

SENATE
S.B. No. 1696

'18 FEB 15 P1:42

Introduced by SENATOR ANA THERESIA "RISA" HONTIVEROS-BARAQUIEL

RECEIVED BY

AN ACT
PROMOTING WOMEN PARTICIPATION AND EQUITABLE REPRESENTATION IN AND BY
POLITICAL PARTIES, GIVING INCENTIVES THEREFOR, CREATING THE WOMEN IN
POLITICAL PARTIES EMPOWERMENT FUND, AND FOR OTHER PURPOSES

Women have been at the cornerstone of the development of Philippine society. The numerous contributions of women have continuously shown their invaluable worth to society. Their importance has been enshrined in our 1987 Constitution, highlighting the role of women in nation building; ensuring the equality between women and men. But while the Philippines remains to be at the forefront of tilting the gender gap, this has not translated to women in the highest forms of government.

The Philippines ranks top ten (10) in the Global Gender Gap Index according to the World Economic forum, slipping three (3) spots from last year. The country also belongs to the top thirteen (13) in terms of Political Empowerment. This, however has not translated to an increase in women leadership in politics and governance. In all of our electoral experiences, there have been more men participating and winning the elections. Only two (2) out of our sixteen (16) Commander-in-chiefs have been women. In the 17th Congress, only six (6) of the twenty-four (24) senators are women; while only eighty-three (83) out of the two hundred ninety-four (294) seats in the Lower house are occupied by women. The current Supreme Court houses only three (3) women justices.

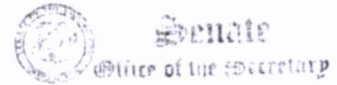
There is an abundance of laws and international treaties encouraging the State to take action in ensuring the participation of women in government. Among them is the Magna Carta for Women that seeks to address the inequality and discrimination of women in society. Section 11 of the Magna Carta emphasizes the role of the State in facilitating the equitable representation of women in policy-making and governance. The Philippines has also been a signatory of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which upholds the fundamental equality of men and women. Article 8 of the CEDAW also provides for States to take appropriate measures to eliminate discrimination and participate in government policy in all levels of government.

Genuine political parties, as essential components of electoral politics would count among the more structured and efficient means by which women are encouraged and developed into effective leaders. With the need for a more equitable representation for women in all levels of society, this bill aims to address this particular gap by institutionalizing an incentive system within political parties to encourage more women participation in politics and governance, thus creating a more gender-balanced public service system. Providing incentives to political parties to strengthen their gender and development agenda, and fielding women candidates shall promote equal representation and ensure that women's interests and needs will be included in decision-making processes in all levels of government.

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

ANA THERESIA "RISA" HONTIVEROS-BARAQUIEL

)
)
)



SENATE

S.B. No. 1696

'18 FEB 15 P1:42

RECEIVED BY: _____

Introduced by SENATOR ANA THERESIA "RISA" HONTIVEROS-BARAQUIEL

AN ACT
PROMOTING WOMEN PARTICIPATION AND EQUITABLE REPRESENTATION IN
AND BY POLITICAL PARTIES, GIVING INCENTIVES THEREFOR, CREATING THE
WOMEN IN POLITICAL PARTIES EMPOWERMENT FUND, AND FOR OTHER
PURPOSES

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

1 **SECTION 1. Short title.**—This Act shall be known as the “*Women Participation and*
2 *Representation in Political Parties Act of 2018.*”
3

4 **SECTION 2. Declaration of policy.**—Pursuant to Section 14, Article II (State
5 Policies) of the *1987 Philippine Constitution*, which recognizes the role of women in
6 nation-building and ensures fundamental equality before the law of men and
7 women, and to Section 14, Article XIII (Social Justice and Human Rights) of the same
8 *Constitution*, which makes it an obligation of the State to provide facilities and
9 opportunities for women that will enhance and enable them to realize their full
10 potential in the service of the nation, it is hereby declared the policy of the State to
11 promote women participation and equitable representation of women by providing
12 incentives to political parties which have women agenda and which have internal
13 policies which promote women participation and equitable representation.
14

