



THE RULES OF THE SENATE

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REPUBLIC OF THE PHILIPPINES
SENATE

RULES OF THE SENATE

By virtue of Section 16, Subsections (1) and (3), of Article VI of the Constitution, the following Rules are hereby adopted and shall be known as the “Rules of the Senate.”

RULE I *ELECTIVE OFFICERS*

SECTION 1. The Senate shall elect, in the manner hereinafter provided, a President, a President Pro Tempore, a Secretary, and a Sergeant-at-Arms.

These officers shall take their oath of office before entering into the discharge of their duties.

RULE II *ELECTION OF OFFICERS*

SEC. 2. The officers of the Senate shall be elected by the majority vote of all its members. Should there be more than one candidate for the same office, a nominal vote shall be taken; otherwise, the elections shall be *viva voce* or by resolution.

RULE III
*THE PRESIDENT,
HIS DUTIES AND POWERS*

SEC. 3. The President is the Chief Executive of the Senate. His duties and powers are as follows:

- a) To preside over the sessions of the Senate on the days and at the hours designated by it; to call the Senate to order and, if there is a quorum, to order the reading of the *Journal* of the preceding session, and, after the Senate shall have acted upon it, to dispose of the matters appearing in the Order of Business in accordance with the Rules.
- b) To decide all points of order.
- c) To sign all measures, memorials, joint and concurrent resolutions; issue warrants, orders of arrest, *subpoena* and *subpoena duces tecum*.
- d) To see to it that all resolutions of the Senate are complied with.
- e) To have general control over the session hall, the antechambers, corridors and offices of the Senate.
- f) To maintain order in the session hall, the antechambers, corridors and in the offices of the Senate and, whenever there is disorder, to take appropriate measures to quell it.

- g) To designate an Acting Sergeant-at-Arms, if the Sergeant-at-Arms resigns, is replaced or becomes incapacitated.
- h) To appoint the subordinate personnel of the Senate in conformity with the provisions of the General Appropriations Act.
- i) To dismiss any employee for cause, which dismissal in the case of permanent and classified employees shall be in conformity with the Civil Service Law.
- j) To diminish or increase the number of authorized personnel by consolidating or separating positions or items whenever the General Appropriations Act so authorizes and the total amount of salaries or allocations does not exceed the amount earmarked therein.

RULE IV
*THE PRESIDENT PRO TEMPORE,
HIS DUTIES AND POWERS*

SEC. 4. The President Pro Tempore shall discharge the powers and duties of the President in the following cases:

- a) When the President is absent for one or more days.
- b) When the President is temporarily incapacitated.
- c) In the event of the resignation, removal, death or absolute incapacity of the President.

SEC. 5. In the cases specified in subparagraph (c), Section 4 of this Rule, the President Pro Tempore shall serve as Acting President until the Senate shall have elected a new President.

SEC. 6. In case of the temporary absence of the President or the President Pro Tempore, the Majority Leader or in his absence, the Assistant Majority Leader, or any member designated by the President shall discharge the powers and duties of the President.

RULE V
*THE SECRETARY,
HIS DUTIES AND POWERS*

SEC. 7. The duties and powers of the Secretary are:

- a) For the inaugural session of the Congress, to prepare the Order of Business of the Senate which shall include:
 - 1) A Resolution informing the President of the Philippines that the Senate has been organized and has elected its President, President Pro Tempore, Secretary and Sergeant-at-Arms.
 - 2) A Resolution informing the House of Representatives that the Senate has been organized and has elected its President, President Pro Tempore, Secretary and Sergeant-at-Arms.
 - 3) A Concurrent Resolution of the Senate and House of Representatives providing for a joint session to hear the State of the Nation Address of the President of the Philippines.

- 4) A Concurrent Resolution authorizing the appointment of a joint committee of both Houses to inform the President of the Philippines that Congress, in joint session, is ready to receive his State of the Nation Address.
- b) To attend the sessions of the Senate.
- c) To open, whenever there is neither a President nor a President Pro Tempore, the first session in which the Senators elected in the immediately preceding regular elections shall participate, and to announce that the business in order is the designation of the temporary President.
- d) To keep a *Record* and *Journal* of the proceedings of the Senate, and to certify them himself.
- e) To prepare and distribute the calendars of the Senate.
- f) To publish and distribute the *Journal* and *Record of the Senate*.
- g) To serve as custodian of all the records of the Senate.
- h) To certify all measures, orders and resolutions approved by the Senate and to stamp them with its official seal which shall also be under his custody.
- i) To appoint, whenever expressly authorized by the Senate, the necessary subordinate personnel thereof.

- j) To be responsible for the strict compliance by the Senate personnel with their duties, upon whom he may impose, for just cause, corrective or disciplinary measures including a recommendation to the President for their dismissal.
- k) To administer oath as a Notary *ex officio* of the Senate.
- l) To perform other duties inherent in his office although not specified in these Rules.

RULE VI
*THE SERGEANT-AT-ARMS,
HIS DUTIES AND POWERS*

SEC. 8. The duties and powers of the Sergeant-at-Arms are:

- a) To keep under his custody the Mace of the Senate.
- b) To attend the sessions of the Senate.
- c) To be responsible for the security and maintenance of order in the session hall, antechambers, corridors and offices of the Senate, whether in session or not, in accordance with the orders of the President or the Secretary.
- d) To execute or serve, personally or through his delegates, the summons which may be issued by the Senate or by the permanent or special committees or by the President himself.

- e) To be responsible for the strict compliance by his subordinates of their respective duties. He may impose upon them corrective or disciplinary measures for just cause, including a recommendation to the President of the Senate, through the Secretary, for their dismissal.
- f) To recommend to the President, through the Secretary, approval of the uniform to be worn by the personnel assigned to serve under him in the session hall.

RULE VII
*THE ACTING SECRETARY
AND THE ACTING SERGEANT-AT-ARMS*

SEC. 9. In the temporary absence or incapacity of the Secretary, the Deputy Secretary for Legislation shall act as such with all the powers and duties inherent in said office and in the case of the Sergeant-at-Arms, the person designated by the President to take his place shall temporarily serve as such officer.

RULE VIII
TERM OF OFFICE OF ELECTIVE OFFICERS

SEC. 10. The term of office of the President, the President Pro Tempore, the Secretary and the Sergeant-at-Arms shall begin upon their election and end when their successors shall have been elected.

SEC. 11. Any vacancy in the Office of the Secretary or Office of the Sergeant-at-Arms shall be filled in accordance with Section 2 hereof: *Provided*, That when

the vacancy occurs during a recess, the Deputy Secretary for Legislation shall be the Acting Secretary and the President of the Senate may designate an Acting Sergeant-at-Arms.

RULE IX *ORGANIZATION OF THE SENATE*

SEC. 12. In the first session following every periodic election of Senators, the Senate shall proceed with its organization. If in such organizational session there be neither President nor President Pro Tempore, the Secretary shall proceed in accordance with the provisions of subparagraph (c), Section 7 of Rule V.

RULE X *THE COMMITTEES*

SEC. 13. After the organization of the Senate in the manner provided in Rule IX, the following permanent committees shall be formed, with the duties, powers and general jurisdiction specified hereunder:

- 1) **Rules.** - Nine (9) members. All matters affecting the *Rules of the Senate*; the calendar as well as parliamentary rules and the order and manner of transacting business and the creation of committees. The Chairman of the Committee shall be the Majority Leader of the Senate. The Vice Chairmen shall be the Assistant Majority Leaders.
- 2) **Accountability of Public Officers and Investigations.** - Seventeen (17)

members. All matters relating to, including investigation of, malfeasance, misfeasance and nonfeasance in office by officers and employees of the government, its branches, agencies, subdivisions and instrumentalities; implementation of the provision of the Constitution on nepotism; and investigation of any matter of public interest on its own initiative or brought to its attention by any member of the Senate.

- 3) **Accounts.** - Eleven (11) members. All matters relating to the auditing and adjustment of all accounts chargeable against the funds for the expenses and activities of the Senate.
- 4) **Agriculture, Food and Agrarian Reform.**¹ - Fifteen (15) members. All matters relating to agriculture, food production and agri-business, including agricultural experimental stations, agricultural economics and research; soil survey and conservation; agricultural education; technical extension services; animal husbandry; livestock quarantine; agricultural support price; and fisheries and aquatic resources; and all matters relating to agrarian reform, landed estates, and implementation of the agrarian land reform provisions of the Constitution.
- 5) **Banks, Financial Institutions and Currencies.** - Nine (9) members. All

¹As amended by Resolution No. 9, adopted on 3 September 2019.

matters relating to banks, financial institutions, government and private currencies, capital markets, mutual funds, securitization, coinage and circulation of money.

- 6) **Basic Education, Arts and Culture.**² - Fifteen (15) members. All matters directly and principally relating to early childhood care and education, pre-school, kindergarten, primary and secondary education, science high schools except the Philippine Science High School System, teachers and students welfare, teacher education and competency, non-formal, informal, indigenous learning systems, special education and community adult education; inclusive education, scholarships, grants, subsidies and incentives to deserving students; the national language establishment and maintenance of, libraries, museums, shrines, monuments, and other historical sites and edifices; training programs and cultural and artistic programs of international institutions and organizations operating in the Philippines, such as the UNESCO; and the preservation, enrichment and evolution of Filipino arts and culture.
- 7) **Civil Service, Government Reorganization and Professional Regulation.**³ - Seven (7) members. All matters relating to the Civil Service and the status of officers and employees of the

²As amended by Resolution No. 6, adopted on 31 July 2019.

³As amended by Resolution No. 92, adopted on 3 August 2015.

government including their appointment, discipline, retirement; their compensation privileges, benefits and incentives; implementation of the constitutional provisions on the rights of government workers to form and join labor organizations; public sector labor-management relations and collective negotiation agreements; the regulation of and admission to and the practice of the professions; and reorganization of the government or any of its branches or instrumentalities; all human resource development programs pertaining to the Government; and all other matters relating to the bureaucracy.

- 8) **Constitutional Amendments and Revision of Codes.**⁴ - Eleven (11) members. All matters proposing amendments to the Constitution of the Philippines and the revision of the existing codes.
- 9) **Cooperatives.** - Nine (9) members. All matters relating to cooperatives, both urban and rural based, including but not limited to farm credit and farm security, cooperative movements, marketing and consumers' organizations; and the implementation of the Cooperative Code of the Philippines.
- 10) **Cultural Communities.** - Seven (7) members. All matters relating to cultural communities.

⁴As amended by Resolution No. 6, adopted on 2 September 2013.

- 11) **Economic Affairs.** - Nine (9) members. All matters relating to economic planning and programming; the planning of domestic and foreign public indebtedness; general economic development; and coordination, regulation and diversification of industry and investments.
- 12) **Electoral Reforms and People's Participation.**⁵ - Eleven (11) members. All matters pertaining to election laws and the implementation of the constitutional provisions on initiative and referendum on legislative acts; recall of elective officials; the role and rights of people's organizations; and sectoral or party-list representation.
- 13) **Energy.** - Fifteen (15) members. All matters relating to the exploration, exploitation, development, extraction, importation, refining, transport, marketing, distribution, conservation, or storage of all forms of energy products and resources such as from fossil fuels like petroleum, coal, natural gas and gas liquids, nuclear fuel resources; geothermal resources and non-conventional, existing and potential forms of energy resources; and generation, transmission and distribution of electric power.
- 14) **Environment and Natural Resources and Climate Change.**⁶ - Seventeen (17) members. All matters relating to the

conservation and protection of the environment, policies, programs, strategies, technologies and other innovations addressing global warming and climate change impacts, including, but not limited to, climate risk management to reduce vulnerability associated with climate-sensitive areas and sectors, the regulation of the impact of human activities on the same, the promotion of environmental awareness of our citizens, the renewal of resources in damaged ecosystems and other environment-related issues; all matters related to adaptation and mitigation or control of greenhouse gas emissions to enhance resilience and to promote sustainable development, Philippine compliance with the relevant international agreements and cooperation with other countries, development, protection, exploration, storage, renewal, regulation and licensing, and wise utilization of the country's national reserves including, but not limited to, forest, mineral, public land, offshore areas and the development of industries based on these resources.

- 15) **Ethics and Privileges.** - Seven (7) members. All matters relating to the conduct, rights, privileges, safety, dignity, integrity and reputation of the Senate and its Members.
- 16) **Finance.**⁷ - Twenty (20) members. All matters relating to funds for the

⁵As created under Resolution No. 56, adopted on 17 August 2011.

⁶As amended by Resolution No. 9, adopted on 3 September 2019.

⁷As amended by Resolution No. 6, adopted on 31 July 2019.

expenditures of the National Government and for the payment of public indebtedness; auditing of accounts and expenditures of the National Government; claims against the government; inter-governmental revenue sharing; and, in general, all matters relating to public expenditures.

- 17) **Foreign Relations.** - Fifteen (15) members. All matters relating to the relations of the Philippines with other nations generally; diplomatic and consular services; the Association of Southeast Asian Nations; the United Nations Organization and its agencies; multi-lateral organizations; all international agreements, obligations and contracts; and overseas Filipinos.
- 18) **Games and Amusement.**⁸ - Nine (9) members. All matters relating to games and amusement, such as, but not limited to, casinos, lotteries, jai-alai and horse-racing.
- 19) **Government Corporations and Public Enterprises.** - Nine (9) members. All questions affecting government corporations, including all amendments to their charters; the interests of the government in the different industrial and commercial enterprises; privatization.
- 20) **Health and Demography.** - Eleven (11) members. All matters relating to public

health in general, medical, hospital and quarantine services; population issues, concerns, policies and programs affecting individuals and their families, their effects on national, social and economic conditions.

- 21) **Higher, Technical and Vocational Education.**⁹ - Fifteen (15) members. All matters directly and principally relating to post-secondary and tertiary education, technical education, distance education, vocational education, students and teachers' welfare, centers of excellence, scholarships, grants, subsidies and incentives to deserving students.
- 22) **Justice and Human Rights.** - Nine (9) members. All matters relating to the organization and administration of justice, civil courts, penitentiaries and reformatory schools; probation; impeachment proceedings against constitutional officers and other officers legally removable by impeachment; registration of land titles; immigration and naturalization; the implementation of the provisions of the Constitution on human rights; and all matters pertaining to the efficiency and reforms in the prosecution service.
- 23) **Labor, Employment and Human Resources Development.** - Thirteen (13) members. All matters relating to labor, employment and human resource

⁸As amended by Resolution No. 3, adopted on 1 August 2016. (cf. Resolution No. 6, 2 September 2013)

⁹As amended by Resolution No. 6, adopted on 31 July 2019.

development; maintenance of industrial peace; promotion of employer-employee cooperation; labor education, standards and statistics; organization of the labor market including recruitment, training and placement of workers and exports of human resources; foreign workers in the Philippines; promotion and development of workers' organizations; and promotion and development of employment-intensive technology.

24) **Local Government.** - Thirteen (13) members. All matters relating to autonomous regions, provinces, cities, special metropolitan political subdivisions, municipalities and barangays.

25) **National Defense and Security, Peace, Unification and Reconciliation.**¹⁰ - Nineteen (19) members. All matters relating to national defense and external and internal threats to national security, peace, internal armed conflict resolution, political negotiation, cessation of hostilities, amnesty, rebel returnees, integration and development, national unification and reconciliation, the Armed Forces of the Philippines; pension plans and fringe benefits of war veterans and military retirees; citizens army selective service; forts; arsenals; military camps and reservations; coast, geodetic and meteorological surveys; civil defense; and military research and development.

26) **Public Information and Mass Media.**¹¹ - Eleven (11) members. All matters relating to public information, mass communication and broadcast services; the implementation of the provisions of the Constitution regarding ownership and management of mass media and the advertising industry; the development and promotion of information technology; and all matters relating to the artistic standards and quality of the motion picture and television industry.

27) **Public Order and Dangerous Drugs.**¹² - Nine (9) members. All matters relating to peace and order; the Philippine National Police; the Bureau of Jail Management and Penology; the Bureau of Fire Protection; private security agencies; the use, sale, acquisition, possession, cultivation, manufacture and distribution of prohibited and regulated drugs and other similar substances as provided for under pertinent laws, and the prosecution of offenders, rehabilitation of drug users and dependents, including the formulation of drug-related policies.

28) **Public Services.**¹³ - Thirteen (13) members. All matters affecting public services and utilities; communications; land, air, river and sea transportation including

¹¹As amended by Resolution No. 6, adopted on 31 July 2019.

¹²As amended by Resolution No. 27, entitled "Resolution to Rename the Senate Committee on Public Order and Illegal Drugs, Amending for the Purpose Section 13 (32) of Rule X of the Senate Rules," adopted by the Senate on 9 November 2010.

¹³As amended by Resolution No. 6, adopted on 31 July 2019.

¹⁰As amended by Resolution No. 9, adopted on 3 September 2019.

railroads, inter-island navigation, and lighthouses; and the grant or amendment of legislative franchises.

- 29) **Public Works.** - Thirteen (13) members. All matters relating to planning, construction, maintenance, improvement and repair of public buildings, highways, bridges, roads, ports, airports, harbors and parks; drainage, flood control and protection; and irrigation and water utilities.
- 30) **Science and Technology.** - Seven (7) members. All matters relating to science and technology, including scientific and technological research, development and advancement.
- 31) **Social Justice, Welfare and Rural Development.** - Seven (7) members. All matters relating to rural development and welfare, and the Constitution on Social Justice.
- 32) **Sports.**¹⁴ - Nine (9) members. All matters relating to the promotion of physical fitness, professional and amateur sports development.
- 33) **Sustainable Development Goals, Innovation and Futures Thinking.**¹⁵ - Fifteen (15) members. All matters relating to the United Nations 2030 Agenda for Sustainable Development and the Assessment of the country's performance

¹⁴As amended by Resolution No. 3, adopted on 1 August 2016.

¹⁵As created under Resolution No. 9, adopted on 3 September 2019.

in attaining said development goals through policies, strategies, and actions for the development of desirable futures by using a multi-disciplinary approach in illuminating possibilities, outlining policy choices, and assessing alternatives.

- 34) **Tourism.**¹⁶ - Eleven (11) members. All matters relating to tourism and the tourist industry.
- 35) **Trade, Commerce and Entrepreneurship.**¹⁷ - Nine (9) members. All matters relating to domestic and foreign trade and private corporations; micro, small and medium enterprises (MSMES); social enterprises; the promotion of entrepreneurship and the regulation of entrepreneurial practice; patents, copyrights, trade names and trademarks; standards, weights, measures and designs; quality control, control and stabilization of prices of commodities; consumer protection; handicrafts and cottage industries and marketing of commodities.
- 36) **Urban Planning, Housing and Resettlement.** - Eleven (11) members. All matters relating to urban land reform, planning, housing, resettlement and urban community development.
- 37) **Ways and Means.** - Fifteen (15) members. All matters relating to revenue generally; taxes and fees; tariffs; loans and other sources and forms of revenue.

¹⁶As amended by Resolution No. 6, adopted on 31 July 2019.

¹⁷As amended by Resolution No. 6, adopted on 2 September 2013.

- 38) **Women, Children, Family Relations and Gender Equality.**¹⁸ - Nine (9) members. All matters relating to women, the welfare and protection of children, family relations, and equality before the law of women and men.
- 39) **Youth.**¹⁹-Seven (7) members. All matters related to the youth and its vital role in nation-building, promotion and protection of their physical, moral, spiritual, intellectual, and social well-being, inculcation of patriotism, nationalism and their involvement in public and civic affairs.

SEC. 14. Whenever necessary, special committees shall be organized, the membership and jurisdiction of which shall be determined by the Senate President.

SEC. 15. Although a measure covers subject matters falling within the jurisdiction of more than one (1) committee, it shall be referred to not more than two (2) committees: *Provided, however,* That a motion for referral to a third committee shall be referred to the Committee on Rules: *Provided, further,* That measures involving the appropriation of funds or embodying tax or revenue proposals shall respectively be referred also to the Committee on Finance for the appropriation aspect or to the Committee on Ways and Means for the tax or revenue aspect. The first committee mentioned in the order of referral shall be the primary committee, mainly responsible to submit a report to the Senate incorporating therein the

¹⁸As amended by Resolution No. 93, adopted on 3 August 2015.

¹⁹As amended by Resolution No. 6, adopted on 2 September 2013.

appropriate recommendations of the secondary committee and the Committee on Finance or the Committee on Ways and Means, as the case may be.

SEC 16. All appropriations, revenue or tariff bills, bills authorizing increase of public debt, bills of local application, and private bills authored and filed by Members of the Senate shall be initially referred to the Committee on Rules.

SEC. 17. The transmittal of matters to the committees may be done with instructions through a motion by a majority of the Senators present.

SEC. 18. The membership of the permanent committees, including their respective Chairmen, shall be chosen by the Senate. The Chairman of each committee may designate the Vice Chairman or such Vice Chairmen of his committee and create such subcommittees as may be deemed necessary.

SEC. 19. The Chairman and the members of the permanent committees shall commence in the exercise of their duties upon their election. They shall cease when their successors shall have been elected or designated.

SEC. 20. The President Pro Tempore and both the Majority and Minority Leaders of the Senate are *ex officio* members of all the permanent committees.

SEC. 21. Whenever a motion regarding who should be a member of a permanent committee is presented, no objection against the proposed membership of any Senator in particular shall be considered.

The objections, if any, must be formulated against the proposed membership therein as a whole.

RULE XI
*MEETINGS AND REPORTS
OF THE COMMITTEES*

SEC. 22.²⁰ Every committee shall determine the frequency of its regular meetings. If it so desires, a committee may choose to hold its meetings or hearings on a weekend.

The committee may conduct meetings or hearings through teleconference, video conference, or other reliable forms of remote or electronic means, using appropriate information and communications technology systems due to *force majeure* or occurrence of an emergency as determined by the majority of all the members of the Senate which may prevent the Senators from physically attending the committee meetings or hearings.

Special meetings may be called by the Chairman of a committee or by one-third (1/3) of its members, but notice, including the agenda, place and time of the meeting, shall be given three (3) days in advance to every member of the committee.

One-third (1/3) of all the regular members of the committee shall constitute a quorum but in no case shall it be less than two (2). The presence of *ex officio* members may be considered in determining the existence of a quorum. However, the committee may authorize a fewer number of members to conduct public hearings on bills pending before it or to gather facts in aid of legislation.

SEC. 23. Unexplained absences in five (5) successive committee meetings may operate to relinquish regular membership therein.

²⁰As amended by Resolution No. 43, adopted on 4 May 2020.

SEC. 24. The committees shall hold meetings to discuss, decide and submit a report on all matters transmitted to them. The report must be approved by majority of the regular and *ex officio* members thereof.

Where a subcommittee is created to conduct hearings on a bill or resolution referred to a committee, the report of the subcommittee shall be submitted to the committee through its Chairman, for its appropriate action before the report is submitted to the Senate.

If the committee fails to act on the report of a subcommittee within thirty (30) session days from its submission, if the Senate is in regular session, or within ten (10) session days in case of special session, the committee shall be deemed to have waived its right to act on the same, in which case, five (5) Senators may move in writing for the inclusion of the subcommittee report in the Calendar for Ordinary Business and the President shall so order it.

A regular member of the committee shall be presumed to have concurred in the report and shall be precluded from opposing the same unless he enters his objection thereto or files with the Secretary of the Senate his dissenting vote within two (2) session days after the Committee Report is included in the Order of Business or unless, upon satisfactory explanation made by the member concerned, the President should allow otherwise.

SEC. 25. Should a secondary committee submit its report without the report of the primary committee having been submitted, such report of the secondary committee will be referred to the Committee on Rules for proper disposition.

SEC. 26. In case a bill or joint resolution is reported out by a committee which contains an appropriation,

revenue or tax aspect, the report shall be referred by the primary committee to the Committee on Finance or to the Committee on Ways and Means, as the case may be.

SEC. 27. If the secondary committee fails to submit its recommendations within two (2) weeks from request, it shall be deemed to have waived its right to make a recommendation, in which case the primary committee may report out the measure.

SEC. 28. Whenever two (2) committees submit conflicting reports, both reports shall be referred to the Committee on Rules.

SEC. 29. Reports on privileged subjects shall be submitted to the Senate while in session, either by the Chairman of the committee or a duly authorized member thereof, and the same may not be withdrawn on petition of the Chairman or the committee itself without the consent of the Senate.

SEC. 30. If the reports submitted are unfavorable, they shall be transmitted to the Archives of the Senate together with the matters to which they refer, unless five (5) Senators shall in the following session move for their inclusion in the Calendar for Ordinary Business, in which case the President shall so order.

SEC. 31. Should any committee fail to render a report on any bill or resolution referred to it within thirty (30) session days after such reference, if the Senate is in regular session, or within ten (10) session days in case of special sessions, five (5) Senators may move, in writing, for its inclusion in the Calendar for Ordinary Business and the President shall so order it.

