

COMPARISON OF THE SALIENT FEATURES OF THE 1987 CONSTITUTION AND THE PROPOSED FEDERAL CONSTITUTION

PREAMBLE

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
<p>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.</p>	<p>We, the sovereign Filipino people, imploring the aid of Almighty God, to build a permanent and indissoluble nation and establish a just, humane, united, and progressive society under a government that shall embody our shared 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 of the Federal Republic of the Philippines.</p>	<ul style="list-style-type: none"> There is an addition of the phrases “<u>permanent and indissoluble nation</u>” and “<u>united and progressive society</u>” in the proposed Federal Constitution.

ARTICLE I NATIONAL TERRITORY

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE I	ARTICLE I	
<p>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.</p>	<p>SECTION 1. The Philippines has sovereignty over its territory, consisting of the islands and waters encompassed by its archipelagic baselines, its territorial sea, the seabed, the subsoil, the continental shelf, and its airspace. It has sovereignty over islands and features outside its archipelagic baselines pursuant to the laws of the Federal Republic, the law of nations, and the judgments of competent international courts or tribunals. It likewise has sovereignty over other territories belonging to the Philippines by historic right or legal title.</p>	<ul style="list-style-type: none"> • Inserted phrase to address claim over SCS - <u>“sovereignty over islands and features outside its archipelagic baselines pursuant to the laws of the Federal Republic, the law of nations, and the judgments of competent international courts or tribunals”</u> • Inclusion of claim based on historic rights, <u>“It likewise has sovereignty over other territories belonging to the Philippines by historic right or legal title.”</u>
	<p>SECTION 2. The Philippines has sovereign rights over that maritime expanse beyond its territorial sea to the extent reserved to it by international law, as well as over its extended continental shelf, including the Philippine Rise. Its citizens shall enjoy the right to all resources within these areas.</p>	<ul style="list-style-type: none"> • A new section to include territory <u>“reserved to the Philippines by international law and extended continental shelf, including the Philippine Rise”.</u>

ARTICLE II DECLARATION OF PRINCIPLES AND STATE POLICIES

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
PRINCIPLES		
<p>SECTION 1. The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them.</p>	<p>SECTION 1. The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them. The Republic shall at all times uphold federalism, national unity, and territorial integrity.</p>	<ul style="list-style-type: none"> Inclusion of the phrase <u><i>“The Republic shall at all times uphold federalism, national unity, and territorial integrity”</i></u>, in accordance with the proposed Federal form of Government.
<p>SECTION 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.</p>	<p>SECTION 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.</p>	<ul style="list-style-type: none"> Same
<p>SECTION 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.</p>	<p>SECTION 3. Civilian authority is, at all times, supreme over the military. The government is the protector of the people and the Federal Republic. The armed forces of the Philippines shall secure the sovereignty of the Republic and the integrity of its national territory. The government may call upon the people to defend the Federal Republic and render personal military or civil service under conditions provided by federal law.</p>	<ul style="list-style-type: none"> Instead of the Armed Forces being the protector of the people and the State, the proposed Constitution shifted it to the Government - <u><i>“government is the protector of the people and the Federal Republic”</i></u>.

<p>SECTION 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.</p>	<p>See Section 3 above</p>	<ul style="list-style-type: none"> • The old provision was included in Section 3 of the proposed Constitution.
<p>SECTION 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.</p>	<p>SECTION 4. The recognition of fundamental freedoms, the observance of the rule of law, and the promotion of sustainable human development are essential for the enjoyment by the people of the benefits of a democratic republican federal government.</p>	<ul style="list-style-type: none"> • Changing the wordings used as follows: <ul style="list-style-type: none"> ○ maintenance of peace and order was changed to <u>freedoms</u>; ○ the protection of life, liberty, and property was changed to <u>observance of the rule of law</u>; ○ promotion of the general welfare was changed to <u>promotion of sustainable human development</u>. • Changing the word “democracy” to <u>democratic republican federal government</u>”.
<p>SECTION 6. The separation of Church and State shall be inviolable.</p>	<p>SECTION 5. The separation of the church and the State shall be inviolable. Relations between them shall be governed by benevolent neutrality.</p>	<ul style="list-style-type: none"> • Additional phrase was added: <u>“Relations between them shall be governed by benevolent neutrality”</u>.

STATE POLICIES		
SECTION 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.	SECTION 6. The Federal Republic shall pursue an independent foreign policy. In establishing relations with other states, its paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination.	<ul style="list-style-type: none"> • Same
SECTION 8. The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from nuclear weapons in its territory.	SECTION 7. The Philippines, consistent with the national interest, adopts and pursues a policy of freedom from weapons of mass destruction in its territory.	<ul style="list-style-type: none"> • Changing the phrase ‘policy from freedom from nuclear weapons’ to “<i>policy of freedom from weapons of mass destruction.</i>”
	SECTION 8. The Federal Republic shall maintain honesty, integrity, and efficiency in the public service and take positive, effective, deterrent, and punitive measures against graft and corruption.	<ul style="list-style-type: none"> • New Provision on public service
	SECTION 9. The Federal Republic adopts and implements a policy of full public disclosure of all its transactions involving public interest.	<ul style="list-style-type: none"> • New Provision on transparency
	SECTION 10. The Federal Republic and its instrumentalities shall, at all times, maintain the highest quality of governance, integrity, transparency, and accountability.	<ul style="list-style-type: none"> • New Provision on quality of public governance
SECTION 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	SECTION 11. The Federal Republic 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	<ul style="list-style-type: none"> • Same

standard of living, and an improved quality of life for all.	standard of living befitting human dignity, and an improved quality of life for all.	
SECTION 10. The State shall promote social justice in all phases of national development.	SECTION 12. The Federal Republic shall promote social justice in all phases of national development.	<ul style="list-style-type: none"> • Same
SECTION 11. The State values the dignity of every human person and guarantees full respect for human rights.	SECTION 13. The Federal Republic values the dignity of every person and guarantees full respect for the person and the right of all citizens to participate in all government processes.	<ul style="list-style-type: none"> • The phrase ‘Full respect for human rights’ was changed to <u>“full respect for the person and the right of all citizens to participate in all government processes”</u>.
SECTION 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.	SECTION 14. The Federal Republic 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.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 15. The Federal Republic 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 constructive involvement in public and civic affairs.	<ul style="list-style-type: none"> • Same
SECTION 14. The State recognizes the role of women in nation-building, and shall ensure	SECTION 16. The Federal Republic recognizes the role of women in nation-building and in all aspects of national life, and	<ul style="list-style-type: none"> • Provides higher value to women by adding the

the fundamental equality before the law of women and men.	shall ensure the fundamental equality of women and men before the law.	phrase " <u>in all aspects of national life</u> ".
SECTION 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.	SECTION 17. The Federal Republic shall protect and promote the right to health of the people and instill health consciousness among them.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 18. The Federal Republic shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 19. The Federal Republic shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human dignity, security, liberation, and development.	<ul style="list-style-type: none"> • They added the following phrase - "<u>human dignity and security</u>"
SECTION 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.	SECTION 20. The Federal Republic affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.	<ul style="list-style-type: none"> • Same
SECTION 19. The State shall develop a self-reliant and independent national economy effectively controlled by Filipinos.	SECTION 21. The Federal Republic shall develop an independent and competitive national economy actually and effectively controlled by Filipinos.	<ul style="list-style-type: none"> • Changing the word self-reliant to "<u>competitive</u>". • Adding the word "<u>actually</u>" in the phrase, "<i>having an economy actually and effectively controlled by Filipinos.</i>"
SECTION 20. The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.	SECTION 22. The Federal Republic recognizes the indispensable role of the private sector in national development and encourages private enterprise. The State shall provide incentives to needed investments.	<ul style="list-style-type: none"> • Recognizes the role of private sector in a specific area by adding the words "<u>national development</u>".

<p>SECTION 21. The State shall promote comprehensive rural development and agrarian reform.</p>	<p>SECTION 23. The Federal Republic shall promote industrialization, comprehensive rural agri-industrial development, and agrarian reform with effective support services.</p>	<ul style="list-style-type: none"> • Addition of “<u>industrialization</u>” and specifically provided ‘<u>rural agri-industrial development</u>’ and not just rural development.
<p>SECTION 22. The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development.</p>	<p>SECTION 24. The Federal Republic recognizes, promotes, and protects the rights of indigenous peoples within the framework of national unity and development.</p>	<ul style="list-style-type: none"> • Provides a higher security to the welfare of the indigenous people by specifically guaranteeing protection to their rights by adding the word “<u>protects</u>” in the proposed Constitution.
<p>SECTION 23. The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation.</p>	<p>SECTION 25. The Federal Republic shall promote civil society participation in the development of the welfare of the nation.</p>	<ul style="list-style-type: none"> • The phrase “<u>civil society participation</u>” was introduced.
<p>SECTION 24. The State recognizes the vital role of communication and information in nation- building.</p>	<p>SECTION 26. The Federal Republic recognizes the vital role of information communication technology in nation- building.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 25. The State shall ensure the autonomy of local governments.</p>	<p>SECTION 27. The Federal Republic shall promote the autonomy of local government units in line with the principle of subsidiarity and in accord with federalism.</p>	<ul style="list-style-type: none"> • Adds as basis for the promotion of local autonomy the phrase “<u>in line with the principle of subsidiarity and in accord with federalism.</u>”
<p>SECTION 26. The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law.</p>		<ul style="list-style-type: none"> • Not included in the Proposed Amendment
<p>SECTION 27. The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.</p>		<ul style="list-style-type: none"> • Already covered in Secs. 8, 9 and 10 of Article II – State Policies

**ARTICLE III
BILL OF RIGHTS**

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE III	ARTICLE III	
CIVIL AND POLITICAL RIGHTS		
	SECTION 1. The rights under this article are demandable against the State and non-state actors, and their enforcement shall be consistent with international standards.	<ul style="list-style-type: none"> • New Provision – general statement on 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. 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.	<ul style="list-style-type: none"> • Same
SECTION 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.	See SECTION 5, below	<ul style="list-style-type: none"> • Transferred to Sec. 5 with added features.

