

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**

First Regular Session

House Bill No. 6673



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Introduced by **HON. FRANCISCO G. DATOL, JR.**

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**EXPLANATORY NOTE**

It is the policy of the State to develop and guarantee a full, free and open party system in order to attain the broadest possible representation of party, sectoral or group interests in the House of Representatives. However, some of these marginalized sectors are deprived of this chance due to the issues on qualifications of nominees who seek to represent their group or organization. This is true especially in cases where a sectoral group or party-list has been proclaimed by the COMELEC, but whose rightful nominee or nominees have yet to be determined in accordance with the provisions of Republic Act No. 7941, also known as the "Party-List System Act". While the COMELEC has been trying its best to resolve such issue of representation or leadership between or among the nominees of such sectoral group, still it cannot be that the interest or welfare of the general membership will suffer when the right of representation has been not been timely decided by the COMELEC in the exercise of its jurisdiction.

It is observed that the issue of rightful representation could be solved if certain provisions of RA No. 7941 will be clarified and amended, specifically the qualifications of the nominees of party-list. For instance, there are party-list nominees who, instead of seeking the best interest of their group, would rather promote their own interest by submitting a separate Manifestation of Intent to Participate (MIP) using the same party-list accredited by the COMELEC. Needless to state, it is ministerial on the part of the COMELEC to accept such MIPs, only to find out later that an earlier MIP has already been filed in accordance with RA No. 7941. Worse, some of these nominees were already declared by COMELEC as having lost their bid to represent the group, organization or party-list, yet are not barred from filing their MIP and list of nominees.

On account of these sad and unfortunate circumstances, it is but fitting that we look or revisit, if not amend the pertinent provisions of RA No. 7941, as proposed in this bill.

Immediate consideration and approval of this bill is most earnestly sought.

  
**HON. FRANCISCO G. DATOL, JR.**



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**AN ACT TO AMEND SECTION 9 OF REPUBLIC ACT 7941 OTHERWISE KNOWN  
AS THE PARTY-LIST SYSTEM ACT OF 2010 AND FOR OTHER PURPOSE**

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

**SECTION 1.** Section 9 of Republic Act No. 7941 is hereby amended to read as follows:

"SEC. 9. Qualification of Party-List Nominees. – No person shall be nominated as party-list representative unless he is a natural born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of election, able to read and write, bona fide member of the party or organization which he seeks to represent for at least ninety (90) days preceding the election, and is at least twenty-five (25) years of age on the day of election.

**FURTHER, WHEN THE PERSON NOMINATED BY THE REGISTERED PARTY, OR ORGANIZATION, OR COALITION REFERRED TO IN THE FIRST PARAGRAPH OF THE IMMEDIATELY PRECEDING SECTION IS NOT THE DULY AUTHORIZED REPRESENTATIVE, OR HAS LOST HIS/HER BID TO REPRESENT THE SAID PARTY, OR ORGANIZATION, OR COALITION IN THE IMMEDIATELY PRECEDING ELECTION, AS BEEN DECLARED BY THE COMELEC, SUPREME COURT, OR ANY COMPETENT AUTHORITY, SUCH SHALL BE A GROUND FOR DISQUALIFICATION AND/OR EXCLUSION OF THE PERSON NOMINATED IN THE LIST OF NOMINEES OF THE REGISTERED PARTY, OR ORGANIZATION, OR COALITION HE/SHE SEEKS TO REPRESENT.**

In case of a nominee of the youth sector, he must at least be twenty-five (25) but not more than thirty (30) years of age on the day of election. Any youth sectoral representative who attains the age of thirty (30) during his term shall be allowed to continue until the expiration of his term."

**SECTION 2.** Repealing Clause. – All laws, decrees, executive orders, issuances or regulations inconsistent with the provisions of this Act hereby revised or amended accordingly.

**SECTION 3.** Separability Clause - If any part of this Act is declared unconstitutional or invalid such parts or provisions thereof not so declared shall remain valid and subsisting.

**SECTION 4.** Effectivity Clause - This Act shall take effect fifteen (15) days after its publication in at least two (2) Newspapers of general circulation.

*Approved,*