SEC. 32. When a report is returned to a committee or is transmitted to another, unless it is returned for

purposes of conducting further public hearings on new matters arising after the report, all previous proceedings in connection therewith shall be deemed to be void and that matter in question shall revert to its original status.

SEC. 33. The following committees are authorized to submit at any time their reports on any matter within their jurisdiction: The Committee on Rules; the Committee on Finance; and the Committee on Accounts.

SEC. 34. The motion for the study of any report submitted by the Committee on Rules shall always be in order, and while the report is pending consideration no motion may be entertained unless it is a motion to adjourn; if this latter motion is disapproved, no dilatory motion on the aforesaid report shall be admitted.

RULE XII

REPORTS OF CONFERENCE COMMITTEES

SEC. 35. In the event that the Senate does not agree with the House of Representatives on the provision of any bill or joint resolution, the differences shall be settled by a conference committee of both Houses which shall meet within ten (10) days after their composition.

The President shall designate the members of the Senate panel in the conference committee with the approval of the Senate.

Each Conference Committee Report shall contain a detailed and sufficiently explicit statement of the changes in, or amendments to the subject measure, and shall be signed by a majority of the members of each House panel, voting separately.

A comparative presentation of the conflicting House and Senate provisions and a reconciled version thereof with the explanatory statement of the conference committee shall be attached to the report.

The consideration of such report shall not be in order unless the report has been filed with the Secretary of the Senate and copies thereof have been distributed to the members.

The presentation of reports of conference committees shall always be in order when available, except when the *Journal* is being read or a question of order or a motion to adjourn is pending, or while the Senate is voting or ascertaining the presence of a quorum; and when received, the question of proceeding to the consideration of the report shall be determined without debate.

RULE XIII *SPECIAL ORDERS*

SEC. 36. By means of a motion approved by a majority of the Senators present, the Chair shall assign for consideration, as a Special Order, any matter which has been reported out by the corresponding committee or which does not require such report.

SEC. 37. Whenever two or more matters shall have been designated for consideration as a Special Order, they shall be considered successively, unless a majority of the Senators present decide otherwise.

SEC. 38. If, after a matter has been assigned for consideration, the Senate is unable to consider it on the

appointed day, said matter shall retain its corresponding place in the Calendar for Special Orders, unless a majority of the Senators present decide otherwise.

SEC. 39. Matters which the Senate has already begun to discuss and whose consideration has been suspended without a prior motion expressly requesting their postponement shall occupy a place of preference in the Calendar for Special Orders of the next session, in the order in which they were called.

RULE XIV *SENATE SESSIONS*

SEC. 40. The Senate shall meet in session at three o'clock in the afternoon on week days, except when the Senate decides otherwise. When the session is ongoing, no committee meeting or hearing under Rule XI shall be held.

SEC. 41.²¹ The President, after consultation with the Majority Leader and the Minority Leader, respectively, may:

(a) Postpone the holding of the session on a day to day adjournment, or

(b) Convene and hold the session through teleconference, video conference, or other reliable forms of remote or electronic means, using appropriate information and communications technology systems, due to *force majeure* or the occurrence of a national emergency as determined by the majority of all the members of the Senate which may prevent the convening

²¹As amended by Resolution No. 43, adopted on 4 May 2020.

of the Senate or the physical presence of its members in the session hall.

Notwithstanding the foregoing, Senators who elect to be physically present during the holding of teleconference session may personally attend and participate in the said session inside the plenary hall.

SEC. 42. The Senate shall convene once every year for its regular session. It shall continue to be in session for such number of days as it may determine in its legislative calendar, subject only to such limitations as may be provided by the Constitution: *Provided*, That the President of the Senate, in consultation with the Majority and Minority Leaders and upon agreement with the Speaker of the House of Representatives, may reconvene the Senate in session without need of a call by the President of the Philippines, at any time during a recess as provided in the legislative calendar, to consider urgent legislative matters; or in case of a vacancy in the Office of the Vice President, to confirm the nominee of the President for the position in accordance with Section 9, Article VII of the Constitution, or to determine the inability of the President of the Philippines to discharge the powers and duties of his office upon the written declaration of a majority of all the members of the Cabinet in accordance with Section 11, Article VII of the Constitution, or convene in joint session during any voluntary or compulsory recess to:

- (a) Canvass the votes for President and Vice President not later than thirty (30) days after the day of the elections in accordance with Section 4, Article VII of the Constitution;
- (b) Determine the validity of the proclamation of martial law or the suspension of the privilege of the writ of *habeas corpus* by the President

of the Philippines, or to revoke such proclamation or suspension, or extend the same if the invasion or rebellion shall persist and public safety requires it.

SEC. 43. On the first day of each week, the Senate shall observe a one-minute prayer or invocation to be led by a member of the Senate, followed by the singing of the National Anthem. On every session day thereafter, the prayer or invocation, as the case may be, shall immediately follow the opening of the session.

RULE XV *QUORUM*

SEC. 44. Except during the election of officers as provided in Section 2, a majority of the Senators shall constitute a quorum and, in its absence, a smaller number may adjourn from day to day and may compel the attendance of absent members in the manner provided in Section 99 hereof.

SEC. 45. Should the question of lack of quorum be raised, the Chair, without debate, shall immediately proceed to a verification thereof by causing the reading of the roll of the Senators and announcing forthwith the result.

RULE XVI *CALENDARS*

SEC. 46. The Senate shall have three calendars, to wit:

A “*Calendar for Ordinary Business*” in which shall be included the bills reported out by the

committees in the order in which they were received by the Office of the Secretary, the bills whose consideration has been agreed upon by the Senate without setting the dates on which to effect it; and, also the bills whose consideration has been postponed indefinitely;

A “*Calendar for Special Orders*” in which the bills and resolutions shall be arranged successively and chronologically, according to the order in which they were assigned for consideration; and

A “*Calendar for Third Reading*” in which shall be included all bills and joint resolutions approved on second reading.

RULE XVII MESSAGES

SEC. 47. Messages of the President of the Philippines and those from the House of Representatives may be read at any time by the Senate, except during voting or the reading of the *Journal* or when a point of order or a motion to adjourn is pending resolution.

SEC. 48. The Secretary shall duly inform the House of Representatives of the action taken by the Senate on any bill or resolution originating in the House of Representatives or request the latter’s approval of the bills or resolutions approved by the Senate. The Secretary shall likewise transmit either by himself or by any of his duly authorized representatives any message or communication of the Senate.

RULE XVIII ORDER OF BUSINESS

SEC. 49. The Secretary shall prepare for each session an Order of Business in which shall be listed:

- a) Prayer.
- b) National Anthem (every Monday only).
- c) Roll call.
- d) Reading and Approval of the *Journal* of the previous session.
- e) Reference of Business:
 - 1) Messages of the President of the Philippines.
 - 2) Messages from the House of Representatives.
 - 3) First reading and reference to committees of bills or proposed resolutions.
 - 4) Communications, petitions and memorials.
 - 5) Committee reports.
- f) Unfinished business.
- g) Business for the day.
- h) Business for a certain date.
- i) Unassigned business.
- j) Bills and joint resolutions on Third Reading.

SEC. 50. The matters mentioned in the preceding section which have to be acted upon by the Senate shall be referred to the proper committee; otherwise, they shall be transmitted to the Archives of the Senate.

RULE XIX
JOURNAL

SEC. 51. The Senate shall keep a *Journal* of its proceedings which shall contain a succinct and accurate account of what has taken place in every session.

SEC. 52. The following shall be inserted in full in the *Journal*:

- a) The proclamation issued by the President of the Philippines to convene Congress.
- b) The titles of the bills and resolutions presented by any member of the Senate.
- c) The objections to the legislative measures vetoed by the President of the Philippines, together with the *ayes* and *nays* of the Senators on each vetoed measure.
- d) All nominal votings.

And in condensed form:

- a) Messages of the President of the Philippines.
- b) Messages from the House of Representatives.
- c) Petitions.
- d) Communications.
- e) Memorials.

It shall also include a list of members who responded to the roll call, those who arrived at the session hall after the roll call, and those who are on official business/mission

authorized by the Senate President. Those who are absent shall be so recorded.

SEC. 53. The reading of the *Journal* shall not be interrupted or suspended except by unanimous consent of the Senate, and no motion to amend it shall be entertained once it has been read and approved.

SEC. 54. The reading of the *Journal* may be dispensed with by unanimous consent, in which case the *Journal* shall be deemed to have been approved.

SEC. 55. If a Senator finds any error in the *Journal*, the reading of which was dispensed with, he shall, verbally in open session, call the attention of the Senate to this fact and move for its correction not later than three (3) session days subsequent to that in which the reading of said *Journal* was dispensed with.

SEC. 56. The *Journal of the Senate* shall from time to time be printed and published under the direction of the Secretary, and its distribution and the number of copies to be printed shall be determined by the Senate in a resolution to that effect.

RULE XX
RECORD OF THE SENATE

SEC. 57. The Senate shall keep and preserve a *Record* of its sessions which shall be printed and published.

The said *Record* shall reflect in detail everything that has been said, done and read in the sessions of the Senate, in such a manner as to express faithfully everything that takes place therein.

In all cases, the messages of the President of the Philippines and those from the House of Representatives shall be inserted *in toto* in the said *Record*.

SEC. 58. Notwithstanding the provisions of the preceding section, the speeches of the Senators shall be revised in style and form prior to their publication.

To this end, the Debate Reporters Service shall transmit to their respective authors a copy of their speeches for correction within a period of seven (7) days counted from the date of receipt thereof by such authors.

If the author of the aforementioned speeches fails to make the correction or revision within the period stated above, it shall be understood that he delegates the said revision or correction to the Debate Reporters Service.

Persons soliciting copies of these speeches shall be furnished only after such revision has been accomplished.

RULE XXI *REQUISITES OF BILLS*

SEC. 59. Every bill or resolution must be signed by one or more Senators.

If its author is the committee called to study it and recommendations relative thereto are made in accordance with Rule XI, the measure should be signed by the chairman of the committee or by the member who takes his place and should be submitted with the corresponding report attached thereto.

SEC. 60. Consolidated and Substitute Bills - A consolidated or substitute bill made by a committee

shall have as authors every member who has signed any of the original bills or resolutions consolidated or substituted for, in the order their names appear in the latter and according to the date of the filing thereof. In case the Chairman or any member of the committee desires to be an author of the consolidated or substitute bill, his name shall be added after the name of the last author listed in accordance with the order provided herein.

RULE XXII *FILING AND CONSIDERATION OF BILLS AND RESOLUTIONS*

SEC. 61. All bills and resolutions shall be filed with the Office of the Secretary whether the Senate is in session or not.

SEC. 62. No bill or joint resolution reported out by a committee within ten (10) days prior to the closing of the ordinary session shall be considered unless it be with the express consent of a majority of the Senators present. This Rule may not be suspended impliedly.

SEC. 63. Simple and concurrent resolutions shall be presented at least one (1) day before their consideration, unless a majority of the Senators present decide otherwise.

RULE XXIII *READING OF BILLS AND JOINT RESOLUTIONS*

SEC. 64. Prior to their final approval, bills and joint resolutions shall be read at least three times.

SEC. 65. ²² For the purpose of this Rule, bills shall be considered as read:

On *First Reading*, when they are read for transmittal to the corresponding committee.

When a substitute or consolidated bill is presented with the report, the reading of said report, together with the title of the substitute or consolidated bill shall be considered as First Reading.

On *Second Reading*, when they are sponsored and submitted for the consideration of, and amendment by, the Senate.

On *Third Reading*, when after having been approved on Second Reading, they are submitted with or without amendments for the approval of the Senate.

SEC. 66. The First Reading shall be confined to its title; the Second shall consist in the reading of the bill in the form recommended by the corresponding committee; and the Third, in the form it will be after approval on Second Reading.

SEC. 67. Notwithstanding the preceding section, the Second and Third Readings may be limited only to the title of the bill or resolution, if a motion to that effect is approved by a majority of the Senators present.

SEC. 68. No bill shall be passed by the Senate unless it has passed three (3) readings on separate days, and printed copies thereof in its final form have been distributed to the members three (3) days before its

²²As amended and adopted on 21 May 2018 (p. 2000, *Journal of Session No. 75*)

passage, except when the President of the Philippines certifies to the necessity of its immediate enactment to meet a public calamity or emergency pursuant to Section 26, Subsection 2, Article VI of the Constitution.

A bill or joint resolution filed as a substitute or a consolidated version of a bill or joint resolution previously certified by the President pursuant to Section 26, Subsection 2, Article VI of the Constitution shall likewise be certified for it to be considered for immediate enactment by the Senate.

RULE XXIV
*CONSIDERATION OF THE MATTERS
APPEARING IN THE CALENDAR
FOR SPECIAL ORDERS*

SEC. 69. After the opening of the session and the dispatch and assignment of the various matters appearing in the Order of Business, the President shall declare in order, in the arrangement in which they appear, the consideration of the matters contained in the Calendar for Special Orders.

SEC. 70. Notwithstanding the provisions of the preceding section regarding the order of succession, the Senate may, through a motion and with the support of a majority of the Senators present, forthwith consider any other measure.

RULE XXV
CONSIDERATION OF, AND DEBATES ON, BILLS

SEC. 71. The Senate shall adopt the following procedure in the consideration of bills and joint resolutions:

- a) Second reading of the bill.
- b) Sponsorship by the committee chairman, or by any member designated by the committee.
- c) If a debate ensues, turns for and against the bill shall be taken alternately: *Provided, however,* That any committee member who fails to enter his objection or to make of record his dissenting vote after it shall have been included in the Order of Business and read to the Senate in accordance with the second paragraph of Section 24 hereof, shall not be allowed to speak against the bill during the period of general debate although he may propose and speak or vote on amendments thereto.
- d) The sponsor of the bill or author of the motion shall have the right to close the debate.
- e) With the debate closed, the consideration of amendments, if any, shall be in order.
- f) After the period of amendments, the voting of the bill on Second Reading.
- g) Bills shall be submitted to final vote by yeas and *nays* after printed copies thereof in final form have been distributed to the members at least three (3) days prior to their passage except when the President of the Philippines certifies to the necessity of their immediate enactment to meet a public calamity or emergency, in which case the voting on Third Reading may take place immediately after Second Reading.

SEC. 72. Simple or concurrent resolutions shall not be subject to the procedure for Second and Third Readings prescribed in Section 71.

RULE XXVI
MANNER OF HAVING THE FLOOR

SEC. 73. Whenever a Senator wishes to speak, he shall rise and request the President or the Presiding Officer to allow him to have the floor, which consent shall be necessary before he may proceed.

If various Senators wish to have the floor, the President or Presiding Officer shall recognize the one who first made the request.

SEC. 74. No Senator shall interrupt another without the latter's consent, which may not be obtained except through the President or Presiding Officer.

RULE XXVII
DURATION OF DEBATES

SEC. 75. The sponsor may consume as much time as he deems necessary to express the contents and purposes of the bill. Subsequent speakers for or against a bill may consume two (2) hours each for debates on bills or other matters, provided they are not on amendments.

SEC. 76. On amendments, not more than thirty (30) minutes may be consumed by each speaker.

SEC. 77. The time spent in parliamentary interpellations shall be discounted from the period allowed for debates.

SEC. 78. Notwithstanding the provisions of this Rule regarding the time that each speaker may consume, the Senate may reduce or extend it with the consent of a

majority of the Senators present when by reason of the nature or urgency of the bill the public interest so requires.

RULE XXVIII
BILLS WITH PREAMBLE

SEC. 79. When a bill or resolution with a preamble is submitted to a vote, the body of the measure shall first be voted on, and, afterwards, the preamble. Its author or the committee which reported the said bill or resolution may withdraw the preamble at any time before nominal voting thereon. Thereafter, upon motion duly made, the preamble may be placed on the table and such act shall not affect the status of the bill itself.

RULE XXIX
AMENDMENTS

SEC. 80. All bills and resolutions shall be subject to amendments; but in order that the amendments may be considered, they should be presented concretely and specifically in the course of the debate, indicating therein the page and the line in which the amendments are proposed to be made, and in writing if a majority of the Senators present so decide.

SEC. 81. Whenever a Senator wishes to retain in a measure some words or phrases which have been substituted or deleted by the committee that reported it, an amendment to that effect must be presented as if such words or phrases have never appeared on the bill.

SEC. 82. Not more than one (1) amendment to the original amendment shall be considered.

No amendment by substitution shall be entertained unless the text thereof is submitted in writing.

Any of said amendments may be withdrawn before a vote is taken thereon.

SEC. 83. No amendment which seeks the inclusion of a legislative provision foreign to the subject matter of a bill (rider) shall be entertained.

SEC. 84. No amendment setting aside sums of money for the payment of a claim shall be entertained in an appropriation bill, unless it be to comply with the provisions of a certain law, or with the terms of an agreement duly entered into by the Government, and all these shall be set forth in the proposed amendment.

SEC. 85. A bill or resolution shall not be amended by substituting it with another which covers a subject distinct from that proposed in the original bill or resolution.

SEC. 86. Amendments to the title of a bill or resolution shall be in order after the text thereof has been perfected.

RULE XXX
MANNER OF PRESENTING MOTIONS

SEC. 87. Motions other than those subject of Section 80 in the preceding Rule may be presented orally, but a majority of the Senators present may require that they be done in writing and read by the Secretary before proceeding to their consideration.

SEC. 88. The sponsor of any motion or measure may withdraw or modify it before its amendments or

resolution or before a nominal vote is ordered on the same; but a motion to reconsider duly seconded may not be withdrawn without the consent of the one who seconded the said motion.

RULE XXXI *PRECEDENCE OF MOTIONS*

SEC. 89. While a motion or bill or resolution is being discussed, no other motion shall be entertained except the following and in the order in which they appear below:

- a) Motion to adjourn.
- b) Motion to set the date for the resumption of the session.
- c) Motion to suspend the session.
- d) Motion to call an executive session.
- e) Motion to lay on the table any business.
- f) Motion to postpone indefinitely the consideration of any business.
- g) Motion to postpone the consideration of any business to another date.
- h) Motion to refer a principal motion to the corresponding committee.
- i) Motion to amend.

All motions to adjourn or suspend a session or to hold executive sessions shall be resolved without debate.

RULE XXXII *PRIVILEGED MOTIONS*

SEC. 90. The following shall be considered privileged motions:

- a) Motion to adjourn.
- b) Motion to consider appropriation or revenue bills.

- c) Motion to consider a bill appearing on the Calendar, which motion may not be amended.
- d) Motion to postpone the consideration of a pending measure, without prejudice to the status of the bill or to its place in the Calendar.
- e) Motion to transpose any matter appearing on the Calendar.

All the foregoing motions shall not be debatable, and shall have precedence in their consideration according to the order abovementioned.

RULE XXXIII *MOTION TO RECONSIDER AND ITS REQUISITES*

SEC. 91. Any Senator who voted with the majority may move for the reconsideration of a measure on the same day it was decided by the Senate or within the next two (2) session days. If the Senate disapproves the motion, no other motion to reconsider shall be entertained unless it be by unanimous consent.

SEC. 92. If a motion for reconsideration, approved by the Senate, refers to a measure already with the House of Representatives, an advice shall be sent to the latter with a request for the return of the measure and to render ineffective any action taken thereon.

RULE XXXIV *UNPARLIAMENTARY ACTS AND LANGUAGE*

SEC. 93. Acts and language which offend a Senator or any public institution shall be deemed unparliamentary.

SEC. 94. No Senator, under any circumstances, shall use offensive or improper language against another Senator or against any public institution.

SEC. 95. When a Senator, by word or deed, violates any Rule of the Senate, the President, *motu proprio* or at the instance of another Senator, may call him to order. The Senator concerned shall immediately take his seat if he happens to have the floor; and, in case the point of order raised has been sustained by the President or Presiding Officer, said Senator shall not continue speaking without the consent of the Senate. The motion permitting the Senator concerned to continue speaking shall be resolved without debate.

SEC. 96. When a Senator is called to order for using unparliamentary language, any other Senator may ask that the objectionable words be read for the information and decision of the Senate.

SEC. 97. Upon the recommendation of the Committee on Ethics and Privileges, the Senate may punish any member for disorderly behavior and, with the concurrence of two-thirds (2/3) of the entire membership, suspend or expel a member. A penalty of suspension shall not exceed sixty (60) calendar days.

RULE XXXV
*SUSPENSION AND ADJOURNMENT
OF THE SESSION*

SEC. 98. Except as provided in Section 41, Rule XIV, hereof, the President of the Senate cannot suspend or adjourn a session of the Senate without a previous motion or resolution to that effect, which should be approved by a majority vote of the Senators present.

SEC. 99. Notwithstanding the provision of the preceding section, the lack of quorum shall compel the President to adjourn the session, unless, by means of motion, which shall not be subject to debate, a majority of the Senators present agree to its suspension and ask the President or Presiding Officer to order the Sergeant-at-Arms to require the appearance of the absent members or, if it is deemed necessary, to order their arrest so as to form the necessary quorum.

SEC. 100. The Senate adjourns for a congressional recess:

- a) In compliance with its legislative calendar.
- b) At the end of the regular session thirty (30) days before the next regular session, exclusive of Saturdays, Sundays and Holidays.
- c) At the end of a special session of Congress.
- d) Upon the termination of the term of a Congress.

Recess includes:

- a) The period of time between the adjournment of the regular session and the convening of the next regular session of the same Congress.
- b) The intervening period of time between the adjournment of a regular session, and the convening of the special session of the same Congress.
- c) The intervening period of time between the adjournment of a special session, and the convening of the next regular session of the same Congress.
- d) The intervening period of time between the end of a session and its resumption on a fixed date

as provided in the legislative calendar other than the adjournment of the annual regular session.

RULE XXXVI
CONCURRENCE IN TREATIES

SEC. 101. When a treaty is received in the Senate for its concurrence, the same shall be referred to the Committee on Foreign Relations. After the Committee has reported the treaty to the Senate, the Second Reading of the treaty shall take place and during this period it shall be opened to general debate and to amendments. After the close of the debate, the treaty shall be voted upon and once approved shall pass to its Third Reading.

Any action taken by the Senate on the treaty shall be set forth in a resolution prepared by the Committee on Foreign Relations. This resolution shall be printed and distributed to the Senators as a bill on Third Reading.

Three (3) days after the distribution of the resolution of the Senate with printed copies of the treaty attached thereto, the resolution shall be submitted for nominal voting and, if two-thirds (2/3) of all the Senators approve it, the treaty shall be deemed approved, and in the contrary case, disapproved.

Consideration of the treaty shall be resumed from session to session until final approval or non-approval.

All proceedings on treaties shall terminate upon the expiration of the term of the Senators elected in the preceding elections and the same shall be taken up in the succeeding sessions of the Senate, as if presented for the first time.

RULE XXXVII
*READING AND INCLUSION
OF CERTAIN DOCUMENTS*

SEC. 102. The reading and inclusion of any document in the *Record of the Senate* as well as in the *Journal* may be ordered upon request of a Senator after his brief explanation of the object of his request; but if objected to, the motion shall be submitted to a vote without debate.

SEC. 103. The reading and inclusion of documents that are not of public interest shall not be allowed.

SEC. 104. No written explanation of vote, speech or any other document shall be included in the *Record* as well as in the *Journal* if the member manifesting his interest to have the same included fails to submit such document within seven (7) days from the time he made the manifestation.

RULE XXXVIII
POINT OF ORDER

SEC. 105. All points of order may be raised at any time during the session and the President shall resolve them. The decisions of the President may be appealed to the Senate upon motion of any Senator.

The motion to lay on the table an appeal shall always be in order, and if the Senate resolves the motion in the affirmative, the decision of the President or Presiding Officer shall be deemed to have been sustained.

SEC. 106. It shall be discretionary for the President to submit to the Senate for resolution any point of order which may be raised.

RULE XXXIX
QUESTION OF PRIVILEGE

SEC. 107. Questions of privilege are those affecting the rights, privileges, reputation, conduct, decorum and dignity of the Senate or of its members as well as the integrity of its proceedings.

SEC. 108. When there is no quorum or when the roll is being called, no question of privilege may be raised unless it relates to the procedure of ascertaining the existence of said quorum.

SEC. 109. Only the motion to adjourn shall have precedence over questions of privilege and privileged motions.

RULE XL
*PRIVILEGE TO SPEAK ON MATTERS
OF PUBLIC INTEREST*

SEC. 110. After the consideration of the matters contained in the Calendar for Special Orders, a Senator may forthwith request for and avail of the privilege to speak for one (1) hour on any matter of public interest.

If more than one (1) Senator wish to avail of the same privilege, the Senator who first announced his intention shall be given priority.

The period of time allowed in this section may, upon motion of the Senator on the floor, be extended for such time as may be necessary for him to finish his speech unless a majority of all Senators vote against such extension.

RULE XLI
VOTING

SEC. 111. Voting shall be:

- a) By *viva voce*.
- b) Nominal.

SEC. 112. In votings by *viva voce* the affirmative vote shall be taken first, and then the negative vote.