SECTION 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.	SECTION 3. The right of persons to privacy shall be inviolable. Without lawful court order, all interference in personal and domestic relations, correspondence, and data are proscribed.	<ul style="list-style-type: none"> • Addition of the phrase “<u>all interference in personal and domestic relations, correspondence, and data are proscribed</u>”. • Used of the general term “<u>right to privacy</u>”.
	SECTION 4. Data obtained about a person shall be used and processed only for purposes authorized by law. A person has the right to inquire from any government office or agency the information or data that has been obtained, stored, or processed about himself, and to demand, that such data and information be corrected or deleted, or in case of a private entity or person, that their use be enjoined.	<ul style="list-style-type: none"> • New Provision • Provides the right of a person <u>to inquire from any government office or agency of information or data they obtained about himself and to demand to destroy them.</u>
(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.	See SECTION 6 below	<ul style="list-style-type: none"> • Same
See SECTION 2 above.	SECTION 5.	
	(a) 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. 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.	<ul style="list-style-type: none"> • Same as Section 2

	(b) The prohibition against unreasonable searches and seizure shall extend to the conduct of unlawful unreasonable surveillance through technological, electronic, or any other means. In addition to the requirements for the issuance of a search warrant, a surveillance warrant shall particularly describe:	<ul style="list-style-type: none"> The prohibition on unreasonable searches and seizure is <u>extended to the conduct of unlawful unreasonable surveillance through technological, electronic, or any other means.</u>
	1) The purpose of the surveillance and the period within which the surveillance may be conducted;	<ul style="list-style-type: none"> New Provisions Laid down the valid procedure of surveillance
	2) The target individuals or entities and the type of information sought;	
	3) The manner by which the surveillance is to be conducted and the means to be used, which as far as practicable shall be limited to achieve the purpose of the surveillance and to acquire the type of information sought; and	
	4) The period within which the applicant may store recorded information, which shall be consistent with the purpose of the surveillance.	
	(c) No surveillance warrant shall be granted except upon a showing that there are no other reasonable means of obtaining the information or evidence sought in the application.	
	(d) The court shall specify the time for the service of the warrant, which may be after the conduct of the surveillance. Only information necessary to achieve the purpose of the warrant shall be admitted in evidence. All other information acquired shall be destroyed	

	and deemed inadmissible for any purpose in any proceedings.	
See SECTION 3 above.		
	SECTION 6. The privacy of communication in any form shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise, as prescribed by law.	<ul style="list-style-type: none"> • Same as Section 3 above
	Any evidence obtained in violation of Sections 4, 5, and 6 shall be inadmissible for any purpose in any proceeding.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 7. 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. For this purpose, the local government units shall, among other things, establish appropriate freedom parks for the peaceful assembly of the people.	<ul style="list-style-type: none"> • With additional phrase, mandating LGUs <u>to establish freedom parks for the peaceful assembly of the people.</u>
SECTION 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.	SECTION 8. No law shall be enacted that establishes, favors, or suppresses religion or its rejection, or that prohibits the free exercise and public expression of fundamental religious belief. 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.	<ul style="list-style-type: none"> • Strengthens freedom of religion by adding the words, <u>“favors” or suppresses religion or its rejection”</u>
SECTION 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	SECTION 9. 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	<ul style="list-style-type: none"> • Same

national security, public safety, or public health, as may be provided by law.	national security, public safety, or public health, as may be provided by law.	
SECTION 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.	SECTION 10. 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.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 11. 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.	<ul style="list-style-type: none"> • Same
SECTION 9. Private property shall not be taken for public use without just compensation.	SECTION 12. Private property shall not be taken for public use without just compensation.	<ul style="list-style-type: none"> • Same
SECTION 10. No law impairing the obligation of contracts shall be passed.	SECTION 13. No law impairing the obligation of contracts shall be passed.	<ul style="list-style-type: none"> • Same
See SECTION 15 below	SECTION 14. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion, rebellion, or lawless violence, when the public safety requires it. Even when the privilege of the writ of habeas corpus is suspended, the privilege of the writs of amparo and habeas data, and other protective writs may still be resorted to unless prejudicial to public order.	<ul style="list-style-type: none"> • Added <u>“lawless violence”</u> as ground for suspension of the privilege of writ of habeas corpus. • Stated also as additional paragraph, the remedy of resorting to the privilege of the writs of amparo and habeas data, and other protective writs even when the privilege of writ of habeas corpus is suspended.

SECTION 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.	SECTION 15. Free access to the courts and quasi-judicial bodies, and adequate legal assistance, shall not be denied to any person by reason of poverty. Members of the Philippine Bar may be required by the Supreme Court to provide free assistance to indigents before courts and quasi-judicial bodies, and for other legal services.	<ul style="list-style-type: none"> Added the last sentence which establishes the authority of the Supreme Court to require lawyers to provide free legal assistance to indigents.
SECTION 12.	SECTION 16.	
(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.	(a) 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 a competent and independent counsel.	<ul style="list-style-type: none"> The proposed amendment provides the requisite that he counsel should be <u>'competent'</u> and <u>'independent'</u>.
(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.	(b) 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.	<ul style="list-style-type: none"> Same
(3) Any confession or admission obtained in violation of this or Section 17 hereof shall be inadmissible in evidence against him.	(c) Any confession or admission obtained in violation of this or Section 20 hereof shall be inadmissible in evidence against him.	<ul style="list-style-type: none"> Same
(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.	(d) The Congress shall by law 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.	<ul style="list-style-type: none"> Same

	SECTION 17.	
SECTION 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.	(a) All persons accused of any crime shall be entitled to bail or to be released on recognizance. This right shall not be available in cases where the imposable penalty is reclusion perpetua or higher, and the evidence of guilt is strong as determined in summary proceedings.	<ul style="list-style-type: none"> • Same
	(b) When an indigent person is charged with an offense that would entitle him to probation and the risk of flight is low, he may be released on recognizance.	<ul style="list-style-type: none"> • New Provision • Provides additional privilege to the indigent.
The right to bail shall not be impaired even when the privilege of the writ of habeas corpus is suspended.	(c) The right to bail shall not be impaired even when the privilege of the writ of habeas corpus is suspended.	<ul style="list-style-type: none"> • Same
Excessive bail shall not be required.	(d) Excessive bail shall not be required.	<ul style="list-style-type: none"> • Same
SECTION 14.		
(1) No person shall be held to answer for a criminal offense without due process of law.	SECTION 18. No person shall be held to answer for a criminal offense without due process of law.	<ul style="list-style-type: none"> • Same
(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.	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.	<ul style="list-style-type: none"> • Same

<p>SECTION 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.</p>	<p>See SECTION 14 above.</p>	
<p>SECTION 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.</p>	<p>SECTION 19. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 17. No person shall be compelled to be a witness against himself.</p>	<p>SECTION 20. No person shall be compelled to be a witness against himself.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 18.</p>	<p>SECTION 21.</p>	
<p>(1) No person shall be detained solely by reason of his political beliefs and aspirations.</p>	<p>No person shall be detained solely by reason of his political beliefs and aspirations.</p>	<ul style="list-style-type: none"> • Same
<p>(2) No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.</p>	<p>No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 19.</p>	<p>SECTION 22.</p>	
<p>(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.</p>	<p>(a) 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.</p>	<ul style="list-style-type: none"> • Same
<p>(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.</p>	<p>(b) 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, is prohibited. It shall be the duty of the Federal Government, the Federated Regions, and their local</p>	<ul style="list-style-type: none"> • The word “<i>prohibited</i>” was used when referring to degrading punishment and substandard penal facilities, among others, instead of the phrase “<i>shall be dealt with by law.</i>”

	government units to provide for humane and adequate penal facilities.	<ul style="list-style-type: none"> Added the duty of Federal Government, the Federated Regions, and their LGUs <u>to provide for humane and adequate penal facilities.</u>
	(c) Persons unjustly and wrongfully accused, convicted, and imprisoned but subsequently acquitted shall be provided compensation by the State as provided by law.	<ul style="list-style-type: none"> New Provision Provides <u>for compensation for unjustly and wrongfully accused.</u>
SECTION 20. No person shall be imprisoned for debt or non-payment of a poll tax.	SECTION 23. No person shall be imprisoned for debt or non-payment of a poll tax.	<ul style="list-style-type: none"> Same
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 24. No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a federal law, regional law, or an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act. Provided, however, that double jeopardy shall not attach where the offended party is deprived of due process or where there is a finding of mistrial, or when the trial court acted with grave abuse of discretion amounting to lack or excess of jurisdiction.	<ul style="list-style-type: none"> The proposed Amendment added grounds where double jeopardy may not attach, such as: <u>(1)offended party is deprived of due process or where there is a finding of mistrial, or (2)when the trial court acted with grave abuse of discretion amounting to lack or excess of jurisdiction.</u>
SECTION 22. No <i>ex post facto</i> law or bill of attainder shall be enacted.	SECTION 25. No <i>ex post facto</i> law or bill of attainder shall be enacted.	<ul style="list-style-type: none"> Same
SOCIAL AND ECONOMIC RIGHTS		
	SECTION 26. Every person has the right to: (a) Adequate food; (b) Universal and comprehensive healthcare; (c) Complete, quality education;	<ul style="list-style-type: none"> New Provision. - Basic social and economic rights of every person.

