (5) major political parties on the basis of party representation in the House of Representatives at the start of the Tenth Congress of the Philippines AND NEW POLITICAL PARTIES FORMED BY THE DISQUALIFIED POLITICAL PARTIES AS DETERMINED BY THEIR MEMBERSHIP OR AFFILIATION shall not be entitled to participate in the party-list system.

In determining the allocation of seats for the second vote, the following procedures shall be observed:

- (a) The parties, organizations and coalitions shall be ranked from the highest to the lowest based on the number of votes they garnered during the elections.
- (b) The parties, organization and coalitions receiving at least two percent (2%) of the total votes cast for the party list system shall be entitled to one seat each: *Provided*, That those garnering more than two percent (2%) of the votes shall be entitled to additional seats in proportion to their total number of votes: [*Provided*, *further*, That half of those appointed under the party

list must be women:] *Provided, finally,* That each party, organization, or coalition shall be entitled to not more than three (3) seats.”

SEC. 3. ***Repealing Clause.*** - All laws, rules and regulations, and municipal and city ordinances which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

SEC. 4. ***Separability Clause.*** - If any portion of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SEC. 5. ***Effectivity.*** - This Act shall take effect fifteen (15) days following its complete publication in two newspapers of general circulation.

Approved,

GVL/tere’/gvlpolitical party