

PEOPLE'S DRAFT

Preamble

We, the sovereign Filipino people, imploring the aid of Almighty God, in order to establish a government that shall embody our ideals, promote the general welfare, conserve and develop the patrimony of our Nation, and secure to ourselves and our posterity the blessings of democracy under a regime of liberty, truth, justice, love, equality and peace, do ordain this Constitution.

ARTICLE I, National Territory

Section 1. The national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all the other territories belonging to the Philippines by historic or legal title, including the territorial sea, the air space, the subsoil, the sea-bed, the insular shelves, and the submarine areas over which the Philippines has sovereignty or jurisdiction. The waters around, between, and connecting the islands of the archipelago, irrespective of their breadth and dimensions, form part of the internal waters of the Philippines.

ARTICLE II, Principles and Policies

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

Section 2. The defense of the State is the prime duty of government, and in the fulfillment of this duty all citizens shall be required by law to render personal military or civil service.

Section 3. 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.

Section 4. The State recognizes the sanctity of the family. The State shall equally protect the life of the mother and the life of the unborn from conception.

Section 5. Civilian authority shall be supreme over the military. The Armed Forces of the Philippines shall be the protector of the people and the State. It shall secure the sovereignty of the people, the establishment of the State, and the integrity of the national territory.

Section 6. Public office is a public trust. Public officers and employees shall serve with responsibility, integrity, loyalty, and efficiency, and be accountable to the people.

Section 7. All lands of public domain, waters, minerals, coal, petroleum and other mineral oils, all forces of potential energy, fisheries, wildlife, and other natural resources of the Philippines belong to the State.

Section 8. The State shall promote social justice, regulate the ownership and use of property, afford protection to labor, and provide social services.

Section 9. The State shall empower the youth in nation-building.

ARTICLE III, Citizenship

Section 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 and mothers are citizens of the Philippines.

(3) Those whose mothers are citizens of the Philippines and, upon reaching the age of majority, elect Philippine citizenship, pursuant to the provisions of the Constitution of nineteen hundred and thirty-five.

(4) Those who are naturalized in accordance with law.

(5) Those who reacquire citizenship as provided by law.

Section 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.

Section 3. It shall be the duty of the citizen to be loyal to the Republic, honor the Philippine flag, defend the State, uphold the Constitution, obey the laws, cooperate with duly constituted authorities, contribute to the general welfare, render community service and provide family support.

Section 4. Suffrage shall be exercised by citizens of the Philippines not otherwise disqualified by law, who are eighteen years of age or over 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 preceding the election. No literacy, property or other substantive requirement shall be imposed on the exercise of, suffrage. Congress shall provide a system for the purpose of securing the secrecy and sanctity of the vote.

ARTICLE IV, Bill of Rights

Section 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.

Section 2. Private property shall not be taken for public use without just compensation.

Section 3. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and whatever purpose shall not be violated, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined by the judge, or such other responsible officer as maybe authorized by law, 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.

Section 4. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety and order require otherwise.

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

Section 5. The liberty of abode and of travel shall not be impaired except upon lawful order of the court, or when necessary in the interest of national security, public safety, or public health.

Section 6. 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, shall be afforded the citizen subject to such limitations as may be provided by law.

Section 7. The right to form associations or societies for purposes not contrary to the law shall not be abridged.

Section 8. 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.

Section 9. No law shall be passed abridging the freedom of speech, or the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.

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

Section 11. No ex post facto law or bill of attainder shall be enacted.

Section 12. No person shall be imprisoned for debt or non-payment of a poll tax.

Section 13. No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.

Section 14. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion, insurrection, or rebellion, or imminent danger thereof, when the public safety requires it.

Section 15. All persons, shall have the right to a speedy disposition of their cases in all judicial, quasi-judicial, or administrative bodies.

Section 16. No person shall be held to answer for a criminal offense without due process of law.

Section 17. All persons, except those charged with offenses punishable by *reclusion perpetua* or life imprisonment when evidence of guilt is strong shall, before conviction, be bailable by sufficient sureties. Excessive bail shall not be required.

Section 18. 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 unjustified.

Section 19. No person shall be compelled to be a witness against himself. Any person under investigation for the commission of an offense shall have the right to remain silent and to counsel, and to be informed of such right. No force, violence, threat, intimidation, or any other means which vitiates the free will shall be used against him. Any confession obtained in violation of this section shall be inadmissible in evidence.

Section 20. Excessive fines shall not be imposed nor cruel or unusual punishment inflicted.

Section 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.

Section 22. Free access to the courts, quasi-judicial or administrative bodies shall not be denied to any person by reason of poverty.

ARTICLE V, Congress

Section 1. The Legislative power shall be vested in Congress.

Section 2. Unless otherwise provided by law, Congress shall be composed of not more than two hundred fifty-three district representatives, elected from among the provinces, cities and metropolitan areas; of not more than sixty-three sectoral and people's representatives, who shall be elected from among the sectors and peoples; and of twenty-four regional representatives who shall be elected from among the regions.

District representatives shall be apportioned among the provinces, cities and metropolitan areas in accordance with the number of their respective inhabitants and on the basis of a uniform and progressive ratio. Each district shall

comprise, as far as practicable, contiguous, compact, and adjacent territory.

