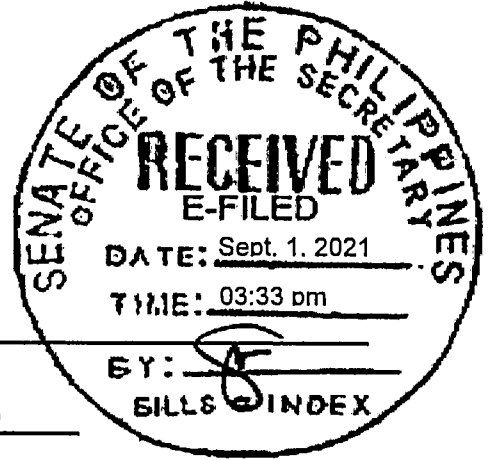


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE



COMMITTEE REPORT No. 298

Submitted by the Committee on Electoral Reforms and People's Participation on
Sept. 1, 2021.

Re: Senate Bill No. 2377 Prepared by the Committee

Recommending its approval in substitution of Senate Bill Nos. 372 and 1989, taking
into consideration Proposed Senate Resolution No. 58

Sponsor: Senator Imee R. Marcos

MR. PRESIDENT:

The Committee on Electoral Reforms and People's Participation to which was
referred **Senate Bill No. 372**, introduced by Sen. Leila M. De Lima, entitled:

**"AN ACT
STRENGTHENING THE PARTY-LIST ACT AND EMPHASIZING
ITS ROLE AS A CONSTITUTIONAL SOCIAL JUSTICE TOOL TO
GIVE THE MARGINALIZED AND UNDERREPRESENTED
GENUINE POWER AND REPRESENTATION, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 7941, ENTITLED "AN ACT
PROVIDING FOR THE ELECTION OF PARTY-LIST
REPRESENTATIVES THROUGH THE PARTY-LIST SYSTEM,
AND APPROPRIATING FUNDS THEREFOR", OTHERWISE
KNOWN AS THE 'PARTY-LIST SYSTEM ACT',
AND FOR OTHER PURPOSES"**

and

Senate Bill No. 1989, introduced by Sen. Pres. Vicente C. Sotto III, entitled:

**"AN ACT
AMENDING REPUBLIC ACT NO. 7941, ENTITLED
"AN ACT PROVIDING FOR THE ELECTION OF PARTY-LIST
REPRESENTATIVES THROUGH THE PARTY-LIST SYSTEM,
AND APPROPRIATING FUNDS THEREFOR", OTHERWISE
KNOWN AS 'THE PARTY-LIST SYSTEM ACT',
AND FOR OTHER PURPOSES"**

and taking into consideration **Proposed Senate Resolution No. 58**, introduced by Sen. Imee R. Marcos, entitled:

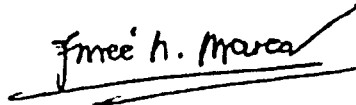
**"RESOLUTION
DIRECTING THE SENATE COMMITTEE ON ELECTORAL
REFORMS AND PEOPLE'S PARTICIPATION TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE CURRENT
PARTY-LIST SYSTEM WITH THE END IN VIEW OF AMENDING
REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS THE
"PARTY-LIST SYSTEM ACT", TO PREVENT ABUSE AND TO
HARMONIZE THE DEFINITION AND MECHANISM OF THE
PARTY-LIST SYSTEM OF REPRESENTATION WITH THE
GENUINE INTENT OF THE CONSTITUTION"**

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached **Senate Bill No. 2377** prepared by the Committee, entitled:

**"AN ACT
AMENDING REPUBLIC ACT NO. 7941, ENTITLED
"AN ACT PROVIDING FOR THE ELECTION OF PARTY-LIST
REPRESENTTIVES THROUGH THE PARTY-LIST SYSTEM,
AND APPROPRIATING FUNDS THEREFOR," OTHERWISE
KNOWN AS THE 'PARTY-LIST SYSTEM ACT'
AND FOR OTHER PURPOSES"**

be approved in substitution of Senate Bill Nos. 372 and 1989, and taking into consideration Proposed Senate Resolution No. 58, with Senator De Lima, Senate President Sotto, and Senator Marcos as authors thereof.