	(d) Adequate and decent housing; and (e) Livelihood and employment opportunities.	
	SECTION 27. The Federal Republic shall adopt measures to guarantee the progressive realization of these rights.	<ul style="list-style-type: none"> • New Provision
ENVIRONMENTAL AND ECOLOGICAL RIGHTS		
	SECTION 28. Every person in every generation has the right to:	<ul style="list-style-type: none"> • New Provision – environmental and ecological rights
	(a) A healthful environment and a balanced ecology, clean air, clean water, clean soil, and clean surroundings;	
	(b) Be protected from and seek compensation for damage to environment and ecology that is brought about by illegal and unsustainable exploitation of natural resources; and	
	(c) Seek immediate relief from the courts and appropriate governmental bodies through the writ of kalikasan and other protective writs against activities that threaten the environment and ecological balance. All doubts shall be resolved in favor of the right of the people to a healthful and balanced ecology.	

CITIZENSHIP

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE IV	ARTICLE IV	
<p>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 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.</p>	<p>SECTION 1. The following are citizens of the Philippines: (a) Those who are citizens of the Philippines at the time of the adoption of this Constitution; (b) Those whose fathers or mothers are citizens of the Philippines; (c) Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and (d) Those who are naturalized in accordance with law.</p>	<ul style="list-style-type: none"> • Same
<p>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. Those who elect Philippine citizenship in accordance with paragraph (3), Section 1 hereof shall be deemed natural-born citizens.</p>	<p>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. Those who elect Philippine citizenship in accordance with paragraph (c), Section 1 hereof shall be deemed natural-born citizens.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 3. Philippine citizenship may be lost or reacquired in the manner provided by law.</p>	<p>SECTION 3. Philippine citizenship may be lost or reacquired in the manner provided by law.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 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.</p>	<p>SECTION 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.</p>	<ul style="list-style-type: none"> • Same

<p>SECTION 5. Dual allegiance of citizens is inimical to the national interest and shall be dealt with by law.</p>	<p>SECTION 5. Dual allegiance of citizens is inimical to the national interest and shall be dealt with by law.</p>	<ul style="list-style-type: none"> • Same
---	---	--

SUFFRAGE AND POLITICAL PARTIES

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE V	ARTICLE V	
	<p><u>SECTION 6</u></p>	<ul style="list-style-type: none"> • Section 6 is a New Provision
	<p>The Federal Republic shall regulate the campaign finance, both from public and private sources, of political parties and candidates in all elections.</p>	
	<p>(a) The Federal Congress shall update laws on all election expenditures.</p>	
	<p>(b) Financial contributions from religious organizations, foreigners, foreign governments, and illegal sources are prohibited.</p>	
	<p>(c) There shall be a Democracy Fund, which shall serve as a repository of campaign funds. The Federal Commission on Elections shall administer the Democracy Fund and promulgate rules and regulations therefor. The Federal Commission on Audit shall have the power, authority, and duty to examine and audit all funds pertaining to the Democracy Fund.</p>	<ul style="list-style-type: none"> • <i>Democracy Fund to be established as repository for all campaign funds.</i>
	<p>(d) Any citizen who contributes at least ten thousand pesos (PhP 10,000.00) but not</p>	<ul style="list-style-type: none"> • <i>Citizens are entitled to a tax credit for their contributions</i>

	<p>exceeding one hundred thousand pesos (PhP 100,000.00) to any registered political party or presidential candidate through the Democracy Fund shall be allowed a full credit against income tax due for the taxable year coinciding with the elections in which such political party or presidential candidate participated; Provided, that such amounts shall be subject to proper adjustment under the rules promulgated by the Federal Commission on Elections.</p>	<p><i>of at least P10,000.00 but not exceeding P100,000.00 to any registered political party or presidential candidate through the democracy fund.</i></p>
	<p>(e) Any corporation, partnership, or association which contributes at least one hundred thousand pesos (PhP 100,000.00) but not exceeding three million pesos (PhP 3,000,000.00) to any registered political party or presidential candidate through the Democracy Fund shall be allowed a full credit against income tax due for the taxable year coinciding with the elections in which such political party participated; Provided, that such amounts shall be subject to proper adjustment under the rules promulgated by the Federal Commission on Elections.</p>	<ul style="list-style-type: none"> • <i>Corporations, partnerships or associations are entitled to a tax credit for their contributions of at least P100,000.00 but not exceeding P3,000,000.00 to any registered political party or presidential candidate through the democracy fund.</i>
	<p>(f) A fair share of political party campaign funds drawn from the Democracy Fund shall be allocated for women candidates.</p>	
	<p>(g) Unless ordered by the Federal Electoral Court, all information pertaining to the contributors and the amount of their contributions shall be deemed confidential and shall be made available only to the Federal Commission on Elections, the Federal Commission on Audit, and the</p>	

	Internal Revenue officials for purposes of regulation, auditing, and tax credit, respectively.	
	SECTION 7	<ul style="list-style-type: none"> • New Provision
	The Federal Republic shall ensure strong and cohesive political parties.	
	(a) Members of any political party elected to public office are prohibited from changing political parties within their term of office.	
	(b) Candidates and officials of any political party are prohibited from changing political party two (2) years after the election and two (2) years before the next election Those who violate the foregoing provisions shall be: (1) removed from the office to which they have been elected; (2) barred from appointment to any government position for one electoral cycle; (3) prohibited from running for public office in the next election; (4) required to return any party funds they used for the campaign. The Federal Commission on Elections shall initiate the appropriate proceedings in the proper court..	
	(c) No political party shall accept any member in violation of sub-section (a) and (b). Any violation shall be a ground for the cancellation of its registration.	
	(d) The Federal Commission on Elections shall ensure compliance with these	

	provisions and periodically require political parties to submit an updated list of their members, including any changes arising from violation of the above provisions.	
	(e) No political party shall nominate more candidates than the number of persons required to be voted for in an elective position, except for the proportional representative seats in the House of Representatives and the Regional Assemblies, nor shall any candidate be allowed to accept nominations from more than one registered political party, except in cases of aggrupation or coalitions.	
	SECTION 8	
See SECTION 26, ARTICLE II above	The Federal Republic shall guarantee equal access to opportunities for public service and prohibit political dynasties to prevent the concentration, consolidation, or perpetuation of political power in persons related to one another.	<ul style="list-style-type: none"> • Same as Sec. 26
	(a) A political dynasty exists when a family whose members are related up to the second degree of consanguinity or affinity, whether such relations are legitimate, illegitimate, half, or full blood, maintains or is capable of maintaining political control by succession or by simultaneously running for or holding elective positions.	<ul style="list-style-type: none"> • New Provision • Defines the term "<u>political dynasty</u>".
	(b) No person related to an incumbent elective official within the second civil degree of consanguinity or affinity, as described	<ul style="list-style-type: none"> • New Provision • Scope of the Prohibition

	above, can run for the same position in the immediately following election.	
	(c) Persons related within the second civil degree of consanguinity or affinity, as described above, are prohibited from running simultaneously for more than one national and one regional or local position. However, in the event that two or more members of the same family are running, the member who shall be allowed to be a candidate shall be determined by the drawing of lots.	<ul style="list-style-type: none"> • New Provision • Scope of the Prohibition
	(d) The Federal Congress may, by law, provide for additional prohibitions.	<ul style="list-style-type: none"> • New Provision

LEGISLATIVE DEPARTMENT

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE VI	ARTICLE VII	
SECTION 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.	SECTION 1. The Federal legislative power is vested in the Congress, which shall consist of a Senate and a House of Representatives. The people, pursuant to the provisions on initiative, plebiscite, and referendum, may directly exercise legislative power.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 2. Every Federated Region shall be represented by at least two (2) Senators elected by the qualified voters in the Federated Region; Provided, that each region shall have the same number of senators.	<ul style="list-style-type: none"> • This changes the number of the members of the Senate since each Federated Region must be represented by at least 2 Senators.
SECTION 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	SECTION 3. No person shall be elected Senator unless he is a natural-born citizen of the Philippines and, on the day of the election, is	<ul style="list-style-type: none"> • Added the following qualification to become an elected Senator:., a) holder

<p>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.</p>	<p>at least thirty-five (35) years of age, holder of a college degree or its equivalent, a registered voter, and domiciled in the Federated Region where he or she is to be elected for not less than two years immediately preceding the day of the election.</p>	<p><u>of a college degree or equivalent.</u></p>
<p>SECTION 4</p>		
<p>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..</p>	<p>SECTION 4. The term of office of the Senators shall be four (4) years and shall commence, unless otherwise provided by law, at noon on the thirtieth day of June next following their election. They shall continue in office until their successors shall have been elected, proclaimed, and qualified.</p>	<ul style="list-style-type: none"> • Changes the term of office of the Senators, from 6 years to 4 years.
<p>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</p>	<p>No Senator shall serve for more than two (2) 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.</p>	<ul style="list-style-type: none"> • Same
<p>SECTION 5</p>	<p>SECTION 5</p>	
<p>(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</p>	<p>(a) The House of Representatives shall be composed of not more than four hundred (400) Members unless otherwise provided by law.</p>	<ul style="list-style-type: none"> • Increases the composition of the House of Representatives to not more than four hundred (400).