SEC. 113. If there is any doubt as to the result, the President, on his own initiative or upon petition of any Senator, shall proceed to the counting of the affirmative and the negative votes.

In this case, the President shall request the Senators who voted in the affirmative to raise their hands and, after taking note of their number, he shall request those who voted in the negative to do the same.

After counting the votes, he shall announce the final result.

SEC. 114. In nominal votings, the Secretary shall call alphabetically the names of the Senators present and each Senator shall answer "yes" or "no" upon being called.

Immediately thereafter, the Secretary shall inform the President about the result of the voting, and the latter forthwith shall in turn announce it to the Senate.

SEC. 115. The voting shall always be nominal whenever it concerns:

- a) Bills or joint resolutions.
- b) Bills or joint resolutions vetoed by the President of the Philippines.

- c) Resolutions relative to treaties.
- d) Any other matter, if one-fifth (1/5) of the Senators present request it.

SEC. 116. The President shall not be obliged to vote except when his vote is decisive.

SEC. 117. The vote of a Senator absent from the session at the moment he is called to vote shall not be counted.

SEC. 118. No Senator shall be permitted to vote on any measure after the President has announced the result of the voting.

SEC. 119. Voting shall not be interrupted except on a question of quorum.

RULE XLII
UNANIMOUS CONSENT

SEC. 120. The unanimous consent to any action or proceeding may be given expressly or impliedly.

RULE XLIII
SUSPENSION OF THE RULES

SEC. 121. The Rules shall be suspended only when a motion presented by the Committee on Rules to that effect is approved by a majority of the Senators present, there being a quorum.

SEC. 122. When a motion to suspend the Rules is pending, one motion to adjourn may be entertained. If the

latter is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

If the Senate votes to suspend the Rules, it shall forthwith proceed to consider the measure.

RULE XLIV
UNFINISHED BUSINESS

SEC. 123. Unfinished business at the end of the session shall be taken up at the next session in the same status.

All pending matters and proceedings shall terminate upon the expiration of one (1) Congress, but may be taken by the succeeding Congress as if presented for the first time.

RULE XLV
*PETITIONS AND MEMORIALS
OF PRIVATE PERSONS OR FOREIGN STATES*

SEC. 124. The petitions and memorials of private persons shall be considered by the Senate only when clearly and duly signed by their authors. Those coming from a foreign national or State should furthermore be transmitted through the Office of the President of the Republic of the Philippines.

RULE XLVI
APPEARANCE OF CABINET MEMBERS

SEC. 125. Any Department Secretary, Cabinet member, the Governor of the *Bangko Sentral ng Pilipinas*

or head of a government financial institution may be summoned by the Senate, through a resolution adopted by it, or upon his own initiative with the consent of the President of the Philippines, appear before the Senate, for information on any matter pertaining to his department.

The resolution adopted by the Senate shall state specifically and clearly the questions to be answered and the date and hour when the Department Secretary, Cabinet Member, Governor of the *Bangko Sentral ng Pilipinas* or head of a government financial institution shall appear and give the information desired. No question shall contain arguments, include offensive or unparliamentary language or expressions; pertain to *sub-judice* matters; refer to the internal affairs of a foreign country or contain unwarranted discourtesy to it.

Within three (3) days from receipt of said resolutions, the Department Secretary, Cabinet member, Governor of the *Bangko Sentral ng Pilipinas* or head of a government financial institution shall appear and answer the questions therein, unless the Senate requires him to comply therewith at a specified date and time.

Interpellations shall not be limited to written questions, but may cover matters related thereto.

The appearance of a Department Secretary, Cabinet member, the Governor of the *Bangko Sentral ng Pilipinas* or head of a government financial institution shall be conducted in executive session when the security of the State or the public interest so requires and the President of the Philippines so states in writing.

The appearance of a Department Secretary, Cabinet member, Governor of the *Bangko Sentral ng Pilipinas* or

head of a government financial institution shall be scheduled on Tuesdays at five o'clock in the afternoon, unless the Senate decides otherwise.

When a member of the Cabinet desires to be heard by the Senate on any matter pertaining to his department which is pending consideration in the Senate, a request to that effect shall be sent to the President of the Senate for his approval.

RULE XLVII EXECUTIVE SESSION

SEC. 126. The executive sessions of the Senate shall be held always behind closed doors. In such sessions, only the Secretary, the Sergeant-at-Arms, and/or such other persons as may be authorized by the Senate may be admitted to the session hall.

SEC. 127. Executive sessions shall be held whenever a Senator so requests it and his petition has been duly seconded, or when the security of the State or public interest so requires. Thereupon, the President shall order that the public be excluded from the gallery and the doors of the session hall be closed.

The Senator who presented the motion shall then explain the reasons which he had for submitting the same.

The minutes of the executive sessions shall be recorded in a separate book.

SEC. 128. The President as well as the Senators and the officials and employees of the Senate shall absolutely refrain from divulging any of the confidential

matters taken up by the Senate, and all proceedings which might have taken place in the Senate in connection with the said matters shall be likewise considered as strictly confidential until the Senate, by two-thirds (2/3) vote of all its members, decides to lift the ban of secrecy.

SEC. 129. Any Senator who violates the provisions contained in the preceding section may, by a two-thirds (2/3) vote of all the Senators, be expelled from the Senate, and if the violator is an official or employee of the Senate, he shall be dismissed.

SEC. 130. Whenever upon the request of the Senate or of any of its committees, the President of the Philippines or a Department Secretary sends to the Senate or to any of its committees certain confidential documents in connection with any matter pending therein, all proceedings relative to said documents shall be held behind closed doors and shall not be published without the consent of a majority of the Senators present in the session.

RULE XLVIII *DOCUMENTS FILED WITH THE SENATE*

SEC. 131. All documents filed with the Senate after consideration shall be kept and preserved in the Archives of the Senate. No memorial, petition or any other document confidential in nature may be copied, withdrawn or taken away from the Archives or the Office of the Secretary or of any committee without the permission of the Secretary.

SEC. 132. When the documents sought to be copied or withdrawn are in the opinion of the Senate not

confidential in nature, the Secretary may issue certified copies thereof.

SEC. 133. Legislative committee secretaries of the Senate Secretariat shall deliver to the Archives within seven (7) days after final adjournment of the Congress, all papers and documents in their possession which are related to legislative measures referred to their respective committees.

RULE XLIX *PROCEDURE ON VETOED BILLS*

SEC. 134. If the President of the Philippines vetoes a bill or any part thereof, he shall return the bill with his objections to the House where it originated. If the Senate is the House of origin, it shall enter the objections at large in the *Journal*, and proceed to reconsider the bill or item or items vetoed.

During reconsideration, the Senate shall proceed to vote by *yeas* and *nays* on the bill or vetoed item or items thereof. The *yeas* and *nays* with the names of the Members voting shall be recorded in the *Journal*. If the bill or vetoed item or items thereof is passed by a vote of two-thirds (2/3) of all the Senators, it shall be sent together with the objections to the House of Representatives, which shall likewise reconsider the same.

RULE L *SUPPLEMENTARY RULES*

SEC. 135. If there is no Rule applicable to a specific case, the precedents of the Legislative Department of the

Philippines shall be resorted to, and as supplement to these, the Rules contained in *Jefferson's Manual*, *Riddick's Precedents and Practices*, and *Hind's Precedents*.

RULE LI
*AMENDMENTS TO, OR REVISION OF,
THE RULES*

SEC. 136. At the start of each session in which the Senators elected in the preceding elections shall begin their term of office, the President may endorse the Rules to the appropriate committee for amendment or revision.

The Rules may also be amended by means of a motion which should be presented at least one (1) day before its consideration, and the vote of the majority of the Senators present in the session shall be required for its approval.

RULE LII
DATE OF TAKING EFFECT

SEC. 137. These Rules shall take effect on the date of their adoption and shall remain in force until they are amended or repealed.

REPUBLIC OF THE PHILIPPINES
SENATE

RESOLUTION NO. 5

RULES OF PROCEDURE
GOVERNING INQUIRIES
IN AID OF LEGISLATION

SECTION 1. *Power to Conduct Formal Inquiries or Investigations.* The Senate or any of its Committees may conduct formal inquiries or investigations in aid of legislation in accordance with these Rules.

Such inquiries may refer to the implementation or re-examination of any law or appropriation, or in connection with any proposed legislation or the formulation of, or in connection with future legislation, or will aid in the review or formulation of a new legislative policy or enactment. They may also extend to any and all matters vested by the Constitution in Congress and/or in the Senate alone.

Sec. 2. *Initiation of Inquiry.* Inquiries may be initiated by the Senate or any of its Committees if the matter is within its competence, or upon petition filed or upon information given by any Senator or by any person not a member thereof.

Sec. 3. *Jurisdictional Challenge.* If the jurisdiction of the Committee is challenged on any ground, the said issue must first be resolved by the Committee before proceeding with the inquiry.

If the Committee, by a majority vote of its members present there being a quorum, decides that its inquiry is pertinent or relevant to the implementation or re-examination of any law or appropriation or in connection with any pending or proposed legislation or will aid in the review or formulation of a new legislative policy or enactment, or extends to any and all matters vested by the Constitution in Congress and/or in the Senate alone, it shall overrule such objection and proceed with the investigation.

Only one challenge on the same ground shall be permitted.

The filing or pendency or any prosecution of criminal or administrative action shall not stop or abate any inquiry to carry out a legislative purpose.

Sec. 4. Quorum. One third of all the regular members of the Committee shall constitute a quorum but in no case shall it be less than two. The presence of *ex officio* members may be considered in determining the existence of a quorum.

Sec. 5. Petition by Senators. A petition filed or information given by a Senator shall set forth the facts upon which it is based. It need not be under oath but may be accompanied by supporting affidavits.

Such petition or information shall be addressed to the President, who shall refer the same to the appropriate Committee.

Nothing in this provision shall preclude the Senate from referring to any Committee or Committees any speech or resolution filed by any Senator which in its judgment requires an appropriate inquiry in aid of legislation.

Sec. 6. Petition by Non-Members. A petition filed or information given by any person not a Member of the Senate shall be under oath, stating the facts upon which it is based, and shall be accompanied by supporting affidavits.

If the President finds the petition or information to be in accordance with the requirements of this Section, he shall refer the same to the appropriate Committee.

Sec. 7. Inquiry by One or More Committees. The President shall determine the Committee or Committees to which a speech, resolution, petition or information, as the case may be, shall be referred: *Provided, however,* That in case referral is made to two Committees, a joint investigation shall be held.

Sec. 8. Preliminary Determination. Except in cases of bills and resolutions (which do not call for an investigation or inquiry) filed for consideration, the Committee to which a speech, resolution, petition, or information has been referred by the President shall meet within five (5) days after such referral, with proper notice to all its members, in an executive meeting to determine the action it would take thereon.

A decision to conduct an inquiry shall require the concurrence of a majority of the members present provided there is a quorum.

The decision of a Committee, whether or not to conduct an inquiry, shall be reported to the Committee on Rules. The Committee on Rules shall then regularly inform Senate of such action taken by the Committee. **(Section 8 has been repealed by Resolution No. 9, adopted on 15 August 2016)**

Sec. 9. Internal Rules. A Committee which decides to conduct an inquiry may adopt internal rules of procedure for such inquiry, subject to these Rules.

Sec. 10. Rule of Evidence. Technical rules of evidence applicable to judicial proceedings which do not affect substantive rights need not be observed by the Committee.

Sec. 11. Executive Session and Public Hearing. (1) If the Committee believes that the interrogation of a witness in a public hearing might endanger national security, it may, *motu proprio* or upon motion of any interested party, conduct its inquiry in an executive session for the purpose of determining the necessity or advisability of conducting such interrogation thereafter in public hearing; (2) Attendance at executive sessions shall be limited to members of the Committee, its staff, other Members of the Senate, and other persons whose presence is requested or allowed by the Chairman; and (3) Testimony taken or material presented in an executive session, or any summary thereof, shall not be made public, in whole or in part, unless authorized by the Committee.

Sec. 12. Testimony Under Oath. All witnesses at executive sessions or public hearings who testify as to matters of fact shall give such testimony under oath or affirmation.

Witnesses may be called by the Committee on its own initiative or upon the request of the petitioner or person giving the information or any person who feels that he may be affected by the said inquiry.

Sec. 13. Transcript of Testimony. A complete and accurate record shall be kept of all testimonies and

proceedings at hearings, both in public and in executive sessions.

Any witness or his counsel, at his expense, may obtain a transcript of any public testimony of the witness from the Committee Secretary.

Any witness or his counsel may also obtain a transcript of his testimonies given in executive sessions under the following conditions:

- 1) When a special release of said testimony prior to public release is authorized by the Chairman; or
- 2) After said testimony has been made public by the Committee.

Sec. 14. Right to Counsel. (1) At every hearing, public or executive, every witness shall be accorded the right of having a counsel of his own choice; and (2) Except as provided in the Internal Rules of the Committee on Ethics and Privileges, the participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Sec. 15. Conduct of Counsel. Counsel for a witness shall conduct himself in a professional, ethical and proper manner. His failure to do so shall subject such counsel to disciplinary action which may include a warning, censure, removal from the hearing room, or punishment for contempt.

In such case of such removal of counsel, the witness shall have a reasonable time to obtain another counsel.

Should the witness deliberately or capriciously fail or refuse to obtain the services of another counsel, the hearing shall continue and the testimony of such witness shall be taken.

Sec. 16. Statement of Witness. (1) Any witness desiring to make a prepared or written statement for the record shall file a copy of such statement with the Committee Secretary not less than twenty-four (24) hours in advance of the hearing at which the statement is to be presented; and (2) All such statements or portions thereof so received which are relevant and germane to the subject of investigation may, at the conclusion of the testimony of the witness, be inserted in the official transcript of the proceedings.

Sec. 17. Powers of the Committee. The Committee shall have the powers of an investigating committee, including the power to summon witnesses and take their testimony and to issue subpoena and subpoena *duces tecum*, signed by its Chairman, or in his absence by the Acting Chairman, and approved by the President. Within Metro Manila, such process shall be served by the Sergeant-at-Arms or his assistant. Outside of Metro Manila, service may be made by the police of a municipality or city, upon request of the Secretary.

Witnesses who are not government officials summoned by the Committee shall be entitled, upon request, subject to the approval of the President, to reasonable transportation expenses, plus such amounts as may be deemed necessary to defray the cost of his stay in Metro Manila on a day-to-day basis.

Sec. 18. Contempt.* (a) The Chairman with the concurrence of at least one (1) member of the Committee,

* As amended by Resolution No. 145 adopted on February 6, 2013 and published in the February 18, 2013 issue of the *Manila Bulletin* (p.8) and of The *Daily Tribune* (p.8).

may punish or cite in contempt any witness before the Committee who disobeys any order of the Committee or refuses to be sworn or to testify or to answer a proper question by the Committee or any of its members, or testifying, testifies falsely or evasively, or who unduly refuses to appear or bring before the Committee certain documents and/or object evidence required by the Committee notwithstanding the issuance of the appropriate subpoena therefor. A majority of all the members of the Committee may, however, reverse or modify the aforesaid order of contempt within seven (7) days.

A contempt of the Committee shall be deemed a contempt of the Senate. Such witness may be ordered by the Committee to be detained in such place as it may designate under the custody of the Sergeant-at-Arms until he/she agrees to produce the required documents, or to be sworn or to testify, or otherwise purge himself/herself of that contempt.

b) A report of the detention of any person for contempt shall be submitted by the Sergeant-at-Arms to the Committee and the Senate.

Sec. 19. Privilege Against Self-Incrimination. A witness can invoke his right against self-incrimination only when a question which tends to elicit an answer that will incriminate him is propounded to him. However, he may offer to answer any question in an executive session.

No person can refuse to testify or be placed under oath or affirmation or answer questions before an incriminatory question is asked. His invocation of such right does not by itself excuse him from his duty to give testimony.

In such a case, the Committee, by a majority vote of the members present there being a quorum, shall determine whether the right has been properly invoked. If the Committee decides otherwise, it shall resume its investigation and the question or questions previously refused to be answered shall be repeated to the witness. If the latter continues to refuse to answer the question, the Committee may punish him for contempt for contumacious conduct.

Sec. 20. Subcommittees; Delegation of Authority. The Chairman of a Committee may create subcommittees as may be deemed necessary for the purpose of performing any and all acts which the Committee as a whole is authorized to do and perform, except the power to punish for contempt under Section 18 hereof.

Sec. 21. General Counsel. The following committees shall have their respective counsel: Committee on Accountability of Public Officers and Investigations; Committee on Ethics and Privileges; Committee on Justice and Human Rights; and the Oversight Committee on Government Operations.

Sec. 22. Report of Committee. Within fifteen (15) days after the conclusion of the inquiry, the Committee shall meet to begin the consideration of its Report.

The Report shall be approved by a majority vote of all its members. Concurring and dissenting reports may likewise be made by the members who do not sign the majority report within seventy-two (72) hours from the approval of the report. The number of members who sign reports concurring in the conclusions of the Committee Report shall be taken into account in determining whether the Report has been approved by a majority of the

members: *Provided*, That the vote of a member who submits both a concurring and dissenting opinion shall not be considered as part of the majority unless he expressly indicates his vote for the majority position.

The Report, together with any concurring and/or dissenting opinions, shall be filed with the Secretary of the Senate, who shall include the same in the next Order of Business.

Sec. 23. Action on Report. The Report, upon inclusion in the Order of Business, shall be referred to the Committee on Rules for assignment in the Calendar.


Sec. 24. Effectivity. These Rules shall take effect after seven (7) days following complete publication in two (2) newspapers of general circulation and shall remain in force until amended or repealed. A copy of these Rules shall be posted on the official website of the Senate of the Philippines.*

Adopted,



JUAN PONCE ENRILE
President of the Senate

This Resolution was adopted by the Senate on August 9, 2010.



EMMA LIRIO-REYES
Secretary of the Senate

*The Rules of Procedure Governing Inquiries in Aid of Legislation was adopted by the Senate on 9 August 2010 and was published in the 19 August 2016 issue of the *Manila Standard* (p.C3). The Rules can be accessed at the Senate website: www.senate.gov.ph.

REPUBLIC OF THE PHILIPPINES
SENATE

RESOLUTION NO. 9

**RESOLUTION REPEALING SECTION 8 OF
RESOLUTION NO. 5, AS AMENDED,
OTHERWISE KNOWN AS THE SENATE
RULES OF PROCEDURE GOVERNING
INQUIRIES IN AID OF LEGISLATION**

WHEREAS, Article VI, Section 21 of the Constitution provides that “The Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights of persons appearing in or affected by such inquiries shall be respected”;

WHEREAS, there is a need to repeal Section 8 of Senate Resolution No. 5, otherwise known as the Senate Rules of Procedure Governing Inquiries in Aid of Legislation to reflect the current long-standing practice of the Senate and its Committees;


WHEREAS, there is a need to publish anew Resolution No. 5 as amended hereby: Now, therefore, be it

Resolved, as it is hereby resolved by the Senate of the Philippines, To repeal Section 8 of Resolution No. 5,

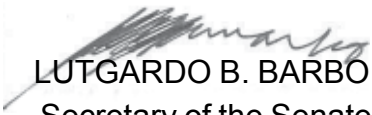
as amended, otherwise known as the Senate Rules of Procedure Governing Inquiries in Aid of Legislation.

Resolved, further, That Resolution No. 5, as amended hereby, shall take effect immediately upon publication in a newspaper of general circulation and shall remain in force until amended or repealed. A copy of Resolution No. 5, as amended, shall be posted on the official website of the Senate of the Philippines.

Adopted,


AQUILINO "KOKO" PIMENTEL III
President of the Senate

This Resolution was adopted by the Senate on August 15, 2016.


LUTGARDO B. BARBO
Secretary of the Senate

REPUBLIC OF THE PHILIPPINES
SENATE

RESOLUTION NO. 145

RESOLUTION AMENDING RESOLUTION
NO. 5, OTHERWISE KNOWN AS THE
RULES OF PROCEDURE GOVERNING
INQUIRIES IN AID OF LEGISLATION

Whereas, Article VI, Section 21 of the 1987 Constitution provides that the Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure;

Whereas, inherent to the enforcement of the right to conduct inquiries in aid of legislation is the right of the Senate and its committees to exercise the power of contempt;

Whereas, at present, the required vote necessary for a Senate committee to punish any witness for contempt is "a vote of a majority of all its members";

Whereas, the amendment is necessary to allow the senators to attend to equally important matters requiring their immediate attention without frustrating the inherent right of the committees to exercise the power of contempt: Now, therefore, be it

Resolved, as it is hereby resolved, by the Senate of the Philippines, To amend Section 18 of

Resolution No. 5, otherwise known as the Senate Rules of Procedure governing inquiries in aid of legislation, to read as follows:


“Sec. 18. *Contempt*. - (a) The Chairman with the concurrence of at least one (1) member of the Committee, may punish or cite in contempt any witness before the Committee who disobeys any order of the Committee or refuses to be sworn or to testify or to answer a proper question by the Committee or any of its members, or testifying, testifies falsely or evasively, or who unduly refuses to appear or bring before the Committee certain documents and/or object evidence required by the Committee notwithstanding the issuance of the appropriate subpoena therefor. A majority of all the members of the Committee may, however, reverse or modify the aforesaid order of contempt within seven (7) days.

“A contempt of the Committee shall be deemed a contempt of the Senate. Such witness may be ordered by the Committee to be detained in such place as it may designate under the custody of the Sergeant-at-Arms until he/she agrees to produce the required documents, or to be sworn or to testify, or otherwise purge himself/herself of that contempt.

“(b) A report of the detention of any person for contempt shall be submitted by the Sergeant-at-Arms to the Committee and the Senate.”


Resolved, further, That this Resolution shall take effect immediately upon publication in two (2) newspapers of general circulation and shall remain in force until amended or repealed. A copy of this Resolution shall be posted in the official website of the Senate of the Philippines.*

Adopted,



JUAN PONCE ENRILE
President of the Senate

This Resolution was adopted by the Senate on February 6, 2013.



EMMA LIRIO-REYES
Secretary of the Senate

* This Resolution was published in the February 18, 2013 issue of the *Manila Bulletin* (P.8) and of *The Daily Tribune* (p.8).

REPUBLIC OF THE PHILIPPINES
SENATE

RESOLUTION NO. 39

RESOLUTION ADOPTING THE RULES
OF PROCEDURE ON IMPEACHMENT
TRIALS

*Resolved by the Senate, To adopt, as it hereby adopts,
the following:*

Rules of Procedure on Impeachment Trials

- I. When the Senate receives articles of impeachment pursuant to Article XI, Sections 2 and 3 of the Constitution, the President of the Senate shall inform the House of Representatives that the Senate shall take proper order on the subject of impeachment and shall be ready to receive the prosecutors on such time and date as the Senate may specify.
- II. When the President of the Philippines is on trial, the Chief Justice of the Supreme Court shall preside but shall not vote. Notice shall be given to him by the President of the Senate of the time and place fixed for the consideration of the articles of impeachment, with a request to attend. The Chief Justice shall be administered the oath or affirmation, prescribed under these

Rules, by the President of the Senate and shall preside over the Senate during the consideration of said articles and upon the trial of the person impeached.

The President of the Senate shall preside in all other cases of impeachment and, for that purpose, placed under the prescribed oath or affirmation by any person authorized by law to administer an oath.

- III. Before proceeding to the consideration of the articles of impeachment, the Presiding Officer shall administer the prescribed oath or affirmation to the Members of the Senate then present and to the other Members of the Senate as they shall appear, whose duty it shall be to take the same.

Upon presentation of the articles to the Senate, the Senate shall specify the date and time for the consideration of such articles. Unless the Senate provides otherwise, it shall continue in session from day to day (except Saturdays, Sundays, and nonworking holidays) until final judgment shall be rendered, and so much longer as may, in its judgment, be necessary.

Senators shall observe political neutrality during the course of the impeachment trial. "Political neutrality" shall be defined as exercise of public official's duty without unfair discrimination and regardless of party affiliation or preference.

- IV. The Presiding Officer shall have the power to make and issue, by himself or by the Secretary of the Senate, all orders, mandates, and writs

authorized by these Rules or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

- V. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, and judgments, to preserve order, and to punish in a summary way contempts of, and disobedience to, its authority, orders, mandates, writs, or judgments, and to make all lawful orders, rules, and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant-at-Arms of the Senate, under the direction of the President of the Senate, may employ such aid and assistance as may be necessary to enforce, execute, and carry into effect the lawful orders, mandates, and writs of the Senate.

- VI. The President of the Senate or the Chief Justice when presiding on the trial may rule on all questions of evidence including, but not limited to, questions of materiality, relevancy, competency or admissibility of evidence and incidental questions, which ruling shall stand as the judgment of the Senate, unless a Member of the Senate shall ask that a formal vote be taken thereon, in which case it shall be submitted to the Senate for decision after one contrary view is expressed; or the Presiding Officer may at his/her option, in the first instance, submit any such question to a vote of the Members of the Senate. The motion for a vote and the contrary opinion shall not take more than two (2) minutes each, with a one

minute rebuttal allowed for the proponent of the motion. The provisions of the Rules of the Senate and the revised Rules of Court shall apply suppletorily whenever applicable.