Respectfully submitted:



SEN. IMEE R. MARCOS
Chairperson

Committee on Electoral Reforms and People's Participation

SEN. PANFILO M. LACSON
Vice Chairperson

Members



may amend

SEN. MARIA LOURDES NANCY S. BINAY

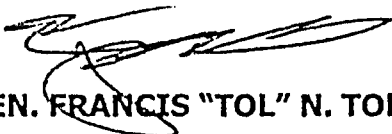


SEN. RONALD "BATO" DELA ROSA

WILL INTERDEBATE

SEN. AQUILINO "KOKO" PIMENTEL III

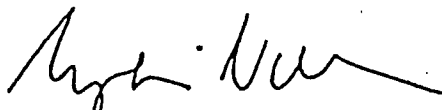
SEN. CHRISTOPHER BONG GO



SEN. FRANCIS "TOL" N. TOLENTINO



SEN. RAMON BONG REVILLA JR.



SEN. CYNTHIA A. VILLAR

SEN. FRANCIS "KIKO" PANGILINAN


SEN. RISA HONTIVEROS

Ex Officio Members

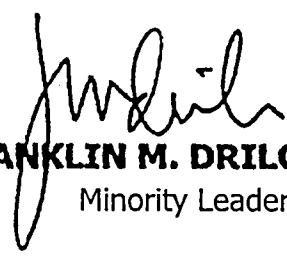


RALPH G. RECTO
President Pro Tempore

May amend



JUAN MIGUEL F. ZUBIRI
Majority Leader

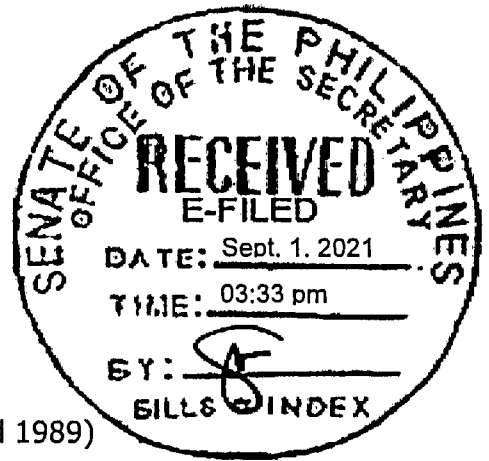


FRANKLIN M. DRILON
Minority Leader

HON. VICENTE C. SOTTO III
Senate President

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE
S.B. No. 2377



(In substitution of S.B. Nos. 372 and 1989)

Prepared by the Committee on Electoral Reforms and People's Participation
with Senators De Lima, Sotto, and Marcos as authors thereof

AN ACT
AMENDING REPUBLIC ACT NO. 7941, ENTITLED "AN ACT PROVIDING FOR
THE ELECTION OF PARTY-LIST REPRESENTATIVES THROUGH THE
PARTY-LIST SYSTEM, AND APPROPRIATING FUNDS THEREFOR,"
OTHERWISE KNOWN AS THE 'PARTY-LIST SYSTEM ACT',
AND FOR OTHER PURPOSES

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

1 SECTION 1. Republic Act No. 7941 is hereby amended by inserting a new
2 Section 3 to read as follows:

3 "SEC. 3. **CLASSIFICATION OF GROUPS UNDER THE**
4 **PARTY-LIST SYSTEM. – THE PARTY-LIST SYSTEM SHALL BE**
5 **DIVIDED INTO TWO CLASSIFICATIONS: (A) POLITICAL**
6 **PARTIES, AND (B) SECTORAL PARTIES OR ORGANIZATIONS.**
7 **FIFTY PERCENT (50%) OF THE SEATS ALLOCATED FOR THE**
8 **PARTY-LIST SHALL BE RESERVED FOR POLITICAL PARTIES**
9 **AND THE OTHER FIFTY PERCENT (50%) SHALL BE RESERVED**
10 **FOR SECTORAL PARTIES OR ORGANIZATIONS: PROVIDED,**
11 **THAT IN CASE OF AN ODD NUMBER IN THE TOTAL NUMBER**