Sectoral and people's representatives shall constitute twenty percent of the total number of district, sectoral and people's representatives, excluding the regional representatives.

Congress may by law change the name of Congress and the title of its members.

Section 3. (1) The Members of Congress shall be elected for a term of five years which shall begin, unless otherwise provided by law, at noon on the thirtieth day of June next following their election.

(2) In case Congress is dissolved, the Members elected in new elections shall serve the unexpired portion of the term from the time the President convenes Congress, which shall not be later than thirty days immediately following the elections.

(3) Unless otherwise provided by law, no Member of Congress shall serve for more than three consecutive terms.

(4) Congress shall by law provide for a system of recall for district, regional, sectoral and people's representatives.

(5) Unless otherwise provided by law, the recall of any elective district, regional, sectoral or people's representative may be validly initiated upon petition of at least twenty-five percent of the total number of registered voters in the district, region, sector or people concerned during the election in which the representative sought to be recalled was elected. The recall of a district or regional representative may also be validly initiated through a resolution adopted by a majority of all the members of a preparatory recall assembly comprised of all the city and municipal councilors of the district or region, unless Congress provides otherwise.

(6) Unless otherwise provided by law, any elective district, regional, sectoral or people's representative may be the subject of a recall election only once during the term of office concerned for loss of confidence, and no recall shall take place within one year from the date of the representative's assumption to office or one year immediately preceding a regular election.

Section 4. No person shall be a Member of Congress 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, a registered voter in the district or region in which he shall be elected, and a resident of the district or region concerned for a period of not less than one year immediately preceding the day of the election.

Section 5. (1) Unless otherwise provided by law, the regular election of Members of Congress shall be held on the second Monday of May and every five years thereafter.

(2) In case a vacancy arises in Congress one year or more before a regular election, the Commission on Elections shall call a special election to be held within sixty days after the vacancy occurs.

Section 6. 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 until thirty days before the opening of its next regular session, exclusive of Saturdays, Sundays, and legal holidays. It may recess for periods not exceeding thirty days each, and not more than ninety days during the year. However, it may be called to session at any time by the President to consider such subjects or legislation as he may designate.

Section 7. (1) Congress shall by a majority vote of all its Members, elect its Speaker from the Members thereof. It shall choose such other officers as it may deem necessary. The election of the President shall precede all other business following the election of the Speaker.

(2) A majority of Congress 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 Congress may provide.

(3) Congress may determine the rules of its proceedings, punish its Members for disorderly behavior, and with concurrence of two-thirds of all its Members, suspend or expel a Member, but if the penalty is suspension, this shall not exceed sixty days.

(4) Congress 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 yeas and nays on any question shall, at the request of one-fifth of the Members present, be entered in the Journal.

Section 8. (1) The salaries of the Speaker and the Members of Congress shall be fixed by law. No increase in salary shall take effect until after the expiration of the term of the Members of Congress approving such increase.

(2) The records and books of accounts of Congress shall be open to the public in accordance with law, and such books shall be audited by the Commission on Audit which shall publish annually the itemized expenditures for each Member.

Section 9. A Member of Congress shall, in all offenses punishable by not more than six years imprisonment, be privileged from arrest during his attendance at its sessions, and in going to and returning from the same; but Congress shall surrender the Member involved to the custody of the law within twenty-four hours after a recess or adjournment for its next session, otherwise such privilege shall cease upon its failure to do so. A Member shall not be questioned or held liable in any other place for any speech or debate in Congress or in any committee thereof.

Section 10. A Member of Congress shall not hold any other office or employment in the government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations with original charters during his tenure, except that of President or Member of the Cabinet or *ex-officio* member of a regional assembly. Neither shall he be appointed to any civil office which may have been created or the emoluments thereof

increased while he was a Member of Congress.

Section 11. No Member of Congress shall appear as counsel before any court, or before any administrative body. 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 with original charter, during his term of office. He shall not intervene in any matter before any office of the government for his pecuniary benefit.

Section 12. (1) There shall be a question hour at least once a month or as often as the rules of Congress may provide, which shall be included in its agenda, during which the President or any Member of the Cabinet may be required to appear and answer questions and interpellations by Members of Congress. Written questions shall be submitted to the Speaker at least three days before a scheduled question hour. Interpellations shall not be limited to the written questions, but may cover matters related thereto. The agenda shall specify the subjects of the question hour. When the security of the State so requires and the President so states in writing, the question hour shall be conducted in executive session.

(2) Congress or any of its committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure. The rights of persons appearing in such inquiries shall be respected.

Section 13. (1) The President serves on the basis of the trust and confidence of Congress. Congress may withdraw its confidence from the President by a vote of two-thirds of all its Members. Upon the removal of the President, the Deputy President shall act as President until a successor is elected. A successor President shall be elected by a majority vote of all the Members of Congress. No motion for the removal of the President and the election of a successor shall be debated and voted upon until after the lapse of three days from the submittal of such motion.

(2) The President may advise the Head of State in writing to dissolve Congress whenever the need arises for a popular vote of confidence on fundamental issues, but not on a matter involving his personal integrity. Whereupon, the Head of State shall dissolve Congress not later than ten days from his receipt of the advice, and call for an election on a date set by the President which shall not be later than sixty days from the date of such dissolution. However, no dissolution of Congress shall take place within nine months immediately preceding or immediately following a regular election.