VII. Upon the presentation of articles of impeachment and the organization of the Senate as hereinbefore provided, a writ of summons shall be issued to the person impeached, reciting or incorporating said articles, and notifying him/her to appear before the Senate upon a day and at a place to be fixed by the Senate and named in such writ, and to file his/her Answer to said articles of impeachment within a non-extendible period of ten (10) days from receipt thereof; to which the prosecutors may Reply within a non-extendible period of five (5) days therefrom; and to stand to and abide by the orders and judgments of the Senate.

Such writ shall be served by such officer or person named in the order thereof, not later than three (3) days prior to the day fixed for such appearance of the person impeached, either by the delivery of an attested copy thereof to the person impeached, or if personal service cannot be done, service of the writ may be made by leaving a copy with a person of sufficient age and discretion at his/her last known address or at his/her office or place of business; and if the service of such writ shall fail the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the person impeached, after service, shall fail to appear,

either in person or by counsel, on the day so fixed or, appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed nevertheless as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon without further proceedings.

VIII. At the date and time designated by the Senate for the return of the summons against the person impeached, the Secretary of the Senate shall administer the following oath or affirmation to the returning officer:

“I, _____, do solemnly swear (or affirm) that the return made by me upon the process issued on the _____ day of _____, by the Senate of the Philippines, against _____ was truly made, and that I have performed such service as therein described: (So help me God).”

Which oath or affirmation shall be entered at large on the records.

IX. The person impeached shall then be called to appear and answer the articles of impeachment against him/her. If he/she appears, or any person for him/her, the appearance shall be recorded, stating particularly if by himself/herself, or by agent or counsel, naming the person appearing and the capacity in which he/she appears. If he/she does not appear, either personally or by agent or counsel, the same shall be recorded.

- X. At 2 o'clock in the afternoon, or at such other hour as the Senate may order, of the day appointed for the trial of an impeachment, the legislative business of the Senate, if there be any, shall be suspended, and the Secretary of the Senate shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment trial of _____, in the Senate Chamber.
- XI. Unless otherwise fixed by the Senate, the hour of the day at which the Senate shall sit upon the trial of an impeachment shall be 2 o'clock in the afternoon; and when the hour shall arrive, the Presiding Officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate as a legislative body.
- XII. The Secretary of the Senate shall record the proceedings in cases of impeachment as in the case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.
- XIII. Counsel for the parties shall be admitted to appear and be heard upon an impeachment: *Provided*, That counsel for the prosecutors shall be under the control and supervision of the panel of prosecutors of the House of Representatives.

- XIV. All motions, objections, requests, or applications whether relating to the procedure of the Senate or relating immediately to the trial (including questions with respect to admission of evidence or other questions arising during the trial) made by the parties or their counsel shall be addressed to the Presiding Officer only, and if he, or any Senator, shall require it, they shall be committed to writing, and read at the Secretary's table.
 - XV. Witnesses shall be examined by one person on behalf of the party producing them, and then cross-examined by one person on the other side.
 - XVI. If a Senator is called as a witness, he/she shall be sworn, and give his/her testimony standing in his/her place.
 - XVII. If a Senator wishes to put a question to a witness, he/she shall do so within two (2) minutes. A Senator may likewise put a question to a prosecutor or counsel. He/she may also offer a motion or order, in writing, which shall be submitted to the Presiding Officer.
 - XVIII. At all times while the Senate is sitting upon the trial of an impeachment the doors of the Senate shall be open to the public. Silence shall be observed by the visitors at all times, on pain of eviction from the trial venue.
- The Presiding Officer and the Members of the Senate shall refrain from making any comments and disclosures in public pertaining to the merits of a pending impeachment trial.

The same shall likewise apply to the prosecutors, to the person impeached, and to their respective counsel and witnesses.

- XIX. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour on each side, unless the Senate otherwise orders.
- XX. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two (2) persons on each side (unless otherwise ordered by the Senate upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.
- XXI. The trial of all the articles of impeachment shall be completed before the Senators vote on the final question on whether or not the impeachment is sustained. On the final question whether the impeachment is sustained, the vote shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the votes of two-thirds of all the Members, a judgment of acquittal shall be entered; but if the person impeached in such articles of impeachment shall be convicted upon any of said articles by the votes of two-thirds of all the Members, the Senate shall proceed to pronounce judgment of conviction, and a certified copy of such judgment shall be deposited in the Office of the Secretary of the Senate. A motion to reconsider the vote by which any article of impeachment is sustained or rejected shall not be in order.

Form of putting the question on each article of impeachment.

The Presiding Officer shall first state the question. Thereafter, each Senator, as his/her name is called, shall rise in his/her place and answer: *guilty* or *not guilty*. The vote of the President of the Senate on each article of impeachment, when acting as the presiding officer, shall be last taken after all the Senators have stated their votes. If he/she so wishes, a Senator may explain his/her vote for not more than two (2) minutes.

- XXII. All the orders and decisions may be acted upon without objection, or, if objection is heard, the orders and decisions shall be voted on without debate by *yeas* and *nays*, which shall be entered on the record, subject, however, to the operation of Rule VI, and in that case no Member shall speak more than once on one question, and for not more than ten (10) minutes on an interlocutory question, and for not more than fifteen (15) minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the *yeas* and *nays*, unless they be demanded by one-fifth of the Members present. The fifteen minutes herein allowed shall be for the whole deliberation on the final question, and not on the final question on each article of impeachment.

- XXIII. Witnesses shall be sworn in the following form:

"You _____, do swear (or affirm, as the case may be) that the evidence you

shall give in the case now pending between the Philippines and _____, shall be the truth, the whole truth, and nothing but the truth: (so help you God).”

Which oath or affirmation shall be administered by the Secretary of the Senate, or any other duly authorized person.

Form of a subpoena to be issued on the application of the prosecutors of the impeachment, or of the party impeached, or of his/her counsel.

To _____,

Greetings:

You are hereby commanded to appear before the Senate of the Philippines, on the _____ day of _____, at the Senate Chamber in _____, then and there to testify your knowledge in the case which is before the Senate in which the House of Representatives has impeached _____, and to bring with you the following _____, it being necessary to use the same as testimony.

Fail not.

Witness _____, and Presiding Officer of the said Senate at _____, Philippines, this ___ day of _____, in the year of our Lord _____.

Presiding Officer of the Senate

Form of direction for the service of said subpoena.

The Senate of the Philippines)

To _____,

Greetings:

You are hereby commanded to serve and return the within subpoena according to law. Dated at _____, this _____ day of _____, in the year of our Lord _____.

Secretary of the Senate

Form of oath to be administered to the Members of the Senate and the Presiding Officer sitting in the trial of impeachments.

"I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of _____, now pending, I will do impartial justice according to the Constitution and laws of the Philippines: (So help me God)."

Form of summons to be issued and served upon the person impeached.

REPUBLIC OF THE PHILIPPINES) S.S.
The Senate of the Philippines)

To _____,

Greetings:

Whereas the House of Representatives of the Philippines did, on the ____ day of _____, present to the Senate articles of impeachment against you, the said _____, in the words following:

[Here insert the articles]

And demand that you, the said _____, should be put to answer the accusations as set forth in said articles, and that such proceedings, examinations, trials, and judgments might be thereupon had as are agreeable to law and justice.

You, the said _____, are therefore hereby summoned to be and appear before the Senate of the Philippines, at their Chamber in _____, on the ____ day of _____, at ____ o'clock _____, then and there to answer to the said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions, and judgments as the Senate of the Philippines shall make in the premises according to the Constitution and laws of the Philippines.

Hereof you are not to fail.

Witness _____, and Presiding Officer of the said Senate at _____, Philippines, this ____ day of _____, in the year of our Lord _____.

Presiding Officer of the Senate

Form of Order to be indorsed on said writ of summons.

REPUBLIC OF THE PHILIPPINES) S.S.
The Senate of the Philippines)

To _____,

Greetings:

You are hereby commanded to deliver to and leave with _____, if conveniently to be found, or if not, to leave at his usual place of abode, or at his usual place of business in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this order; and in whichsoever way you perform the service, let it be done at least ____ days before the appearance day mentioned in the said writ of summons.

Fail not, and make return of this writ of summons and order, with your proceedings thereon endorsed, on or before the appearance day mentioned in the said writ of summons.

Witness _____, and Presiding Officer of the said Senate at _____, this ____ day of _____, in the year of our Lord _____.


Presiding Officer of the Senate

All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the Senate.

XXIV. If the Senate shall, at any time, fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

XXV. These Rules shall take effect immediately upon publication in two (2) newspapers of general circulation and shall remain in force until amended or repealed. A copy of these Rules shall be posted on the official website of the Senate of the Philippines.*

Adopted,


JUAN PONCE ENRILE
President of the Senate

This Resolution was adopted by the Senate on March 23, 2011.


EMMA LIRIO REYES
Secretary of the Senate

* Senate Resolution 39, Adopting the Rules of Procedure on Impeachment Trials, was published in the 26 March 2011 issues of the *Manila Bulletin* (p. 9) and the *Manila Times* (p. A7). This Rules can be accessed at the Senate website: www.senate.gov.ph

THE
CONSTITUTION
OF THE
REPUBLIC OF THE PHILIPPINES

PREAMBLE

We, the sovereign Filipino people, imploring the aid of Almighty God, in order to build a just and humane society and establish a Government that shall embody our ideals and aspirations, promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity, the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace, do ordain and promulgate this Constitution.

ARTICLE I
National Territory

The national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and other submarine areas. The waters around, between, and connecting the islands of the archipelago, regardless of their breadth and dimensions, form part of the internal waters of the Philippines.

ARTICLE II

Declaration Of Principles And State Policies

Principles

SECTION 1. The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them.

SEC. 2. The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations.

SEC. 3. Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory.

SEC. 4. The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State, and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

SEC. 5. The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

SEC. 6. The separation of Church and State shall be inviolable.

State Policies

SEC. 7. The State shall pursue an independent foreign policy. In its relations with other states, the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination.

SEC. 8. The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory.

SEC. 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

SEC. 10. The State shall promote social justice in all phases of national development.

SEC. 11. The State values the dignity of every human person and guarantees full respect for human rights.

SEC. 12. The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.

SEC. 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their

physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

SEC. 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

SEC. 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

SEC. 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SEC. 17. The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

SEC. 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

SEC. 19. The State shall develop a self-reliant and independent national economy effectively controlled by Filipinos.

SEC. 20. The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.

SEC. 21. The State shall promote comprehensive rural development and agrarian reform.

SEC. 22. The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.

SEC. 23. The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation.

SEC. 24. The State recognizes the vital role of communication and information in nation-building.

SEC. 25. The State shall ensure the autonomy of local governments.

SEC. 26. The State shall guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law.

SEC. 27. The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.

SEC. 28. Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.

ARTICLE III ***Bill Of Rights***

SEC. 1. No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

SEC. 2. The right of the people to be secure in their persons, houses, papers, and effects against

unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized.

SEC. 3. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law.

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.

SEC. 4. No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.

SEC. 5. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

SEC. 6. The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law.

SEC. 7. The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.

SEC. 8. The right of the people, including those employed in the public and private sectors, to form unions, associations, or societies for purposes not contrary to law shall not be abridged.

SEC. 9. Private property shall not be taken for public use without just compensation.

SEC. 10. No law impairing the obligation of contracts shall be passed.

SEC. 11. Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty.

SEC. 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

(2) No torture, force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, *incommunicado*, or other similar forms of detention are prohibited.

(3) Any confession or admission obtained in violation of this or Section 17 hereof shall be inadmissible in evidence against him.

(4) The law shall provide for penal and civil sanctions for violations of this section as well as compensation to and rehabilitation of victims of torture or similar practices, and their families.

SEC. 13. All persons, except those charged with offenses punishable by *reclusion perpetua* when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties, or be released on recognizance as may be provided by law. The right to bail shall not be impaired even when the privilege of the writ of *habeas corpus* is suspended. Excessive bail shall not be required.

SEC. 14. (1) No person shall be held to answer for a criminal offense without due process of law.

(2) In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustifiable.

SEC. 15. The privilege of the writ of *habeas corpus* shall not be suspended except in cases of invasion or rebellion when the public safety requires it.

SEC. 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

SEC. 17. No person shall be compelled to be a witness against himself.

SEC. 18. (1) No person shall be detained solely by reason of his political beliefs and aspirations.

(2) No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.

SEC. 19. (1) Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it. Any death penalty already imposed shall be reduced to *reclusion perpetua*.

(2) The employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law.

SEC. 20. No person shall be imprisoned for debt or non-payment of a poll tax.

SEC. 21. No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.

SEC. 22. No *ex post facto* law or bill of attainder shall be enacted.

ARTICLE IV
Citizenship

SEC. 1. The following are citizens of the Philippines:

- 1) Those who are citizens of the Philippines at the time of the adoption of this Constitution;
- 2) Those whose fathers or mothers are citizens of the Philippines;
- 3) Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and
- 4) Those who are naturalized in accordance with law.

SEC. 2. Natural-born citizens are those who are citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship. Those who elect Philippine citizenship in accordance with paragraph (3), Section 1 hereof shall be deemed natural-born citizens.

SEC. 3. Philippine citizenship may be lost or reacquired in the manner provided by law.

SEC. 4. Citizens of the Philippines who marry aliens shall retain their citizenship, unless by their act or omission, they are deemed, under the law, to have renounced it.

SEC. 5. Dual allegiance of citizens is inimical to the national interest and shall be dealt with by law.

ARTICLE V
Suffrage

SEC. 1. Suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage.

SEC. 2. The Congress shall provide a system for securing the secrecy and sanctity of the ballot as well as a system for absentee voting by qualified Filipinos abroad.

The Congress shall also design a procedure for the disabled and the illiterates to vote without the assistance of other persons. Until then, they shall be allowed to vote under existing laws and such rules as the Commission on Elections may promulgate to protect the secrecy of the ballot.

ARTICLE VI
The Legislative Department

SEC. 1. The legislative power shall be vested in the Congress of the Philippines which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum.

SEC. 2. The Senate shall be composed of twenty-four Senators who shall be elected at large by the qualified voters of the Philippines, as may be provided by law.

SEC. 3. No person shall be a Senator unless he is a natural-born citizen of the Philippines, and, on the day of the election, is at least thirty-five years of age, able to read and write, a registered voter, and a resident of the Philippines for not less than two years immediately preceding the day of the election.

SEC. 4. The term of office of the Senators shall be six years and shall commence, unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

No Senator shall serve for more than two consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term of which he was elected.

SEC. 5. (1) The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.

(2) The party-list representatives shall constitute twenty *per centum* of the total number of representatives including those under the party list. For three consecutive terms after the ratification of this Constitution, one-half of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural

communities, women, youth, and such other sectors as may be provided by law, except the religious sector.

(3) Each legislative district shall comprise, as far as practicable, contiguous, compact, and adjacent territory. Each city with a population of at least two hundred fifty thousand, or each province, shall have at least one representative.

(4) Within three years following the return of every census, the Congress shall make a reapportionment of legislative districts based on the standards provided in this section.

SEC. 6. No person shall be a Member of the House of Representatives unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least twenty-five years of age, able to read and write, and, except the party-list representatives, a registered voter in the district in which he shall be elected, and a resident thereof for a period of not less than one year immediately preceding the day of the election.

SEC. 7. The Members of the House of Representatives shall be elected for a term of three years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

No Member of the House of Representatives shall serve for more than three consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SEC. 8. Unless otherwise provided by law, the regular election of the Senators and the Members of the

House of Representatives shall be held on the second Monday of May.

SEC. 9. In case of vacancy in the Senate or in the House of Representatives, a special election may be called to fill such vacancy in the manner prescribed by law, but the Senator or Member of the House of Representatives thus elected shall serve only for the unexpired term.

SEC. 10. The salaries of Senators and Members of the House of Representatives shall be determined by law. No increase in said compensation shall take effect until after the expiration of the full term of all the Members of the Senate and the House of Representatives approving such increase.

SEC. 11. A Senator or Member of the House of Representatives shall, in all offenses punishable by not more than six years imprisonment, be privileged from arrest while the Congress is in session. No Member shall be questioned nor be held liable in any other place for any speech or debate in the Congress or in any committee thereof.

SEC. 12. All Members of the Senate and the House of Representatives shall, upon assumption of office, make a full disclosure of their financial and business interests. They shall notify the House concerned of a potential conflict of interest that may arise from the filing of a proposed legislation of which they are authors.

SEC. 13. No Senator or Member of the House of Representatives may hold any other office or employment in the Government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries, during his

term without forfeiting his seat. Neither shall he be appointed to any office which may have been created or the emoluments thereof increased during the term for which he was elected.

SEC. 14. No Senator or Member of the House of Representatives may personally appear as counsel before any court of justice or before the Electoral Tribunals, or quasi-judicial and other administrative bodies. Neither shall he, directly or indirectly, be interested financially in any contract with, or in any franchise or special privilege granted by the Government, or any subdivision, agency, or instrumentality thereof, including any government-owned or controlled corporation, or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the Government for his pecuniary benefit or where he may be called upon to act on account of his office.

SEC. 15. The Congress shall convene once every year on the fourth Monday of July for its regular session, unless a different date is fixed by law, and shall continue to be in session for such number of days as it may determine until thirty days before the opening of its next regular session, exclusive of Saturdays, Sundays, and legal holidays. The President may call a special session at any time.

SEC. 16. (1). The Senate shall elect its President and the House of Representatives its Speaker, by a majority vote of all its respective Members.

Each House shall choose such other officers as it may deem necessary.

(2) A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn

from day to day and may compel the attendance of absent Members in such manner, and under such penalties, as such House may provide.

(3) Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds of all its Members, suspend or expel a Member. A penalty of suspension, when imposed, shall not exceed sixty days.

(4) Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in its judgment, affect national security; and the *ayes* and *nays* on any question shall, at the request of one-fifth of the Members present, be entered in the Journal.

Each House shall also keep a Record of its proceedings.

(5) Neither House during the sessions of the Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 17. The Senate and the House of Representatives shall each have an Electoral Tribunal which shall be the sole judge of all contests relating to the election, returns, and qualifications of their respective Members. Each Electoral Tribunal shall be composed of nine Members, three of whom shall be Justices of the Supreme Court to be designated by the Chief Justice, and the remaining six shall be Members of the Senate or the House of Representatives, as the case may be, who shall be chosen on the basis of proportional representation from the political parties and the parties or organizations registered under the party-list system represented therein.

The senior Justice in the Electoral Tribunal shall be its Chairman.

SEC. 18. There shall be a Commission on Appointments consisting of the President of the Senate, as *ex officio* Chairman, twelve Senators, and twelve Members of the House of Representatives, elected by each House on the basis of proportional representation from the political parties and parties or organizations registered under the party-list system represented therein. The Chairman of the Commission shall not vote, except in case of a tie. The Commission shall act on all appointments submitted to it within thirty session days of the Congress from their submission. The Commission shall rule by a majority vote of all the Members.

SEC. 19. The Electoral Tribunals and the Commission on Appointments shall be constituted within thirty days after the Senate and the House of Representatives shall have been organized with the election of the President and the Speaker. The Commission on Appointments shall meet only while the Congress is in session, at the call of its Chairman or a majority of all its Members, to discharge such powers and functions as are herein conferred upon it.

SEC. 20. The records and books of accounts of the Congress shall be preserved and be open to the public in accordance with law, and such books shall be audited by the Commission on Audit which shall publish annually an itemized list of amounts paid to and expenses incurred for each Member.

SEC. 21. The Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights of persons

appearing in or affected by such inquiries shall be respected.

SEC. 22. The heads of departments may, upon their own initiative, with the consent of the President, or upon the request of either House, as the rules of each House shall provide, appear before and be heard by such House on any matter pertaining to their departments. Written questions shall be submitted to the President of the Senate or the Speaker of the House of Representatives at least three days before their scheduled appearance. Interpellations shall not be limited to written questions, but may cover matters related thereto. When the security of the State or the public interest so requires and the President so states in writing, the appearance shall be conducted in executive session.

SEC. 23. (1) The Congress, by a vote of two-thirds of both Houses in joint session assembled, voting separately, shall have the sole power to declare the existence of a state of war.

(2) In times of war or other national emergency, the Congress may, by law, authorize the President, for a limited period and subject to such restrictions as it may prescribe, to exercise powers necessary and proper to carry out a declared national policy. Unless sooner withdrawn by resolution of the Congress, such powers shall cease upon the next adjournment thereof.

SEC. 24. All appropriations, revenue or tariff bills, bills authorizing increase of the public debt, bills of local application, and private bills, shall originate exclusively in the House of Representatives, but the Senate may propose or concur with amendments.

SEC. 25. (1) The Congress may not increase the appropriations recommended by the President for the operation of the Government as specified in the budget. The form, content, and manner of preparation of the budget shall be prescribed by law.

(2) No provision or enactment shall be embraced in the general appropriations bill unless it relates specifically to some particular appropriation therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.

(3) The procedure in approving appropriations for the Congress shall strictly follow the procedure for approving appropriations for other departments and agencies.

(4) A special appropriations bill shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified by the National Treasurer, or to be raised by a corresponding revenue proposal therein.

(5) No law shall be passed authorizing any transfer of appropriations; however, the President, the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the heads of Constitutional Commissions may, by law, be authorized to augment any item in the general appropriations law for their respective offices from savings in other items of their respective appropriations.

(6) Discretionary funds appropriated for particular officials shall be disbursed only for public purposes to be supported by appropriate vouchers and subject to such guidelines as may be prescribed by law.

(7) If, by the end of any fiscal year, the Congress shall have failed to pass the general appropriations bill for the ensuing fiscal year, the general appropriations law for the preceding fiscal year shall be deemed reenacted and shall remain in force and effect until the general appropriations bill is passed by the Congress.

SEC. 26. (1) Every bill passed by the Congress shall embrace only one subject which shall be expressed in the title thereof.

(2) No bill passed by either House shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to its Members three days before its passage, except when the President certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the last reading of a bill, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter, and the *yeas* and *nays* entered in the Journal.

SEC. 27. (1) Every bill passed by the Congress shall, before it becomes a law, be presented to the President. If he approves the same, he shall sign it; otherwise, he shall veto it and return the same with his objections to the House where it originated, which shall enter the objections at large in its Journal and proceed to reconsider it. If, after such reconsideration, two-thirds of all the Members of such House shall agree to pass the bill, it shall be sent, together with the objections, to the other House by which it shall likewise be reconsidered, and if approved by two-thirds of all the Members of that House, it shall become a law. In all such cases, the votes of each House shall be determined by *yeas* or *nays*, and the names of the Members voting for or against shall be

entered in its Journal. The President shall communicate his veto of any bill to the House where it originated within thirty days after the date of receipt thereof, otherwise, it shall become a law as if he had signed it.

(2) The President shall have the power to veto any particular item or items in an appropriation, revenue, or tariff bill, but the veto shall not affect the item or items to which he does not object.

SEC. 28. (1) The rule of taxation shall be uniform and equitable. The Congress shall evolve a progressive system of taxation.

(2) The Congress may, by law, authorize the President to fix within specified limits, and subject to such limitations and restrictions as it may impose, tariff rates, import and export quotas, tonnage and wharfage dues, and other duties or imposts within the framework of the national development program of the Government.

(3) Charitable institutions, churches and personages or convents appurtenant thereto, mosques, non-profit cemeteries, and all lands, buildings, and improvements, actually, directly, and exclusively used for religious, charitable, or educational purposes shall be exempt from taxation.

(4) No law granting any tax exemption shall be passed without the concurrence of a majority of all the Members of the Congress.

SEC. 29. (1) No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.

(2) No public money or property shall be appropriated, applied, paid, or employed, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or of any priest, preacher, minister, other religious teacher, or dignitary as such, except when such priest, preacher, minister, or dignitary is assigned to the armed forces, or to any penal institution, or government orphanage or leprosarium.

(3) All money collected on any tax levied for a special purpose shall be treated as a special fund and paid out for such purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall be transferred to the general funds of the Government.

SEC. 30. No law shall be passed increasing the appellate jurisdiction of the Supreme Court as provided in this Constitution without its advice and concurrence.

SEC. 31. No law granting a title of royalty or nobility shall be enacted.

SEC. 32. The Congress shall, as early as possible, provide for a system of initiative and referendum, and the exceptions therefrom, whereby the people can directly propose and enact laws or approve or reject any act or law or part thereof passed by the Congress or local legislative body after the registration of a petition therefor signed by at least ten *per centum* of the total number of registered voters, of which every legislative district must be represented by at least three *per centum* of the registered voters thereof.

