

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fourteenth Congress
First Regular Session

House Bill no. 1752

Introduced by **Honorable Raul T. Gonzalez, Jr.**

EXPLANATORY NOTE

This bill seeks to constitute a Constitutional Convention for the purpose of amending the present Charter in order to make it more responsive and more relevant to the times.

The 1987 Constitution is one of the longest charters in the world today. Aside from its verbosity, the present Constitution is also being criticized for lacking in clarity, depth and comprehensiveness. To illustrate this point, there are 99 "ambiguous" provisions in the present Constitution that still await legislation today, a full twenty years after its passage.

The current Charter perpetuates and even promotes a system that hinder our nation's march towards political maturity. Its so-called "nationalist" provisions has been proven to be counter-productive to our country's economic growth. We cannot operate under a Constitution that requires simple literacy for one to occupy the highest elective posts of the land. We cannot have a government held hostage by events in Metro Manila. We cannot have a system which under-represents many regions and over-represents a few in the Senate.

As envisioned in this bill, the Constitutional Convention shall be comprised of one (1) delegate representing each legislative district in the country. Unless otherwise extended by Congress, the Con Con delegates will be granted a term of not more than one (1) year to amend the Constitution exclusive of the ratification process. Lastly, the bill seeks to provide the delegates similar emoluments, immunities and privileges extended to incumbent Congressmen. Finally, the bill mandates the

Commission on Elections to issue the rules and regulations to carry out the purpose of this legislation.

In light of the foregoing, the approval of this bill is earnestly sought.

Raul T. Gonzalez, Jr.
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AN ACT
CONSTITUTING A CONSTITUTIONAL CONVENTION TO AMEND OR
REVISE THE PRESENT CONSTITUTION, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and the House of Representatives of the Philippine Congress assembled;

SECTION 1. Title – This Act shall be known as the "Constitutional Convention Act of 2007."

SECTION 2. The Convention – Mandate and Tenure – There shall be a Constitutional Convention to be constituted by One (1) delegate from every congressional district of the Republic of the Philippines. The Convention is hereby mandated to amend the present Constitution.

The Convention shall have a term of not more than one (1) year, unless extended by Congress to amend or revise the Constitution exclusive of the ratification process.

SECTION 3. Delegates: Qualifications and Election. – The delegates to the Constitutional Convention shall have the same qualifications as the members of the House of Representatives. They shall be elected as Congress may determine.

SECTION 4. Tenure and Emoluments. – The delegates shall have a term of office co-terminus with the Constitutional Convention; Provided, however, that their term shall begin on any date as the Congress may determine.

SECTION 5. Immunity.- A delegate to the Constitutional Convention shall, in all offenses punishable by not more than six (6) years of imprisonment, be exempt from arrests while the Convention is in session. No member shall be questioned nor be held liable in any other place for any speech or debate in the Convention or in any committee thereof.

SECTION 6. Financial Disclosures. - The delegates shall upon assumption of office, make a full disclosure of their financial and business interests that may arise from the foiling of a proposed amendment of which they are authors.

SECTION 7. Prohibitions. - The delegates shall not benefit from any amendments approved by the Convention, except after the elections to be held following the approval of the Constitutional Amendments. Likewise, the incumbent President, the Vice President and the members of the Congress shall be barred to benefit from certain provisions favorable to them of the new revised Constitution that the Convention will adopt and the people will ratify in a plebiscite called for the purpose.

SECTION 8. Convention Officers. - The Convention shall elect its President, Vice President, Floor Leader, Secretary, Sergeant-At-Arms and such other officers it may deem necessary to carry out its tasks.

SECTION 9. Quorum. - A majority of the delegates 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 the Convention may provide.

SECTION 10. Convention Rules and Journal. - The Convention may determine the rules of its proceedings, punish its delegates for disorderly behavior, and with the concurrence of two-thirds ($\frac{2}{3}$) of all its delegates, suspend or expel a delegate. A penalty of suspension, when imposed, shall not exceed sixty (60) days.

The Convention 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 yeas and nays on any question shall, at the request of one-fifth of the delegates present, be entered in the Journal.

SECTION 11. Convention Report. - The Convention shall submit its report to the President and the Congress of the Republic of the Philippines, and the Commission on Election within thirty (30) days from the completion of the consolidated amendments, or revision.

SECTION 12. Plebiscite. - The amendments shall be ratified by a majority of the votes cast in a plebiscite which shall be held within sixty (60) days from the approval thereof by the Convention.

SECTION 13. COMELEC Authority. - The Commission on Election shall issue such rules and regulations as may be necessary to carry out the purpose of this Act.

SECTION 14. Appropriations. - The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act or by a special appropriation approved by Congress.

SECTION 15. Effectivity. - This Act shall take effect upon its approval.

Approved,