

SENATE
S. No. 1457

RECEIVED BY: *[Signature]*
Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The purpose of Republic Act No. 7941, otherwise known as the 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.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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

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

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

6 "Sec. 8. Nomination of Party List Representatives. - Each registered party
7 organization or coalition shall submit to the COMELEC not later than forty five
8 (45) days before the election a list of names, not less than five (5), at least
9 FORTY PERCENT (40%) of which must be women, from which party
10 representatives shall be chosen in case it obtains the required number of votes:
11 PROVIDED, THAT EACH REGISTERED PARTY, ORGANIZATION, OR
12 COALITION, BEFORE SUBMITTING THE LIST TO THE COMELEC,
13 NOMINATED AMONG THEMSELVES, REPRESENTATIVES OF AN EVEN
14 NUMBER, FIFTY PERCENT (50%) OF WHICH ARE WOMEN WHO, ASIDE
15 FROM HAVING THE QUALIFICATIONS LISTED UNDER SECTION 9 OF
16 THIS ACT, ARE ALSO RECOGNIZED AS CHAMPIONS OF WOMEN'S
17 CAUSES: PROVIDED, FURTHER, THAT THE FINAL FIVE
18 REPRESENTATIVES WILL CONSIST OF TWO MEN AND TWO WOMEN
19 CHOSEN BY THE REGISTERED PARTY ORGANIZATION OR
20 COALITION, WITH THE LAST REPRESENTATIVE CHOSEN BY
21 DRAWING LOTS AMONG THE REMAINING NOMINEES: PROVIDED,

1 FINALLY, THAT THE RANKING OF THE FINAL FIVE
2 REPRESENTATIVES, BE DONE BY DRAWING LOTS, WITH AT LEAST
3 ONE OF THE FIRST THREE POSITIONS TO BE OCCUPIED BY A WOMAN
4 NOMINEE.

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

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

16 “Sec. 11. Number of Party-List Representatives. - The party-list
17 representative shall constitute twenty per centum (20%) of the total number of the
18 members of the House of Representative including those under the party-list. For
19 the purposes of the May 1998 election, the first five (5) major political parties on
20 the basis of party representation in the House of Representatives at the start of the
21 Tenth Congress of the Philippines AND NEW POLITICAL PARTIES FORMED
22 BY THE DISQUALIFIED POLITICAL PARTIES AS DETERMINED BY
23 THEIR MEMBERSHP OR AFFILIATION shall not be entitled to participate in
24 the party-list system. In determining the allocation of seats for the second vote,
25 the following procedures shall be observed:

1 a) the parties, organizations, and coalitions shall be ranked from the
2 highest to the lowest based on the number of votes they garnered during the
3 elections.

4 b) the parties, organizations, and coalitions receiving at least two percent
5 (2%) of the total votes cast for the party list system shall be entitled to one seat
6 each: Provided, That those garnering more than two percent (2%) of the votes
7 shall be entitled to additional seats in proportion to their total number of votes:
8 [Provided further, That half of those appointed under the party-list must be
9 women:] Provided, finally, That each party, organization, or coalition shall be
10 entitled to not more than three (3) seats.”

11 SECTION 3. Repealing Clause. - Any law, presidential decree *or* issuance, executive
12 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
13 with, the provision of this Act is hereby repealed, modified, or amended accordingly.

14 SECTION 4. Separability Clause. - If any provision or part hereof, is held invalid or
15 unconstitutional, the remainder of the law or the law or the provision not otherwise affected shall
16 remain valid and subsisting.

17 SECTION 5. Effectivity Clause. - This Act shall take fifteen (15) days after its
18 publication in at least two (2) newspapers of general circulation.

Approved,