<p>system of registered national, regional, and sectoral parties or organizations.</p>		
<p>See SECTION 5(1) above</p>	<p>(b) Sixty per centum (60%) of the Members of the House of Representatives shall be elected by plurality of votes where each single-member legislative electoral district shall have one (1) seat in the House of Representatives. Single-member legislative districts shall be apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants on the basis of a uniform and progressive ratio as may be provided by federal law.</p>	<ul style="list-style-type: none"> Alters the composition of the House since 60% of the Members of the House of Representatives, are required to be elected by plurality of votes.
<p>(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.</p>	<p>(c) The remaining forty percent (40%) of the Members of the House of Representatives shall be voted nationwide through a system of proportional representation. Every voter shall vote for a registered political party with a closed list of nominees; Provided, that these nominees are qualified to be members of the House of Representatives. Political parties that obtain at least five percent (5%) of the valid votes cast under the proportional party representation system shall be considered elected and shall be allocated seats in proportion to the number of votes they received.</p>	<ul style="list-style-type: none"> Alters the composition of the House of Representatives. The remaining 40% of the Members of the House of Representatives shall be voted nationwide by proportional representation. Increases the percentage of proportional representation in the House of Representatives.
	<p>(d) For three (3) consecutive terms following the ratification of this Constitution, one half of the seats set aside for parties voted under the proportional representation system shall be reserved for labor, peasant, urban poor, indigenous peoples, and fisherfolk groups, provided that they organize themselves as</p>	<ul style="list-style-type: none"> New Provision Listed the sectors who can avail of proportional representation seats upon the ratification of the proposed Constitution.

	parties or coalitions of parties. The other half of the total seats allocated for proportional representation shall be open to all other political parties or coalitions thereof.	
(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.	(e) Each single-member legislative district shall comprise, as far as practicable, a contiguous, compact, and adjacent territory. Each city, including those located on islands, with a population of at least five hundred thousand (500,000), or each province regardless of population shall be entitled to at least one (1) member of the House of Representatives.	<ul style="list-style-type: none"> Increases the population requirement for a city to be entitled to a least one (1) member of the House of Representatives, to at least 500,000.
(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.	(f) Within five (5) years following the return of every national census, the Congress is mandated to pass a reapportionment law or to make reapportionment of legislative districts based on the standards provided in this section.	<ul style="list-style-type: none"> Changes the frequency of filing reapportionment law.
SECTION 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.	SECTION 6. No person shall be a Member of the House of Representatives unless he is a natural-born citizen of the Philippines, at least twenty-five (25) years of age on the day of the election, and holder of a college degree or its equivalent. Except for one elected through the proportional representation system, he must be a registered voter and domiciled in the district where he is to be elected for a period of not less than one (1) year immediately preceding the day of the election.	<ul style="list-style-type: none"> A Member of the House of Representatives must be a holder of college degree or its equivalent.
SECTION 7. The Members of the House of Representatives shall be elected for a term of three years which shall begin, unless	SECTION 7. The Members of the House of Representatives shall be elected for a term of four (4) years which shall begin, unless	<ul style="list-style-type: none"> Changes the term of office of a member of the House of Representatives to 4 years,

<p>otherwise provided by law, at noon on the thirtieth day of June next following their election.</p> <p>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.</p>	<p>otherwise provided by law, at noon on the thirtieth day of June next following their election.</p> <p>No member of the House of Representatives shall serve for more than two (2) consecutive 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.</p>	<p>provided no member shall serve for more than 2 consecutive terms.</p>
SECTION 28	SECTION 28	
(1) The rule of taxation shall be uniform and equitable. The Congress shall evolve a progressive system of taxation.	(a) Taxation shall be uniform, equitable, and progressive.	<ul style="list-style-type: none"> • Same
(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.	(b) 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.	<ul style="list-style-type: none"> • Same
(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.	(c) Charitable institutions, churches, temples, masajid and parsonages or convents, madaris, 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.	<ul style="list-style-type: none"> • Same
(4) No law granting any tax exemption shall be passed without the concurrence of a majority of all the Members of the Congress.	(d) No law granting any Federal tax exemption shall be passed without the concurrence of at least two-thirds (2/3) of all the Members of each House of Congress, voting separately.	<ul style="list-style-type: none"> • Changed the <u>voting requirement for a federal tax exemption, to at least 2/3 of all the Members of the Congress, voting separately.</u>

SECTION 29	SECTION 29	
(1) No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.	(a) No money shall be paid out of the Treasury except in pursuance of an appropriation made by law.	<ul style="list-style-type: none"> • Same
(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.	(b) 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, or other religious teacher, or dignitary except when such priest, preacher, minister, imam, or dignitary is assigned to the armed forces, law enforcement agencies or to any penal institution, or government orphanage or hospital.	<ul style="list-style-type: none"> • Changed 'leprosarium' to "<u>hospital</u>".
(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.	(c) 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.	<ul style="list-style-type: none"> • Same
SECTION 30. No law shall be passed increasing the appellate jurisdiction of the Supreme Court as provided in this Constitution without its advice and concurrence.		<ul style="list-style-type: none"> • Not included in the Proposed Amendment

EXECUTIVE DEPARTMENT

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE VII	ARTICLE VIII	
SECTION 1. The executive power shall be vested in the President of the Philippines.	SECTION 1. The executive power of the Federal Republic is vested in the President.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 2. No person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, holder of a college degree or its equivalent and on the day of the election, at least forty (40) years of age, and domiciled in the Philippines for at least ten (10) years immediately preceding such election.	<ul style="list-style-type: none"> • The President must be a college degree holder.
SECTION 3	SECTION 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.	There shall be a Vice President who shall have the same qualifications and term of office as the President.	<ul style="list-style-type: none"> • The Vice President he must be a college degree holder.
The Vice-President may be appointed as a Member of the Cabinet. Such appointment requires no confirmation.	The Vice President shall be appointed as a Member of the Cabinet. The appointment shall not require confirmation.	<ul style="list-style-type: none"> • Same
SECTION 4	SECTION 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.	(a) The President and the Vice President shall be elected by direct vote of the people for a term of four (4) years, which shall begin at noon on the thirtieth day of June next following the day of the election and shall end at noon on the same date four (4) years thereafter.	<ul style="list-style-type: none"> • Decrease the term of the President and the Vice President to 4 years.

<p>The President shall not be eligible for any re-election.</p>	<p>Both the President and Vice President shall be eligible for reelection to one (1) term.</p>	<ul style="list-style-type: none"> • The President and Vice-President may be reelected for another term.
<p>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.</p>	<p>(b) A person who has succeeded to the office of the President and has served as such for at least two (2) years and has been elected as President for a fresh term shall be ineligible for election to the same office at any other time.</p>	<ul style="list-style-type: none"> • Same
<p>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.</p>		<ul style="list-style-type: none"> • Not included in the proposed Amendment, since it allows the reelection of the Vice-President.
<p>Unless otherwise provided by law, the regular election for President and Vice-President shall be held on the second Monday of May.</p>	<p>See SECTION 7 below</p>	<ul style="list-style-type: none"> • Same
	<p>(c) The President and the Vice President shall be elected as a team. A vote for the presidential candidate shall be counted as a vote for his vice presidential candidate.</p>	<ul style="list-style-type: none"> • New Provision • President and Vice-President shall be elected as a team.

JUDICIAL DEPARTMENT

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE VIII	ARTICLE IX	
SECTION 1	SECTION 1	
The judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law.	The judicial power shall be vested in the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, the Federal Electoral Court, and in other courts as may be established by law.	<ul style="list-style-type: none"> The judicial power is extended to other duly created Courts under the Federal System of Government.
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.	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; Provided, that the Federal Constitutional Court may render advisory opinions on constitutional questions properly referred to it in accordance with Section 12 of this Article; Provided further, that the Federal Administrative Court may render advisory opinion on whether the Federal Commission on Elections has complied with the processes, procedures, and preparations relative to the conduct of the elections in accordance with subparagraph (b), Section 15 of this Article.	<ul style="list-style-type: none"> Federal Constitutional Court may render advisory opinions on constitutional questions
SECTION 2	SECTION 2	
The Congress shall have the power to define, prescribe, and apportion the jurisdiction of the	The Congress shall have the power to define, prescribe, and apportion the jurisdiction of the	<ul style="list-style-type: none"> Same

various courts but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section 5 hereof.	various courts but may not deprive the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court of their respective jurisdiction over cases or matters conferred on them in the Constitution.	
No law shall be passed reorganizing the Judiciary when it undermines the security of tenure of its Members.	No law shall be passed reorganizing the Judiciary when it undermines the security of tenure of its Members.	<ul style="list-style-type: none"> • Same
	SECTION 3	
SECTION 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.	The Judiciary shall enjoy fiscal autonomy and, through the Chief Justices of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court, shall have the power to augment any item in the general appropriations law for their respective offices from savings in other items of their appropriations, except the grant of additional bonuses and incentives to their officials and personnel.	<ul style="list-style-type: none"> • Empowers the Judiciary to augment any item in the general appropriations law for their respective offices.
See Section 5 above.	Appropriations for the Judiciary shall not be reduced by the legislature below the amount appropriated for the previous year. After approval, the appropriation shall be automatically and regularly released.	<ul style="list-style-type: none"> • Same
	SECTION 4	
See Section 7(3) below.	Subject to additional qualifications prescribed by the Constitution, all members of the Judiciary must be persons of proven	<ul style="list-style-type: none"> • Same

	competence, integrity, probity, and independence.	
See Section 7(2) below.	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.	<ul style="list-style-type: none"> • Same
	SECTION 5	
See Section 11 below.	(a) The Members of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court and the Federal Electoral Court shall serve for a term of twelve (12) years or until they reach the age of seventy (70) years, whichever comes first, or become incapacitated to discharge the duties of their office. All other justices of the collegiate courts and judges of lowers courts shall hold office during good behavior until they reach the age of seventy (70) years or become incapacitated to discharge the duties of their office.	<ul style="list-style-type: none"> • Provides a limitation on the term of service of Members of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court and the Federal Electoral Court. They can only serve for <u>12 years or until they reach the age of 70 years, whichever comes first</u>.
	(b) No law increasing or decreasing the jurisdiction of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court shall be enacted without their advice and consent.	<ul style="list-style-type: none"> • New Provision
	(c) Decisions, orders, and resolutions of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court, shall be final and executory.	<ul style="list-style-type: none"> • New Provision