(3) In case of dissolution of Congress or the termination of its regular term, the incumbent President and the Cabinet shall continue to conduct the affairs of government until the new Congress is convoked and a new President is elected and has qualified.

Section 14. (1) Except as otherwise provided in this Constitution, no treaty shall be valid and effective unless concurred in by a majority of all the Members of Congress.

(2) Congress, by a vote of two-thirds of all its Members, shall have the sole power to declare the existence of a state of war.

Section 15. In times of war or other national emergency, 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 Congress, such powers shall cease upon its next adjournment.

Section 16. (1) The President shall submit to Congress within thirty days from the opening of each regular session, as the basis of the general appropriations bill, a budget of receipts based on existing and proposed revenue measures, and of expenditures. 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 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 to by the National Treasurer, or to be raised by a corresponding revenue proposal included therein.

(5) No law shall be passed authorizing any transfer of appropriations; however, the President, the Speaker, and the Chief Justice of the Supreme Court, 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) If, by the end of the fiscal year, 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 re-enacted and shall remain in force and effect until the general appropriations bill is passed by Congress.

Section 17. (1) The rule of taxation shall be uniform and equitable. Congress shall evolve a progressive system of taxation.

(2) 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.

(3) Charitable institutions, churches, personages or convents appurtenant thereto, mosques and non-profit cemeteries, and all lands, buildings and improvements actually, directly, and exclusively used for religious or charitable 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 Congress.

Section 18. (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 ever be appropriated, applied, paid, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion or for the use, benefit, or support of any priest, preacher, minister, imam, or other religious teacher or dignitary as such, except when such priest, preacher, minister, imam, or other religious teacher or dignitary is assigned to the armed forces, or to any penal institution, or government orphanage or leprosarium.

Section 19. (1) No bill 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 the 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.

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

(3) No bill except those of local application shall be calendared without the prior recommendation of the Cabinet.

Section 20. (1) Every bill passed by 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 Congress. The bill may be reconsidered by Congress and, if approved by two-thirds of all its Members, shall become a law. The President shall act on every bill passed by Congress 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 appropriation, revenue, or tariff bill, but the veto shall not affect the item or items to which he does not object.

Section 21. Congress shall by law provide for a system of initiative and referendum whereby the people can directly propose and enact, or approve or reject, laws or ordinances. Unless Congress provides otherwise, the people's initiative shall be upon petition of at least three per centum of the total number of registered voters, of which every legislative district is represented by at least one per centum of the registered voters therein.

ARTICLE VI, President

Section 1. Executive power shall be vested in the President.

Section 2. (1) The President shall be the chief executive and head of the cabinet. As chief executive, the President shall be known as *Pangulo*. As head of the cabinet, the President shall be known as *Punong Kalihim*. A member of the cabinet shall be known as *Kalihim*. Congress may by law change the title of the President and the members of the cabinet.

(2) Congress shall by law establish a council of state. The council of state shall be empowered to provide advice to all branches or subdivisions of government, and to all sectors and communities of the people, in all matters of national interest. The head of state shall be the head of the council of state. The council of state shall be known as the *Lupong Pambansa*. Congress may by law change the name of the council of state.

Section 3. (1) The President shall be elected from among the Members of Congress by a majority vote of all its Members.

(2) No person may be elected President unless he is at least forty years of age at the day of his election as President, and a resident of the Philippines for at least ten years immediately preceding his election. However, if no Member of Congress is qualified or none of those qualified is a candidate for President, any Member thereof may be elected President.

Section 4. There shall be a head of state who shall be elected by a majority of all the Members of Congress. The head of state shall be known as *Lakan*. Congress may by law change the title of the head of state. Congress shall by law provide for the powers, functions, qualifications, compensation, emoluments, and term of office of the head of state. In the absence of a head of state elected by Congress, the President shall exercise the powers of the head of state.

Section 5. (1) The President shall have an official residence and shall receive a compensation to be fixed by law, which shall not be increased or decreased during his term of office. He shall not receive during his tenure any other emolument from the government or any other source.

(2) The President shall not during his tenure, hold any appointive office, practice any profession, participate directly or indirectly in the management of any business, or be financially interested directly or indirectly 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 with original charters.

Section 6. In case of permanent disability, death, removal from office, or resignation of the President, the Speaker of Congress shall act as President until a successor has been elected.

Section 7. The President shall have the following duties and functions:

(1) Address Congress at the opening of its regular session.

(2) Advise the Head of State to dissolve Congress and call for a general election as provided herein.

(3) Accept the resignation of any member of the Cabinet.

(4) Attest to the appointment or cessation from office of members of the Cabinet, and of other officers as may be provided by law.

(5) Appoint all officers and employees in his office in accordance with the civil service law. Section 8. The President shall be immune from suit during his tenure.

Section 9. The President shall be assisted by the Cabinet in the exercise of executive power. The Cabinet shall consist of the Secretaries or heads of departments as provided by law. The President shall be the head of the government.

Section 10. The President and the Cabinet shall be responsible to Congress for the program of government and shall determine the guidelines of national policy.

Section 11. The President shall appoint the members of the Cabinet who shall be the heads of departments at least a majority of whom shall come from Congress. Members of the Cabinet may be removed at the discretion of the President.

