


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. No. 1688

18 FEB 12 P5:06

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV 

AN ACT
PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES

EXPLANATORY NOTE

There is a cry for change among the Filipino people and, with it, a plea for better public services and excellent government leaders.

While some may believe that the answer lies in an iron fist, those of us who still have faith in the power of the people believe that the answer lies in more choices, better choices of candidates during elections.

We need to encourage and empower more Filipinos with the passion for service, the ability to provide sound solutions and the will to create change, to run for office and transform the Philippine government from within.

Prohibiting and limiting the powers of a political dynasty is one firm step in that direction – a move that is supported, even demanded, by our cherished Constitution.

Article II, Section 26 of the 1987 Constitution states that, "*The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.*" Yet no law has been passed to implement this constitutional provision.

Without an implementing law and no restrictions, political dynasties have come to occupy 70% of Congress. In Local Government Units, 85% of governors, 75% of vice-governors, and a large share of mayors (66%) and vice-mayors (50%) from outside the NCR were also revealed to be from dynastic families.¹

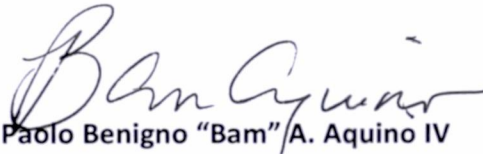
¹ Albert, J.R.G., Mendoza, R. Yap, D.B. and Cruz J.F. 2015. *Regulating Political Dynasties toward a More Inclusive Society*. <https://dirp4.pids.gov.ph/webportal/CDN/PUBLICATIONS/pidspn1514.pdf>

Thus, it is our duty to work on the swift passage of the Anti-Political Dynasty Act in the hopes of creating opportunities for new leaders with new names, ideas, solutions, and dreams for our beloved country.

Let's enjoin more brilliant Filipinos to play a larger role in shaping this nation as elected government officials. And let's give the Filipino people a variety of excellent candidates with new names and faces to cast their votes for and place their hopes in.

Let's build on our democracy and create a nation where our citizens have real choices with regards to their leaders, and where elections are won through merit and competence.

In view of the foregoing, the passage of this bill is earnestly sought.

A handwritten signature in black ink, reading "Bam Aquino". The signature is written in a cursive, flowing style with a large initial "B".

Senator Paolo Benigno "Bam" A. Aquino IV

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

- 1 **SECTION 1. Title.** — This Act shall be known as the "Anti-Political Dynasty Act".
- 2 **SEC. 2. Declaration of Policy.** — It is hereby the policy of the State to guarantee equal
3 access and opportunity to public office and service to the public. Towards this end, it
4 is likewise declared the policy of the State to prohibit political dynasties as hereinafter
5 defined.
- 6 **SEC. 3. Definition of Terms.** — For the purposes of this Act, the following terms shall
7 be used:
- 8 (a) "Political Dynasty" - the concentration, consolidation or perpetuation of public
9 office and political power by persons related to one another.
- 10 (b) "Political Dynasty Relationship" - exists when a person who is the spouse of an
11 incumbent elective official or a relative within the third civil degree of consanguinity
12 or affinity of an incumbent elective official holds or runs for an elective office
13 simultaneously with the incumbent elective official within the same city and/or
14 province or occupies the same office immediately after the term of office of the
15 incumbent elective official. A political dynasty shall also be deemed to exist where two
16 (2) or more persons who are spouses or are related within the third civil degree of
17 consanguinity or affinity run simultaneously for elective public office within the same
18 city and/or province, even if neither is so related to an incumbent elective official.
- 19 (c) "Spouse" - the legal or common law wife or husband of the incumbent elective
20 official.
- 21 (d) "Third Civil Degree of Consanguinity or Affinity" - includes the relatives of a person
22 who may be the latter's brother or sister, direct ascendant or direct descendant,
23 whether legitimate or illegitimate, full or half blood, including their spouses.

