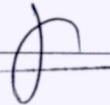


SENATE

S. No. 817

'19 JUL 29 P5:50

RECEIVED BY: 

INTRODUCED BY SENATOR RISA HONTIVEROS

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

EXPLANATORY NOTE

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 eight (8) in the Global Gender Gap Index according to the World Economic forum, climbing two 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 18th Congress, only seven (7) of the twenty-four (24) senators are women; while only eighty-seven (87) out of the three hundred and four (304) 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.


  
**RISA HONTIVEROS**  
Senator



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**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 of the Philippines in Congress assembled:*

1       Section 1. *Short Title.* – This Act shall be known as the "Women Participation  
2 and Representation in Political Parties Act Of 2019."

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

13       Sec. 3. *Definition.* – As used in this Act:

14       (a) "*Campaign expenditures*" shall refer to any type of expense incurred,  
15       regardless of source and purpose, that relates directly or indirectly, to  
16       the conduct of the electoral campaign of a woman candidate. It  
17       includes all payments of money or anything of value, or a contract,  
18       promise or agreement to spend, for the purpose of influencing the  
19       results of the elections. It includes the use of office space and  
20       facilities personally owned by the woman candidate, the monetary

1 value of which shall be assessed based on the market rates prevailing  
2 in a particular area: Provided, That for purposes of this Act, the term  
3 shall refer exclusively and specifically to campaign expenditures of  
4 women candidates.

5 (b) "*Certified political party*" shall refer to a political party qualified to  
6 receive incentives for the development and implementation of its  
7 women and gender and development agenda and to augment funds  
8 reserved for the campaign expenditures of its women candidates, and  
9 certified as such by the Philippine Commission on Women, with the  
10 assistance of the Commission on Elections.

11 (c) "*Disclosure requirement*" shall refer to the duty of women candidates  
12 and political parties, as defined in this Act, to reveal the details of the  
13 incentives and expenditures given and received by them as incentives  
14 and their share in the Women in Political Parties Empowerment Fund.

15 (d) "Woman member of a political party" shall refer to a natural person of  
16 good standing in a political party who complied with the requirements  
17 of party membership, including the payment of membership dues,  
18 and coming from the women sector.

19 (e) "Political party" shall refer to a political party, party-list or an  
20 organized group of persons duly registered with the Commission  
21 on Elections, pursuing or advocating a platform, principles and  
22 policies for the general conduct of government and which nominates  
23 and supports its members as candidates for public office.

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

29 Sec. 4. *Development and implementation of a women and gender and*  
30 *development agenda.* — Political parties are mandated to craft and implement a  
31 clear women and gender and development agenda and program consistent with their  
32 party philosophy and ideals. The members of the political party shall endeavor to act  
33 in accordance with this agenda and pursue programs to fulfill party commitments.

34 Sec. 5. *Participation and equitable representation in political parties.*— Women  
35 representation in a political party shall refer to the integration of women in the  
36 leadership of a political party and its internal policy-making structures: Provided, That



1 such leaders are bona fide women members of the political party: Provided, further,  
2 That women representation in a political party shall be equitable whenever women  
3 leaders occupy at least thirty percent (30%) of the leadership and internal policy-  
4 making structures of the political party: Provided, finally, That the Philippine  
5 Commission on Women, with the assistance of the Commission on Elections, shall  
6 certify the equitable nature of representation in a political party.

7       *Sec. 6. Participation and equitable representation by political parties.*— Women  
8 representation by a political party shall refer to the nomination of women as official  
9 candidates of the political party to elective positions in the government: Provided,  
10 That such nominees are bona fide women members of the political party: Provided,  
11 further, That women representation by a political party shall be equitable whenever  
12 at least thirty percent (30%) of women are nominated as official candidates of the  
13 political party: Provided, further, That the Philippine Commission on Women, with the  
14 assistance of the Commission on Elections, shall certify the equitable nature of  
15 representation by a political party.