ARTICLE VII

Executive Department

SEC. 1. The executive power shall be vested in the President of the Philippines.

SEC. 2. No person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, able to read and write, at least forty years of age on the day of the election, and a resident of the Philippines for at least ten years immediately preceding such election.

SEC. 3. There shall be a Vice-President who shall have the same qualifications and term of office and be elected with and in the same manner as the President. He may be removed from office in the same manner as the President.

The Vice-President may be appointed as a Member of the Cabinet. Such appointment requires no confirmation.

SEC. 4. The President and the Vice-President shall be elected by direct vote of the people for a term of six years which shall begin at noon on the thirtieth day of June next following the day of the election and shall end at noon of the same date six years thereafter. The President shall not be eligible for any reelection. No person who has succeeded as President and has served as such for more than four years shall be qualified for election to the same office at any time.

No Vice-President shall serve for more than two successive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption

in the continuity of the service for the full term for which he was elected.

Unless otherwise provided by law, the regular election for President and Vice-President shall be held on the second Monday of May.

The returns of every election for President and Vice-President, duly certified by the board of canvassers of each province or city, shall be transmitted to the Congress, directed to the President of the Senate. Upon receipt of the certificates of canvass, the President of the Senate shall, not later than thirty days after the day of the election, open all the certificates in the presence of the Senate and the House of Representatives in joint public session, and the Congress upon determination of the authenticity and due execution thereof in the manner provided by law, canvass the votes.

The person having the highest number of votes shall be proclaimed elected, but in case two or more shall have an equal and highest number of votes, one of them shall forthwith be chosen by the vote of a majority of all the Members of both Houses of the Congress, voting separately.

The Congress shall promulgate its rules for the canvassing of the certificates.

The Supreme Court, sitting *en banc*, shall be the sole judge of all contests relating to the election, returns, and qualifications of the President or Vice-President, and may promulgate its rules for the purpose.

SEC. 5. Before they enter on the execution of their office, the President, the Vice-President, or the Acting President shall take the following oath or affirmation:

“I do solemnly swear [or affirm] that I will faithfully and conscientiously fulfill my duties as President [or Vice-President or Acting President] of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man, and consecrate myself to the service of the Nation. So help me God.” (*In case of affirmation, last sentence will be omitted*).

SEC. 6. The President shall have an official residence. The salaries of the President and Vice-President shall be determined by law and shall not be decreased during their tenure. No increase in said compensation shall take effect until after the expiration of the term of the incumbent during which such increase was approved. They shall not receive during their tenure any other emolument from the Government or any other source.

SEC. 7. The President-elect and the Vice-President-elect shall assume office at the beginning of their terms.

If the President-elect fails to qualify, the Vice-President-elect shall act as President until the President-elect shall have qualified.

If a President shall not have been chosen, the Vice President-elect shall act as President until a President shall have been chosen and qualified.

If at the beginning of the term of the President, the President-elect shall have died or shall have become permanently disabled, the Vice President-elect shall become President.

Where no President and Vice-President shall have been chosen or shall have qualified, or where both shall

have died or become permanently disabled, the President of the Senate or, in case of his inability, the Speaker of the House of Representatives shall act as President until a President or a Vice-President shall have been chosen and qualified.

The Congress shall, by law, provide for the manner in which one who is to act as President shall be selected until a President or a Vice-President shall have qualified, in case of death, permanent disability, or inability of the officials mentioned in the next preceding paragraph.

SEC. 8. In case of death, permanent disability, removal from office, or resignation of the President, the Vice-President shall become the President to serve the unexpired term. In case of death, permanent disability, removal from office, or resignation of both the President and Vice-President, the President of the Senate or, in case of his inability, the Speaker of the House of Representatives, shall then act as President until the President or Vice-President shall have been elected and qualified.

The Congress shall, by law, provide who shall serve as President in case of death, permanent disability, or resignation of the Acting President. He shall serve until the President or the Vice-President shall have been elected and qualified, and be subject to the same restrictions of powers and disqualifications as the Acting President.

SEC. 9. Whenever there is a vacancy in the Office of the Vice-President during the term for which he was elected, the President shall nominate a Vice-President from among the Members of the Senate and the House of Representatives who shall assume office upon

confirmation by a majority vote of all the Members of both Houses of the Congress, voting separately.

SEC. 10. The Congress shall, at ten o'clock in the morning of the third day after the vacancy in the offices of the President and Vice-President occurs, convene in accordance with its rules without need of a call and within seven days enact a law calling for a special election to elect a President and a Vice-President to be held not earlier than forty-five days nor later than sixty days from the time of such call. The bill calling such special election shall be deemed certified under paragraph 2, Section 26, Article VI of this Constitution and shall become law upon its approval on third reading by the Congress. Appropriations for the special election shall be charged against any current appropriations and shall be exempt from the requirements of paragraph 4, Section 25, Article VI of this Constitution. The convening of the Congress cannot be suspended nor the special election postponed. No special election shall be called if the vacancy is within eighteen months before the date of the next presidential elections.

SEC. 11. Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President as Acting President.

Whenever a majority of all the Members of the Cabinet transmit to the President of the Senate and to the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice-President shall

immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President of the Senate and to the Speaker of the House of Representatives his written declaration that no inability exists, he shall reassume the powers and duties of his office. Meanwhile, should a majority of all the Members of the Cabinet transmit within five days to the President of the Senate and to the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Congress shall decide the issue. For that purpose, the Congress shall convene, if it is not in session, within forty-eight hours, in accordance with its rules and without need of call.

If the Congress, within ten days after receipt of the last written declaration, or, if not in session, within twelve days after it is required to assemble, determines by a two-thirds vote of both Houses, voting separately, that the President is unable to discharge the powers and duties of his office, the Vice-President shall act as President; otherwise, the President shall continue exercising the powers and duties of his office.

SEC. 12. In case of serious illness of the President, the public shall be informed of the state of his health. The members of the Cabinet in charge of national security and foreign relations and the Chief of Staff of the Armed Forces of the Philippines, shall not be denied access to the President during such illness.

SEC. 13. The President, Vice-President, the Members of the Cabinet, and their deputies or assistants shall not, unless otherwise provided in this Constitution,

hold any other office or employment during their tenure. They shall not, during said tenure, directly or indirectly, practice any other profession, participate in any business, or be financially interested in any contract with, or in any franchise, or special privilege granted by the Government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries. They shall strictly avoid conflict of interest in the conduct of their office.

The spouse and relatives by consanguinity or affinity within the fourth civil degree of the President shall not, during his tenure, be appointed as Members of the Constitutional Commissions, or the Office of the Ombudsman, or as Secretaries, Undersecretaries, chairmen or heads of bureaus or offices, including government-owned or controlled corporations and their subsidiaries.

SEC. 14. Appointments extended by an Acting President shall remain effective, unless revoked by the elected President, within ninety days from his assumption or reassumption of office.

SEC. 15. Two months immediately before the next presidential elections and up to the end of his term, a President or Acting President shall not make appointments, except temporary appointments to executive positions when continued vacancies therein will prejudice public service or endanger public safety.

SEC. 16. The President shall nominate and, with the consent of the Commission on Appointments, appoint the heads of the executive departments, ambassadors, other public ministers and consuls, or officers of the armed forces from the rank of colonel or naval captain, and other

officers whose appointments are vested in him in this Constitution. He shall also appoint all other officers of the Government whose appointments are not otherwise provided for by law, and those whom he may be authorized by law to appoint. The Congress may, by law, vest the appointment of other officers lower in rank in the President alone, in the courts, or in the heads of departments, agencies, commissions, or boards.

The President shall have the power to make appointments during the recess of the Congress, whether voluntary or compulsory, but such appointments shall be effective only until disapproval by the Commission on Appointments or until the next adjournment of the Congress.

SEC. 17. The President shall have control of all the executive departments, bureaus, and offices. He shall ensure that the laws be faithfully executed.

SEC. 18. The President shall be the Commander-in-Chief of all armed forces of the Philippines and whenever it becomes necessary, he may call out such armed forces to prevent or suppress lawless violence, invasion or rebellion. In case of invasion or rebellion, when the public safety requires it, he may, for a period not exceeding sixty days, suspend the privilege of the writ of *habeas corpus* or place the Philippines or any part thereof under martial law. Within forty-eight hours from the proclamation of martial law or the suspension of the privilege of the writ of *habeas corpus*, the President shall submit a report in person or in writing to the Congress. The Congress, voting jointly, by a vote of at least a majority of all its Members in regular or special session, may revoke such proclamation or suspension, which revocation shall not be set aside by the President. Upon

the initiative of the President, the Congress may, in the same manner, extend such proclamation or suspension for a period to be determined by the Congress, if the invasion or rebellion shall persist and public safety requires it.

The Congress, if not in session, shall, within twenty-four hours following such proclamation or suspension, convene in accordance with its rules without need of a call.

The Supreme Court may review, in an appropriate proceeding filed by any citizen, the sufficiency of the factual basis of the proclamation of martial law or the suspension of the privilege of the writ or the extension thereof, and must promulgate its decision thereon within thirty days from its filing.

A state of martial law does not suspend the operation of the Constitution, nor supplant the functioning of the civil courts or legislative assemblies, nor authorize the conferment of jurisdiction on military courts and agencies over civilians where civil courts are able to function, nor automatically suspend the privilege of the writ.

The suspension of the privilege of the writ shall apply only to persons judicially charged for rebellion or offenses inherent in or directly connected with invasion.

During the suspension of the privilege of the writ, any person thus arrested or detained shall be judicially charged within three days, otherwise he shall be released.

SEC. 19. Except in cases of impeachment, or as otherwise provided in this Constitution, the President

may grant reprieves, commutations, and pardons, and remit fines and forfeitures, after conviction by final judgment.

He shall also have the power to grant amnesty with the concurrence of a majority of all the Members of the Congress.

SEC. 20. The President may contract or guarantee foreign loans on behalf of the Republic of the Philippines with the prior concurrence of the Monetary Board, and subject to such limitations as may be provided by law. The Monetary Board shall, within thirty days from the end of every quarter of the calendar year, submit to the Congress a complete report of its decision on applications for loans to be contracted or guaranteed by the Government or government-owned and controlled corporations which would have the effect of increasing the foreign debt, and containing other matters as may be provided by law.

SEC. 21. No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate.

SEC. 22. The President shall submit to the Congress within thirty days from the opening of every regular session, as the basis of the general appropriations bill, a budget of expenditures and sources of financing, including receipts from existing and proposed revenue measures.

SEC. 23. The President shall address the Congress at the opening of its regular session. He may also appear before it at any other time.

ARTICLE VIII ***Judicial Department***

SEC. 1. The judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law.

Judicial power includes the duty of the courts of justice to settle actual controversies involving rights which are legally demandable and enforceable, and to determine whether or not there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the Government.

SEC. 2. The Congress shall have the power to define, prescribe, and apportion the jurisdiction of the various courts but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section 5 hereof. No law shall be passed reorganizing the Judiciary when it undermines the security of tenure of its Members.

SEC. 3. The Judiciary shall enjoy fiscal autonomy. Appropriations for the Judiciary may not be reduced by the legislature below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released.

SEC. 4. (1) The Supreme Court shall be composed of a Chief Justice and fourteen Associate Justices. It may sit *en banc* or in its discretion, in division of three, five, or seven Members. Any vacancy shall be filled within ninety days from the occurrence thereof.

(2) All cases involving the constitutionality of a treaty, international or executive agreement, or law, which shall be heard by the Supreme Court *en banc*, and all other

cases which under the Rules of Court are required to be heard *en banc*, including those involving the constitutionality, application, or operation of presidential decrees, proclamations, orders, instructions, ordinances, and other regulations, shall be decided with the concurrence of a majority of the Members who actually took part in the deliberations on the issues in the case and voted thereon.

(3) Cases or matters heard by a division shall be decided or resolved with the concurrence of a majority of the Members who actually took part in the deliberations on the issues in the case and voted thereon, and in no case, without the concurrence of at least three of such Members. When the required number is not obtained, the case shall be decided *en banc*: *Provided*, that no doctrine or principle of law laid down by the court in a decision rendered *en banc* or in division may be modified or reversed except by the court sitting *en banc*.

Sec. 5. The Supreme Court shall have the following powers:

(1) Exercise original jurisdiction over cases affecting ambassadors, other public ministers and consuls, and over petitions for *certiorari*, prohibition, *mandamus*, *quo warranto*, and *habeas corpus*.

(2) Review, revise, reverse, modify, or affirm on appeal or *certiorari* as the law or the Rules of Court may provide, final judgments and orders of lower courts in:

- a) All cases in which the constitutionality or validity of any treaty, international or executive agreement, law, presidential decree, proclamation, order, instruction, ordinance, or regulation is in question.

- b) All cases involving the legality of any tax, impost, assessment, or toll, or any penalty imposed in relation thereto.
- c) All cases in which the jurisdiction of any lower court is in issue.
- d) All criminal cases in which the penalty imposed is *reclusion perpetua* or higher.
- e) All cases in which only an error or question of law is involved.

(3) Assign temporarily judges of lower courts to other stations as public interest may require. Such temporary assignment shall not exceed six months without the consent of the judge concerned.

(4) Order a change of venue or place of trial to avoid a miscarriage of justice.

(5) Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish, increase, or modify substantive rights. Rules of procedure of special courts and quasi-judicial bodies shall remain effective unless disapproved by the Supreme Court.

(6) Appoint all officials and employees of the Judiciary in accordance with the Civil Service Law.

SEC. 6. The Supreme Court shall have administrative supervision over all courts and the personnel thereof.

SEC. 7. (1) No person shall be appointed Member of the Supreme Court or any lower collegiate court unless he is a natural-born citizen of the Philippines. A Member of the Supreme Court must be at least forty years of age, and must have been for fifteen years or more, a judge of a lower court or engaged in the practice of law in the Philippines.

(2) The Congress shall prescribe the qualifications of judges of lower courts, but no person may be appointed judge thereof unless he is a citizen of the Philippines and a member of the Philippine Bar.

(3) A Member of the Judiciary must be a person of proven competence, integrity, probity, and independence.

SEC. 8. (1) A Judicial and Bar Council is hereby created under the supervision of the Supreme Court composed of the Chief Justice as *ex officio* Chairman, the Secretary of Justice, and a representative of the Congress as *ex officio* Members, a representative of the Integrated Bar, a professor of law, a retired Member of the Supreme Court, and a representative of the private sector.

(2) The regular Members of the Council shall be appointed by the President for a term of four years with the consent of the Commission on Appointments. Of the Members first appointed, the representative of the Integrated Bar shall serve for four years, the professor of law for three years, the retired Justice for two years, and the representative of the private sector for one year.

(3) The Clerk of the Supreme Court shall be the Secretary *ex officio* of the Council and shall keep a record of its proceedings.

(4) The regular Members of the Council shall receive such emoluments as may be determined by the Supreme Court. The Supreme Court shall provide in its annual budget the appropriations for the Council.

(5) The Council shall have the principal function of recommending appointees to the Judiciary. It may exercise such other functions and duties as the Supreme Court may assign to it.

SEC. 9. The Members of the Supreme Court and judges of the lower courts shall be appointed by the President from a list of at least three nominees prepared by the Judicial and Bar Council for every vacancy. Such appointments need no confirmation.

For the lower courts, the President shall issue the appointments within ninety days from the submission of the list.

SEC. 10. The salary of the Chief Justice and of the Associate Justices of the Supreme Court, and of judges of lower courts shall be fixed by law. During their continuance in office, their salary shall not be decreased.

SEC. 11. The Members of the Supreme Court and judges of lower courts shall hold office during good behavior until they reach the age of seventy years or become incapacitated to discharge the duties of their office. The Supreme Court *en banc* shall have the power to discipline judges of lower courts, or order their dismissal by a vote of a majority of the Members who actually took part in the deliberations on the issues in the case and voted thereon.

SEC. 12. The Members of the Supreme Court and of other courts established by law shall not be designated

to any agency performing quasi-judicial or administrative functions.

SEC. 13. The conclusions of the Supreme Court in any case submitted to it for decision *en banc* or in division shall be reached in consultation before the case is assigned to a Member for the writing of the opinion of the Court. A certification to this effect signed by the Chief Justice shall be issued and a copy thereof attached to the record of the case and served upon the parties. Any Member who took no part, or dissented, or abstained from a decision or resolution must state the reason therefor. The same requirements shall be observed by all lower collegiate courts.

SEC. 14. No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.

No petition for review or motion for reconsideration of a decision of the court shall be refused due course or denied without stating the legal basis therefor.

SEC. 15. (1) All cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty-four months from date of submission for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts.

(2) A case or matter shall be deemed submitted for decision or resolution upon the filing of the last pleading, brief, or memorandum required by the Rules of Court or by the court itself.

(3) Upon the expiration of the corresponding period, a certification to this effect signed by the Chief

Justice or the presiding judge shall forthwith be issued and a copy thereof attached to the record of the case or matter, and served upon the parties. The certification shall state why a decision or resolution has not been rendered or issued within said period.

(4) Despite the expiration of the applicable mandatory period, the court, without prejudice to such responsibility as may have been incurred in consequence thereof, shall decide or resolve the case or matter submitted thereto for determination, without further delay.

SEC. 16. The Supreme Court shall, within thirty days from the opening of each regular session of the Congress, submit to the President and the Congress an annual report on the operations and activities of the Judiciary.

ARTICLE IX

Constitutional Commissions

A. Common Provisions

SEC. 1. The Constitutional Commissions, which shall be independent, are the Civil Service Commission, the Commission on Elections, and the Commission on Audit.

SEC. 2. No member of a Constitutional Commission shall, during his tenure, hold any other office or employment. Neither shall he engage in the practice of any profession or in the active management or control of any business which in any way may be affected by the functions of his office, nor shall he be financially interested, directly or indirectly, in any contract with, or in any franchise or privilege granted by the Government, any of its

subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations or their subsidiaries.

SEC. 3. The salary of the Chairman and the Commissioners shall be fixed by law and shall not be decreased during their tenure.

SEC. 4. The Constitutional Commissions shall appoint their officials and employees in accordance with law.

SEC. 5. The Commission shall enjoy fiscal autonomy. Their approved annual appropriations shall be automatically and regularly released.

SEC. 6. Each Commission *en banc* may promulgate its own rules concerning pleadings and practice before it or before any of its offices. Such rules, however, shall not diminish, increase, or modify substantive rights.

SEC. 7. Each Commission shall decide by a majority vote of all its Members any case or matter brought before it within sixty days from the date of its submission for decision or resolution. A case or matter is deemed submitted for decision or resolution upon the filing of the last pleading, brief or memorandum required by the rules of the Commission or by the Commission itself. Unless otherwise provided by this Constitution or by law, any decision, order, or ruling of each Commission may be brought to the Supreme Court on *certiorari* by the aggrieved party within thirty days from receipt of a copy thereof.

SEC. 8. Each Commission shall perform such other functions as may be provided by law.

B. The Civil Service Commission

SEC. 1. (1) The civil service shall be administered by the Civil Service Commission composed of a Chairman and two Commissioners who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, with proven capacity for public administration, and must not have been candidates for any elective position in the elections immediately preceding their appointment.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years without reappointment. Of those first appointed, the Chairman shall hold office for seven years, a Commissioner for five years, and another Commissioner for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SEC. 2. (1) The civil service embraces all branches, subdivisions, instrumentalities, and agencies of the Government, including government-owned or controlled corporations with original charters.

(2) Appointments in the civil service shall be made only according to merit and fitness to be determined, as far as practicable, and, except to positions which are policy-determining, primarily confidential, or highly technical, by competitive examination.

(3) No officer or employee of the civil service shall be removed or suspended except for cause provided by law.

(4) No officer or employee in the civil service shall engage, directly or indirectly, in any electioneering or partisan political campaign.

(5) The right to self-organization shall not be denied to government employees.

(6) Temporary employees of the Government shall be given such protection as may be provided by law.

SEC. 3. The Civil Service Commission, as the central personnel agency of the Government, shall establish a career service and adopt measures to promote morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service. It shall strengthen the merit and rewards system, integrate all human resources development programs for all levels and ranks, and institutionalize a management climate conducive to public accountability. It shall submit to the President and the Congress an annual report on its personnel programs.

SEC. 4. All public officers and employees shall take an oath or affirmation to uphold and defend this Constitution.

SEC. 5. The Congress shall provide for the standardization of compensation of government officials and employees, including those in government-owned or controlled corporations with original charters, taking into account the nature of the responsibilities pertaining to, and the qualifications required for their positions.

SEC. 6. No candidate who has lost in any election shall, within one year after such election, be appointed to any office in the Government or any government-owned or controlled corporations or in any of their subsidiaries.

SEC. 7. No elective official shall be eligible for appointment or designation in any capacity to any public office or position during his tenure.

Unless otherwise allowed by law or by the primary functions of his position, no appointive official shall hold any other office or employment in the Government or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries.

SEC. 8. No elective or appointive public officer or employee shall receive additional, double, or indirect compensation, unless specifically authorized by law, nor accept without the consent of the Congress, any present, emolument, office, or title of any kind from any foreign government.

Pensions or gratuities shall not be considered as additional, double, or indirect compensation.

C. The Commission On Elections

SEC. 1. (1) There shall be a Commission on Elections composed of a Chairman and six Commissioners who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, holders of a college degree, and must not have been candidates for any elective positions in the immediately preceding elections. However, a majority thereof, including the Chairman, shall be members of the Philippine Bar who have been engaged in the practice of law for at least ten years.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the

Commission on Appointments for a term of seven years without reappointment. Of those first appointed, three Members shall hold office for seven years, two Members for five years, and the last Members for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SEC. 2. The Commission on Elections shall exercise the following powers and functions:

(1) Enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall.

(2) Exercise exclusive original jurisdiction over all contests relating to the elections, returns, and qualifications of all elective regional, provincial, and city officials, and appellate jurisdiction over all contests involving elective municipal officials decided by trial courts of general jurisdiction, or involving elective barangay officials decided by trial courts of limited jurisdiction.

Decisions, final orders, or rulings of the Commission on election contests involving elective municipal and barangay offices shall be final, executory, and not appealable.

(3) Decide, except those involving the right to vote, all questions affecting elections, including determination of the number and location of polling places, appointment of election officials and inspectors, and registration of voters.

(4) Deputize, with the concurrence of the President, law enforcement agencies and instrumentalities of the

Government, including the Armed Forces of the Philippines, for the exclusive purpose of ensuring free, orderly, honest, peaceful, and credible elections.

(5) Register, after sufficient publication, political parties, organizations, or coalitions which, in addition to other requirements, must present their platform or program of government; and accredit citizens' arms of the Commission on Elections. Religious denominations and sects shall not be registered. Those which seek to achieve their goals through violence or unlawful means, or refuse to uphold and adhere to this Constitution, or which are supported by any foreign government shall likewise be refused registration.

Financial contributions from foreign governments and their agencies to political parties, organizations, coalitions, or candidates related to elections constitute interference in national affairs, and, when accepted, shall be an additional ground for the cancellation of their registration with the Commission, in addition to other penalties that may be prescribed by law.

(6) File, upon a verified complaint, or on its own initiative, petitions in court for inclusion or exclusion of voters; investigate and, where appropriate, prosecute cases of violations of election laws, including acts or omissions constituting election frauds, offenses, and malpractices.

(7) Recommend to the Congress effective measures to minimize election spending, including limitation of places where propaganda materials shall be posted, and to prevent and penalize all forms of election frauds, offenses, malpractices, and nuisance candidacies.

(8) Recommend to the President the removal of any officer or employee it has deputized, or the imposition of any other disciplinary action, for violation or disregard of, or disobedience to its directive, order, or decision.

(9) Submit to the President and the Congress a comprehensive report on the conduct of each election, plebiscite, initiative, referendum, or recall.

SEC. 3. The Commission on Elections may sit *en banc* or in two divisions, and shall promulgate its rules of procedure in order to expedite disposition of election cases, including pre-proclamation controversies. All such election cases shall be heard and decided in division, provided that motions for reconsideration of decisions shall be decided by the Commission *en banc*.

SEC. 4. The Commission may, during the election period, supervise or regulate the enjoyment or utilization of all franchises or permits for the operation of transportation and other public utilities, media of communication or information, all grants, special privileges, or concessions granted by the Government or any subdivision, agency, or instrumentality thereof, including any government-owned or controlled corporation or its subsidiary. Such supervision or regulation shall aim to ensure equal opportunity, time and space, and the right to reply, including reasonable, equal rates therefor, for public information campaigns and forums among candidates in connection with the objective of holding free, orderly, honest, peaceful, and credible elections.

SEC. 5. No pardon, amnesty, parole, or suspension of sentence for violation of election laws,

rules, and regulations shall be granted by the President without the favorable recommendation of the Commission.

SEC. 6. A free and open party system shall be allowed to evolve according to the free choice of the people, subject to the provisions of this Article.

SEC. 7. No votes cast in favor of a political party, organization, or coalition shall be valid, except for those registered under the party-list system as provided in this Constitution.