Section 12. (1) The President shall appoint a Deputy President from among the Members of Congress. The Deputy President shall head a department and shall perform such other functions as may be assigned to him by the President.

(2) The President shall also appoint the Undersecretaries who shall perform such functions as may be assigned to them by law or by the respective heads of departments.

Section 13. The President and the Members of the Cabinet, on assuming office, shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as (name of position) 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, the last sentence will be omitted)

Section 14. The salaries and emoluments of the Members of the Cabinet shall be fixed by law which shall not be increased or decreased during their tenure of office.

Section 15. The President and the Members of the Cabinet shall be subject to the provisions of sections ten and eleven of Article Five hereof and may not appear as counsel before any court or administrative body, or participate in the management of any business, or practice any profession.

Section 16. The President or any Member of the Cabinet may resign for any cause without vacating his seat in Congress.

Section 17. The President shall, at the beginning of each regular session of Congress, and from time to time thereafter, present the program of government and recommend for the consideration of Congress such measures as he may deem necessary and proper.

Section 18. The President shall have control of all departments.

Section 19. The President shall be 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, insurrection, or rebellion. In case of invasion, or rebellion, or imminent danger thereof when the public safety requires it, he may suspend the privilege of the writ of *habeas corpus*, or place the Philippines or any part thereof under martial law.

Section 20. The President shall appoint the heads of bureaus and offices, the officers of the armed forces of the Philippines from the rank of brigadier general or commodore, and all other officers of the Government whose appointments are not herein otherwise provided for, and those whom he may be authorized by law to appoint. However, Congress may by law vest in members of the cabinet, courts, heads of agencies, commissions, and boards the power to appoint inferior officers in their respective offices.

Section 21. The President may, except in cases of impeachment grant reprieves, commutations, and pardons, remit fines and forfeitures after final conviction, and with the concurrence of Congress, grant amnesty.

Section 22. The President may contract and guarantee foreign and domestic loans on behalf of the Republic of the Philippines, subject to such limitations as may be provided by law.

Section 23. All executive powers under the laws of the land which are not herein provided for or conferred upon any official shall be deemed, and are hereby, vested in the President, unless Congress provides otherwise.

ARTICLE VII, Supreme Court

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

Section 2. (1) The Supreme Court shall be composed of a Chief Justice and fourteen Associate Justices. The Supreme Court shall by a majority vote of all its Members, elect its Chief Justice. It may sit *en banc* or in divisions of three, five, or seven Members.

(2) All cases involving the constitutionality of a treaty, executive agreement, or law shall be heard and decided by the Supreme Court *en banc*, and no treaty, executive agreement, or law may be declared unconstitutional without the concurrence of at least ten Members. All other cases, which under its rules are required to be heard *en banc*, shall be decided with the concurrence of at least eight Members.

(3) Cases heard by a division shall be decided with the concurrence of at least a majority of all the Members of the division, and in no case, without the concurrence of at least three, but if such 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 a division may be modified or reversed except by the Court sitting *en banc*.

Section 3. (1) No person shall be appointed Member of the Supreme Court unless he is a natural-born citizen of the Philippines, at least forty years of age, and has for ten years or more been a judge of a court of record or engaged in the practice of law in the Philippines.

(2) 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.

Section 4. The Members of the Supreme Court and judges of lower courts shall be appointed by the President.

Section 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 and revise, reverse, modify, or affirm on appeal or *certiorari*, as the law or the rules of court may provide, final judgments and decrees of lower courts in:

(a) All cases in which the constitutionality or validity of any treaty, executive agreement, law, ordinance, or executive order 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 death or life imprisonment.

(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 last longer than 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 pleading, practice, and procedure in all courts, the admission to the practice of law, and the integrated bar. 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.

(6) Appoint its officials and employees in accordance with law.

Section 6. The Judiciary shall enjoy fiscal autonomy. The Supreme Court shall have administrative supervision over all courts and the personnel thereof. It shall be authorized to establish and maintain an internal security force.

Section 7. 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 shall have the power to discipline judges of lower courts and, by a vote of at least eight Members, order their dismissal.

Section 8. 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 opinion of the Court. Any Member dissenting from a decision shall state the reasons for his dissent. The same requirement shall be observed by all lower collegiate courts.

Section 9. Every decision of a court of record shall clearly and distinctly state the facts and the law on which it is based. The Rules of Court shall govern the promulgation of minute resolutions.

Section 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, which shall not be decreased during their continuance in office.

Section 11. (1) The Supreme Court shall by its rules provide for the maximum period within which a case or matter shall be decided or resolved from the date of its submission. Unless otherwise provided by the Supreme Court, the maximum period shall be eighteen months for the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts.

(2) Unless otherwise provided under the rules promulgated by the Supreme Court, with respect to the Supreme Court and other collegiate appellate courts, when the applicable maximum period shall have lapsed without the rendition of the corresponding decision or resolution, because the necessary vote cannot be had, the judgment, order, or resolution appealed from shall be deemed affirmed, except in those cases where a qualified majority is required and in appeals from judgments of conviction in criminal cases, and in original special civil actions and proceedings for *habeas corpus*, the petition in such cases shall be deemed dismissed, and a certification to this effect signed by the Chief Magistrate of the court shall be issued and a copy thereof attached to the record of the case.