1 OF SEATS TO BE ALLOCATED, THE SAME SHALL BE ALLOCATED
2 TO THE PARTY-LIST GROUP NEXT IN RANK IN TERMS OF
3 TOTAL NUMBER OF VOTES REGARDLESS OF
4 CLASSIFICATION. IN THE EVENT OF A TIE, PRIORITY
5 SHOULD BE GIVEN TO THE MOST NUMBER OF
6 PARTICIPATING PARTY-LIST GROUP ON ITS FIRST
7 OCCURRENCE."

8 SEC. 2. Section 3 of Republic Act No. 7941 is hereby amended to read as
9 follows:

10 "SEC. [3]4. *Definition of Terms.* – (a) xxx.

11 (b) xxx.

12 (c) xxx.

13 xxx.

14 (d) xxx.

15 (e) xxx.

16 (f) xxx.

17 (G) **MARGINALIZED AND UNDERREPRESENTED**
18 REFERS TO THE SECTORS MENTIONED IN ARTICLE VI,
19 SECTION 5 OF THE CONSTITUTION THAT ARE, BY NATURE,
20 ECONOMICALLY, POLITICALLY, CULTURALLY, OR SOCIALLY
21 MARGINALIZED FROM, AND/OR UNDERREPRESENTED IN,
22 MAINSTREAM ECONOMIC, POLITICAL, CULTURAL, OR
23 SOCIAL ACTIVITIES. THESE SECTORS INCLUDE LABOR,

1 PEASANT, FISHERFOLK, URBAN POOR, INDIGENOUS
2 CULTURAL COMMUNITIES OR INDIGENOUS PEOPLES,
3 PERSONS WITH DISABILITIES, VETERANS, OVERSEAS
4 WORKERS, AND OTHER SIMILAR SECTORS.

5 SEC. 3. Section 4 of Republic Act No. 7941 is hereby amended to read as
6 follows:

7 "SEC. [4]5. *Manifestation to Participate in the Party-List*
8 *System.* – Any party, organization, or coalition already registered with
9 the [~~Commission~~] COMELEC need not register anew. However, such
10 party, organization, or coalition shall file with the [~~Commission~~]
11 COMELEC, not later than [~~ninety (90) days~~] **ONE (1) YEAR** before
12 the election, a manifestation of its desire to participate in the party-list
13 system **AND WHETHER IT IS PARTICIPATING AS A POLITICAL**
14 **PARTY OR A SECTORAL PARTY OR ORGANIZATION:**
15 **PROVIDED, THAT THE COMELEC SHALL CLASSIFY THE PARTY-**
16 **LIST GROUP AS A POLITICAL PARTY OR A SECTORAL PARTY**
17 **OR ORGANIZATION."**

18 SEC. 4. Section 5 of Republic Act No. 7941 is hereby amended to read as
19 follows:

20 "SEC. [5]6. *Registration.* – Any organized group of persons
21 may register as a party, organization or coalition for purposes of the
22 party-list system by filing with the COMELEC not later than [~~ninety~~
23 ~~(90) days~~] **ONE (1) YEAR** before the election a petition verified by its
24 president or secretary stating its desire to participate in the party-list
25 system as a [~~national, regional or sectoral party or organization or a~~
26 ~~coalition of such parties or organizations~~] **NATIONAL OR**
27 **REGIONAL PARTY OR COALITION OF POLITICAL PARTIES OR**
28 **A SECTORAL PARTY OR ORGANIZATION OR COALITION OF**

1 **SECTORAL PARTIES**, attaching thereto its constitution, by-laws,
2 platform or program of government, list of officers, coalition
3 agreement and other relevant information as the COMELEC may
4 require: *Provided*, That the sectors shall include labor, peasant,
5 fisherfolk, urban poor, indigenous cultural communities **OR**
6 **INDIGENOUS PEOPLES**, elderly, [handicapped] **PERSONS WITH**
7 **DISABILITIES**, women, youth, veterans, overseas workers, and
8 professionals.