15 **SECTION 3. Definition of terms.**—As used in this Act:
16

17 (a) “*Campaign expenditures*” shall refer to any type of expense incurred, regardless
18 of source and purpose, that relates directly or indirectly, to the conduct of the
19 electoral campaign of a woman candidate. It includes all payments of money or
20 anything of value, or a contract, promise or agreement to spend, for the purpose
21 of influencing the results of the elections. It includes the use of office space and
22 facilities personally owned by the woman candidate, the monetary value of
23 which shall be assessed based on the market rates prevailing in a particular area:
24 *Provided, That for purposes of this Act, the term shall refer exclusively and*
25 *specifically to campaign expenditures of women candidates.*
26

27 (b) “*Certified political party*” shall refer to a political party qualified to receive
28 incentives for the development and implementation of its women and gender
29 and development agenda and to augment funds reserved for the campaign
30 expenditures of its women candidates, and certified as such by the Philippine
31 Commission on Women, with the assistance of the Commission on Elections.
32

33 (c) “*Disclosure requirement*” shall refer to the duty of women candidates and
34 political parties, as defined in this Act, to reveal the details of the incentives and

1 expenditures given and received by them as incentives and their share in the
2 *Women in Political Parties Empowerment Fund*.

3
4 (d) "*Woman member of a political party*" shall refer to a natural person of good
5 standing in a political party who complied with the requirements of party
6 membership, including the payment of membership dues, and coming from the
7 women sector.

8
9 (e) "*Political party*" shall refer to a political party, party-list or an organized group of
10 persons duly registered with the Commission on Elections, pursuing or
11 advocating a platform, principles and policies for the general conduct of
12 government and which nominates and supports its members as candidates for
13 public office.

14
15 (f) "*Women in Political Parties Empowerment Fund*" or "*Fund*" shall refer to the fund
16 for the development and implementation of a political party's women and
17 gender and development agenda, and which may be used to augment funds for
18 the campaign activities of women candidates, as provided for by this Act.

19
20 **SECTION 4. *Development and implementation of a women and gender and***
21 ***development agenda.***—Political parties are mandated to craft and implement a
22 clear women and gender and development agenda and program consistent with
23 their party philosophy and ideals. The members of the political party shall endeavor
24 to act in accordance with this agenda and pursue programs to fulfill party
25 commitments.

26
27 **SECTION 5. *Participation and equitable representation in political parties.***—
28 Women representation in a political party shall refer to the integration of women in
29 the leadership of a political party and its internal policy-making structures:
30 *Provided*, That such leaders are *bona fide* women members of the political party:
31 *Provided, further*, That women representation in a political party shall be equitable
32 whenever women leaders occupy at least thirty percent (30%) of the leadership and
33 internal policy-making structures of the political party: *Provided, finally*, That the
34 Philippine Commission on Women, with the assistance of the Commission on
35 Elections, shall certify the equitable nature of representation in a political party.

36
37 **SECTION 6. *Participation and equitable representation by political parties.***—
38 Women representation by a political party shall refer to the nomination of women
39 as official candidates of the political party to elective positions in the government:
40 *Provided*, That such nominees are *bona fide* women members of the political party:
41 *Provided, further*, That women representation by a political party shall be equitable
42 whenever at least thirty percent (30%) of women are nominated as official
43 candidates of the political party: *Provided, further*, That the Philippine Commission
44 on Women, with the assistance of the Commission on Elections, shall certify the
45 equitable nature of representation by a political party.

46
47 **SECTION 7. *Incentives for equitable representation in and by a political party.***—
48 A political party registered with the Commission on Elections, and certified by the
49 Philippine Commission on Women to have equitable representation as stated in
50 Sections 5 and 6 of this Act, shall be allowed to access the *Women in Political Parties*
51 *Empowerment Fund*, established by virtue of this Act, to fund their women and
52 gender and development agenda, and to augment funds for the campaign
53 expenditures of their women candidates.

