Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 7179

Introduced by Representative Maria Lourdes Acosta-Alba

Explanatory Note

The 1987 Constitution guarantees the fundamental equality of women and men before the law and recognizes the role of women in nation-building. The Magna Carta for Women that seeks to address the inequality and discrimination of women in society emphasizes the role of the State in facilitating the equitable representation of women in policy-making and governance. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which the Philippines is a signatory, provides for States to take appropriate measures to eliminate discrimination and participate in government policy in all levels of government. However, to date, women remain underrepresented within the sphere of politics and governance.

In the 2019 National and Local elections, only 20.16 percent (8,782) of the candidates were female. In the recent years, the trend was that women occupy only less than one-third of third level positions in the government; more than one-third in government owned and controlled corporations; less than 20 percent in local government units; and more than one-third in the judiciary (Philippine Commission on Women).

Given the above considerations, there is clearly a need to adopt measures to attain gender equality between women and men in terms of political participation and representation.

In view of the foregoing, the passage of this bill is earnestly sought.

[Signature]

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1st District, Bukidnon
Republic of the Philippines
HOUSE OF REPRESENTATIVES
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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 in Congress assembled:

SECTION 1. Short Title.- This Act shall be known as the "Women Participation and Representation in Political Parties Act of 2020."

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

Further, Section 11 of Republic Act No. 9710, otherwise known as Magna Carta of Women states that, “The State shall undertake temporary special measures to accelerate the participation and
equitable representation of women in all spheres of society particularly in the decision-making and policy-making processes in government and private entities to fully realize their role as agents and beneficiaries of development." Likewise, Section 11 (e) of the Magna Carta of Women, provides incentives to political parties with women’s agenda. It shall likewise encourage the integration of women in the leadership hierarchy, internal policy-making structures, appointive and electoral nominating processes."

SEC. 3. Definition of Terms.- As used in this Act:

(a) **Lawful election propaganda** shall refer to any type of expense incurred, regardless of source and purpose, that relates directly or indirectly, to the conduct of the electoral campaign of a woman candidate. It includes all payments of money or anything of value, or a contract, promise or agreement to spend, for the purpose of influencing the results of the elections. It includes the use of office space and facilities personally owned by the woman candidate, the monetary value of which shall be assessed based on the market rates prevailing in a particular area: Provided, That for purposes of this Act, the term shall refer exclusively and specifically to lawful election propaganda of women candidates.

(b) **Certified political party** shall refer to a political party qualified to receive incentives for the development and implementation of its women and gender and development agenda and to augment funds reserved for the lawful election propaganda of its women candidates, and certified as such by the Commission on Elections (COMELEC), with the assistance of the Philippine Commission on Women (PCW).

(c) **Disclosure requirement** shall refer to the duty of women candidates and political parties, as defined in this Act, to reveal the details of the incentives and expenditures given and received by them as incentives and their share in the Women in Political Parties Empowerment Fund.
(d) Woman member of a political party shall refer to a biological or transgender woman of good standing in a political party who complied with the requirements of party membership, including the payment of membership dues, and coming from the women sector.

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

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

SEC. 4. Development and Implementation of a Women and Gender and Development Agenda. - Political parties are mandated to craft and implement a clear women and gender and development agenda and program consistent with their party philosophy and ideals. The members of the political party shall endeavor to act in accordance with this agenda and pursue programs to fulfill party commitments. This agenda shall form part of the requirements for the accreditation of political parties by the COMELEC. The PCW shall assist the political parties in development of this agenda.

SEC. 5. Participation and Equitable Representation in Political Parties. - Women representation in a political party shall refer to the integration of women in the leadership of a political party and its internal policy-making structures: Provided, That such leaders are bona fide women members of the political party: Provided, further, That women representation in a political party shall be equitable whenever women leaders occupy at least thirty percent (30%) of the leadership and internal policy-making structures of the political party: Provided,
finally, That the PCW, with the assistance of the COMELEC, shall certify the equitable nature of representation in a political party.