9 xxx.

10 xxx."

11 SEC. 5. Section 6 of Republic Act No. 7941 is hereby amended to read as
12 follows:

13 **SEC. [6]7. Refusal and/or Cancellation of Registration.** – The
14 COMELEC may, *motu proprio* or upon verified complaint of any
15 interested party, refuse or cancel, after due notice and hearing, the
16 registration of any national, regional or sectoral party, organization or
17 coalition on any of the following grounds:

18 (1) xxx;

19 (2) xxx;

20 (3) xxx;

21 (4) xxx;

22 (5) xxx;

1 (6) xxx;

2 (7) xxx; [or]

3 (8) xxx;

4 (9) MATERIAL MISREPRESENTATION OF THE
5 QUALIFICATION OF ITS NOMINEES; OR

6 (10) FINDINGS BY FINAL JUDGMENT THAT IT
7 DIRECTLY OR INDIRECTLY PARTICIPATED IN ACTS
8 DETRIMENTAL TO THE BEST INTEREST OF THE GOVERNMENT,
9 TO OVERTHROW THE GOVERNMENT OR DIMINISH ITS
10 POWERS, OR TO BE ASSOCIATED BY ANY MEANS TO REBELS
11 OR THOSE DESIGNATED AND/OR PROSCRIBED TERRORIST
12 PERSONS UNDER REPUBLIC ACT NO. 11479 OR "THE ANTI-
13 TERRORISM ACT OF 2020."

14 SEC. 6, Section 7 of Republic Act No. 7941 is hereby amended to read as
15 follows:

16 "SEC. [7]8. *Certified List of Registered Parties.* – The
17 COMELEC shall, not later than sixty (60) days before election, prepare
18 a certified list of [~~national, regional, or sectoral parties, organizations~~
19 ~~or coalitions~~] **NATIONAL OR REGIONAL PARTIES OR**
20 **COALITION OF POLITICAL PARTIES AND A CERTIFIED LIST**
21 **OF SECTORAL PARTIES OR ORGANIZATIONS OR COALITION**
22 **OF SECTORAL PARTIES** which have applied or who have
23 manifested their desire to participate under the party-list system and
24 distribute copies thereof to all precincts for posting in the polling
25 places on election day. The names of the party-list nominees shall not
26 be shown on the certified list."

1 SEC. 7. Section 8 of Republic Act No. 7941 is hereby amended to read as
2 follows:

3 "SEC. [8]9. *Nomination of Party-List Representatives.* – xxx.

4 A person may be nominated in one (1) list only. Only persons
5 who have given their consent in writing may be named in the list. The
6 list shall not include any candidate for any elective office or a person
7 who has lost his bid for an elective office in the immediately preceding
8 election. No change of names or alteration of the order of nominees
9 shall be allowed after the same shall have been submitted to the
10 COMELEC except in cases where the nominee dies, or withdraws in
11 writing his nomination, becomes incapacitated in which case the name
12 of the substitute nominee shall be placed last in the list. Incumbent
13 [sectoral] **PARTY-LIST** representatives in the House of
14 Representatives who are nominated in the party-list system shall not
15 be considered resigned."