54
55 **SECTION 8. *Establishment of the Women in Political Parties Empowerment***
56 ***Fund.***—There is hereby established a *Women in Political Parties Empowerment*
57 *Fund*, hereinafter referred to as the "*Fund*," which shall be the source of incentives
58 for political parties complying with Section 7 of this Act. The incentives given to

1 political parties from the *Fund* shall be used directly and exclusively for the
2 following purposes:

- 3
4 (a) Development and implementation of the political party's women and gender and
5 development agenda, and
6 (b) Finance of the campaign activities of the political party's women candidates.
7

8 The share of each of the political parties from the *Fund* shall be released only upon
9 proof that the concerned political party has raised an amount specifically for the
10 development and implementation of the political party's women and gender and
11 development agenda: *Provided*, That the notwithstanding Sections 5, 6 and 7 of this
12 Act, no political party shall be given its share in the *Fund* until it has given proof that
13 there are political party funds segregated and reserved for the political party's
14 women and gender and development agenda: *Provided, further*, That the amount to
15 be released shall be equal to the amount so segregated and reserved: *Provided,*
16 *finally*, That unreleased amounts because of the political party's failure to segregate
17 and reserve such amounts, if any, shall be forfeited and reverted to the General Fund
18 of the government.
19

20 For purposes of this Act, all releases from the *Fund* during a non-election year shall
21 be used exclusively for the political party's women and gender and development
22 agenda. Amounts released from the *Fund* during an election year shall be divided as
23 follows: (1) sixty percent (60%) shall be used for campaign expenditures, and forty
24 percent (40%) shall be used for women and gender and development agenda.
25

26 The political parties availing of the incentives from the *Fund* shall maintain a
27 separate financial account for the amounts given them by virtue of this Act.
28

29 **SECTION 9. Allowable women and gender and development activities.**—The
30 Commission on Elections and the Philippine Commission on Women shall provide a
31 comprehensive list of specific activities which shall be considered as a development
32 and implementation activity under Section 8 of this Act.
33

34 **SECTION 10. Certification.**—A political party which conforms with Section 5 and 6
35 of this Act, and which desires to be entitled to the incentives, rights and privileges
36 and to perform the responsibilities, provided in this Act, may ask for a Certification
37 from the Philippine Commission on Women, under such rules and regulations as the
38 Philippine Commission on Women shall prescribe consistent with the provisions of
39 this Act. The criteria in Sections 5 and 6 of this Act shall set the eligibility
40 requirement for the said Certification. A duly-certified political party shall be
41 entitled to the incentives, rights and privileges and to perform the responsibilities,
42 as provided in Section 7 and Section 11 of this Act.
43

44 **SECTION 11. Full disclosure.**—The officials of a political party certified by the
45 Philippine Commission on Women to be eligible and which, in fact, has availed of the
46 incentives under Section 7 of this Act, shall be required to submit with the
47 Philippine Commission on Women, the Commission on Elections and the
48 Commission on Audit a public disclosure of the amounts it received and the
49 expenditures made thereon at the end of every fiscal year.
50

51 **SECTION 12. Failure to comply with disclosure requirements.**—Failure of a
52 certified political party to comply with the provisions of this Act, particularly with
53 Section 11, will result in its disqualification from receiving a share in the *Fund* and
54 the forfeiture of all rights and privileges to which the said political party would have
55 been entitled under this Act.
56

57 **SECTION 13. Appropriations.**—The amount necessary for the implementation of
58 the provisions of this Act shall be included in the General Appropriations Act.

1
2 **SECTION 14. *Lead agency, implementing rules and regulations.***—The Philippine
3 Commission on Women is hereby mandated as the regulatory and certifying agency
4 charged with enforcing the provisions of this Act, and shall promulgate the
5 necessary rules and regulations to effectively implement the provisions of this Act.

6 **SECTION 15. *Separability Clause.***—If any part, section or provision of this Act is
7 held invalid or unconstitutional, other provisions not affected thereby shall remain
8 in full force and effect.

9
10 **SECTION 16. *Repealing Clause.***—All laws, decrees, orders, rules and regulations or
11 other issuances, which are inconsistent with the provisions of this Act, particularly
12 those in the Magna Carta of Women (R.A. 9710), if any, are hereby repealed,
13 amended or modified accordingly.

14
15 **SECTION 29. *Effectivity.***—This Act shall take effect fifteen (15) days after its
16 publication in at least two (2) newspapers of general circulation.

17
18 Approved,