Section 12. The Supreme Court shall, within thirty days from the opening of each regular session of Congress, submit to Congress and the President an annual report on the operations and activities of the Judiciary.

Section 13. The Justices of the Supreme Court shall be removed from office on impeachment for, and conviction of, culpable violation of the Constitution, treason, bribery, other high crimes, or graft and corruption.

Section 14. Congress shall have the exclusive power to initiate, try, decide all cases of impeachment. Upon the filing of a verified complaint, Congress may initiate impeachment by a vote of at least one-fifth of all its Members. No official shall be convicted without the concurrence of at least two-thirds of all the Members thereof. When Congress

sits in impeachment cases, its Members shall be on oath or affirmation.

ARTICLE VIII, General Provisions

Section 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.

Section 2. The official languages of the Philippines shall be the *wikang pambansa* and English. The regional languages shall be auxiliary official languages in the regions. Spanish and Arabic shall be promoted.

Section 3. Congress may by law adopt a new name for the country, a flag, a national anthem, a national language, and 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.

Section 4. The State may not be sued without its consent.

Section 5. The separation of the church and the State shall be inviolable.

Section 6. The State shall have one national military force.

Section 7. The State shall have one national police force.

Section 8. No elective or appointive public officer or employee shall receive accept, without the consent of Congress, any present, emolument, office or title of any kind from any foreign state.

Section 9. (1) All educational institutions shall subject to the supervision and regulation by the State.

(2) All institutions of higher learning shall enjoy academic freedom.

(3) The State shall establish system of free public elementary and high school education.

(4) The State shall recognize the *Madrasah* education system.

Section 10. Congress shall by law recognize the titles of royalty of the southern sultanates of Sulu, Maguindanao and Lanao. The legal recognition shall be within the framework of the Constitution, and subject to the sovereignty of the people, the powers of the government, the establishment of the State, the patrimony of the nation, and the integrity of the national territory.

Section 11. The State shall consider the customs, traditions, beliefs, and interests of the indigenous peoples in the formulation and implementation of State policies. Congress shall recognize, respect and protect the rights of the indigenous peoples to their ancestral lands within the framework of the Constitution.

Section 12. With the exception of agricultural, industrial, commercial, residential, or resettlement lands of the public domain, natural resources shall not be alienated, and no license, concession, or lease for the exploration, or utilization of any of the natural resources shall be granted for a period exceeding twenty-five years, renewable for another twenty-five years, except as to water rights for irrigation, water supply, fisheries, or industrial uses other than development of water power, in which cases, beneficial use may by the measure and the limit of the grant.

Section 13. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by Congress when the public interest so requires.

Section 14. 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.

Section 15. The State shall promote local government autonomy. The President shall exercise general supervision over local government units.

Section 16. The territorial and political subdivisions of the Philippines are the provinces, cities, municipalities, and *barangays*. 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 the approval by a majority of the votes cast in a plebiscite in the units directly affected. If the legal status of the parent entity is retained notwithstanding the separation of certain units, the other units shall not be deemed as directly affected, and shall be excluded from the plebiscite. Congress may set requirements for the creation of a local government unit based on income, population, land area and culture.

Section 17. Congress may by law create, divide, merge, abolish or substantially alter boundaries of regional authorities which shall form part of the national government. The President shall have control of the regional authorities as instrumentalities of the national government.

Section 18. Congress may by law create, divide, merge, abolish or substantially alter boundaries of autonomous regions as territorial and political subdivisions, subject to the approval by a majority of the votes cast in a plebiscite in the provinces and cities directly affected. If the legal status of the parent entity is retained notwithstanding the separation of certain units, the other units shall not be deemed as directly affected, and shall be excluded from the plebiscite. Congress may by law set requirements for the creation of an autonomous region, based on income, population, land area and culture. The vesting of powers in autonomous regions shall be accompanied by the provision of resources to perform their functions. They shall have the power to create their own sources of revenue, a just share in the national taxes and an equitable share in the national wealth within their respective areas, in accordance with law. The President shall exercise general supervision over the autonomous regions as local government units.

Section 19. The powers not granted to the autonomous regions by this Constitution or by law are deemed vested in the national government of the State.

ARTICLE IX, Federal State, Component State

Section 1. A Federal State shall be established from the present unitary state upon the creation of at least one Component State. No Component State may secede from the Federal State under this Constitution.

Section 2. The creation of a Component State may be initiated by a resolution of Congress or the regional assembly, or directly by the people through initiative. The creation of a Component State by a resolution of Congress or the regional assembly, shall be valid when ratified by a majority of the votes cast in a plebiscite, which shall be held not later than three months after the approval of such resolution. The creation of a Component State by people's initiative shall be valid when ratified by a majority of the votes cast in a plebiscite, which shall be held not later than three months after the certification by the Commission on Elections of the sufficiency of the petition.

Section 3. Component States may be created, divided, merged, abolished or boundaries substantially altered when ratified by a majority of the votes cast in a plebiscite in the provinces and cities directly affected. If the legal status of the parent entity is retained notwithstanding the separation of certain units, the other units shall not be deemed as directly affected, and shall be excluded from the plebiscite. Congress may by law set requirements for the creation of a Component State, based on income, population, land area and culture. The vesting of powers in Component States shall be accompanied by the provision of resources to perform their functions. They shall have the power to create their own sources of revenue, a just share in the federal taxes in the absence of equivalent taxes by the Component State, and an equitable share in the national wealth within their respective areas, in accordance with federal law.

