

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session



COMMITTEE REPORT NO. 1989

Submitted by the Committee on Suffrage and Electoral Reforms on
06 MAR 2012.

Re : House Bill No. 5975

Recommending Its Approval In Substitution Of HB No. 3127

**Sponsors : Representatives Elpidio F. Barzaga, Jr.,
Christopher S. Co, Rodel M. Batocabe and
Alfredo A. Garbin, Jr.**

Mr. Speaker:

The Committee on Suffrage and Electoral Reforms, to which was referred House Bill No. 3127 introduced by the Honorable Representatives Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin, Jr., entitled:

**"AN ACT
AMENDING SECTIONS 6 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS
THE PARTYLIST SYSTEM ACT"**

has considered the same and recommends that the attached House Bill No. 5975
entitled:

**"AN ACT
PROVIDING THAT THE PENDENCY OF A COMPLAINT AND/OR MOTION FOR
RECONSIDERATION OF A RESOLUTION DENYING A COMPLAINT FOR
CANCELLATION OF REGISTRATION OF A NATIONAL, REGIONAL OR SECTORAL
PARTY AND DISQUALIFICATION OF ANY OF ITS NOMINEES SHALL NOT BE A
GROUND FOR THE DEFERMENT OF THE PROCLAMATION OF THE CONCERNED
PARTY AND ITS NOMINEES AMENDING FOR THE PURPOSE
SECTION 6 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS
THE PARTYLIST SYSTEM ACT"**



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES

be approved in substitution of House Bill No. 3127 with the Honorable Representatives
Co, Batocabe and Garbin as authors thereof.

Respectfully submitted:

HON. ELPIDIO F. BARZAGA, JR.
Chairman
Committee on Suffrage and Electoral Reforms

REPORT NO. 1981

Submitted by the Committee on Suffrage and Electoral Reforms on

Recommending its approval in substitution of HB No. 3127

Sponsors : Representatives Elpidio F. Barzaga, Jr.,
Christopher S. Co, Rodel M. Batocabe and
Alfredo A. Garbin, Jr.

The Committee on Suffrage and Electoral Reforms to which was referred House Bill No. 3127 introduced by the Honorable Representative Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin, Jr., and

"AN ACT
AMENDING SECTION 8 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS
THE PARTYLIST SYSTEM ACT"

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has considered the same and recommends that the attached House Bill No.

"AN ACT
PROVIDING THAT THE PENDENCY OF A COMPLAINT AND/OR MOTION FOR
RECONSIDERATION OF A RESOLUTION DENYING A COMPLAINT FOR
CANCELLATION OF REGISTRATION OF A NATIONAL, REGIONAL OR SECTORAL
PARTY AND DISQUALIFICATION OF ANY OF ITS NOMINEES SHALL NOT BE A
GROUND FOR THE DEPARTMENT OF THE PROCLAMATION OF THE CONCERNED
PARTY AND ITS NOMINEES AMENDING FOR THE PURPOSE
SECTION 8 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS
THE PARTYLIST SYSTEM ACT"

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session
HOUSE BILL NO. 5875

(in substitution of HB No. 3127)

Introduced by:

*The Honorable Representatives Christopher S. Co, Rodel M. Batocabe
and Alfredo A. Garbin, Jr.*

AN ACT

PROVIDING THAT THE PENDENCY OF A COMPLAINT AND/OR MOTION FOR RECONSIDERATION OF A RESOLUTION DENYING A COMPLAINT FOR CANCELLATION OF REGISTRATION OF A NATIONAL, REGIONAL OR SECTORAL PARTY AND DISQUALIFICATION OF ANY OF ITS NOMINEES SHALL NOT BE A GROUND FOR THE DEFERMENT OF THE PROCLAMATION OF THE CONCERNED PARTY, AND ITS NOMINEES AMENDING FOR THE PURPOSE SECTION 6 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS THE PARTYLIST SYSTEM ACT

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

1 **SECTION 1.** Section 6 of the Republic Act No. 7941 is hereby amended to read as
2 follows:

3
4 "Sec 6. Refusal and/or Cancellation of Registration. The COMELEC may motu
5 proprio or upon verified complaint of any interested party, remove or cancel, after due notice
6 and hearing, the registration of any national, regional or sectoral party, organization or
7 coalition on any of the following grounds:

- 8 (1) It is a religious sect or denomination, organization or association organized for
9 religious purposes;
10 (2) It advocates violence or unlawful means to seek its goal;
11 (3) It is a foreign party or organization;
12 (4) It is receiving support from any foreign government, foreign political party,
13 foundation, organization, whether directly or through any of its officers or members
14 or indirectly through third parties for partisan election purposes;
15 (5) It violates or fails to comply with laws, rules or regulations relating to elections;
16 (6) It declares untruthful statements in its petition
17 (7) It has ceased to exist for at least one (1) year; or

1 (8) It fails to participate in the last two (2) preceding elections or fails to obtain at
2 least two percentum (2%) of the votes cast under the party-list system in the two (2)
3 preceding elections for the constituency in which it has registered.
4

5 A COMPLAINT FOR CANCELLATION OF REGISTRATION OF ANY
6 NATIONAL, REGIONAL OR SECTORAL PARTY SHALL BE DECIDED BY THE
7 COMMISSION WITHIN SIX (6) MONTHS BEFORE THE NEXT NATIONAL
8 ELECTIONS. ALL COMPLAINTS FOR CANCELLATION OF REGISTRATION
9 MUST BE DECIDED BY THE COMELEC NOT LATER THAN SIXTY (60) DAYS
10 BEFORE THE NEXT ELECTIONS. THE PENDENCY OF A COMPLAINT AND/OR
11 MOTION FOR RECONSIDERATION OF A RESOLUTION DENYING A
12 COMPLAINT FOR CANCELLATION OF REGISTRATION OF A NATIONAL,
13 REGIONAL OR SECTORAL PARTY AND DISQUALIFICATION OF ANY OF ITS
14 NOMINEES SHALL NOT BE A GROUND FOR THE DEFERMENT OF THE
15 PROCLAMATION OF THE CONCERNED PARTY AND ITS NOMINEES.

16
17 **SECTION 2. Separability Clause.** – Should any provision of this Act be declared invalid
18 or unconstitutional, the validity or constitutionality of the other provisions shall not be
19 affected thereby.
20

21 **SECTION 3. Repealing Clause.** – All laws, decrees, letters of instructions, resolutions,
22 orders, ordinances or parts thereof which are inconsistent with the provisions of this Act,
23 are hereby repealed, amended, or modified accordingly.
24

25 **SECTION 4. Effectivity Clause.** This Act shall take effect fifteen (15) days after its
26 complete publication in at least one (1) newspaper of general circulation.
27

28
29 **Approved,**

FACT SHEET

House Bill No. 5975

(In substitution of House Bill No. 3127)

AN ACT

PROVIDING THAT THE PENDENCY OF A COMPLAINT AND/OR MOTION FOR RECONSIDERATION OF A RESOLUTION DENYING A COMPLAINT FOR CANCELLATION OF REGISTRATION OF A NATIONAL, REGIONAL OR SECTORAL PARTY AND DISQUALIFICATION OF ANY OF ITS NOMINEES SHALL NOT BE A GROUND FOR THE DEFERMENT OF THE PROCLAMATION OF THE CONCERNED PARTY, AND ITS NOMINEES AMENDING FOR THE PURPOSE SECTION 6 OF REPUBLIC ACT NO. 7941, OTHERWISE KNOWN AS THE PARTYLIST SYSTEM ACT

*Introduced by: HON. CHRISTOPHER S. CO
HON. RODEL M. BATOCABE and
HON. ALFREDO A. GARBIN, JR.*

*Committee Referral: Committee on Suffrage and Electoral Reforms
Committee Chairperson: HON. ELPIDIO F. BARZAGA, JR.*

OBJECTIVE:

- To promote and develop the Partylist System by providing for clear rules and procedures for disqualification, removal or cancellation of registration of partylist groups and organizations, thereby ensuring the continued representation of marginalized and underrepresented sectors.

KEY PROVISION:

- Mandates the proclamation of a nominee of a national, regional or sectoral party even with the existence of a pending complaint for cancellation of registration of a party and disqualification of its nominees
- Provides that a complaint for cancellation of registration of any national, regional or sectoral party shall be decided by the Commission within six (6) months before the national elections.
- Mandates that all complaints for cancellation of registration must be decided by the COMELEC not later than sixty (60) days before the next elections.
- Provides that the pendency of a complaint and/or motion for reconsideration of a resolution denying a complaint for cancellation of registration of a national, regional or sectoral party and disqualification of any of its nominees shall not be a ground for the deferment of the proclamation of the concerned party, and its nominees.

RELATED LAW:

Republic Act 7941 (Party-List System Act)