16 SEC. 8. Section 9 of Republic Act No. 7941 is hereby amended to read as
17 follows:

18 "SEC. [9]10. *Qualifications of Party-List Nominees.* – No
19 person shall be nominated as party-list representative unless he is a
20 natural-born citizen of the Philippines, a registered voter, a resident of
21 the Philippines for a period of not less than one (1) year immediately
22 preceding the day of the election, able to read and write, a *bona fide*
23 member of the party or organization which he seeks to represent for
24 at least [ninety-(90)-days] preceding the day of the election, and is at
25 least twenty-five (25) years of age on the day of the election:
26 **PROVIDED, THAT THE NOMINEES OF A SECTORAL PARTY OR**
27 **ORGANIZATION MUST BELONG TO THE MARGINALIZED AND**

1 **UNDERREPRESENTED SECTOR WHICH THEY SEEK TO**
2 **REPRESENT.**

3 xxx."

4 SEC. 9. Section 10 of Republic Act No. 7941 is hereby amended to read as
5 follows:

6 "SEC. [~~10~~]**11. Manner of Voting.** – Every voter shall be
7 entitled to [~~two (2)~~] **THREE (3)** votes: the first is a vote for candidate
8 for member of the House of Representatives in his legislative district,
9 [and] the second, a vote for the **POLITICAL** party[~~, organization,~~] or
10 coalition he wants represented in the House of Representatives, **AND**
11 **THE THIRD, A VOTE FOR THE SECTORAL PARTY OR**
12 **ORGANIZATION UNDER THE PARTY-LIST SYSTEM WHICH HE**
13 **WANTS REPRESENTED IN THE HOUSE OF REPRESENTATIVES:**
14 *Provided,* That a vote cast for a party, sectoral organization, or
15 coalition not entitled to be voted for shall not be counted: *Provided,*
16 *finally,* That the first election under the party-list system shall be held
17 in May 1998.

18 xxx."

19 SEC. 10. Section 11 of Republic Act No. 7941 is hereby amended to read as
20 follows:

21 **SEC. [~~11~~]**12. Number of Party-List Representatives.** – xxx.**

22 xxx.

23 In determining the **EQUAL** allocation of seats for the [~~second~~
24 ~~vote~~] **POLITICAL PARTIES OR COALITION OF PARTIES AND**

1 **THE SECTORAL PARTIES OR ORGANIZATION UNDER THE**
2 **PARTY-LIST SYSTEM, PURSUANT TO SECTION 3 HEREOF,** the
3 following procedure shall be observed:

4 (a) xxx.

5 (b) The parties, organizations, and coalitions receiving at
6 least two percent (2%) of the total votes cast for the party-list system
7 **FOR POLITICAL PARTIES AND SECTORAL PARTIES OR**
8 **ORGANIZATIONS, RESPECTIVELY,** shall be entitled to one seat
9 each: *Provided,* That those garnering more than two percent (2%) of
10 the votes shall be entitled to additional seats in proportion to their total
11 number of votes: *Provided, finally,* That each party, organization, or
12 coalition shall be entitled to not more than three (3) seats."

13 SEC. 11. Section 12 of Republic Act No. 7941 is hereby amended to read as
14 follows:

15 **"SEC. [12]13.** *Procedure in Allocating Seats for Party-List*
16 *Representatives.* – The COMELEC shall **SEPARATELY** tally all the
17 votes for the **POLITICAL** parties, **AND SECTORAL PARTIES OR**
18 organizations [~~, or coalitions~~] on a nationwide basis, rank them
19 according to the number of votes received and allocate party-list
20 representatives proportionately according to the percentage of votes
21 obtained by each party, organization, or coalition as against the total
22 nationwide votes cast for the party-list system."

23 All succeeding sections of Republic Act No. 7941 are hereby renumbered
24 accordingly.

25 SEC. 12. *Separability Clause.* – Should any part of this Act be declared
26 unconstitutional, the other parts not affected thereby shall remain valid and effective.

1 SEC. 13. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
2 portions thereof, which are inconsistent with the provisions of this Act, are hereby
3 repealed, amended, or modified accordingly.

4 SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its
5 publication in a newspaper of general circulation.

Approved,