


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

'04 JUL -1 P12:54

SENATE
S.B. No. **1269**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The purpose of Republic Act No. 7941 (Party List System Act) is to "enable Filipino citizens belonging to marginalized and underrepresented sectors, organizations and parties" who 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" by becoming members of the House of Representatives. Women, comprising approximately half of the population in this country, are among those who are marginalized and underrepresented.

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 to be advanced. This can be achieved by instituting structures and mechanisms whereby their political representation and involvement is assured. In this light, the bill seeks to institute a scheme in the Party List System that will increase the chances for political representation of women. It provides that at least forty percent (40%) of the five nominees per registered organization are women; and that at least one of the first three positions be occupied by a woman nominee.

This bill is a product of several public hearings conducted last Congress.


MIRIAM DEFENSOR SANTIAGO

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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 House of Representatives of the Philippines in Congress assembled:

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

“Sec 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 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 REPRESENTATIVE CHOSEN BY DRAWING LOTS AMONG THE REMAINING NOMINEES. PROVIDED, FINALLY, THAT THE RANKING OF THE FINAL FIVE 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 may be 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 percentum (20%) of the total number of the members of the House of Representatives including those under the party-list

For the purposes of the May 1998 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 - Any law, presidential decree or issuance, executive
order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is
hereby repealed 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 from the date of
publication in at least two (2) newspapers of general circulation,

Approved.