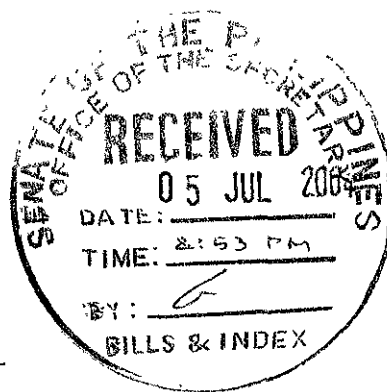


THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



S.B. BILL No. 1317

Introduced by Senator ALFREDO S. LIM

EXPLANATORY NOTE

Although the 1987 Constitution expressly prohibits the continued existence of dynasties, the same depraved scheme continues to permeate our political climate as influential families and clans continue to wield control and power through electoral victories.

We continue to hear that mayors, councilors, congressmen, governors, including barangay chairmen of certain municipalities and cities, are related to one another by blood or affinity.

Such control makes it easier for them to wrest all power in the locality and harder for their adversaries to obtain a fair chance in getting elected to the position they control.

And the graver danger is the ease with which these dynasties could angle for and perpetrate illegal activities to the great detriment of their constituents.

More than the control and danger that dynasties bring about, for as long as political dynasties exist and abound, we can never have an effective party system.

The common excuse of family members in rotating control of the position among themselves is to provide continuity in the service.

On the contrary, the continuity in public service may be better assured if the same is carried out by political parties. Indeed, by abolishing dynasties, we are strengthening our party system because, rather look up to the candidates, the electorate will make their choice on the basis of party principles.

Hence, the bill seeks to end the exercise and control of political power and authority in a political unit by two or more members of the same family related within the 3rd civil degree of consanguinity or affinity either simultaneously or in succession.

Under the proposed bill, a mayor who finishes his three (3) terms cannot be succeeded by his wife, child or any relative within the 3rd degree. Likewise, no relative of the mayor may run as congressman, vice mayor, councilor or even any barangay position in the same municipality or city for as long as he sits as mayor in that place. The rule applies with equal force to provincial levels and autonomous regions.


ALFREDO S. LIM
Senator

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

RECEIVED BY: _____

SENATE
S. No. 1317

Introduced by Senator ALFREDO S. LIM

S. No. _____
H. No. _____

REPUBLIC ACT NO. _____

**AN ACT
TO PROHIBIT POLITICAL DYNASTY, PROVIDE
PENALTIES FOR VIOLATION THEREOF, AND FOR
OTHER PURPOSES.**

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

Section 1. This Act shall be known as the Anti-Political Dynasty Act of
2004.

Section 2. Political dynasty is the exercise and control of political power
and authority by two or more members of the same family in a political unit that
deprives deserving and qualified citizens of that political unit of the opportunity to
be elected to public office and serve the constituents thereof and which the
Constitution prohibits.

Section 3. No person who is related within the third civil degree of
consanguinity or affinity, whether legitimate or otherwise, to an incumbent local
elective official of the same political unit, may be allowed to run for any elective

position in the same locality nor be permitted to assume such office even if elected, during the incumbency of and while the term of office of the said local elective official has not expired.

Section 4. Any provision of the law to the contrary notwithstanding, relation within the third civil degree of consanguinity or affinity, legitimate or otherwise, by any candidate for any local elective office to an incumbent local elective official in the same political unit shall henceforth be a ground for disqualification, petition to deny due course to the candidacy of, or for the annulment of proclamation of such candidate.

Section 5. Any person who shall occupy any local elective position through an election during the incumbency of his relative as defined in Sec. 3 hereof, notwithstanding the prohibition hereof, shall not be entitled to any compensation and shall be liable for criminal prosecution under this Act and who, upon conviction, may be sentenced to an imprisonment of from six years to twelve years and perpetual disqualification from holding any public office; provided that, the incumbent who abets or aids a relative to hold such public position shall be criminally liable and suffer the same disqualification as the aspirant's.

Section 6. As understood in this Act, a political unit shall be a barangay, municipality, province, city, representative district or autonomous region.

Section 7. This Act shall take effect upon its approval.

Approved, _____.


ALFREDO S. LIM
Senator