<p>(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.</p>	<p>See SECTION 11 below</p>	<ul style="list-style-type: none"> • Same
<p>(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.</p>		

	SECTION 7	
	No person shall be appointed member of the Federal Supreme Court, unless he is a natural-born citizen of the Philippines, at least fifty (50) years of age on the date of his appointment, and must have been for fifteen (15) years or more, a judge of a lower court or engaged in the practice of law in the Philippines.	<ul style="list-style-type: none"> • New Provision
	All cases and administrative matters before the Court shall be decided en banc with the concurrence of at least five (5) of its members.	<ul style="list-style-type: none"> • New Provision
SECTION 5	SECTION 8	
The Supreme Court shall have the following powers:	The Federal 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.	(a) Exercise original jurisdiction over cases: <ol style="list-style-type: none"> 1) Involving conflicts between branches and agencies within the Federal Government, conflicts between the Federal Government and the Federated Regions, and conflicts between and among the Federated Regions; 2) Involving ambassadors, other public ministers and consuls; and 3) Involving petitions for certiorari, prohibition, mandamus, quo warranto. 	<ul style="list-style-type: none"> • Same
(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	(b) Review, revise, reverse, modify, or affirm on appeal or certiorari, as the law or the Rules of Court may provide, cases involving: 1) Final judgments and orders of lower courts except those within the exclusive jurisdiction of the Federal Constitutional Court, Federal	<ul style="list-style-type: none"> • Same

<p>decree, proclamation, order, instruction, ordinance, or regulation is in question.</p> <p>(b) All cases involving the legality of any tax, impost, assessment, or toll, or any penalty imposed in relation thereto.</p> <p>(c) All cases in which the jurisdiction of any lower court is in issue.</p> <p>(d) All criminal cases in which the penalty imposed is reclusion perpetua or higher.</p> <p>(e) All cases in which only an error or question of law is involved.</p>	<p>Administrative Court, or of the Federal Electoral Court;</p> <p>2) The jurisdiction of any lower court;</p> <p>3) The legality of any tax, impost, assessment, or toll, or any penalty imposed in relation there to;</p> <p>4) Criminal offenses in which the penalty imposed is reclusion perpetua or higher; and</p> <p>5) Error or question of law.</p>	
<p>(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.</p>	<p>(c) Assign temporarily judges of lower courts to other stations as public interest may require. Such temporary assignment shall not exceed six (6) months without the consent of the judge concerned.</p>	<ul style="list-style-type: none"> • Same
<p>(4) Order a change of venue or place of trial to avoid a miscarriage of justice.</p>	<p>(d) Order a change of venue or place of trial to avoid a miscarriage of justice.</p>	<ul style="list-style-type: none"> • Same
<p>(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 under-privileged. 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</p>	<p>(e) Promulgate rules concerning pleading, practice, and procedure in all courts, except the Federal Constitutional Court, Federal Administrative Court, and Federal Electoral Court, 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</p>	<ul style="list-style-type: none"> • Same

and quasi-judicial bodies shall remain effective unless disapproved by the Supreme Court.	diminish, increase, or modify substantive rights.	
	(f) Subject to the power of Congress to legislate, the Federal Supreme Court may also promulgate rules concerning the protection and enforcement of constitutional rights.	<ul style="list-style-type: none"> Additional powers of the Federal Supreme Court to Promulgate rules not only on court processes but also for the protection of constitutional rights.
	(g) To appoint all justices and judges of the lower courts upon recommendation by the Judicial Appointments and Disciplinary Council.	<ul style="list-style-type: none"> The Federal Supreme Court has appointive power.
(6) Appoint all officials and employees of the Judiciary in accordance with the Civil Service Law.	(h) To appoint all officials and employees of the Federal Supreme Court and of all the lower courts in accordance with the Civil Service Law.	<ul style="list-style-type: none"> Judiciary has been changed to Federal Supreme Court and of all the lower courts
SECTION 6. The Supreme Court shall have administrative supervision over all courts and the personnel thereof.	(i) Exercise administrative supervision over lower courts and the personnel thereof. This includes the power to dismiss and suspend its officials and employees, justices of the lower collegiate courts, and judges of lower courts, upon recommendation of the Judicial Appointments and Disciplinary Council.	<ul style="list-style-type: none"> Acts constituting Administrative supervision of the court is enumerated
See Section 4 above.	SECTION 9. The Federal Constitutional Court shall be composed of a Chief Justice and eight (8) Associate Justices of whom three (3), including the Chief Justice, shall be appointed by the President, three (3) shall be appointed by the Commission on Appointments, and three (3) shall be appointed by the Federal Supreme Court. All such appointments shall not require	<ul style="list-style-type: none"> 14 associate justices is reduced to 8 The President, Commission on Appointments and the Federal Supreme Court shall appoint 3 justices each.

	confirmation. Any vacancy shall be filled within ninety (90) days from the occurrence thereof by the same appointing authority; Provided, that no appointment shall be made three (3) months before a Presidential election up to the end of the term of the incumbent President.	
SECTION 7	SECTION 10	
(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.	No person shall be appointed Member of the Federal Constitutional Court unless he is a natural-born citizen of the Philippines, a recognized expert in constitutional law, at least fifty (50) years of age at the time of his appointment, and for not less than fifteen (15) years, a judge of a lower court or engaged in the practice of law in the Philippines.	<ul style="list-style-type: none"> • Supreme Court has been changed to Federal Constitutional Court • Recognized expert in constitutional law has been added to the qualifications • Age has been increased to 50 y/o from 40y/o
	It shall sit en banc, and decide all cases and matters before it with the concurrence of at least five (5) members.	
(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.	See Section 4 above.	<ul style="list-style-type: none"> • Same
(3) A Member of the Judiciary must be a person of proven competence, integrity, probity, and independence.	See Section 4 above.	<ul style="list-style-type: none"> • Same
	SECTION 11	
	The Federal Constitutional Court shall have the following powers:	
	(a) Exercise exclusive and original jurisdiction over:	

<p>See Section 4(2) above.</p>	<p>1) Disputes involving the constitutionality of a law, treaty, international or executive agreement, including those involving the constitutionality, application, or operation of presidential decrees, proclamations, orders, instructions, ordinances, and other regulations, administrative issuances by the Federal Government or any of its departments and agencies, as well as the laws of the legislative assemblies of the Federated Regions, and the acts and issuances of their executive departments;</p> <p>2) Any dispute or matter involving questions of constitutionality.</p>	<ul style="list-style-type: none"> • The phrase “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” has been removed.
<p>See Section 5 above.</p>	<p>(b) Exercise original jurisdiction over cases involving writ of habeas corpus, writ of amparo, writ of habeas data, and writ of kalikasan.</p>	<ul style="list-style-type: none"> • Writ of habeas corpus, amparo, habeas data, and kalikasan have been put under the exclusive jurisdiction of the Federal Constitutional Court
	<p>(c) Hear and decide impeachment cases; Provided, that a judgment of conviction must be concurred in by at least six (6) members. However, when a member of the Constitutional Court is impeached, the Federal Administrative Court shall act as the Impeachment Court. A judgment of conviction must be concurred in by at least six (6) of its members.</p>	<ul style="list-style-type: none"> • This is a New Provision. • The power to impeach is not exclusive to the Senate anymore.
<p>See Section 5 above.</p>	<p>(d) Appoint all officials and employees of the Federal Constitutional Court in accordance with the Civil Service Law and exercise administrative supervision over all its</p>	<ul style="list-style-type: none"> • Supreme Court has been changed into Federal Constitutional Court

	personnel, including the power to dismiss and suspend its officials and employees upon recommendation of the Judicial Appointments and Disciplinary Council.	<ul style="list-style-type: none"> • Acts considered as administrative supervision have been enumerated
See Section 5 above.	(e) Promulgate rules concerning pleading, practice, and procedure before it.	<ul style="list-style-type: none"> • Constitutional rights, the admission to the practice of law, the integrated bar, and legal assistance to the under-privileged have been removed.
	(f) Exercise such other functions as may be conferred upon it by law.	<ul style="list-style-type: none"> • Explanation of speedy disposition of cases has been simplified.
SECTION 12		
	The Federal Constitutional Court may, with leave, render advisory opinion when sought by: (a) The President, Senate President, or Speaker of the House of Representatives on the constitutionality of any enrolled bill of paramount importance; Provided, that the favorable opinion of the Court notwithstanding, and when such bill has become a law, any citizen of the Philippines may still question the validity if he claims it is unconstitutional as applied to him;	<ul style="list-style-type: none"> • New provision
	(b) The Chairman of the Federal Commission on Elections on the constitutionality of any proposal to amend or revise the Constitution or enact, amend, or repeal any federal law by people's initiative.	<ul style="list-style-type: none"> • New provision