SEC. 8. Political parties, or organizations or coalitions registered under the party-list system, shall not be represented in the voters' registration boards, boards of election inspectors, boards of canvassers, or other similar bodies. However, they shall be entitled to appoint poll watchers in accordance with law.

SEC. 9. Unless otherwise fixed by the Commission in special cases, the election period shall commence ninety days before the day of election and shall end thirty days thereafter.

SEC. 10. *Bona fide* candidates for any public office shall be free from any form of harassment and discrimination.

SEC. 11. Funds certified by the Commission as necessary to defray the expenses for holding regular and special elections, plebiscites, initiatives, referenda, and recalls, shall be provided in the regular or special appropriations and, once approved, shall be released automatically upon certification by the Chairman of the Commission.

D. The Commission On Audit

SEC. 1. (1) There shall be a Commission on Audit composed of a Chairman and two Commissioners, who shall be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, certified public accountants with not less than ten years of auditing experience, or members of the Philippine Bar who have been engaged in the practice of law for at least ten years, and must not have been candidates for any elective position in the elections immediately preceding their appointment. At no time shall all Members of the Commission belong to the same profession.

(2) The Chairman and the Commissioners shall be appointed by the President with the consent of the Commission on Appointments for a term of seven years without reappointment. Of those first appointed, the Chairman shall hold office for seven years, one Commissioner for five years, and the other Commissioner for three years, without reappointment. Appointment to any vacancy shall be only for the unexpired portion of the term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

SEC. 2. (1) The Commission on Audit shall have the power, authority, and duty to examine, audit, and settle all accounts pertaining to the revenue and receipts of, and expenditures or uses of funds and property, owned or held in trust by, or pertaining to, the Government, or any of its subdivisions, agencies, or instrumentalities, including government-owned or controlled corporations with original charters, and on a post-audit basis: (a) constitutional bodies, commissions and offices that have been granted fiscal autonomy under this Constitution; (b) autonomous state colleges and universities; (c) other government-

owned or controlled corporations and their subsidiaries; and (d) such non-governmental entities receiving subsidy or equity, directly or indirectly, from or through the Government, which are required by law or the granting institution to submit to such audit as a condition of subsidy or equity. However, where the internal control system of the audited agencies is inadequate, the Commission may adopt such measures, including temporary or special pre-audit, as are necessary and appropriate to correct the deficiencies. It shall keep the general accounts of the Government and, for such period as may be provided by law, preserve the vouchers and other supporting papers pertaining thereto.

(2) The Commission shall have exclusive authority, subject to the limitations in this Article, to define the scope of its audit and examination, establish the techniques and methods required therefor, and promulgate accounting and auditing rules and regulations, including those for the prevention and disallowance of irregular, unnecessary, excessive, extravagant, or unconscionable expenditures, or uses of government funds and properties.

SEC. 3. No law shall be passed exempting any entity of the Government or its subsidiary in any guise whatever, or any investment of public funds, from the jurisdiction of the Commission on Audit.

SEC. 4. The Commission shall submit to the President and the Congress, within the time fixed by law, an annual report covering the financial condition and operation of the Government, its subdivisions, agencies, and instrumentalities, including government-owned or controlled corporations, and non-governmental entities subject to its audit, and recommend measures necessary to improve their effectiveness and efficiency. It shall submit such other reports as may be required by law.

ARTICLE X
Local Government

General Provisions

SEC. 1. The territorial and political subdivisions of the Republic of the Philippines are the provinces, cities, municipalities, and barangays. There shall be autonomous regions in Muslim Mindanao and the Cordilleras as hereinafter provided.

SEC. 2. The territorial and political subdivisions shall enjoy local autonomy.

SEC. 3. The Congress shall enact a local government code which shall provide for a more responsive and accountable local government structure instituted through a system of decentralization with effective mechanisms of recall, initiative, and referendum, allocate among the different local government units their powers, responsibilities, and resources, and provide for the qualifications, election, appointment and removal, term, salaries, powers and functions and duties of local officials, and all other matters relating to the organization and operation of the local units.

SEC. 4. The President of the Philippines shall exercise general supervision over local governments. Provinces with respect to component cities and municipalities, and cities and municipalities with respect to component barangays shall ensure that the acts of their component units are within the scope of their prescribed powers and functions.

SEC. 5. Each local government unit shall have the power to create its own sources of revenues and to levy

taxes, fees, and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the local governments.

SEC. 6. Local government units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them.

SEC. 7. Local governments shall be entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas, in the manner provided by law, including sharing the same with the inhabitants by way of direct benefits.

SEC. 8. The term of office of elective local officials, except barangay officials, which shall be determined by law, shall be three years and no such official shall serve for more than three consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

SEC. 9. Legislative bodies of local governments shall have sectoral representation as may be prescribed by law.

SEC. 10. No province, city, municipality, or barangay may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the local government code and subject to approval by a majority of the votes cast in a plebiscite in the political units directly affected.

SEC. 11. The Congress may, by law, create special metropolitan political subdivisions, subject to a

plebiscite as set forth in Section 10 hereof. The component cities and municipalities shall retain their basic autonomy and shall be entitled to their own local executives and legislative assemblies. The jurisdiction of the metropolitan authority that will thereby be created shall be limited to basic services requiring coordination.

SEC. 12. Cities that are highly urbanized, as determined by law, and component cities whose charters prohibit their voters from voting for provincial elective officials, shall be independent of the province. The voters of component cities within a province, whose charters contain no such prohibition, shall not be deprived of their right to vote for elective provincial officials.

SEC. 13. Local government units may group themselves, consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them in accordance with law.

SEC. 14. The President shall provide for regional development councils or other similar bodies composed of local government officials, regional heads of departments and other government offices, and representatives from non-governmental organizations within the regions for purposes of administrative decentralization to strengthen the autonomy of the units therein and to accelerate the economic and social growth and development of the units in the region.

Autonomous Regions

SEC. 15. There shall be created autonomous regions in Muslim Mindanao and in the Cordilleras consisting of provinces, cities, municipalities, and geographical areas sharing common and distinctive historical and cultural heritage, economic and social

structures, and other relevant characteristics within the framework of this Constitution and the national sovereignty as well as territorial integrity of the Republic of the Philippines.

SEC. 16. The President shall exercise general supervision over autonomous regions to ensure that laws are faithfully executed.

SEC. 17. All powers, functions, and responsibilities not granted by this Constitution or by law to the autonomous regions shall be vested in the National Government.

SEC. 18. The Congress shall enact an organic act for each autonomous region with the assistance and participation of the regional consultative commission composed of representatives appointed by the President from a list of nominees from multisectoral bodies. The organic act shall define the basic structure of government for the region consisting of the executive department and legislative assembly, both of which shall be elective and representative of the constituent political units. The organic acts shall likewise provide for special courts with personal, family, and property law jurisdiction consistent with the provisions of this Constitution and national laws.

The creation of the autonomous region shall be effective when approved by majority of the votes cast by the constituent units in a plebiscite called for the purpose, provided that only provinces, cities, and geographical areas voting favorably in such plebiscite shall be included in the autonomous region.

SEC. 19. The first Congress elected under this Constitution shall, within eighteen months from the time

of organization of both Houses, pass the organic acts for the autonomous regions in Muslim Mindanao and the Cordilleras.

SEC. 20. Within its territorial jurisdiction and subject to the provisions of this Constitution and national laws, the organic act of autonomous regions shall provide for legislative powers over:

- 1) Administrative organization;
- 2) Creation of sources of revenues;
- 3) Ancestral domain and natural resources;
- 4) Personal, family, and property relations;
- 5) Regional urban and rural planning development;
- 6) Economic, social, and tourism development;
- 7) Educational policies;
- 8) Preservation and development of the cultural heritage; and
- 9) Such other matters as may be authorized by law for the promotion of the general welfare of the people of the region.

SEC. 21. The preservation of peace and order within the regions shall be the responsibility of the local police agencies which shall be organized, maintained, supervised, and utilized in accordance with applicable laws. The defense and security of the regions shall be the responsibility of the National Government.

ARTICLE XI ***Accountability Of Public Officers***

SEC. 1. Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.

SEC. 2. The President, the Vice-President, the Members of the Supreme Court, the Members of the Constitutional Commissions, and the Ombudsman may be removed from office, on impeachment for, and conviction of, culpable violation of the Constitution, treason, bribery, graft and corruption, other high crimes, or betrayal of public trust. All other public officers and employees may be removed from office as provided by law, but not by impeachment.

SEC. 3. (1) The House of Representatives shall have the exclusive power to initiate all cases of impeachment.

(2) A verified complaint for impeachment may be filed by any Member of the House of Representatives or by any citizen upon a resolution of endorsement by any Member thereof, which shall be included in the Order of Business within ten session days, and referred to the proper Committee within three session days thereafter. The Committee, after hearing, and by a majority vote of all its Members, shall submit its report to the House within sixty session days from such referral, together with the corresponding resolution. The resolution shall be calendared for consideration by the House within ten session days from receipt thereof.

(3) A vote of at least one-third of all the Members of the House shall be necessary either to affirm a favorable resolution with the Articles of Impeachment of the Committee, or override its contrary resolution. The vote of each Member shall be recorded.

(4) In case the verified complaint or resolution of impeachment is filed by at least one-third of all the Members of the House, the same shall constitute the Articles of Impeachment, and trial by the Senate shall forthwith proceed.

(5) No impeachment proceedings shall be initiated against the same official more than once within a period of one year.

(6) The Senate shall have the sole power to try and decide all cases of impeachment. When sitting for that purpose, the Senators shall be on oath or affirmation. When the President of the Philippines is on trial, the Chief Justice of the Supreme Court shall preside, but shall not vote. No person shall be convicted without the concurrence of two-thirds of all the Members of the Senate.

(7) Judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold any office under the Republic of the Philippines, but the party convicted shall nevertheless be liable and subject to prosecution, trial, and punishment according to law.

(8) The Congress shall promulgate its rules on impeachment to effectively carry out the purpose of this section.

SEC. 4. The present anti-graft court known as the Sandiganbayan shall continue to function and exercise

its jurisdiction as now or hereafter may be provided by law.

SEC. 5. There is hereby created the independent Office of the Ombudsman, composed of the Ombudsman to be known as Tanodbayan, one overall Deputy and at least one Deputy each for Luzon, Visayas, and Mindanao. A separate Deputy for the military establishment may likewise be appointed.

SEC. 6. The officials and employees of the Office of the Ombudsman, other than the Deputies, shall be appointed by the Ombudsman according to the Civil Service Law.

SEC. 7. The existing Tanodbayan shall hereafter be known as the Office of the Special Prosecutor. It shall continue to function and exercise its powers as now or hereafter may be provided by law, except those conferred on the Office of the Ombudsman created under this Constitution.

SEC. 8. The Ombudsman and his Deputies shall be natural-born citizens of the Philippines, and at the time of their appointment, at least forty years old, of recognized probity and independence, and members of the Philippine Bar, and must not have been candidates for any elective office in the immediately preceding election. The Ombudsman must have for ten years or more been a judge or engaged in the practice of law in the Philippines.

During their tenure, they shall be subject to the same disqualifications and prohibitions as provided for in Section 2 of Article IX-A of this Constitution.

SEC. 9. The Ombudsman and his Deputies shall be appointed by the President from a list of at least six

nominees prepared by the Judicial and Bar Council, and from a list of three nominees for every vacancy thereafter. Such appointments shall require no confirmation. All vacancies shall be filled within three months after they occur.

SEC. 10. The Ombudsman and his Deputies shall have the rank of Chairman and Members, respectively, of the Constitutional Commissions, and they shall receive the same salary, which shall not be decreased during their term of office.

SEC. 11. The Ombudsman and his Deputies shall serve for a term of seven years without reappointment. They shall not be qualified to run for any office in the election immediately succeeding their cessation from office.

SEC. 12. The Ombudsman and his Deputies, as protectors of the people, shall act promptly on complaints filed in any form or manner against public officials or employees of the Government, or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations, and shall, in appropriate cases, notify the complainants of the action taken and the result thereof.

SEC. 13. The Office of the Ombudsman shall have the following powers, functions, and duties:

- 1) Investigate on its own, or on complaint by any person, any act or omission of any public official, employee, office or agency, when such act or omission appears to be illegal, unjust, improper, or inefficient;

- 2) Direct, upon complaint or at its own instance, any public official or employee of the Government, or any subdivision, agency or instrumentality thereof, as well as of any government-owned or controlled corporation with original charter, to perform and expedite any act or duty required by law, or to stop, prevent, and correct any abuse or impropriety in the performance of duties;
- 3) Direct the officer concerned to take appropriate action against a public official or employee at fault, and recommend his removal, suspension, demotion, fine, censure, or prosecution, and ensure compliance therewith;
- 4) Direct the officer concerned, in any appropriate case, and subject to such limitations as may be provided by law, to furnish it with copies of documents relating to contracts or transactions entered into by his office involving the disbursement or use of public funds or properties, and report any irregularity to the Commission on Audit for appropriate action;
- 5) Request any government agency for assistance and information necessary in the discharge of its responsibilities, and to examine, if necessary, pertinent records and documents;
- 6) Publicize matters covered by its investigation when circumstances so warrant and with due prudence;
- 7) Determine the causes of inefficiency, red tape, mismanagement, fraud, and corruption in the

Government and make recommendations for their elimination and the observance of high standards of ethics and efficiency; and

- 8) Promulgate its rules of procedure and exercise such other powers or perform such functions or duties as may be provided by law.

SEC. 14. The Office of the Ombudsman shall enjoy fiscal autonomy. Its approved annual appropriations shall be automatically and regularly released.

SEC. 15. The right of the State to recover properties unlawfully acquired by public officials or employees from them or from their nominees or transferees, shall not be barred by prescription, laches, or estoppel.

SEC. 16. No loan, guaranty, or other form of financial accommodation for any business purpose may be granted, directly or indirectly, by any government-owned or controlled bank or financial institution to the President, the Vice-President, the Members of the Cabinet, the Congress, the Supreme Court, and the Constitutional Commissions, the Ombudsman, or to any firm or entity in which they have controlling interest, during their tenure.

SEC. 17. A public officer or employee shall, upon assumption of office and as often thereafter as may be required by law, submit a declaration under oath of his assets, liabilities, and net worth. In the case of the President, the Vice-President, the Members of the Cabinet, the Congress, the Supreme Court, the Constitutional Commissions and other constitutional offices, and officers of the armed forces with general or

flag rank, the declaration shall be disclosed to the public in the manner provided by law.

SEC. 18. Public officers and employees owe the State and this Constitution allegiance at all times and any public officer or employee who seeks to change his citizenship or acquire the status of an immigrant of another country during his tenure shall be dealt with by law.

ARTICLE XII ***National Economy And Patrimony***

SEC. 1. The goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. However, the State shall protect Filipino enterprises against unfair foreign competition and trade practices.

In the pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop. Private enterprises, including corporations, cooperatives, and similar collective organizations, shall be encouraged to broaden the base of their ownership.

SEC. 2. All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces

of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least sixty *per centum* of whose capital is owned by such citizens. Such agreements may be for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and under such terms and conditions as may be provided by law. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of water power, beneficial use may be the measure and limit of the grant.

The State shall protect the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens.

The Congress may, by law, allow small-scale utilization of natural resources by Filipino citizens, as well as cooperative fish farming, with priority to subsistence fishermen and fishworkers in rivers, lakes, bays, and lagoons.

The President may enter into agreements with foreign-owned corporations involving either technical or financial assistance for large-scale exploration, development, and utilization of minerals, petroleum, and other mineral oils according to the general terms and conditions provided by law, based on real contributions

to the economic growth and general welfare of the country. In such agreements, the State shall promote the development and use of local scientific and technical resources.

The President shall notify the Congress of every contract entered into in accordance with this provision, within thirty days from its execution.

SEC. 3. Lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands. Private corporations or associations may not hold such alienable lands of the public domain except by lease, for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and not to exceed one thousand hectares in area. Citizens of the Philippines may lease not more than five hundred hectares, or acquire not more than twelve hectares thereof, by purchase, homestead, or grant.

Taking into account the requirements of conservation, ecology, and development, and subject to the requirements of agrarian reform, the Congress shall determine, by law, the size of lands of the public domain which may be acquired, developed, held, or leased and the conditions therefor.

SEC. 4. The Congress shall, as soon as possible, determine by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except by law. The Congress shall provide,

for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas.

SEC. 5. The State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being.

The Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain.

SEC. 6. The use of property bears a social function, and all economic agents shall contribute to the common good. Individuals and private groups, including corporations, cooperatives, and similar collective organizations, shall have the right to own, establish, and operate economic enterprises, subject to the duty of the State to promote distributive justice and to intervene when the common good so demands.

SEC. 7. Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain.

SEC. 8. Notwithstanding the provisions of Section 7 of this Article, a natural-born citizen of the Philippines who has lost his Philippine citizenship may be a transferee of private lands, subject to limitations provided by law.

SEC. 9. The Congress may establish an independent economic and planning agency headed by the President, which shall, after consultations with the appropriate public agencies, various private sectors, and

local government units, recommend to Congress, and implement continuing integrated and coordinated programs and policies for national development.

Until the Congress provides otherwise, the National Economic and Development Authority shall function as the independent planning agency of the government.

SEC. 10. The Congress shall, upon recommendation of the economic and planning agency, when the national interest dictates, reserve to citizens of the Philippines or to corporations or associations at least sixty *per centum* of whose capital is owned by such citizens, or such higher percentage as Congress may prescribe, certain areas of investments. The Congress shall enact measures that will encourage the formation and operation of enterprises whose capital is wholly-owned by Filipinos.

In the grant of rights, privileges, and concessions covering the national economy and patrimony, the State shall give preference to qualified Filipinos.

The State shall regulate and exercise authority over foreign investments within its national jurisdiction and in accordance with its national goals and priorities.

SEC. 11. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least sixty *per centum* of whose capital is owned by such citizens, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise nor right be granted except under the condition

that it shall be subject to amendment, alteration, or repeal by the Congress when the common good so requires. The State shall encourage equity participation in public utilities by the general public. The participation of foreign investors in the governing body of any public utility enterprise shall be limited to their proportionate share in its capital, and all executive and managing officers of such corporation or association must be citizens of the Philippines.

SEC. 12. The State shall promote the preferential use of Filipino labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.

SEC. 13. The State shall pursue a trade policy that serves the general welfare and utilizes all forms and arrangements of exchange on the basis of equality and reciprocity.

SEC. 14. The sustained development of a reservoir of national talents consisting of Filipino scientists, entrepreneurs, professionals, managers, high level technical manpower and skilled workers and craftsmen in all fields shall be promoted by the State. The State shall encourage appropriate technology and regulate its transfer for the national benefit.

The practice of all professions in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law.

SEC. 15. The Congress shall create an agency to promote the viability and growth of cooperatives as instruments for social justice and economic development.

SEC. 16. The Congress shall not, except by general law, provide for the formation, organization, or regulation of private corporations. Government-owned or controlled corporations may be created or established by special charters in the interest of the common good and subject to the test of economic viability.

SEC. 17. In times of national emergency, when the public interest so requires, the State may, during the emergency and under reasonable terms prescribed by it, temporarily take over or direct the operation of any privately owned public utility or business affected with public interest.

SEC. 18. The State may, in the interest of national welfare or defense, establish and operate vital industries and, upon payment of just compensation, transfer to public ownership utilities and other private enterprises to be operated by the Government.

SEC. 19. The State shall regulate or prohibit monopolies when the public interest so requires. No combinations in restraint of trade or unfair competition shall be allowed.

SEC. 20. The Congress shall establish an independent central monetary authority, the members of whose governing board must be natural-born Filipino citizens, of known probity, integrity, and patriotism, the majority of whom shall come from the private sector. They shall also be subject to such other qualifications and disabilities as may be prescribed by law. The authority shall provide policy direction in the areas of money, banking, and credit. It shall have supervision over the operations of banks and exercise such regulatory powers as may be provided by law over the

operations of finance companies and other institutions performing similar functions.

Until the Congress otherwise provides, the Central Bank of the Philippines, operating under existing laws, shall function as the central monetary authority.

SEC. 21. Foreign loans may only be incurred in accordance with law and the regulation of the monetary authority. Information on foreign loans obtained or guaranteed by the Government shall be made available to the public.

SEC. 22. Acts which circumvent or negate any of the provisions of this Article shall be considered inimical to the national interest and subject to criminal and civil sanctions, as may be provided by law.

ARTICLE XIII

Social Justice And Human Rights

SEC. 1. The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power of the common good.

To this end, the State shall regulate the acquisition, ownership, use, and disposition of property and its increments.

SEC. 2. The promotion of social justice shall include the commitment to create economic opportunities based on freedom of initiative and self-reliance.

Labor

SEC. 3. The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

It shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage. They shall also participate in policy and decision-making processes affecting their rights and benefits as may be provided by law.

The State shall promote the principle of shared responsibility between workers and employers and the preferential use of voluntary modes in settling disputes, including conciliation, and shall enforce their mutual compliance therewith to foster industrial peace.

The State shall regulate the relations between workers and employers, recognizing the right of labor to its just share in the fruits of production and the right of enterprises to reasonable returns on investments, and to expansion and growth.

Agrarian And Natural Resources Reform

SEC. 4. The State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof.

To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation. In determining retention limits, the State shall respect the right of small landowners. The State shall further provide incentives for voluntary land-sharing.

SEC. 5. The State shall recognize the right of farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers' organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services.

SEC. 6. The State shall apply the principles of agrarian reform or stewardship, whenever applicable in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain under lease or concession suitable to agriculture, subject to prior rights, homestead rights of small settlers, and the rights of indigenous communities to their ancestral lands.

The State may resettle landless farmers and farmworkers in its own agricultural estates which shall be distributed to them in the manner provided by law.

SEC. 7. The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore. It shall provide support

to such fishermen through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The State shall also protect, develop, and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

SEC. 8. The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization, employment creation, and privatization of public sector enterprises. Financial instruments used as payment for their lands shall be honored as equity in enterprises of their choice.

Urban Land Reform And Housing

SEC. 9. The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.

SEC. 10. Urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner.

No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.

Health

SEC. 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

SEC. 12. The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems.

SEC. 13. The State shall establish a special agency for disabled persons for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society.

Women

SEC. 14. The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

Role And Rights Of People's Organizations

SEC. 15. The State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework,

their legitimate and collective interests and aspirations through peaceful and lawful means.

People's organizations are *bona fide* associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure.

SEC. 16. The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms.

Human Rights

SEC. 17. (1) There is hereby created an independent office called the Commission on Human Rights.

(2) The Commission shall be composed of a Chairman and four Members who must be natural-born citizens of the Philippines and a majority of whom shall be members of the Bar. The term of office and other qualifications and disabilities of the Members of the Commission shall be provided by law.

(3) Until this Commission is constituted, the existing Presidential Committee on Human Rights shall continue to exercise its present functions and powers.

(4) The approved annual appropriations of the Commission shall be automatically and regularly released.

SEC. 18. The Commission on Human Rights shall have the following powers and functions:

- (1) Investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights;
- (2) Adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the Rules of Court;
- (3) Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection;
- (4) Exercise visitorial powers over jails, prisons, or detention facilities;
- (5) Establish a continuing program of research, education, and information to enhance respect for the primacy of human rights;
- (6) Recommend to Congress effective measures to promote human rights and to provide for compensation to victims of violations of human rights, or their families;
- (7) Monitor the Philippine Government's compliance with international treaty obligations on human rights;
- (8) Grant immunity from prosecution to any person whose testimony or whose possession of

documents or other evidence is necessary or convenient to determine the truth in any investigation conducted by it or under its authority;

- (9) Request the assistance of any department, bureau, office, or agency in the performance of its functions;
- (10) Appoint its officers and employees in accordance with law; and
- (11) Perform such other duties and functions as may be provided by law.

SEC. 19. The Congress may provide for other cases of violations of human rights that should fall within the authority of the Commission, taking into account its recommendations.

ARTICLE XIV
Education, Science And Technology,
Arts, Culture, And Sports

Education

SEC. 1. The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.

SEC. 2. The State shall:

- (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society;

- (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural rights of parents to rear their children, elementary education is compulsory for all children of school age;
- (3) Establish and maintain a system of scholarship grants, student loan programs, subsidies and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged;
- (4) Encourage non-formal, informal and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs; and
- (5) Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency, and other skills.

SEC. 3. (1) All educational institutions shall include the study of the Constitution as part of the curricula.

(2) They shall inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.

(3) At the option expressed in writing by the parents or guardians, religion shall be allowed to be taught to their

children or wards in public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of the religion to which the children or wards belong, without additional cost to the Government.

SEC. 4.(1) The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.

(2) Educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty *per centum* of the capital of which is owned by such citizens. The Congress may, however, require increased Filipino equity participation in all educational institutions.

The control and administration of educational institutions shall be vested in citizens of the Philippines.

