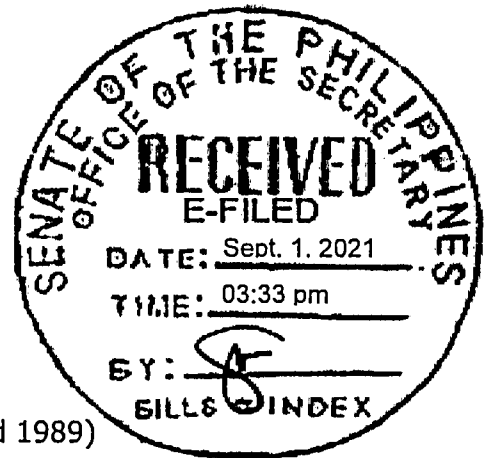


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

SENATE  
S.B. No. 2377



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

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

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**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 CONSTITUION 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; [øf]

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,*