	<p>SECTION 13. The Federal Administrative Court shall be composed of a Chief Justice and eight (8) Associate Justices. The Chief Justice and three (3) Associate Justices shall be appointed by the President, three (3) Associate Justices shall be appointed by the Commission on Appointments, and three (3) by the Federal Supreme Court en banc. All such appointments shall not require confirmation. Any vacancy shall be filled within ninety (90) days from the occurrence thereof by the same appointing authority; Provided, that no appointment shall be made three (3) months before a Presidential election up to the end of the term of the incumbent President.</p>	<ul style="list-style-type: none"> • New provision
	<p>SECTION 14</p>	<ul style="list-style-type: none"> • New provision
	<p>No person shall be appointed Member of the Federal Administrative Court, unless he is a natural-born Filipino citizen, at least fifty (50) years of age at the time of his appointment, a recognized expert in administrative law, and must have been for at least fifteen (15) years, a judge of a lower court, or engaged in the practice of law.</p>	<ul style="list-style-type: none"> • New provision
	<p>In all cases and matters brought before it, the Federal Administrative Court in accordance with its rules, may sit en banc or in divisions of three (3) justices each, and decisions shall be reached by concurrence of a majority of the court en banc or the division, as the case may be.</p>	<ul style="list-style-type: none"> • New provision
	<p>SECTION 15</p>	<ul style="list-style-type: none"> • New provision

	(a) The Federal Administrative Court shall exercise exclusive jurisdiction to review on appeal or certiorari, in accordance with its rules, the decisions, judgments, or final orders or resolutions of the Federal Civil Service Commission, the Federal Commission on Elections, the Federal Commission on Audit, the Federal Commission on Human Rights, the Federal Ombudsman Commission, and the Federal Competition Commission, and of all administrative and quasi-judicial bodies in the Federal Republic.	
	(b) It shall, with leave, render an advisory opinion, if sought by any political party to determine whether the Federal Commission on Elections has complied with the processes, procedures, and preparations relative to the conduct of any election, which may materially affect its results.	
	(c) It shall appoint all officials and employees of the Federal Administrative Court in accordance with the Civil Service Law and exercise administrative supervision over all its personnel. This includes the power to dismiss and suspend its officials and employees upon recommendation of the Judicial Appointments and Disciplinary Council.	
	(d) It shall promulgate rules concerning pleading, practice, and procedure before it.	
	(e) It shall exercise such other powers and functions as may be conferred upon it by law.	
	SECTION 16. There shall be a Federal Electoral Court composed of a Chief Justice and fourteen (14) Associate Justices. The	<ul style="list-style-type: none"> • New provision

	<p>Chief Justice and four (4) Associate Justices of the Federal Electoral Court shall be appointed by the President, five (5) Associate Justices by the Commission on Appointments, and five (5) by the Federal Constitutional Court sitting en banc. All such appointments shall not require confirmation. Any vacancy shall be filled within ninety (90) days from the occurrence thereof by the same appointing authority; Provided, that no appointment shall be made three (3) months before a Presidential election up to the end of the term of the incumbent President.</p>	
	<p><u>SECTION 17</u></p>	<ul style="list-style-type: none"> • New provision
	<p>No person shall be appointed Member of the Federal Electoral Court unless he is a natural-born Filipino citizen, at least fifty (50) years of age at the time of his appointment, an election law expert, must have been a judge of lower courts or engaged in the practice of law for at least fifteen (15) years, and must not have been a candidate for any elective position in the immediately preceding election.</p>	
	<p>In all cases and matters brought before it, the Federal Electoral Court, in accordance with the rules it will promulgate, may sit en banc or in divisions of three (3) justices each, and decisions shall be reached by concurrence of a majority of the court en banc or the division, as the case may be.</p>	
	<p><u>SECTION 18</u></p>	<ul style="list-style-type: none"> • New provision
	<p>The Federal Electoral Court shall have the following powers:</p>	

	<p>(a) Exercise exclusive original jurisdiction over all contests relating to the elections, returns, and qualifications of the President, Vice President, Members of both Houses of Congress; Provided, that contests relating to the President and Vice President shall be decided by the Federal Electoral Court en banc; Provided further, that contests relating to the Members of Congress shall be heard and decided by the Federal Electoral Court in division and proceedings shall be held within the region where the case arose. Decisions of the Federal Electoral Court shall be reached by the concurrence of a majority of the Court en banc or in Division as the case may be. Any decision of the Court in Division may be elevated to the Court en banc only on questions of law in accordance with its rules of procedure.</p>
	<p>(b) Exercise exclusive jurisdiction to review, on appeal or certiorari, all decisions, resolutions, and orders of:</p> <ol style="list-style-type: none"> 1) Trial courts of proper jurisdiction in all contests relating to the elections, returns, and qualifications of other elective regional, provincial, city, municipal, and barangay officials; and 2) The Commission on Elections with respect to all questions affecting elections, including the qualifications of candidates and political parties, and other pre-election controversies, and the conduct of plebiscites and referenda;

	(c) Promulgate its own rules of procedure; and (d) Perform other functions as may be established by law.	
SECTION 8	SECTION 19	
(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.	(a) There shall be a Judicial Appointments and Disciplinary Council composed of the following ex-officio members: 1) Chief Justice of the Federal Supreme Court; 2) Chief Justice of the Federal Constitutional Court; 3) Chief Justice of the Federal Administrative Court; 4) Chief Justice of the Federal Electoral Court; 5) Chairperson of the Federal Ombudsman Commission; 6) Court Administrator of the Supreme Court; 7) A representative from the Senate belonging to the Minority; 8) A representative from the House of Representatives belonging to the Majority; 9) Chairperson of the Civil Service Commission; 10) Chairperson of the Commission on Audit; and the 11) Secretary of Justice;	<ul style="list-style-type: none"> • Changed from Judicial and Bar Council to Judicial Appointment and Disciplinary Council with changes in the composition of its members.
(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	(b) The Council shall have the following regular members:	<ul style="list-style-type: none"> • There is a change in the composition of the regular members of the Council.

<p>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.</p>	<p>1) A representative from and designated by the Integrated Bar of the Philippines; 2) A law professor designated by the Philippine Association of Law Schools; 3) A representative from and designated by the Association of Generals and Flag Officers; and 4) A retired member of the Federal Supreme Court to be designated by the Association of the Retired Justices of the Federal Supreme Court.</p>	
<p>See Section 8 above.</p>	<p>(c) The regular members shall serve for a term of four (4) years without reappointment and their appointment shall not require confirmation. Any vacancy shall be filled within ninety (90) days from the occurrence thereof by the same appointing authority.</p>	<ul style="list-style-type: none"> Confirmation of Commission of Appointments has been removed
	<p>(d) The Chairmanship of the Council shall be rotated every two (2) years in the following order beginning with the Chief Justice of the Federal Supreme Court, the Chief Justice of the Federal Constitutional Court, the Chief Justice of the Federal Administrative Court, and the Chief Justice of the Federal Electoral Court.</p>	
<p>(3) The Clerk of the Supreme Court shall be the Secretary ex officio of the Council and shall keep a record of its proceedings.</p>		
<p>(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.</p>		

<p>(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.</p>		
<p>SECTION 9</p>		
<p>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.</p>		<ul style="list-style-type: none"> • Appointment to the Federal SC is not exclusive to the President anymore.
<p>For the lower courts, the President shall issue the appointments within ninety days from the submission of the list</p>		
<p>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. During their continuance in office, their salary shall not be decreased.</p>	<p>See Section 5 above.</p>	<ul style="list-style-type: none"> • New courts have been added. • The phrase <u>“Retirement and other benefits shall not also be reduced”</u> has been added.
<p>SECTION 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</p>	<p>See Section 5 above.</p>	<ul style="list-style-type: none"> • Members of the higher courts shall serve for 12 years or until they reach 70 or become incapacitated. • Qualification of having good behavior has been made applicable to justices of collegiate courts and lower courts

<p>deliberations on the issues in the case and voted thereon.</p>		
<p>SECTION 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.</p>	<p>See Section 5 above.</p>	<ul style="list-style-type: none"> • Supreme court and of other courts have been changed to Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, the Federal Electoral Court, and the other courts
	<p>SECTION 20. There shall be an Executive Board which shall provide administrative and operational support to the Council. It shall be composed of a Secretary and two (2) Deputy Secretaries. One Deputy Secretary shall be in charge of the Appointments Committee that will screen the qualifications of all the candidates for all the lower courts. The other Deputy Secretary shall be in charge of the Disciplinary Committee that will investigate the complaints against the officers and employees of the Judiciary.</p>	<ul style="list-style-type: none"> • New provision
	<p>SECTION 21. The budget of the Council shall be included in the budget of the Judiciary. The regular members shall receive such emoluments as may be determined by the ex officio members of the Council, in accordance with law.</p>	<ul style="list-style-type: none"> • New provision
	<p><u>SECTION 22</u></p>	<ul style="list-style-type: none"> • New provision
	<p>The Council shall have the following powers and duties:</p>	
	<p>(a) To conduct a thorough search and investigation to find the most qualified</p>	

	<p>candidates for the vacant positions for all justices and judges of the lower courts;</p>	
	<p>(b) To recommend to the proper appointing authority the promotion or transfer of justices and judges;</p>	
	<p>(c) To investigate disciplinary cases filed against the members, officials, and employees of the Judiciary. It shall submit its findings to the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, or the Federal Electoral Court which shall have final disciplinary authority over their respective officials and employees;</p>	
	<p>(d) Promulgate its own rules and regulations and publish the same; and</p>	
	<p>(e) Perform other powers and functions as may be prescribed by law.</p>	
	<p>SECTION 23. The Council shall decide by a majority vote of all the members sitting en banc. Proxy voting shall not be allowed.</p>	<ul style="list-style-type: none"> • New Provision
<p>SECTION 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 Members who took no part, or dissented, or abstained from a decision or resolution, must state the reason therefor.</p>	<p>SECTION 24. The conclusions of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court in any case submitted to it for decision shall be reached in consultation before 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</p>	<ul style="list-style-type: none"> • Supreme Court has been changed to Federal Supreme court, Federal Constitutional Court, Federal Administrative court, and Federal electoral court. • Assigning case to a member has been removed