Section 4. The areas without a Component State shall be under the sole jurisdiction of the Federal State.

Section 5. Upon the establishment of the Federal State, this Constitution shall be the federal constitution, and the national laws shall be the federal laws.

Section 6. The federal constitution, the laws of the Federal State made in pursuance thereof, and all treaties made under the authority of the Federal State, shall be the supreme law of the land. The courts in every Component State shall be bound thereby, anything in the constitution or laws of any Component State to the contrary notwithstanding.

Section 7. A Component State shall be authorized to establish and maintain an internal security and safety force. However, no Component State shall establish or maintain any military force or police force. Only the Federal State shall establish a military force and police force.

Section 8. No Component State shall enter into any treaty, alliance, or confederation. Only the Federal State may enter into any treaty, alliance, or confederation.

Section 9. No Component State shall, without the consent of Congress, issue any currency or money for use as a medium of exchange.

Section 10. No Component State shall, without the consent of Congress, impose taxes or duties on imports or exports. No Component State shall, without the consent of Congress, impose any income tax or value added tax.

Section 11. No Component State shall, without the consent of Congress, enact legislation on banking, insurance, commerce (on goods and services), transportation, telecommunication, energy, water, insolvency, intellectual property rights, professional practice, immigration and naturalization.

Section 12. Unless Congress or the legislative assembly of the Component State provides otherwise, the appellate courts and trial courts of the Federal State shall be vested with judicial power to hear and decide all cases arising under the laws of the Component State.

Section 13. The powers not granted to the Component States under this Constitution are deemed vested in the Federal State.

ARTICLE X, Amendments

Section 1. Any amendment to this Constitution may be proposed by Congress upon a vote of three-fourths of all its Members. Congress may, by a vote of two-thirds of all its Members, call a constitutional convention to amend this Constitution. Amendments to this Constitution may also be proposed directly by the people through initiative in accordance with law. Unless Congress provides otherwise, the people's initiative shall be upon petition of at least three per centum of the total number of registered voters, of which every legislative district is represented by at least one per centum of the registered voters therein.

Section 2. Any amendment to this Constitution by constituent assembly, constitutional convention or people's initiative shall be valid when ratified by a majority of the votes cast in the plebiscite.

ARTICLE XI, Transitory Provisions

Section 1. The President, Vice-President, Senate, Congress, Supreme Court, Civil Service Commission, Commission on Elections, Commission on Audit, Ombudsman, Bangsamoro Autonomous Region for Muslim Mindanao, local government units, and all other agencies, instrumentalities, subdivisions, courts and offices of all branches of government established or organized under the 1987 Constitution shall continue to exist, discharge their functions and exercise their powers upon the ratification of this Constitution, except as otherwise provided herein. The President,

Vice-President and Senators elected on the second Monday of May of 2022 shall continue to serve as such until noon of the thirtieth day of June of 2028. The President and Vice-President may not be removed from office, except by impeachment under the 1987 Constitution, until noon of the thirtieth day of June of 2028. The Senate and Congress under the 1987 Constitution shall be dissolved at noon on the thirtieth day of June of 2028. The Senators elected on the second Monday of May of 2025, shall continue to serve as legislators and *ex-officio* members of the first unicameral Congress under this Constitution, from noon of the thirtieth day of June of 2028 until noon of the thirtieth day of June of 2031.

Section 2. All proclamations, orders, decrees, instructions, and acts promulgated, issued, or done by the past and present Presidents shall continue to be part of the law of the land, and shall remain valid, legal, binding, and effective even after the Members of the new Congress and the new President shall have been elected and shall have assumed office, unless modified, revoked, or superseded by this Constitution or the appended Ordinance, by subsequent proclamations, orders, decrees, instructions, or unless expressly or impliedly modified or repealed by Congress or the President. The provisions of Article XII of the 1987 Constitution, and of Rep. Act. No. 8179, regarding the ownership of private lands by foreign nationals, shall remain valid, unless otherwise provided by law.

Section 3. All existing laws consistent with this Constitution shall remain operative until amended, modified, or repealed by Congress. All existing laws inconsistent with this Constitution, including its default provisions and the appended Ordinance, shall be deemed amended or repealed accordingly.

Section 4. All courts existing at the time of the promulgation of this Constitution shall continue to exercise their jurisdiction, until otherwise provided by law. All cases pending in said courts shall be held, tried, and determined under the laws then in force. The provisions of the existing Rules of Court and procedural laws consistent with this Constitution shall remain operative, unless amended, modified, or repealed by Congress or the Supreme Court.

Section 5. All officials and employees in the existing executive branch of government of the Republic of the Philippines, including the Civil Service Commission, the Commission on Elections, the Commission on Audit and the Ombudsman, shall continue in office until otherwise provided by law or decreed by Congress.

Section 6. All officials and employees in the existing judicial branch of government of the Republic of the Philippines, including the appellate courts and trial courts, shall continue in office until otherwise provided by law or decreed by Congress. The Justices of the Supreme Court shall continue to hold office, discharge their functions and exercise their powers upon the ratification of this Constitution, and until they are retired or removed from office under the new Constitution.