1 (e) "Term limits" - the maximum term limits for elected public officials as provided for
2 in the Constitution.

3 (f) "Running for an Elective Office" - deemed to commence upon the filing of the
4 certificate of candidacy by a candidate with the Commission on Elections (COMELEC).

5 (g) "Holding an Elective Office" - deemed to commence from the moment the public
6 official takes his or he oath of office.

7 **SEC. 4. Applicability.** — This Act shall govern and be applicable to the next elections
8 and to all subsequent elections thereafter.

9 **SEC. 5. Persons Covered; Prohibited Candidates.** — No spouse, or person related
10 within the third degree of consanguinity or affinity, whether legitimate or illegitimate,
11 full or half blood, to an incumbent elective official seeking re-election shall be allowed
12 to hold or run for any elective office in the same province in the same election.

13 In the case of constituency of the incumbent elective official is national in character,
14 the above relatives shall be disqualified from running only within the same province
15 where the former is registered voter.

16 In case where none of the candidates is related to an incumbent elective official within
17 the third degree of consanguinity or affinity, but are related to one another within the
18 said prohibited degree, they, including their spouses, shall be disqualified from holding
19 or running for any local elective office within the same province in the same election.

20 In all cases, no person within the prohibited civil degree of relationship to the
21 incumbent shall immediately succeed to the position of the latter.

22 **SEC. 6. Statement with the Commission on Elections.** — Any person running for any
23 elective public office shall file a sworn statement with the COMELEC that he or she
24 does not have a political dynasty relationship with an incumbent elective official
25 running for an elective public office in the same city and/or province other than that
26 of the position earlier mentioned.

27 **SEC. 7. Effect of Violation of the Prohibition.** — The COMELEC shall, motu proprio or
28 upon verified petition of any interested party, deny due course to any certificate of
29 candidacy filed in violation of this Act and the votes cast for the disqualified candidate,
30 if any, shall not be counted and deemed not counted nor shall such candidate be
31 proclaimed nor be qualified to assume office.

32 **SEC. 8. Period for Filing Petition for Disqualification.** — Any citizen of voting age
33 candidate or duly registered political party, organization, or coalition of political
34 parties may file with the COMELEC, after the last day for filing of certificates of
35 candidacy and before proclamation, a petition to disqualify a candidate on grounds
36 provided for under Section 5 hereof.

1 In the event a candidate disqualified under this Act shall have been proclaimed and
2 has assumed office, his or her political dynasty relationship shall be a ground for
3 disqualification in appropriate quo warranto or other proceedings.

4 **SEC. 9. Summary Proceedings.** — The petition shall be heard and decided summarily
5 by the COMELEC, after due notice and hearing, and its decision shall be executory after
6 the lapse of five (5) days from receipt thereof by the losing party.

7 **SEC. 10. Effect of Petition if Unresolved Before Completion of Canvass.** — If the
8 petition, for reasons beyond the control of the COMELEC, cannot be decided before
9 the completion of the canvass, the votes cast for the respondent shall be included in
10 the counting and canvassing: Provided further, that in cases where disqualified
11 candidate has been proclaimed he or she shall forfeit his or her rights to the office
12 upon the decision of the COMELEC, as the case maybe.

13 **SEC. 11. Implementing Rules and Regulation.** — The COMELEC shall promulgate the
14 rules and regulation for the implementation of the provisions of this Act.

15 **SEC. 12. Repealing Clause.** — All laws inconsistent with the provisions of this Act are
16 hereby repealed or modified accordingly.

17 **SEC. 13. Separability Clause.** — If any of the sections or provisions of this Act is held
18 invalid, all the other provisions are not affected thereby shall remain valid.

19 **SEC. 14. Effectivity Clause.** — This Act shall take effect fifteen (15) days from the date
20 of its publication in at least two (2) newspapers of general circulation in the
21 Philippines.

22 Approved,