

JUL 15 09:02

SENATE

Senate Bill No. 422



---

Introduced by Senator FRANCIS N. PANGILINAN

---

AN ACT  
AMENDING REPUBLIC ACT NO. 7166 OTHERWISE KNOWN AS AN ACT  
PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND  
FOR ELECTORAL REFORMS, AS AMENDED BY REPUBLIC ACT NO. 9369, AND  
FOR OTHER PURPOSES

EXPLANATORY NOTE

Democracy requires and protects a variety of voices. A system of checks and balances, especially in the electoral process, is essential for democratic institutions, such as ours, to flourish.

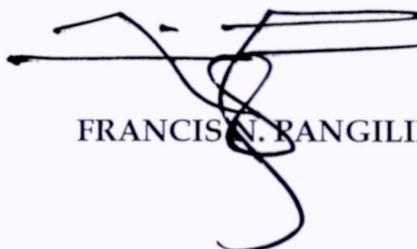
In this regard, election laws, such as the Omnibus Election Code, Republic Act No. 7166, Republic Act No. 8436, and Republic Act No. 9369, have established a political party system, which aims to provide checks and balances during national and local elections. For example, the dominant majority and dominant minority parties are given preferential treatment as regards access to election returns, certificates of canvass, watchers, and the Commission on Elections (COMELEC) transparency server, among others. Ideally, this system should contribute to the strengthening of our democracy. However, due to the current language of Republic Act No. 7166, as amended by Republic Act No. 9369, it is possible for the dominant majority party and the dominant minority party to come from the same side of the political coin. This happened in the 2019 national and local elections.

This bill seeks to clarify the definition of the term "dominant minority party" in Republic Act No. 7166, as amended by Republic Act No. 9369, in order to prevent a situation where both the dominant majority party and the dominant minority party are allies - thereby destroying the system of checks and balances that these election laws sought to establish.

The definition proposed in this bill is similar to the definition of "dominant opposition party" in Section 274 of the Omnibus Election Code, which reads: "the dominant opposition party shall be that political party, group or organization or coalition of major national or regional political parties opposed to the majority party which has the capability to wage a bona fide nationwide campaign." In the proposed definition, parties are disqualified from being declared as the dominant minority party if it is not opposed to the dominant minority party, or if they have a coalition, partnership, alliance, or any similar arrangement.

This bill also proposes an amendment stating that the COMELEC should pay for the per diem of the official watchers of the dominant majority and dominant minority parties. Such proposed measure is in line with the constitutional mandate to provide equal opportunities to the candidates/political parties. With this proposed measure, availability of resources shall not affect the capacity of the parties to monitor and guard its candidates' votes in each and every precinct.

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

A handwritten signature in black ink, appearing to read 'Francis N. Rangilinan', is written over a horizontal line. The signature is stylized and somewhat illegible due to the cursive nature of the writing.

FRANCIS N. RANGILINAN

SENATE

'19 JUL 15 A9:02

Senate Bill No. 422

RECEIVED BY: 

---

Introduced by Senator FRANCIS N. PANGILINAN

---

AN ACT  
AMENDING REPUBLIC ACT NO. 7166 OTHERWISE KNOWN AS AN ACT  
PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND  
FOR ELECTORAL REFORMS, AS AMENDED BY REPUBLIC ACT NO. 9369, AND  
FOR OTHER PURPOSES

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

1        **SECTION 1.** Section 26 of Republic Act No. 7166, as amended by Section 34 of  
2 Republic Act No. 9369, is hereby further amended to read as follows:

3        "Section 26. Official Watchers. - Every registered political party or coalition of  
4 political parties, and every candidate shall each be entitled to one watcher in  
5 every polling place and canvassing center: Provided That, candidates for the  
6 Sangguniang Panlalawigan, Sangguniang Panlungsod, or Sangguniang Bayan  
7 belonging to the same slate or ticket shall collectively be entitled to only one  
8 watcher.

9        The dominant majority party and dominant minority party, which the  
10 Commission shall determine in accordance with law, shall each be entitled to  
11 one official watcher who shall be paid a fixed per diem of five hundred pesos  
12 (P500.00) **TO BE PAID BY THE COMMISSION.**

13        There shall also recognized six principal watchers, representing the six  
14 accredited major political parties excluding the dominant majority and  
15 minority parties, who shall be designated by the Commission upon  
16 nomination of the said parties. The[se] **DOMINANT MAJORITY,**

1        **DOMINANT MINORITY, AND THE MAJOR** political parties shall be  
2 determined by the Commission upon notice and hearing on the basis of the  
3 following circumstances:

- 4        a)    The established record of the said parties, coalition of groups that now  
5            composed them, taking into account, among other things, their showing  
6            in past election;
- 7        b)    The number of incumbent elective officials belonging to them ninety (90)  
8            days before the date of election;
- 9        c)    Their identifiable political organizations and strengths as evidenced by  
10           their organized/chapters;
- 11       d)    The ability to fill a complete slate of candidates from the municipal level  
12           to the position of President; and
- 13       e)    Other analogous circumstances that may determine their relative  
14           organizations and strengths.

15        **PROVIDED, THAT A POLITICAL PARTY, GROUP OR ORGANIZATION**  
16        **OR COALITION OF POLITICAL PARTIES CANNOT BE DECLARED AS**  
17        **THE DOMINANT MINORITY PARTY UNLESS SUCH POLITICAL**  
18        **PARTY, GROUP OR ORGANIZATION OR COALITION OF POLITICAL**  
19        **PARTIES IS OPPOSED TO THE DOMINANT MAJORITY PARTY.**  
20        **PARTIES WHO FORM COALITIONS, PARTNERSHIPS, ALLIANCES, OR**  
21        **OTHER SIMILAR FORMS OF ARRANGEMENTS WITH THE**  
22        **DOMINANT MAJORITY PARTY AT THE NATIONAL, REGIONAL,**  
23        **PROVINCIAL, OR CITY/MUNICIPAL LEVELS, SHALL BE**  
24        **DISQUALIFIED FROM BEING DECLARED AS THE DOMINANT**  
25        **MINORITY PARTY. "**

1           **SEC. 2. *Repealing Clause.*** - All statutory laws, orders, issuances, rules and  
2 regulations, and/or parts thereof which are inconsistent with the provisions of this Act  
3 are hereby repealed or modified accordingly.

4           **SEC. 3. *Separability Clause.*** - If any portion or provision of this Act is declared  
5 invalid or unconstitutional, the portions or provisions which are not affected shall remain  
6 valid and effective.

7           **SEC. 4. *Effectivity.*** - This Act shall take effect after fifteen (15) days following its  
8 publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*