Section 7. All treaties, executive agreements, and contracts entered into by the government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations with original charters are hereby recognized as legal, valid and binding. When the national interest so requires, the President may review all contracts, concessions, permits, or other forms of privileges for the exploration, exploitation, development, or utilization of natural resources entered into, granted, issued, or acquired before the ratification of this Constitution.

Congress shall promote local and foreign investments for job creation, price reduction and tax generation. Except as otherwise provided herein, all laws and regulations that impose nationality requirements on the ownership and management of property are hereby repealed, subject to oversight and limitation by Congress. The disposition of alienable lands of the public domain, small-scale mining and micro-enterprises, shall be limited to Filipino citizens and to legal entities wholly owned by them, unless otherwise provided by law. The ownership of private lands shall be limited to Filipino citizens and to legal entities at least sixty per centum of the capital is owned by them, unless otherwise provided by law. To protect national security, Congress or the President may establish a foreign investment council vested with authority to review, investigate, mitigate risks, suspend or prohibit covered transactions. To advance national interest, Congress or the President may require reciprocity in foreign investments.

Section 8. All records, equipment, buildings, facilities, and other properties of any office or body abolished or reorganized under this Constitution shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

Section 9. All the provinces, cities, municipalities, *barangays* and the Bangsamoro Autonomous Region for Muslim Mindanao existing at the time of the promulgation of this Constitution shall continue as presently constituted but their functions, powers, and composition may be altered by law.

Section 10. The elections for the representatives of districts, regions, sectors and peoples of the first Congress under this Constitution shall be held on the second Monday of May of 2028. Unless otherwise provided by law, the Commission on Elections shall reapportion the city and municipal legislative districts, to provide for one councilor for every district based on the number of registered voters at the barangay level, for the elections on the second Monday of May of 2028.

Section 11. Unless Congress provides otherwise, all contests relating to the election, returns and qualifications of all elective officials arising under this Constitution, shall be under the exclusive original jurisdiction of the trial courts of general jurisdiction, subject to judicial remedies on appeal or *certiorari*.

Section 12. This Constitution shall take effect immediately upon its promulgation, and except as provided herein, shall supersede the Constitution of nineteen hundred and eighty-seven (1987).

ORDINANCE

Section 1. Unless Congress provides otherwise, the district representatives shall be apportioned according to the allocation of seats under the Eighteenth Congress of the Philippines.

Section 2. Unless Congress provides otherwise, the regional representatives shall represent the following regions:

(1) The Luzon island group shall be represented by twelve representatives, the Visayas island group by six representatives, and the Mindanao island group by six representatives.

(2) The Luzon island group shall include the islands of Batanes and Catanduanes among others. The Visayas island group shall include the islands of Mindoro, Marinduque, Romblon, Palawan, Masbate, Biliran, Guimaras and Siquijor among others. The Mindanao island group shall include the islands of Basilan, Sulu, Tawi-Tawi, Camiguin, Dinagat and Samal among others.

(3) The Ilocos region including Pangasinan shall be represented by two representatives, the Cordillera region by one representative, the Cagayan region including Batanes by one representative, the Central Luzon region including Aurora by two representatives, the Metro Manila region by three representatives, the CALABARZON region by two representatives and the Bicol region including Catanduanes by one representative.

(4) The MIMAROPA region shall be represented by one representative, the Waray region including Biliran by one representative, the Panay region including Guimaras by one representative, the Negros region by one representative, and the Cebu region including Bohol, Siquijor and Masbate by two representatives.

(5) The Zamboanga region including Basilan, Sulu and Tawi-Tawi shall be represented by one representative, the Northern Mindanao region including Camiguin by one representative, the CARAGA region including Dinagat by one representative, the Davao region including Samal by one representative, the Cotabato region including Cotabato by one representative, the Central Mindanao region including Cotabato City and Lanao del Norte by one representative.

Section 3. Unless Congress provides otherwise, sectoral representatives shall be comprised of sectoral organizations of workers, farmers, fisherfolk, self-employed, teachers, health workers, government employees, overseas workers, youth, women, elderly, micro-enterprises, small and medium enterprises, and large enterprises. Unless Congress provides otherwise, people's representatives shall be comprised of people's organizations of the southern sultanates, northern indigenous peoples and southern indigenous peoples. Congress shall allocate the seats among the sectors and peoples according to the size of their respective population and the significance of their social and economic contributions to the State. There shall be no party-list voting. Organizations running for sectoral or people representative must register with the government agency concerned and be affiliated with accredited political parties. Voters may register in one sector or people category and vote accordingly.

Section 4. Unless Congress provides otherwise, elections for congressional representatives shall be by party voting. Ballots shall indicate not only the party's candidate for Representative, but also the party's nominee for President. The voters shall vote for the candidate and the nominee together. However, the party may change its nominee if the party does not win a majority of the seats and joins a coalition government, or the nominee does not win a seat in Congress.

Section 5. Unless Congress provides otherwise, the two-party system shall be promoted. Only the two dominant political parties with the highest number of elected national legislators during the last national elections, shall be entitled to official watchers and official copies of the election returns and certificates of canvass. The interests of the other political parties shall be protected by the accredited citizens' arm.

Section 6. Unless Congress provides otherwise, all votes cast shall be counted or audited manually in public at the polling place immediately after voting is finished, even if the election process is automated.