SEC. 6. Participation and Equitable Representation by Political Parties.- Women representation by a political party shall refer to the nomination of women as official candidates of the political party to elective positions in the government: Provided, That such nominees are bona fide women members of the political party: Provided, further, That women representation by a political party shall be equitable whenever at least thirty percent (30%) of women are nominated as official candidates of the political party: Provided, further, That the PCW, with the assistance of the COMELEC, shall certify the equitable nature of representation by a political party; Provided, finally, That substitution of women candidates shall be discouraged.

SEC. 7. Incentives for Equitable Representation In and By A Political Party.- A political party registered with and certified by the COMELEC to have equitable representation as stated in Sections 5 and 6 of this Act, shall be allowed to access the Women in Political Parties Empowerment Fund, established by virtue of this Act, to fund their women and gender and development agenda, and to augment funds for the lawful election propaganda of their women candidates.

SEC. 8. Establishment of the Women in Political Parties Empowerment Fund.- There is hereby established a Women in Political Parties Empowerment Fund, hereinafter referred to as the “Fund,” which shall be the source of incentives for political parties complying with Section 7 of this Act. The incentives given to political parties from the Fund shall be used directly and exclusively for the following purposes:

(a) Development and implementation of the political party’s women and gender and development agenda, and

(b) Finance of the campaign activities of the political party’s women candidates. The share of each of the political parties from the Fund shall be released only upon proof that the concerned political party has raised an amount specifically for the development and implementation of the political party’s women and gender and
development agenda: Provided, That, notwithstanding Sections 5, 6, and 7 of this Act, no political party shall be given its share in the Fund until it has given proof that there are political party funds segregated and reserved for the political party’s women and gender and development agenda: Provided, further, That the amount to be released from the fund shall be equal to the amount so segregated and reserved: Provided, finally, That unreleased amounts because of the political party’s failure to segregate and reserve such amounts, if any, shall be forfeited and reverted to the General Fund of the government.

For purposes of this Act, all releases from the Fund during a non-election year shall be used exclusively for the political party’s women and gender and development agenda. Amounts released from the Fund during an election year shall be divided as follows: (1) sixty percent (60%) shall be used for lawful election propaganda, and forty percent (40%) shall be used for women and gender and development agenda.

The political parties availing of the incentives from the Fund shall maintain a separate financial account for the amounts given them by virtue of this Act.

SEC. 9. Allowable Women and Gender and Development Activities. - The COMELEC and the PCW shall provide a comprehensive list of specific activities which shall be considered as a development and implementation activity under Section 8 of this Act.

SEC. 10. Certification.- A political party which conforms with Sections 5 and 6 of this Act, and which desires to be entitled to the incentives, rights, and privileges and to perform the responsibilities, provided in this Act, may ask for a Certification from the COMELEC, under such rules and regulations that the COMELEC, in coordination with the PCW, shall prescribe consistent with the provisions of this Act. The criteria in Sections 5 and 6 of this Act shall set the eligibility requirement for the said Certification. A duly-certified political party shall be entitled to the incentives, rights, and privileges and to perform the responsibilities, as provided in Section 7 and Section 11 of this Act.
SEC. 11. Full Disclosure.- A political party whose officials are certified by the COMELEC to be eligible, and which, in fact, has availed of the incentives under Section 7 of this Act, shall be required to submit with the PCW, the COMELEC, and the Commission on Audit (COA) a public disclosure of the amounts it received and the expenditures made thereon at the end of every fiscal year.

SEC. 12. Failure to Comply with Disclosure Requirements.- Failure of a certified political party to comply with the provisions of this Act, particularly with Section 11, will result in its disqualification from receiving a share in the Fund and the forfeiture of all rights and privileges to which the said political party would have been entitled under this Act.

SEC. 13. Appropriations.- The amount necessary for the implementation of the provisions of this Act shall be included in the General Appropriations Act.

SEC. 14. Lead Agency, Implementing Rules and Regulations.- The COMELEC is hereby mandated as the regulatory and certifying agency charged with enforcing the provisions of this Act, and shall lead in the formulation of the necessary rules and regulations to effectively implement the provisions of this Act.

SEC. 15. Separability Clause.- If any part, section or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in full force and effect.

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

SEC. 17. Effectivity.- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,