<p>The same requirements shall be observed by all lower collegiate courts.</p>	<p>requirements shall be observed by all lower collegiate courts.</p>	
<p>SECTION 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.</p>	<p>SECTION 25. No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.</p>	<ul style="list-style-type: none"> • Same
<p>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.</p>	<p>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.</p>	
<p>SECTION 15</p>	<p>SECTION 26</p>	
<p>(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</p>	<p>(a) All cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty-four (24) months from date of filing for the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court and, unless reduced by the Federal Supreme Court, twelve (12) months for all lower collegiate courts and, in the case of all other lower courts, three (3) months from the date that cases are submitted for decision or resolution.</p>	<ul style="list-style-type: none"> • Submission has been changed to filing • Supreme Court has been changed to Federal Supreme court, Federal Constitutional Court, Federal Administrative court, and Federal electoral court.
<p>(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.</p>		
<p>(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</p>	<p>(b) Upon the expiration of the corresponding period, a certification to this effect signed by the Chief Justice of the Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, or the Federal Electoral Court, or the presiding justice or</p>	<ul style="list-style-type: none"> • Supreme Court has been changed to Federal Supreme court, Federal Constitutional Court, Federal Administrative

shall state why a decision or resolution has not been rendered or issued within said period.	judge of the lower court 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.	court, and Federal electoral court.
(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.	(c) 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.	<ul style="list-style-type: none"> • Same
SECTION 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.	SECTION 27. The Federal Supreme Court, the Federal Constitutional Court, the Federal Administrative Court, and the Federal Electoral Court shall, within thirty (30) 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.	<ul style="list-style-type: none"> • Supreme Court has been changed to Federal Supreme court, Federal Constitutional Court, Federal Administrative court, and Federal electoral court.
	SECTION 28. There shall be at least one (1) Federal Court of Appeals in each Federated Region, at least one (1) Federal District Trial Court in constituent cities and provinces of Federated Regions, and such other lower courts as may be necessary for the effective administration and speedy delivery of justice.	<ul style="list-style-type: none"> • New Provision
	SECTION 29	<ul style="list-style-type: none"> • New Provision
	No lower court, whether federal or regional, shall be created without the recommendation of the Supreme Court.	
	Subject to the recommendation of the Judicial Appointments and Disciplinary Council, the	

	Supreme Court shall appoint the all the judges of the lower courts and the justices of the collegiate courts.
--	---

CONSTITUTIONAL COMMISSIONS

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE IX	ARTICLE X	
A. COMMON PROVISIONS		
	SECTION 1. There shall be independent Constitutional Commissions in the Federal Government.	<ul style="list-style-type: none"> Separated from the listing of the constitutional commission
SECTION 1. The Constitutional Commissions, which shall be independent, are the Civil Service Commission, the Commission on Elections, and the Commission on Audit.	SECTION 2. The Constitutional Commissions are the Federal Civil Service Commission, the Federal Commission on Elections, the Federal Commission on Audit, the Federal Commission on Human Rights, the Federal Ombudsman Commission, and the Federal Competition Commission.	<ul style="list-style-type: none"> Word "<i>independent</i>" was removed Names of the constitutional commissions have been changed to the Federal Civil Service Commission, the Federal Commission on Elections, the Federal Commission on Audit. The Human Rights Commission, the Ombudsman and the Philippine Competition Commission are now a constitutional commissions as follows: the Federal Commission on Human Rights; the Federal Ombudsman Commission; and the Federal Competition Commission.

FEDERATED REGIONS, THE BANGSAMORO, AND THE FEDERATED REGION OF THE CORDILLERAS

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE X	ARTICLE XI	
SECTION 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.	SECTION 1. The Federal Republic shall consist of sixteen (16) Federated Regions, the Bangsamoro and the Federated Region of the Cordilleras. Their apportioned component units are in the appended Ordinance I of the Constitution. Congress may, by law, create, abolish, merge, and divide the Regions and determine their constituent political subdivisions, subject to the ratification by the people in a referendum held for the purpose in the political subdivisions affected.	<ul style="list-style-type: none"> • Number of Federated regions have been quantified (16) • Bangsamoro and Federated region of the Cordilleras have also been added • The power of the Congress as regards to the regions have also been described.
	SECTION 2. All Regions are permanent and indissoluble parts of the Federal Republic of the Philippines. It is prohibited for anyone to advocate, demand for, or support the secession of any Region from the Federal Republic.	
	SECTION 3. The government of the Federated Region shall consist of the Regional Legislature, the Regional Executive, and the Regional Judiciary.	

DISTRIBUTION OF POWERS OF THE GOVERNMENT

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
	<p>ARTICLE XII</p> <p>SECTION 1. The Federal Government shall have exclusive power over:</p> <p>(a) Defense, security of land, sea, and air territory;</p> <p>(b) Foreign affairs;</p> <p>(c) International trade;</p> <p>(d) Customs and tariffs;</p> <p>(e)Citizenship, immigration and naturalization;</p> <p>(f) National socio-economic planning;</p> <p>(g) Monetary policy and federal fiscal policy, banking, currency;</p> <p>(h) Competition and competition regulation bodies;</p> <p>(i) Inter-regional infrastructure and public utilities, including telecommunications and broadband networks;</p> <p>(j) Postal service;</p> <p>(k) Time regulation, standards of weights and measures;</p> <p>(l) Promotion and protection of human rights;</p> <p>(m) Basic education;</p> <p>(n) Science and technology;</p> <p>(o) Regulation and licensing of professions;</p> <p>(p) Social security benefits;</p> <p>(q) Federal crimes and justice system;</p> <p>(r) Law and order;</p>	<ul style="list-style-type: none"> • New Article

	<p>(s) Civil, family, property, and commercial laws, except as may be otherwise provided for in the Constitution;</p> <p>(t) Prosecution of graft and corruption cases;</p> <p>(u) Intellectual property; and</p> <p>(v) Elections.</p>
	<p>SECTION 2. Within their regional territory, the Federated Region shall have exclusive power over:</p> <p>(a) Socio-economic development planning;</p> <p>(b) Creation of sources of revenue;</p> <p>(c) Financial administration and management;</p> <p>(d) Tourism, investment, and trade development;</p> <p>(e) Infrastructure, public utilities and public works;</p> <p>(f) Economic zones;</p> <p>(g) Land use and housing;</p> <p>(h) Justice system;</p> <p>(i) Local government units;</p> <p>(j) Business permits and licenses;</p> <p>(k) Municipal waters;</p> <p>(l) Indigenous peoples' rights and welfare; (m) Culture and language development;</p> <p>(n) Sports development; and</p> <p>(o) Parks and recreation.</p>
	<p>SECTION 3. Powers which are given to the exclusion of other political authorities are exclusive powers. Exclusive powers are given to the Federal Government and the Federated Regions.</p>
	<p>SECTION 4. Powers not exclusively given to either the Federal Government or to the Federated Regions are shared powers. They</p>

	fall within the relative competencies of the Federal Government and the Regional Government and can be exercised jointly or separately. In case of dispute or conflict in their exercise, the federal power shall prevail.
	<p>SECTION 5. Powers which are not exclusively given to the Federal Government or to the Federated Regions nor shared by them and not prohibited by the Constitution are reserved powers</p> <p>Reserved powers shall be vested in the Federal Government.</p>

FISCAL POWERS AND FINANCIAL ADMINISTRATION

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
	ARTICLE XIII	
See Article X, Section 5 above.	SECTION 1. The Federal Government shall have the power to levy and collect all taxes, duties, fees, charges, and other impositions except the power to tax granted to the Federated Regions.	<ul style="list-style-type: none"> Changes the extent of the power, from the limits set by the Congress – to – taxes already granted to Federated Regions.
	<p>SECTION 2. The Federated Regions shall have the power to levy and collect the following taxes, licenses and fees:</p> <p>(a) Real Property Tax; (b) Estate Tax; (c) Donor’s Tax; (d) Documentary Stamp Tax;</p>	

	<p>(e) Professional Tax; (f) Franchise Tax; (g) Games and Amusement Tax; (h) Environmental Tax, Pollution Tax, and similar taxes; (i) Road Users Tax; (j) Vehicle Registration Fees; (k) Transport Franchise Fees; and (l) Local taxes and other taxes which may be granted by federal law.</p>
	<p>SECTION 3. The Federal Government and the Federated Regions shall ensure that taxation shall be uniform, equitable, and progressive. No double taxation shall be allowed.</p>
	<p>SECTION 4. The Federated Regions shall be given a share of not less than fifty percent (50%) of all the collected income taxes, excise taxes, value-added tax, and customs duties, which shall be equally divided among them and automatically released.</p>
	<p>SECTION 5. There shall be an Equalization Fund which shall not be less than three percent (3%) of the annual General Appropriations Act. The Fund shall be distributed based on the needs of each region, with priority to those that require support to achieve financial viability and economic sustainability as determined by the Federal Intergovernmental Commission.</p>
	<p>SECTION 6. The Congress, through the annual General Appropriations Act, may provide additional finances for the regions to</p>

	effectively and efficiently deliver government services to their constituents.
	SECTION 7. The Federated Regions shall be entitled to fifty percent (50%) of all net revenues derived from the exploration, development, and utilization of all natural resources within their territory.

