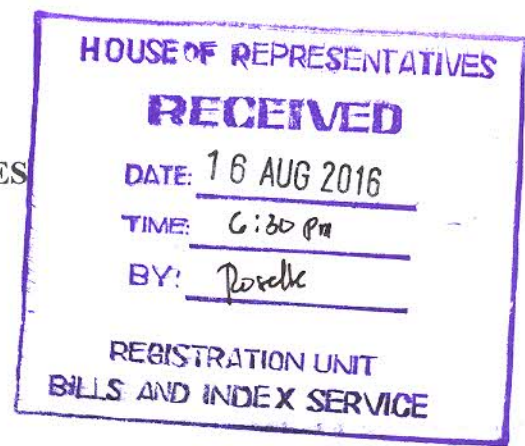


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL 3026



Introduced by Representatives Mariano Michael M. Velarde Jr., Jose L. Atienza Jr.

EXPLANATORY NOTE

The 1987 Constitution of the Republic of the Philippines was ratified by the Filipino people in a plebiscite on February 2, 1987 that was about three decades ago. There had been efforts during the past administrations to revisit our Constitution but did not push through mainly due to political reasons.

It is apparent that the socio-political and economic landscape of our country had considerably changed through the years and we need reforms responsive to the needs of our country and its people.

With the election of President Rodrigo Duterte, who had been very open during his campaign on his advocacy towards the shift to federalism and the concurrent house resolution of the Senate and the House of Representatives calling for a constitutional convention, it is high time to revisit the present constitution and propose the much needed amendments and/or revisions **thereto**.

Hence, the approval of this bill is earnestly requested.



Hon. Mariano Michael M. Velarde Jr.



Hon. Jose L. Atienza Jr.

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AN ACT CALLING FOR A CONSTITUTIONAL CONVENTION OF 2016

Be it enacted by the Senate and HOUSE OF REPRESENTATIVES of the Philippines in Congress assembled:

SECTION 1. Title. - This Act shall be known as the "**Constitutional Convention Act of 2016.**"

SECTION 2. Declaration of Policy. – It is the policy of the State to be responsive to the changing socio-political and economic needs of the country, and this can be better served if we introduce the much needed reforms through amendments or revisions in the present Constitution.

SECTION 3. Composition of the Constitutional Convention. – The Constitutional Convention shall be composed of delegates to be elected one each from the eighty (80) provinces and from the thirty three (33) highly urbanized cities of the country plus forty (40) delegates to be appointed by the President from the various sectors of society.

SECTION 4. Elective Delegates. There shall be an election of delegates to the Constitutional Convention to be held simultaneously with the next Barangay and Sangguniang Kabataan (SK) Elections. The Commission on Elections shall promulgate the rules and regulations for the election of delegates to the Constitutional Convention.

SECTION 5. Qualifications of Elective Delegates. No person shall be elected as delegate to the Constitutional Convention unless he/she is a natural-born citizen of the Philippines, and on the day of election is at least thirty-five (35) years of age, a registered voter of the province or highly urbanized city in which he/she shall be elected, a college graduate and of recognized probity, independence, nationalism and patriotism.

SECTION 6. Appointive Delegates. Within fifteen (15) days from the calling of the Constitutional Convention, the President shall issue an executive order

providing the manner by which the forty (40) delegates from the various sectors of the society will be chosen.

SECTION 7. *Qualifications of Appointive Delegates.* No person shall be appointed as delegate to the Constitutional Convention unless he is a natural-born citizen of the Philippines, at least thirty-five (35) years of age, member of the private sector, industry or cultural group he will represent and of recognized probity, independence, nationalism and patriotism.

SECTION 8. *Disqualifications.* The following are disqualified from being an elective or appointive delegate to the Constitutional Convention:

- a. All incumbent elected and appointed government officials of the Republic of the Philippines, including, but not limited to, the President, Vice President, Members of the Senate and House of Representatives, local government officials, cabinet members, Department Secretaries, assistant secretaries and undersecretaries, Bureau Chiefs and Directors;
- b. Any person who has been declared by competent authority as insane or incompetent, or has been sentenced by final judgment for subversion, insurrection, rebellion or for any offense for which he has been sentenced to a penalty of more than eighteen (18) months of imprisonment or for a crime involving moral turpitude shall be disqualified to sit as a delegate to the Constitutional Convention, unless he has been given plenary pardon or general amnesty.
- c. Any native born citizen of the Philippines who has acquired another citizenship or sworn allegiance to any foreign country or state regardless of whether he has elected dual citizenship or reacquired his Filipino citizenship shall likewise be disqualified to sit as delegate to the Constitutional Convention.

SECTION 9. *Future Disqualifications.* Any person elected or appointed as delegate to the Constitutional Convention shall not be eligible to run for any public office or position in the next three (3) national and local elections to be held after the ratification of the new Constitution. Further, no delegate to the Constitutional Convention shall be appointed to any public office or position while the Constitutional Convention is in session and within a period of one (1) year after the plebiscite for the ratification of the new Constitution.

SECTION 10. *Rules of the Constitutional Convention.* Within thirty (30) days from the time the delegates take their oath, the delegates to the Constitutional Convention shall promulgate their own rules and regulations for the effective and efficient conduct of its purpose and proceedings. The rules and regulations shall be adopted and approved by a majority vote of all the delegates.

SECTION 11. *Parliamentary Immunities.* The provisions of the Constitution and the laws relative to the parliamentary immunity of the Members of Congress shall be applicable to the delegates of the Constitutional Convention.

SEC. 12. Appropriations. – There is hereby appropriated an amount of One Billion Pesos (P1,000,000,000.00) for the election and operations of the Constitutional Convention.

SEC. 13. Separability Clause. - If any part or section of this Act is declared invalid or unconstitutional for any reason whatsoever, such declaration shall not in any way affect the other parts or sections of this Act.

SEC. 14. Effectivity. - This Act shall take effect upon its approval.



Hon. Mariano Michael M. Velarde Jr.

Hon. Jose L. Atienza Jr.