No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrollment in any school. The provisions of this subsection shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.

(3) All revenues and assets of non-stock, non-profit educational institutions used actually, directly, and exclusively for educational purposes shall be exempt from taxes and duties. Upon the dissolution or cessation of the corporate existence of such institutions, their assets shall be disposed of in the manner provided by law.

Proprietary educational institutions, including those cooperatively owned, may likewise be entitled to such exemptions subject to the limitations provided by law including restrictions on dividends and provisions for reinvestment.

(4) Subject to conditions prescribed by law, all grants, endowments, donations, or contributions used actually, directly, and exclusively for educational purposes shall be exempt from tax.

SEC. 5. (1) The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.

(2) Academic freedom shall be enjoyed in all institutions of higher learning.

(3) Every citizen has a right to select a profession or course of study, subject to fair, reasonable, and equitable admission and academic requirements.

(4) The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.

(5) The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

Language

SEC. 6. The national language of the Philippines is Filipino. As it evolves, it shall be further developed and

enriched on the basis of existing Philippine and other languages.

Subject to provisions of law and as the Congress may deem appropriate, the Government shall take steps to initiate and sustain the use of Filipino as a medium of official communication and as language of instruction in the educational system.

SEC. 7. For purposes of communication and instruction, the official languages of the Philippines are Filipino and, until otherwise provided by law, English.

The regional languages are the auxiliary official languages in the regions and shall serve as auxiliary media of instruction therein.

Spanish and Arabic shall be promoted on a voluntary and optional basis.

SEC. 8. This Constitution shall be promulgated in Filipino and English and shall be translated into major regional languages, Arabic, and Spanish.

SEC. 9. The Congress shall establish a national language commission composed of representatives of various regions and disciplines which shall undertake, coordinate, and promote researches for the development, propagation, and preservation of Filipino and other languages.

Science And Technology

SEC. 10. Science and Technology are essential for national development and progress. The State shall give priority to research and development, invention,

innovation, and their utilization; and to science and technology education, training, and services. It shall support indigenous, appropriate, and self-reliant scientific and technological capabilities, and their application to the country's productive systems and national life.

SEC. 11. The Congress may provide for incentives, including tax deductions, to encourage private participation in programs of basic and applied scientific research. Scholarships, grants-in-aid, or other forms of incentives shall be provided to deserving science students, researchers, scientists, inventors, technologists, and specially gifted citizens.

SEC. 12. The State shall regulate the transfer and promote the adaptation of technology from all sources for the national benefit. It shall encourage the widest participation of private groups, local governments, and community-based organizations in the generation and utilization of science and technology.

SEC. 13. The State shall protect and secure the exclusive rights of scientists, inventors, artists, and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such period as may be provided by law.

Arts And Culture

SEC. 14. The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression.

SEC. 15. Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and

popularize the nation's historical and cultural heritage and resources, as well as artistic creations.

SEC. 16. All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition.

SEC. 17. The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions and institutions. It shall consider these rights in the formulation of national plans and policies.

SEC. 18. (1) The State shall ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, and community cultural centers, and other public venues.

(2) The State shall encourage and support researches and studies on the arts and culture.

Sports

SEC. 19. (1) The State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.

(2) All educational institutions shall undertake regular sports activities throughout the country in cooperation with athletic clubs and other sectors.

ARTICLE XV
The Family

SEC. 1. The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

SEC. 2. Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State.

SEC. 3. The State shall defend:

- (1) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood;
- (2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;
- (3) The right of the family to a family living wage and income; and
- (4) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them.

SEC. 4. The family has the duty to care for its elderly members but the State may also do so through just programs of social security.

ARTICLE XVI
General Provisions

SEC. 1. The flag of the Philippines shall be red, white and blue, with a sun and three stars, as consecrated and honored by the people and recognized by law.

SEC. 2. The Congress may, by law, adopt a new name for the country, a national anthem, or a national seal, which shall all be truly reflective and symbolic of the ideals, history, and traditions of the people. Such law shall take effect only upon its ratification by the people in a national referendum.

SEC. 3. The State may not be sued without its consent.

SEC. 4. The Armed Forces of the Philippines shall be composed of a citizen armed force which shall undergo military training and serve, as may be provided by law. It shall keep a regular force necessary for the security of the State.

SEC. 5. (1) All members of the armed forces shall take an oath or affirmation to uphold and defend this Constitution.

(2) The State shall strengthen the patriotic spirit and nationalist consciousness of the military, and respect for people's rights in the performance of their duty.

(3) Professionalism in the armed forces and adequate remuneration and benefits of its members shall be a prime concern of the State. The armed forces shall be insulated from partisan politics.

No member of the military shall engage directly or indirectly in any partisan political activity, except to vote.

(4) No member of the armed forces in the active service shall, at any time, be appointed or designated in any capacity to a civilian position in the Government, including government-owned or controlled corporations or any of their subsidiaries.

(5) Laws on retirement of military officers shall not allow extension of their service.

(6) The officers and men of the regular force of the armed forces shall be recruited proportionately from all provinces and cities as far as practicable.

(7) The tour of duty of the Chief of Staff of the armed forces shall not exceed three years. However, in times of war or other national emergency declared by the Congress, the President may extend such tour of duty.

SEC. 6. The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law.

SEC. 7. The State shall provide immediate and adequate care, benefits, and other forms of assistance to war veterans and veterans of military campaigns, their surviving spouses and orphans. Funds shall be provided therefor and due consideration shall be given them in the disposition of agricultural lands of the public domain and, in appropriate cases, in the utilization of natural resources.

SEC. 8. The State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and the private sectors.

SEC. 9. The State shall protect consumers from malpractices and from substandard or hazardous products.

SEC. 10. The State shall provide the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press.

SEC. 11. (1) The ownership and management of mass media shall be limited to citizens of the Philippines, or to corporations, cooperatives or associations, wholly-owned and managed by such citizens.

The Congress shall regulate or prohibit monopolies in commercial mass media when the public interest so requires. No combinations in restraint of trade or unfair competition therein shall be allowed.

(2) The advertising industry is impressed with public interest, and shall be regulated by law for the protection of consumers and the promotion of the general welfare.

Only Filipino citizens or corporations or associations at least seventy *per centum* of the capital of which is owned by such citizens shall be allowed to engage in the advertising industry.

The participation of foreign investors in the governing body of entities in such industry shall be limited to their proportionate share in the capital thereof, and all the executive and managing officers of such entities must be citizens of the Philippines.

SEC. 12. The Congress may create a consultative body to advise the President on policies affecting indigenous cultural communities, the majority of the members of which shall come from such communities.

ARTICLE XVII ***Amendments Or Revisions***

SEC. 1. Any amendment to, or revision of, this Constitution may be proposed by:

- (1) The Congress, upon a vote of three-fourths of all its Members; or
- (2) A constitutional convention.

SEC. 2. Amendments to this Constitution may likewise be directly proposed by the people through initiative upon a petition of at least twelve *per centum* of the total number of registered voters, of which every legislative district must be represented by at least three *per centum* of the registered voters therein. No amendment under this section shall be authorized within five years following the ratification of this Constitution nor oftener than once every five years thereafter.

The Congress shall provide for the implementation of the exercise of this right.

SEC. 3. The Congress may, by a vote of two-thirds of all its Members, call a constitutional convention, or by a majority vote of all its Members, submit to the electorate the question of calling such a convention.

SEC. 4. Any amendment to, or revision of, this Constitution under Section 1 hereof shall be valid when

ratified by a majority of the votes cast in a plebiscite which shall be held not earlier than sixty days nor later than ninety days after the approval of such amendment or revision.

Any amendment under Section 2 hereof shall be valid when ratified by a majority of the votes cast in a plebiscite which shall be held not earlier than sixty days nor later than ninety days after the certification by the Commission on Elections of the sufficiency of the petition.

ARTICLE XVIII ***Transitory Provisions***

SEC. 1. The first elections of Members of the Congress under this Constitution shall be held on the second Monday of May, 1987.

The first local elections shall be held on a date to be determined by the President, which may be simultaneous with the election of the Members of the Congress. It shall include the election of all Members of the city or municipal councils in the Metropolitan Manila area.

SEC. 2. The Senators, Members of the House of Representatives, and the local officials first elected under this Constitution shall serve until noon of June 30, 1992.

Of the Senators elected in the election in 1992, the first twelve obtaining the highest number of votes shall serve for six years and the remaining twelve for three years.

SEC. 3. All existing laws, decrees, executive orders, proclamations, letters of instructions, and other executive issuances not inconsistent with this Constitution shall remain operative until amended, repealed, or revoked.

SEC. 4. All existing treaties or international agreements which have not been ratified shall not be renewed or extended without the concurrence of at least two-thirds of all the Members of the Senate.

SEC. 5. The six-year term of the incumbent President and Vice-President elected in the February 7, 1986 election is, for purposes of synchronization of elections, hereby extended to noon of June 30, 1992.

The first regular elections for the President and Vice-President under this Constitution shall be held on the second Monday of May, 1992.

SEC. 6. The incumbent President shall continue to exercise legislative powers until the first Congress is convened.

SEC. 7. Until a law is passed, the President may fill by appointment from a list of nominees by the respective sectors the seats reserved for sectoral representation in paragraph (2), Section 5 of Article VI of this Constitution.

SEC. 8. Until otherwise provided by the Congress, the President may constitute the Metropolitan Authority to be composed of the heads of all local government units comprising the Metropolitan Manila area.

SEC. 9. A sub-province shall continue to exist and operate until it is converted into a regular province or until

its component municipalities are reverted to the mother province.

SEC. 10. All courts existing at the time of the ratification of this Constitution shall continue to exercise their jurisdiction, until otherwise provided by law. The provisions of the existing Rules of Court, judiciary acts, and procedural laws not inconsistent with this Constitution shall remain operative unless amended or repealed by the Supreme Court or the Congress.

SEC. 11. The incumbent Members of the Judiciary shall continue in office until they reach the age of seventy years or become incapacitated to discharge the duties of their office or are removed for cause.

SEC. 12. The Supreme Court shall, within one year after the ratification of this Constitution, adopt a systematic plan to expedite the decision or resolution of cases or matters pending in the Supreme Court or the lower courts prior to the effectivity of this Constitution. A similar plan shall be adopted for all special courts and quasi-judicial bodies.

SEC. 13. The legal effect of the lapse, before the ratification of this Constitution, of the applicable period for the decision or resolution of the cases or matters submitted for adjudication by the courts, shall be determined by the Supreme Court as soon as practicable.

SEC. 14. The provisions of paragraphs (3) and (4), Section 15 of Article VIII of this Constitution shall apply to cases or matters filed before the ratification of this Constitution, when the applicable period lapses after such ratification.

SEC. 15. The incumbent Members of the Civil Service Commission, the Commission on Elections, and the Commission on Audit shall continue in office for one year after the ratification of this Constitution, unless they are sooner removed for cause or become incapacitated to discharge the duties of their office or appointed to a new term thereunder. In no case shall any Member serve longer than seven years including service before the ratification of this Constitution.

SEC. 16. Career civil service employees separated from the service not for cause but as a result of the reorganization pursuant to Proclamation No. 3 dated March 25, 1986 and the reorganization following the ratification of this Constitution shall be entitled to appropriate separation pay and to retirement and other benefits accruing to them under the laws of general application in force at the time of their separation. In lieu thereof, at the option of the employees, they may be considered for employment in the Government or in any of its subdivisions, instrumentalities, or agencies, including government-owned or controlled corporations and their subsidiaries. This provision also applies to career officers whose resignation, tendered in line with the existing policy, had been accepted.

SEC. 17. Until the Congress provides otherwise, the President shall receive an annual salary of three hundred thousand pesos; the Vice-President, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court, two hundred forty thousand pesos each; the Senators, the Members of the House of Representatives, the Associate Justices of the Supreme Court, and the Chairmen of the Constitutional Commissions, two hundred four thousand pesos each; and the Members of the

Constitutional Commissions, one hundred eighty thousand pesos each.

SEC. 18. At the earliest possible time, the Government shall increase the salary scales of the other officials and employees of the National Government.

SEC. 19. All properties, records, equipment, buildings, facilities and other assets of any office or body abolished or reorganized under Proclamation No. 3 dated March 25, 1986 or this Constitution shall be transferred to the office or body to which its powers, functions and responsibilities substantially pertain.

SEC. 20. The first Congress shall give priority to the determination of the period for the full implementation of free public secondary education.

SEC. 21. The Congress shall provide efficacious procedures and adequate remedies for the reversion to the State of all lands of the public domain and real rights connected therewith which were acquired in violation of the Constitution or the public land laws, or through corrupt practices. No transfer or disposition of such lands or real rights shall be allowed until after the lapse of one year from the ratification of this Constitution.

SEC. 22. At the earliest possible time, the Government shall expropriate idle or abandoned agricultural lands as may be defined by law, for distribution to the beneficiaries of the agrarian reform program.

SEC. 23. Advertising entities affected by paragraph (2), Section 11 of Article XVI of this Constitution shall have five years from its ratification to comply on a graduated and proportionate basis with the minimum Filipino ownership requirement therein.

SEC. 24. Private armies and other armed groups not recognized by duly constituted authority shall be dismantled. All paramilitary forces including Civilian Home Defense Forces not consistent with the citizen armed force established in this Constitution, shall be dissolved or, where appropriate, converted into the regular force.

SEC. 25. After the expiration in 1991 of the Agreement between the Republic of the Philippines and the United States of America concerning Military Bases, foreign military bases, troops, or facilities shall not be allowed in the Philippines except under a treaty duly concurred in by the Senate and, when the Congress so requires, ratified by a majority of the votes cast by the people in a national referendum held for that purpose, and recognized as a treaty by the other contracting State.

SEC. 26. The authority to issue sequestration or freeze order under Proclamation No. 3 dated March 25, 1986 in relation to the recovery of ill-gotten wealth shall remain operative for not more than eighteen months after the ratification of this Constitution. However, in the national interest, as certified by the President, the Congress may extend said period.

A sequestration or freeze order shall be issued only upon showing of a *prima facie* case. The order and the list of the sequestered or frozen properties shall forthwith be registered with the proper court. For orders issued before the ratification of this Constitution, the corresponding judicial action or proceeding shall be filed within six months from its ratification. For those issued after such ratification, the judicial action or proceeding shall be commenced within six months from the issuance thereof.

The sequestration or freeze order is deemed automatically lifted if no judicial action or proceeding is commenced as herein provided.

SEC. 27. This Constitution shall take effect immediately upon its ratification by a majority of the votes cast in a plebiscite held for the purpose and shall supersede all previous Constitutions.

The foregoing proposed Constitution of the Republic of the Philippines was approved by the Constitutional Commission of 1986 on the twelfth day of October Nineteen hundred and eighty-six, and accordingly signed on the fifteenth day of October Nineteen hundred and eighty-six at the Plenary Hall, National Government Center, Quezon City, by the Commissioners whose signatures are hereunder affixed.

ORDINANCE

APPORTIONING THE SEATS OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE PHILIPPINES TO THE DIFFERENT LEGISLATIVE DISTRICTS IN PROVINCES AND CITIES AND THE METROPOLITAN MANILA AREA

Section 1. For purposes of the election of Members of the House of Representatives of the First Congress of the Philippines under the Constitution proposed by the 1986 Constitutional Commission and subsequent elections, and until otherwise provided by law, the Members thereof shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila Area as follows:

Metropolitan Manila Area

MANILA, six (6) - First District: Barangays Nos. 1-146, N-City Boundary between Manila and Caloocan; E - From Estero de Sunog Apog going South to Estero de Vitas up to the bridge spanning Juan Luna Street, eastward to Tayuman Street up to the Railroad Tracks along Dagupan Street, thence southward to Claro M. Recto Avenue; SE - From point Claro M. Recto Avenue extending westward to Manila Bay; W - Manila Bay northward to City boundary between Manila and Caloocan. Second District: Barangays Nos. 147-267, N - City boundary between Manila and Caloocan; E - From end of Rizal Avenue Extension extending southward to Railroad Tracks at Antipolo Street; from corner Antipolo Street and Rizal Avenue on southern side of Railroad Tracks extending westward to Estero de San Lazaro, southward along Estero de San Lazaro up to corner of C. M. Recto Avenue westward to bridge spanning Claro M. Recto at Estero de la Reina; W - Estero de la Reina to Estero de Vitas to Estero Sunog Apog to City boundary between Manila and Caloocan; Third District: Barangays Nos. 268-394, N - City boundary between Manila and Caloocan; E - A. Bonifacio Street extending southward to Dimasalang, to Anda-lucia, Claro M. Recto Avenue eastward to Estero de San Miguel ending at Pasig River; S - Mouth of Estero de San Miguel at Pasig River, westward to Del Pan Bridge, thence to Del Pan Street; W - Del Pan Street northward up to Claro M. Recto Extension to Estero de San Lazaro, northward to Antipolo Street, eastward to Rizal Avenue Extension, northward to boundary between Manila and Caloocan; Fourth District: Barangays Nos. 395 - 586 SW - Estero de San Miguel up to Mendiola Bridge, thence to C. M. Recto Avenue to Quezon Boulevard; W - Quezon Boulevard, Andalucia, Dimasalang up to boundary between Manila and Quezon City; NE - City boundary between Manila and Quezon City up to Ramon Magsaysay Boulevard; SE - Ramon Magsaysay Boulevard up to V. Mapa Street; S - Ramon Magsaysay Boulevard up to point Estero de

San Miguel where Ramon Magsaysay Boulevard spans Estero de San Miguel; Fifth District: Barangays Nos. 649-828 N - Mouth of Pasig River inland to point Paz M. Guanzon Street extending to Estero de Pandacan; NE - Estero de Pandacan up to Pedro Gil Street to Tejeron Street up to boundary of Manila and Makati; SE - City boundary between Manila and Makati up to Estero de Tripa de Gallina; S - City boundary between Pasay and Manila down to Roxas Boulevard up to edge of reclaimed areas westward to Manila Bay; W - Manila Bay up to mouth of Pasig River, Sixth District: Barangays Nos. 587-648; and 829-905 N - Starting from point which is mouth of Estero de San Miguel going eastward to Mendiola Bridge, following line along Estero de San Miguel up to point where Ramon Magsaysay Boulevard spans Estero de San Miguel, thence Ramon Magsaysay Boulevard eastward to City boundary between Manila and Quezon City; NE - City boundary up to point city boundary of Manila, San Juan and Quezon City; E - Manila-San Juan-Mandaluyong-Makati boundaries up to Tejeron Street; SE - Tejeron Street to Pedro Gil Street up to bridge spanning Estero de Pandacan; SW & W - Estero de Pandacan going northward to Paz M. Guanzon Street, then northward on Paz M. Guanzon Street up to Pasig River to mouth of Estero de San Miguel on Pasig River.

QUEZON CITY, four (4) - First District : Barangays Del Monte, Paltok, Bungad, San Antonio, Katipunan, Veterans Village, Talayan, Damayan, Mariblo, Paraiso, Sta. Cruz, Nayong Kanluran, Philam, West Triangle, N.S. Amoranto, Paang Bundok, San Isidro Labrador, Sta. Teresita, Salvacion, Maharlika, St. Peter, Lourdes, Sto. Domingo, Sienna, San Jose, Manresa, Pag-ibig sa Nayon, Balingasa, Masabong, Damar, Bahay Toro, St. Cristo, Ramon Magsaysay, Project 6, Vasra, Alicia, and Bagong Pag-asa; Second District: Barangays Fairview, New Era, Holy Spirit, Batasan Hills, Commonwealth, Payatas, Bagong Silangan, Sauyo, Talipapa, Bagbag, San Bartolome, Sta. Lucia, Gulod, Novaliches Proper, San Agustin, Nagkaisang Nayon, Sta. Monica, Kaligayahan, Pasong Putik, Apolonio Samson, Unang Sigaw, Tandang Sora, Pasong Tamo, Culiati, Baesa, Capri, Balumbato, and Sangandaan: Third District: Barangays E. Rodriguez, Silangan, Quirino 3-A, Duyan-Duyan, Quirino 3-B, Amihan, Socorro, San Roque, Mangga, Zobel Dioquino, Tagumpay, Aguinaldo, Escopa 1, Escopa 2, Escopa 3, Escopa 4, West Kamias, East Kamias, Quirino 2- A, Quirino 2-B, Quirino 2-C, Ugong Norte, Bagumbayan, Libis, Villa Maria Clara, Masagana, Milagrosa, Marilag, Bagumbayan, Loyola Heights, Pansol, and Matandang Balara; Fourth District: Barangays Bagong Lipunan, Kaunlaran, San Martin, Immaculate Concepcion, South Triangle, Sacred Heart, Laging Handa, Paligsahan, Obrero, Roxas, Kamuning Kanluran, Kamuning Silangan, Tatalon, Don Manuel, Dona Josefa, San Isidro, Dona Aurora, Santo Nino, Santol, Dona Imelda, Kristong Hari, Kalusugan, Damayang Lagi, Mariana, Valencia, Horseshoe, Pinagkaisahan, San Vicente, U.P. Campus, Krus Na Ligas, Central, Old Capitol Site, U.P. Village, Teacher's East, Teacher's West, Sikatuna, Malaya, Pinahan, and Botocan.

CALOOCAN CITY, two (2) - First District : 70 Barangays; All of Caloocan North of EDSA; Second District: 118 Barangays; All of Caloocan South of EDSA.

PASAY CITY, one (1)

MALABON and NAVOTAS, one (1)

SAN JUAN and MANDALUYONG, one (1)

MARIKINA, one (1)

MAKATI, one (1)

PASIG, one (1) PARANAQUE, one (1)

LAS PINAS and MUNTINGLUPA, one (1)

PATEROS and TAGUIG, one (1)

VALENZUELA, one (1)

Region I

ABRA, one (1)

BENGUET, with the City of Baguio, two (2) - First District: Baguio City; Second District: all the Municipalities of Benguet.

ILOCOS NORTE, with Laoag City, two (2) - First District: Laoag City and the Municipalities of Bacarra, Bangui, Burgos, Pagudpud, Pasuquin, Piddig, Sarrat, Vintar, Adams, Carasi and Dumalneg; Second District: Municipalities of Badoc, Batac, Currimao, Dingras, Espiritu, Marcos, Nueva Era, Paoay, Pinili, San Nicolas and Solsona.

ILOCOS SUR, two (2) - First District: Municipalities of Bantay, Cabugao, Caoayan, Magsingal, San Ildefonso, San Juan, San Vicente, San Catalina, Santo Domingo, Sinit and Vigan; Second District: Municipalities of Alilem, Banayoyo, Burgos, Candon, Cervantes, Galimuyod, Gregorio del Pilar, Lidlidda, Nagbukel, Narvacan, Quirino, Salcedo, San Emilio, San Esteban, Santa, Santa Cruz, Santa Lucia, Santa Maria, Santiago, Suyo, Tagudin, Sigay and Sugpon.

LA UNION, two (2) - First District : Municipalities of Bacnotan, Balaoan, Bangar, Luna, San Fernando, San Gabriel, San Juan, Santol, and Sudipen; Second District: Municipalities of Agoo, Aringay, Bagulin, Bauang, Burgos, Caba, Naguillian, Pugo, Rosario, Santo Tomas and Tubao.

MOUNTAIN PROVINCE, one (1)

PANGASINAN, with the Cities of Dagupan and San Carlos, six (6) - First District: Municipalities of Bolinao, Bani, Agno, Burgos, Dasol, Infanta, Mabini, Alaminos, Anda and Sual; Second District: Municipalities of Labrador, Lingayen, Bugallon, Aguilar, Mangatarem, Binmaley, Urbiztondo and Basista; Third District: San Carlos City, and the Municipalities of Malasiqui, Bayambang, Calasiao, Mapandan and Sta. Barbara; Fourth District: Dagupan City and the Municipalities of Mangaldan, San Fabian, San Jacinto and Manaoag; Fifth District: Municipalities of Binalonan, Laoac, Urdaneta, Villasis, Sison, Pozorrubio, Bautista, Alcala and Sto. Tomas; Sixth District: Municipalities of Rosales, Asingan, Balungao, Sta. Maria, Umingan, San Quintin, Natividad, Tayug, San Nicolas and San Manuel.

Region II

BATANES, one (1)

CAGAYAN, three (3) - First District: Municipalities of Aparri, Camalaniugan, Lallo, Buguey, Sta. Teresita, Gonzaga, Sta. Ana, Gattaran, Baggao, and Alcala; Second District: Municipalities of Sta. Praxedes, Sanchez Mira, Claveria, Pamplona, Abulug, Ballesteros, Allacapan, Lasam, Sto. Nino, Rizal, Piat, and Calayan; Third District: Municipalities of Tuguegarao, Solana, Enrile, Penablanca, Iguig, Amulung, and Tuao.