16       *Sec. 7. Incentives for equitable representation in and by a political party.* — A  
17 political party registered with the Commission on Elections, and certified by the  
18 Philippine Commission on Women to have equitable representation as stated in  
19 Sections 5 and 6 of this Act, shall be allowed to access the Women in Political Parties  
20 Empowerment Fund, established by virtue of this Act, to fund their women and  
21 gender and development agenda, and to augment funds for the campaign  
22 expenditures of their women candidates.

23       *Sec. 8. Establishment of the Women in Political Parties Empowerment Fund.*—  
24 There is hereby established a Women in Political Parties Empowerment Fund,  
25 hereinafter referred to as the "Fund," which shall be the source of incentives for  
26 political parties complying with Section 7 of this Act. The incentives given to political  
27 parties from the Fund shall be used directly and exclusively for the following  
28 purposes:

- 29           a) Development and implementation of the political party's women and  
30           gender and development agenda, and  
31           b) Finance of the campaign activities of the political party's women  
32           candidates.

33 The share of each of the political parties from the Fund shall be released only upon  
34 proof that the concerned political party has raised an amount specifically for the  
35 development and implementation of the political party's women and gender and  
36 development agenda: Provided, That the notwithstanding Sections 5, 6 and 7 of this



1 Act, no political party shall be given its share in the Fund until it has given proof that  
2 there are political party funds segregated and reserved for the political party's  
3 women and gender and development agenda: Provided, further, That the amount to  
4 be released shall be equal to the amount so segregated and reserved: Provided,  
5 finally, That unreleased amounts because of the political party's failure to segregate  
6 and reserve such amounts, if any, shall be forfeited and reverted to the General Fund  
7 of the government.

8 For purposes of this Act, all releases from the Fund during a non-election year shall  
9 be used exclusively for the political party's women and gender and development  
10 agenda. Amounts released from the Fund during an election year shall be divided as  
11 follows: (1) sixty percent (60%) shall be used for campaign expenditures, and forty  
12 percent (40%) shall be used for women and gender and development agenda. The  
13 political parties availing of the incentives from the Fund shall maintain a separate  
14 financial account for the amounts given them by virtue of this Act.

15       Sec. 9. *Allowable women and gender and development activities.*— The  
16 Commission on Elections and the Philippine Commission on Women shall provide a  
17 comprehensive list of specific activities which shall be considered as a development  
18 and implementation activity under Section 8 of this Act.

19       Sec. 10. *Certification.* — A political party which conforms with Section 5 and 6  
20 of this Act, and which desires to be entitled to the incentives, rights and privileges  
21 and to perform the responsibilities, provided in this Act, may ask for a Certification  
22 from the Philippine Commission on Women, under such rules and regulations as the  
23 Philippine Commission on Women shall prescribe consistent with the provisions of  
24 this Act. The criteria in Sections 5 and 6 of this Act shall set the eligibility  
25 requirement for the said Certification. A duly-certified political party shall be entitled  
26 to the incentives, rights and privileges and to perform the responsibilities, as  
27 provided in Section 7 and Section 11 of this Act.

28       Sec. 11. *Full disclosure.*—The officials of a political party certified by the  
29 Philippine Commission on Women to be eligible and which, in fact, has availed of the  
30 incentives under Section 7 of this Act, shall be required to submit with the Philippine  
31 Commission on Women, the Commission on Elections and the Commission on Audit a  
32 public disclosure of the amounts it received and the expenditures made thereon at  
33 the end of every fiscal year.

34       Sec. 12. *Failure to comply with disclosure requirements.* — Failure of a  
35 certified political party to comply with the provisions of this Act, particularly with  
36 Section 11, will result in its disqualification from receiving a share in the Fund and

1 the forfeiture of all rights and privileges to which the said political party would have  
2 been entitled under this Act.

3       Sec. 13. *Appropriations.* — The amount necessary for the implementation of  
4 the provisions of this Act shall be included in the General Appropriations Act.

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

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

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

16       Sec. 17. *Effectivity.* — This Act shall take effect fifteen (15) days after its  
17 publication in the Official Gazette or in a newspaper of general circulation.

Approved,