Section 7. Unless Congress provides otherwise, the council of state shall be composed of the incumbent and former heads of state, presidents, vice-presidents, prime ministers, senate presidents, house speakers and chief justices; the incumbent executive secretary, defense secretary and foreign affairs secretary; former executive secretaries, defense secretaries/ministers, and foreign affairs secretaries/ministers who served for a cumulative period of at least five years; and sectoral, people, and regional representatives as the President may appoint. In the absence of a law, the President may by executive order establish a council of state.

Section 8. Unless Congress provides otherwise, the formation and organization of provinces, cities, municipalities and *barangays* shall be as follows:

(1) The national and local government functions shall be delineated. In case of conflict between the national interest and the local interest, the national interest shall prevail.

(2) Local government powers shall be consolidated in cities and municipalities. The city and municipality shall be the basic local government units.

(3) The members of the city council and municipal council shall be elected by district, with one councilor for every local legislative district. They may be subject to recall upon petition of at least twenty-five percent of the total number of registered voters in the district, or by resolution of a majority of all the members of a preparatory recall assembly comprised of all the barangay councilors of the district.

(4) The city mayor and municipal mayor shall be elected by majority vote of all the members of the local council from among themselves. The mayors of cities and municipalities within the territory of a province shall be the *ex-officio* members of the provincial council. The provincial governor shall be elected by majority vote of all the members of the

provincial council from among themselves.

(5) The council members of *barangays* within the territory of a city or municipality shall be appointed by the mayor of the city or municipality, from a list of at least three nominees for every vacancy prepared by *barangay* based homeowners' associations, residential condominium corporations, and community associations. The Department of Interior and Local Government may by implementing rules and regulations provide for the registration and grant of legal personality to community associations of *barangay* residents to promote local interest. The *punong barangay* shall be elected by majority vote of all the members of the *barangay* council from among themselves.

(6) The city mayor, municipal mayor, provincial governor and *punong barangay* shall serve based on the trust and confidence of the local council. They may be removed at any time for loss of confidence upon the vote of least two-thirds of all the members of the local council.

(7) The term of office of the members of local councils shall be five years. No member of any local council shall serve for more than three consecutive terms.

Elections for city and municipal councilors shall be by party voting. Ballots shall indicate not only the party's candidate for councilor, but also the party's nominee for mayor. The voters shall vote for the candidate and the nominee together. However, the party may change its nominee if the party does not win a majority of the seats and joins a coalition government, or the nominee does not win a seat in the council.

These provisions shall apply to local government officials elected under this Constitution on the second Monday of May of 2025 and thereafter, unless Congress provides otherwise.

Section 9. In the absence of regional authorities created by law, the President shall by executive order create regional offices of the national government to promote decentralization. The President shall have control of the regional offices as agencies of the national government. The creation of regional offices by the President shall not be deemed to include the appropriation of public money or property, which is the sole prerogative of Congress. Unless otherwise provided by the President, the regional offices shall cover the following regions: (1) Luzon region excluding the Metropolitan Manila region, (2) Visayas region, (3) Mindanao region excluding the Bangsamoro region, (4) Metropolitan Manila region, and (5) Bangsamoro region; and shall integrate the functions and resources of all line departments and their attached agencies, except those under the Department of National Defense, Department of Interior and Local Government, Department of Foreign Affairs, Department of Justice, Department of Finance, Department of Budget and Management, National Economic Development Authority, and Bangko Sentral ng Pilipinas. Each regional office shall be headed by a secretary of cabinet rank. The President may appoint functional or subregional undersecretaries or assistant secretaries to assist the secretary.

Section 10. Unless otherwise provided by Congress, autonomous regions shall be formed and organized as follows:

(1) The district representatives, city mayors and municipal mayors within the territory of a region shall be the *ex-officio* members of a unicameral regional assembly.

(2) The regional chief executive shall be elected by majority vote of all the members of the regional assembly.

(3) The regional chief executive shall serve based on the trust and confidence of the regional assembly. The chief executive may be removed at any time for loss of confidence upon the vote of least two-thirds of all the members of the regional assembly.

(4) The term of office of the members of the regional assembly shall be five years.

(5) No member of the regional assembly shall serve for more than three consecutive terms.

Section 11. Unless otherwise provided by resolution of Congress or the regional assembly, or by people's initiative, Component States shall be formed and organized as follows:

(1) The district representatives, city mayors and municipal mayors within the territory of a Component State shall be the *ex-officio* members of a unicameral assembly.

(2) The chief executive shall be elected by majority vote of all the members of the assembly.

(3) The chief executive shall serve based on the trust and confidence of the assembly. The chief executive may be removed at any time for loss of confidence upon the vote of least two-thirds of all the members of the assembly.

(4) The term of office of the members of the assembly shall be five years.

(5) No member of the assembly shall serve for more than three consecutive terms.

Section 12. Unless Congress provides otherwise, two or more members of the same family shall not be allowed to run for elective office in the same constituency during the same elections. When a family member runs for a national elective position, the spouse and relatives within the second degree of consanguinity of such candidate shall be barred from running for any other national elective position, but may run for a local elective position. When a family member runs for a local elective position, the spouse and relatives within the second degree of consanguinity of such candidate shall be barred from running for any other local elective position, but may run for a national elective position. Running for an elective position includes being a nominee of a sectoral or people's organization.