IFUGAO, one (1)

ISABELA, four (4) - First District: Municipalities of Sta. Maria, San Pablo, Cabagan, Sto. Tomas, Albano, Tumauni, Ilagan, Divilican, Maconacon, and Palanan; Second District: Municipalities of Aurora, San Manuel, Roxas, Mallig, Quezon, Quirino, Burgos, Gamu, Naguilian, Benito Soliven and San Mariano; Third District: Municipalities of Reina Mercedes, Cauayan, Luna, Cabatuan, San Mateo, Alicia, Angadanan and San Guillermo; Fourth District: Municipalities of Cordon, Santiago, Ramon, San Isidro, Echague, Jones, San Agustin, and Dinapigui.

KALINGA-APAYAO, one (1)

NUEVA VIZCAYA, one (1)

QUIRINO, one (1)

Region III

BATAAN, two (2) - First District: Municipalities of Dinalupihan, Hermosa, Orani, Samal, Abucay and Morong; Second District: Municipalities of Pilar, Orion, Limay, Bagac, Mariveles and Balanga.

BULACAN, four (4) - First District : Municipalities of Hagonoy, Paombong, Malolos, Calumpit, Pulilan and Bulacan; Second District: Municipalities of Baliuag, Bustos, Plaridel, Guiguinto, Balagtas, Pandi

and Bocaue; Third District: Municipalities of San Miguel, San Idefonso, San Rafael, Angat, Norzagaray and Remedios Trinidad; Fourth District: Municipalities of San Jose del Monte, Sta. Maria, Marilao, Meycauayan and Obando.

NUEVA ECIJA, with the Cities of Cabanatuan, Palayan and San Jose, four (4) - First District: Municipalities of Nampicuan, Cuyapo, Guimba, Quezon, Talavera, Licab, Sto. Domingo, Aliaga and Zaragoza; Second District: San Jose City and the Municipalities of Lupao, Munoz, Talugtog, Caranglan, Pantabangan, Llanera, and Rizal; Third District: Cabanatuan City; Palayan City, and the Municipalities of General Natividad, Bongabong, Laur, Gabaldon and Sta. Rosa; Fourth District: Municipalities of San Leonardo, General Tinio, Penaranda, Gapan, San Isidro, Cabiao, San Antonio, and Jaen.

PAMPANGA, with Angeles City, four (4) - First District : Angeles City and the Municipalities of Mabalacat and Magalang; Second District: Municipalities of Lubao, Guagua, Floridablanca, Porac, Sta. Rita, and Sasmuan; Third District: Municipalities of San Fernando, Arayat, Mexico, Bacolor and Sta. Ana; Fourth District: Municipalities of Candaba, Apalit, Macabebe, Masantol, Minalin, Sto. Tomas, San Luis and San Simon.

TARLAC, three (3) - First District: Municipalities of Mayantoc, Sta. Ignacia, Camiling, Moncada, San Manuel, Anao, Paniqui, Ramos, San Clemente and Pura; Second District: Municipalities of Tarlac, Gerona and Victoria; Third District: Municipalities of Bamban, Capas, Concepcion and La Paz.

ZAMBALES, with Olongapo City, two (2) - First District: Olongapo City and the Municipalities of Subic, Castillejos and San Marcelino; Second District: Municipalities of Botolan, Cabangan, Candelaria, Iba, Masinloc, Palauig, San Antonio, San Felipe, San Narciso and Sta. Cruz.

Region IV

AURORA, one (1)

BATANGAS, with the Cities of Batangas and Lipa, four (4) - First District: Municipalities of Nasugbu, Lian, Calatagan, Balayan, Tuy, Calaca, Lemery and Taal; Second District: Batangas City and the Municipalities of Lobo, San Pascual, Bauan, Mabini, San Luis and Tingloy; Third District: Municipalities of Balete, Malvar, Sto. Tomas, Tanauan, Talisay, Laurel, Agoncillo, San Nicolas, Sta. Teresita, Alitagtag, Cuenca and Mataas na Kahoy; Fourth District : Lipa City and the Municipalities of San Juan, Taysan, Rosario, P. Garcia, Ibaan and San Jose.

CAVITE, with the Cities of Tagaytay, Cavite and Trece Martires, three (3) - First District: Cavite City and the Municipalities of Bacoor,

Kawit, Noveleta and Rosario; Second District: Trece Martires City and the Municipalities of Imus, Dasmarinas, Carmona, Gen. Mariano Alvarez, General Trias and Tanza; Third District: Tagaytay City and the Municipalities of Alfonso, Amadeo, General Aguinaldo, Indang, Magallanes, Maragondon, Mendez-Nunez, Naic, Silang and Ternate.

LAGUNA, with San Pablo City, four (4) - First District: Municipalities of Binan, San Pedro and Sta. Rosa; Second District: Municipalities of Bay, Cabuyao, Calamba and Los Banos; Third District: San Pablo City and the Municipalities of Calauan, Alaminos, Rizal, Nagcarlan, Liliw and Victoria; Fourth District: Municipalities of Sta. Cruz, Pila, Lumban, Pagsanjan, Cavinti, Kalayaan, Paete, Pakil, Pangil, Siniloan, Famy, Mabitac, Sta. Maria, Magdalena, Luisiana and Majayjay.

MARINDUQUE, one (1)

OCCIDENTAL MINDORO, one (1)

ORIENTAL MINDORO, two (2) - First District: Municipalities of Baco, Calapan, Naujan, Puerto Galera, San Teodoro, Victoria, Pola and Socorro; Second District: Municipalities of Bansud, Bongabon, Bulalakao, Gloria, Mansalay, Pinamalayan, and Roxas.

PALAWAN, with Puerto Princesa City, two (2) - First District: Municipalities of Agutaya, Araceli, Busuanga, Cagayancillo, Coron, Cuyo, Dumaran, El Nido, Linapacan, Magsaysay, Roxas, San Vicente, Taytay and Kalayaan; Second District: Puerto Princesa City and the Municipalities of Aborlan, Balabac, Batarasa, Brooke's Point, Narra, Quezon and Marcos.

QUEZON, with Lucena City, four (4) - First District: Municipalities of Burdeos, Gen. Nakar, Infanta, Jumalig, Panukulan, Patnanungan, Polilio, Real, Sampaloc, Mauban, Pagbilao, Lucban and Tayabas; Second District: Lucena City and Municipalities of Candelaria, Dolores, San Antonio, Sariaya and Tiaong; Third District: Municipalities of Catanauan, Gen. Luna, Macalelon, Mulanay, Pitogo, San Andres, San Francisco, San Narciso, Buenavista, Padre Burgos, Agdangan and Unisan; Fourth District: Municipalities of Calauag, Guinayangan, Gumaca, Lopez, Tagkawayan, Atimonan, Plaridel, Alabat, Perez and Quezon

RIZAL, two (2) - First District: Municipalities of Antipolo, Taytay, Cainta, Angono and Binangonan; Second District: Municipalities of E. Rodriguez, San Mateo, Morong, Cardona, Teresa, Baras, Tanay, Pililla, and Jala-Jala.

ROMBLON, one (1)

Region V

ALBAY, with Legazpi City, three (3) - First District: Municipalities of Bacacay, Malinao, Malilipot, Santo Domingo, Tabaco and Tiwi; Second District: Legazpi City and the Municipalities of Camalig, Daraga, Manito and Rapu-Rapu; Third District: Municipalities of Guinobatan, Jovellar, Libon, Ligao, Oas, Pio Duran and Polangui.

CAMARINES NORTE, one (1)

CAMARINES SUR, including the Cities of Naga and Iriga, four (4) - First District: Municipalities of Del Gallego, Ragay, Lupi, Sipocot, Libmanan, Cabusao, Pamplona, Pasacao, Minalabac and San Fernando; Second District : Naga City and the Municipalities of Bombon, Calabanga, Camaligan, Canaman, Gainza, Magarao, Milaor, Ocampo and Pili; Third District: Municipalities of Caramoan, Garchitorena, Goa, Lagonoy, Presentacion, Sangay, San Jose, Tigaon, Tinambac and Siruma; Fourth District: Iriga City and the Municipalities of Baao, Balatan, Bato, Buhi, Bula and Nabua.

CATANDUANES, one (1)

MASBATE, three (3) - First District: Municipalities of San Pascual, Claveria, Monreal, San Jacinto, San Fernando and Batuan; Second District: Municipalities of Masbate, Mobo, Milagros, Aroroy, Baleno, Balud and Mandaon; Third District: Municipalities of Uson, Dimasalang, Palanas, Cataingan, Pio V. Corpuz, Esperanza, Placer and Cawayan.

SORSOGON, two (2) - First District: Municipalities of Sorsogon, Pilar, Donsol, Castilla, Bacon, Casiguran and Magallanes; Second District: Municipalities of Barcelona, Prieto Diaz, Gubat, Juban, Bulusan, Irosin, Sta. Magdalena, Matnog and Bulan.

Region VI

AKLAN, one (1)

ANTIQUE, one (1)

CAPIZ, including Roxas City, two (2) - First District: Roxas City and the Municipalities of Panay, Pilar, Pontevedra, President Roxas, Ma-ayon, and Panitan; Second District: Municipalities of Dumalag, Jamindan, Mambusao, Sapian, Sigma, Tapaz, Cuartero, Dao, Dumarao and Ivisan.

ILOILO, five (5) - First District: Municipalities of Guimbal, Igbaras, San Joaquin, Tigbauan, Tubungan, Miagao, and Oton; Second

District; Municipalities of Jordan, Nueva Valencia, Buenavista, Pavia, Leganes, Sta. Barbara, New Lucena, Zarraga, Alimodian, Leon and San Miguel; Third District: Municipalities of Maasin, Cabatuan, Janiuay, Badiangan, Mina, Pototan, Calinog, Lambunao and Bingawan; Fourth District: Municipalities of Passi, San Enrique, Duenas, Dingle, Barotac Nuevo, Dumangas, Anilao and Banate; Fifth District: Municipalities of Barotac Viejo, San Rafael, Ajuy, Lemery, Concepcion, Sara, San Dionisio, Batad, Estancia, Balasan and Carles.

ILOILO CITY, one (1)

NEGROS OCCIDENTAL, with the Cities of San Carlos, Cadiz, Bago, La Carlota and Silay, six (6) - First District: San Carlos City and the Municipalities of Toboso, Calatrava, Escalante and S. Benedicto; Second District: Cadiz City and the Municipalities of Sagay and Manapla; Third District: Silay City and the Municipalities of Victorias, Enrique B. Magalona, Talisay and Murcia; Fourth District: Bago City and the Municipalities of Valladolid, San Enrique, Pontevedra, Pulupandan and La Carlota; Fifth District: Municipalities of La Castellana, Moises Padilla, Isabela, Binalbagan, Himamaylan and Hinigaran; Sixth District: Municipalities of Kabankalan, Ilog, Cauayan, Candoni, Sipalay and Hinobaan.

BACOLOD CITY, one (1)

Region VII

BOHOL, with Tagbilaran City, three (3) - First District: Tagbilaran City and the Municipalities of Alburquerque, Antequera, Baclayon, Balilihan, Calape, Catigbian, Corella, Cortes, Dauis, Loon, Maribojoc, Panglao, Sikatuna and Tubigon; Second District: Municipalities of Clarin, Inabanga, Sagbayan, Buenavista, Jetafe, Dagohoy, Danao, San Miguel, Trinidad, Talibon, Ubay, Bien Unido, San Isidro and Pres. C. P. Garcia; Third District: Municipalities of Loay, Loboc, Bilar, Batuan, Carmen, Sevilla, Lila, Dimiao, Valencia, Garcia-Hernandez, Jagna, Duero, Guindulman, Candijay, Mabini, Alicia, Anda, Sierra Bullones and Pilar.

CEBU, with the Cities of Danao, Lapu-Lapu, Mandaue and Toledo, six (6) - First District: Municipalities of Talisay, Minglanilla, Naga, San Fernando, Carcar, and Sibongan; Second District: Municipalities of Argao, Dalaguete, Alcoy, Boljoon, Oslob, Santander, Samboan, Ginatilan, Malabuyoc, Alegria, Badian, Moalboal, Alcantara, Ronda and Dumanjug; Third District: Toledo City and the Municipalities of Barili, Alonguinsan, Pinamungajan, Balamban, Asturias and Tuburan; Fourth District: Municipalities of Tabuelan, San Remigio, Sta. Fe, Bantayan, Madridejos, Daan-bantayan, Medellin, Bogo and Tabogon; Fifth District: Danao City and the Municipalities of Borbon, Sogod, Catmon, Carmen, Compostela, Liloan, San Francisco, Poro, Tudela

and Pilar; Sixth District: Lapu-lapu City, Mandaue City, and the Municipalities of Cordova and Consolacion.

CEBU CITY, two (2) - First District: Barangays of Adlawon, Agsungot, Apas, Bacayan, Banilad, Binaliw, Budla-an, Busay, Cambinocot, Camputhaw, Capitol Site, Carreta, Central Proper, Cogon-Ramos, Day-as, Ermita, Guba, Hipodromo, Kalubihan, Kamagayan, Kasambagan, Lahug, Lorega, Lusaran, Luz, Mabini, Mabolo, Malubog, Pahina Central, Parian, Paril, Pit-os, Pulang Bato, Sambag 1, Sambag 11, San Antonio, San Jose, San Roque, Sta. Cruz, Sirao, T. Padilla, Talamban, Taptap, Tejero, Tinago and Zapatera; Second District: Barangays of Babag, Basak Pardo, Basak San Nicolas, Bonbon, Buhisan, Bulacao Pardo, Bout-Taup, Calamba, Cogon Pardo, Duljo Fatima, Guadalupe, Inayawan, Kalunasan, Kinasang-an Pardo, Labangon, Mambaling, Pahina San Nicolas, Pamutan, Pardo, Pasil Abuno, Sibugay, Punta Princesa, Quiot, San Nicolas, Sawang Calero, Sinsin, Suba Pasil, Sudlon, Sapangdako, Tabunan, Tigbao, Tisa and Toong.

NEGROS ORIENTAL, with the Cities of Bais, Canlaon and Dumaguete, three (3) - First District: Canlaon City and the Municipalities of Vallehermoso, Guihulngan, La Libertad, Jimalalud, Tayasan, Ayungon, Bindoy and Manjuyod; Second District: Bais City, Dumaguete City, and the Municipalities of Mabinay, Tanjay, Pamplona, Amlan, San Jose and Sibulan; Third District: Municipalities of Valencia, Bacong, Dauin, Zamboanguita, Siaton, Sta. Catalina, Bayawan and Basay.

SIQUIJOR, one (1)

Region VIII

LEYTE, with the Cities of Tacloban and Ormoc, five (5) - First District: Tacloban City and the Municipalities of Alangalang, Babatngon, Palo, San Miguel, Sta. Fe, Tanauan, and Tolosa; Second District: Municipalities of Barugo, Barauen, Capoocan, Carigara, Dagami, Dulag, Jaro, Julita, La Paz, Mayorga, MacArthur, Pastrana, Tabontabon and Tunga; Third District: Municipalities of Almeria, Biliran, Cabucgayan, Caibiran, Calubian, Culaba, Kawayan, Leyte, Maripipi, Naval, San Isidro, Tabango and Villaba; Fourth District: Ormoc City and the Municipalities of Albueria, Isabel, Kananga, Matagob, Merida and Palompon; Fifth District: Municipalities of Abuyog, Bato, Baybay, Hilongos, Hindang, Inopacan, Javier, Mahaplag and Matalom.

SOUTHERN LEYTE, one (1)

EASTERN SAMAR, one (1)

NORTHERN SAMAR, two (2) - First District: Municipalities of Allen, Biri, Bobon, Capul, Catarman, Lavezares, Lope de Vega, Rosario,

San Antonio, San Isidro, San Jose, San Vicente, Victoria and Mondragon; Second District: Municipalities of Silvino Lobos, San Roque, Pambuyan, Las Navas, Catubig, Laoang, Palapag, Mapanas, Gamay and Lapinig.

SAMAR, with Calbayog City, two (2) - First District: Calbayog City and the Municipalities of Almagro, Gandara, Matuguinao, Pagsanghan, San Jorge, Santa Margarita, Sto. Nino, Tagapul-an and Tarangnan; Second District: Municipalities of Basey, Calbiga, Catbalogan, Daram, Hinabangan, San Jose de Buan, Jiabong, Marabut, Motiong, Pinabacdao, San Sebastian, Sta. Rita, Talalora, Villareal, Wright, and Zumarraga.

Region IX

BASILAN, one (1)

SULU, two (2) - First District: Municipalities of Jolo, Marungas, Indanan, Pangutaran, Parang, Talipao, Maimbung and Patikul; Second District: Municipalities of Siasi, Pandami, Pata, Luuk, K. Caluang, Panamao, New Panamao, Tapul, Lungus and Tongkil.

TAWI-TAWI, one (1)

ZAMBOANGA DEL NORTE, with the Cities of Dapitan and Dipolog, three (3) - First District: Dapitan City and the Municipalities of Sibutad, Rizal, La Libertad, Mutia, Pinan, Sergio Osmena, Sr., and Polanco; Second District: Dipolog City and the Municipalities of Katipunan, Pres. Manuel A. Roxas, Manukan, Ponot, Siayan and Sindangan; Third District: Municipalities of Salug; Godod, Liloy, Tampilisan, Labason, Gutalac, Siocon, Baliquian, Siraway, Bacungan and Sibuco.

ZAMBOANGA DEL SUR, with Pagadian City, three (3) - First District: Pagadian City and the Municipalities of Dumingag, Mahayag, Molave, Tambulig, Midsalip, R. Magsaysay, Labangan, Aurora, Tukuran, Josefina and Don Mariano Marcos; Second District: Municipalities of Dumalinao, San Pablo, Tabina, Dimataling, Dinas, San Miguel, Margosatubig, Lapuyan, Kumalarang, Bayog, Lakewood, Pitogo and Vincenzo A. Sagun; Third District: Municipalities of Malangas, Alicia, Olutanga, Mabuhay, Siay, Kabasalan, Naga, Ipil, Titay, Tungawan, Buug, Imelda, Payao, Talusan, Diplahan and Roseller Lim.

ZAMBOANGA CITY, one (1)

Region X

AGUSAN DEL NORTE, with the City of Butuan, two (2) - First District: Butuan City and the Municipality of Las Nieves, Second District:

Municipalities of Buenavista, Cabadbaran, Carmen, Jabonga, Kitcharao, Magallanes, Nasipit, Santiago, Tubay and Remedios T. Romualdez.

AGUSAN DEL SUR, one (1)

BUKIDNON, three (3) - First District: Municipalities of Talakag, Baungon, Malitbog, Libona, Manolo Fortich, Sumilao, Pangantocan, and Kalilangan; Second District: Municipalities of Malaybalay, Lantapan, Cabanglasan, Valencia, San Fernando, and Impasugong; Third District: Municipalities of Maramag, Quezon, Don Carlos, Kitaotao, Danggagan, Kibawe, Damulog and Kadingilan.

CAMIGUIN, one (1)

MISAMIS OCCIDENTAL, with the Cities of Oroquieta, Ozamiz and Tangub, two (2) - First District: Oroquieta City and the Municipalities of Baliangao, Plaridel, Calamba, Sapang Dalaga, Lopez Jaena, Aloran, Concepcion, Panaon, and Jimenez; Second District: Ozamiz City, Tangub City and the Municipalities of Bonifacio, Tudela, Clarin, Sinacaban and Don Mariano Marcos.

MISAMIS ORIENTAL, with Gingoog City, two (2) - First District: Gingoog City and the Municipalities of Magsaysay, Talisayan, Balingoan, Medina, Kinogitan, Sugbongcogon, Binuangan, Salay, Lagonglong and Balingasag; Second District: Municipalities of Claveria, Jasaan, Villanueva, Tagoloan, Alubijid, El Salvador, Gitagum, Initao, Laguindingan, Libertad, Lugait, Manticao, Naawan and Opol.

CAGAYAN DE ORO CITY, one (1)

SURIGAO DEL NORTE, with the City of Surigao, two (2) - First District: Municipalities of Sta. Monica, San Isidro, Del Carme, Pilar, General Luna, Dapa, Socorro, Burgos, San Benito, Loreto, Libjo, Dinagat, Cagdianao, Tubajon and Basilisa; Second District: Surigao City and the Municipalities of San Francisco, Tagana-an, Sison, Placer, Malimono, Bacuag, Gigaquit, Tubod, Mainit, Alegria and Claver.

Region XI

DAVAO DEL NORTE, three (3) - First District: Municipalities of Moncayo, Montevista, Compostela, Nabunturan, New Bataan, Mawab and San Mariano; Second District: Municipalities of San Vicente, Capalong, Asuncion, New Corella, Tagum, Maco, Mabini and Pantukan; Third District: Municipalities of Sto. Tomas, Carmen, Panabo, Babak, Samal and Kaputian.

DAVAO ORIENTAL, two (2) - First District: Municipalities of Boston, Cateel, Baganga, Caraga, Manay and Tarragona; Second

District: Municipalities of Mati, Banaybanay, Lupon, San Isidro and Governor Generoso.

DAVAO DEL SUR, two (2) - First District: Municipalities of Magsaysay, Bansalan, Sta. Cruz, Matanao, Digos, Hagonoy and Padada; Second District: Municipalities of Kiblawan, Sulop, Malalag, Sta. Maria, Malita, Jose Abad Santos, Don Marcelino and Saranggani.

DAVAO CITY, three (3) - First District: Districts of Poblacion and Talomo; Second District: Districts of Buhangin, Bunawan and Paquibato; Third District: Districts of Toril, Tugbok, Calinan and Baguio.

SOUTH COTABATO, with General Santos City, three (3) - First District: General Santos City and the Municipalities of Polomolok, Tampakan and Tupi; Second District: Municipalities of Tantaran, Norala, Banga, Sto. Nino, Surallah, Koronadal, Tiboli and Lake Sebu; Third District: Municipalities of Alabel, Malapatan, Glan, Maasim, Kiamba, Maitum and Malungon.

SURIGAO DEL SUR, two (2) - First District: Municipalities of Bayabas, Cantilan, Carrascal, Cortes, Lanuza, Madrid, San Miguel, Tago, Tandag, Cagwait, Marihatag, San Agustin, Carmen and Lianga; Second District: Municipalities of Barobo, Bislig, Hinatuan, Lingig and Tagbina.

Region XII

LANAO DEL NORTE, with Iligan City, two (2) - First District: Iligan City and the Municipalities of Linamon, Kauswagan, Bacolod, Maigo, Kolambugan, Tubod and Baroy; Second District: Municipalities of Baloi, Pantar, Tagoloan, Poona-Piagapo, Pantao-Ragat, Matungao, Tangkal, Munai, Nunungan, Magsaysay, Salvador, Kapatagan, Karomatan. Sapad and Lala.

LANAO DEL SUR, with Marawi City, two (2) - First District: Marawi City and the Municipalities of Marantao, Piagapo, Saguiaran, Tagoloan, Kapai, Ditsaan - Ramain, Bubong, Buadiposo-Buntong, Bumbaran, Maguing, Wao, Molundo, Taraka, Lumba-Bayabao, Poona-Bayabao, Masiu and Tamparan; Second District: Municipalities of Balindong, Tugaya, Bacolod Grande, Madalum, Madamba, Pualas, Ganassi, Pagayawan, Sultan Gumander, Malabang, Balabagan, Kapatagan, Marogong, Tubaran, Binidayan, Lumbatan, Lumbayanague, Butig, Bayang and Calanogas.

MAGUINDANAO, with Cotabato City, two (2) - First District: Cotabato City and the Municipalities of Parang, Sultan Kudarat, Buldon, Barira, Dinaig, Kabuntalan, Matanog and Upi; Second District: Municipalities of Pagalungan, Buluan, Sultan sa Barongis, Maganoy, Talayam, South Upi, Datu Piang, Datu Paglas and Ampatuan.

NORTH COTABATO, two (2) - First District: Municipalities of Carmen, Kabacan, Libungan, Midsayap, Pigkawayan, Pikit, Aleosan, Banisilan and Alamada; Second District: Municipalities of Kidapawan, Makilala, Matalam, Antipas, M'lang, Pres. Roxas, Tulunan and Magpet.

SULTAN KUDARAT, one (1)

SEC 2. The Commission on Elections is hereby empowered to make minor adjustments of the reapportionment herein made.

SEC 3. Any province that may hereafter be created, or any city whose population may hereafter increase to more than two hundred fifty thousand shall be entitled in the immediately following election to at least one Member or such number of Members as it may be entitled to on the basis of the number of its inhabitants and according to the standards set forth in paragraph (3), Section 5 of Article VI of the Constitution. The number of Members apportioned to the province out of which such new province was created or where the city, whose population has so increased, is geographically located shall be correspondingly adjusted by the Commission on Elections but such adjustment shall not be made within one hundred and twenty days before the election.

SEC. 4. This Ordinance shall be appended to the Constitution proposed by the 1986 Constitutional Commission, and shall be submitted to a plebiscite simultaneously with such Constitution, and shall take effect upon its ratification by a majority of the votes cast in such plebiscite.