NATIONAL ECONOMY AND PATRIMONY

1987 Constitution	Proposed Federal Constitution (Final Consultative Committee Draft)	Comments
ARTICLE XII	ARTICLE XV	
<p>Section 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 under-privileged. 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,</p>	<p>SECTION 1. (a) The Philippine Economic System seeks an equitable distribution of opportunities, income, and wealth through sound and efficient use of human and natural resources. It is directed at a sustainable increase in the amount of goods and services produced by the State for the benefit of all sectors of society, especially the underprivileged.</p> <p>(b) The Federal Republic shall promote a comprehensive strategy for full employment, through industrialization and sound development of agriculture and service sectors, which are competitive in both domestic and foreign markets. The State shall at all times protect Filipino enterprises against unfair foreign competition and trade practices.</p>	<ul style="list-style-type: none"> • “Equitable” was changed to “more equitable”. • The phrase “an expanding productivity as the key to raising the quality of life for all” was removed. • The phrase “at all times” in the section pertaining to protection against foreign competition was added.

<p>cooperatives, and similar collective organizations, shall be encouraged to broaden the base of their ownership.</p>	<p>(c) 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</p>	
<p>Section 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.</p>	<p>SECTION 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 and shall not be alienated except lands of public domain provided herein as alienable.</p>	<ul style="list-style-type: none"> • “Agricultural lands” as exception to natural resources which shall not be alienated was changed to “<i>lands of public domain provided herein as alienable</i>.” • The following provisions were not included in the new section: <ol style="list-style-type: none"> a. Exploration, development, and utilization of natural resources b. State protection of the nation’s marine wealth. c. Small scale utilization of natural resources.

<p>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.</p> <p>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.</p>		
<p>Section 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</p>	<p>SECTION 3. (a) Lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural and reclaimed lands of the public domain may be further classified by law according to the uses to which they may be devoted as residential, commercial, or industrial.</p> <p>(b) Private corporations or associations whose shares of stocks are owned or controlled at least sixty percent (60%) by Filipino citizens, may lease not more than one thousand hectares of alienable lands of the public domain for a period not exceeding twenty-five (25) years, renewable for another twenty-five (25) years.</p> <p>(c) Citizens of the Philippines may lease not more than five hundred hectares of alienable lands of the public domain or acquire not more than twelve (12) hectares thereof by purchase, homestead, or grant.</p>	<ul style="list-style-type: none"> • “<i>Reclaimed lands</i>” was added. • The classifications as “residential, commercial, or industrial” were specified. • The restriction on holding alienable lands of public domain was reworded. • The Congress is now given the power to change the requirements for lease of alienable lands under the section.

<p>lands of the public domain which may be acquired, developed, held, or leased and the conditions therefor.</p>	<p>(d) Congress may, by law, change the requirements for lease of alienable lands under this section, considering the general welfare of the people and the necessities of conservation, ecology, development, and agrarian reform</p>	
<p>SEE SECTION 2 PARAGRAPH 1 ABOVE</p>	<p>SECTION 4. (a) The exploration, development, and utilization of natural resources shall be a shared power of the Federal and Regional Governments. Within their respective competencies, they may determine the manner and extent of their exploration, development, and utilization. They may directly undertake such activities, or they may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or entities at least sixty percent (60%) of whose voting capital is owned by Filipino citizens. Such agreements may be for a period not exceeding twenty-five (25) years, renewable for another twenty-five (25) years.</p> <p>(b) They may also 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. They shall notify their respective legislatures of every contract entered into within thirty (30) days from its execution.</p> <p>(c) The small-scale utilization of natural resources by Filipinos, especially the marginalized, shall be allowed and protected.</p>	<ul style="list-style-type: none"> • “Shared power of the Federal and Regional Governments” was added. • Capital is changed to “<u>voting capital</u>” • The phrase “especially the marginalized” was added in the provision on small-scale utilization.

	(d) Congress may, by law, change the voting capital requirement under this section considering the federal and regional interest of the people	
SEE SECTION 2 PARAGRAPH 2	SECTION 5. The marine wealth of the nation which lies in its archipelagic waters, territorial sea, and exclusive economic zone is reserved exclusively to Filipino citizens. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of waterpower, beneficial use may be the measure and limit of the grant. Cooperative fish farming, with priority to subsistence fishermen and fish workers in rivers, lakes, bays, and lagoons, shall be allowed and protected	<ul style="list-style-type: none"> The paragraph on reservation of marine wealth for Filipino citizens was provided in a separate section.
SEE SECTION 7 BELOW	SECTION 6. Save in cases as provided by federal law or 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.	<ul style="list-style-type: none"> The phrase “as provided by federal law” was added to refer to cases where private lands may be conveyed to those who are qualified to hold lands of public domain.
SEE SECTION 8 BELOW	SECTION 7. Notwithstanding the provisions of Section 6 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.	<ul style="list-style-type: none"> No change.
	SECTION 8. Congress shall enact a comprehensive federal land use policy that shall provide the minimum standards for the	<ul style="list-style-type: none"> New provision.

	<p>Federated Regions in the rational, holistic, and just approach for the allocation, utilization, development and management of the country's land and water resources. It shall include the regulation of activities that bear impact on said resources. Regional Assemblies may legislate other standards in the pursuit of its activities, provided that they are not below the minimum standards set forth in the policy</p>	
	<p>SECTION 9. The Federal Republic shall, subject to the provisions of the Constitution and national development policies and programs, respect the primacy of customary laws of indigenous peoples to their ancestral domains and lands, and all resources found therein to ensure their economic, social, and cultural well-being Ancestral domains which are communal properties cannot be alienated.</p>	<ul style="list-style-type: none"> • New provision.
	<p>SECTION 10. The Federal Government, in consultation with the Federated Regions, shall continue to undertake an agrarian reform program. It shall promulgate policies and guidelines for: (a) Selection, acquisition, and distribution of lands for agrarian reform, which considers not only the total area of the lands, but also their contiguity and potential for productivity; (b) Identification of beneficiaries, which considers not only individuals, but whole families, communities, and similar entities;</p>	<ul style="list-style-type: none"> • New provision.

	<p>(c) Provision of a complete system of technical and financial support for beneficiaries and small land owners; and</p> <p>(d) Creation of a system of incentives to landowners for the voluntary offer of land for agrarian reform and the investment of its proceeds to promote industrialization, employment, and agriculture development</p>	
See SECTION 19 below	<p>SECTION 11. The Federal and Regional Governments shall regulate and prohibit monopolies when the public interest so requires. No combinations in restraint of trade or unfair competition shall be allowed.</p>	<ul style="list-style-type: none"> • No change.
See ARTICLE XVI, SECTION 11 below	<p>SECTION 12. (a) 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.</p> <p>(b) Only Filipino citizens or corporations or associations at least seventy percent (70%) of whose voting capital is owned by such citizens, shall be allowed to engage in the advertising industry.</p> <p>(c) Congress may, by law, change the voting capital requirement under this section considering public welfare and national security, and for this purpose, such entities shall be managed by citizens of the Philippines.</p>	<ul style="list-style-type: none"> • No mention was made of Congress' power to "regulate or prohibit monopolies in commercial mass media" • An additional power of Congress to "change the voting capital requirement" was added under the section.

<p>See SECTION 11 below</p>	<p>SECTION 13. 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 percent (60%) of whose voting capital stocks are owned by such citizens; nor shall such franchise, certificate, or authorization be exclusive in character for a period longer than twenty-five (25) years, renewable for another twenty-five (25) 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 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 and proportionate to their voting capital. Congress may, by law, change the voting capital requirement and period of the franchise under this section considering public welfare and national security, and for this purpose, such entities shall be managed by citizens of the Philippines.</p>	<ul style="list-style-type: none"> • Capital was changed to '<u>voting capital</u>' • The period of exclusive grant was changed from "fifty years" to "<u>twenty-five (25) years, renewable for another twenty-five (25) years</u>". • An additional power of Congress to "change the voting capital requirement" was also added under the section. • The previous requirement that a public utility's "<u>executive and managing officers</u>" must be citizens of the Philippines was phrased as "such entities shall be <u>managed</u> by citizens".
<p>See SECTION 14 below</p>	<p>SECTION 14. The practice of all professions in the Philippines shall be limited to Filipino citizens save in cases provided by federal law and international agreements providing for reciprocity.</p>	<ul style="list-style-type: none"> • The clauses on sustained development of national talents and transfers of appropriate technology were removed.

	<p>SECTION 15. (a) 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 percent (60%) of the capital of which is owned by such citizens.</p> <p>(b) Congress may, by law, change the voting capital requirement under this section considering public welfare and national security, and for this purpose, such entities shall be managed by citizens of the Philippines.</p> <p>(c) No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third (1/3) 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</p>	<ul style="list-style-type: none"> • An additional power of Congress to <u>“change the voting capital requirement”</u> was also added under the section. • Other paragraphs were transferred to Sec. 4, Article XVII of the Federal Constitution.
<p>Section 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.</p>		<ul style="list-style-type: none"> • No specific counterpart

<p>Section 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.</p> <p>The Congress may provide for the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain.</p>		<ul style="list-style-type: none"> • No specific counterpart
<p>Section 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.</p>		<ul style="list-style-type: none"> • No specific counterpart
<p>Section 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.</p>	<p>See ARTICLE XV, SECTION 6 above</p>	<ul style="list-style-type: none"> • The phrase “as provided by federal law” was added to refer to cases where private lands may be conveyed to those who are qualified to hold lands of public domain.
<p>Section 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.</p>	<p>See ARTICLE XV, SECTION 7 above</p>	<ul style="list-style-type: none"> • No change.

<p>Section 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.</p> <p>Until the Congress provides otherwise, the National Economic and Development Authority shall function as the independent planning agency of the government.</p>		<ul style="list-style-type: none"> • No specific counterpart
<p>Section 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.</p> <p>In the grant of rights, privileges, and concessions covering the national economy and patrimony, the State shall give preference to qualified Filipinos.</p> <p>The State shall regulate and exercise authority over foreign investments within its</p>		<ul style="list-style-type: none"> • No specific counterpart

<p>national jurisdiction and in accordance with its national goals and priorities.</p>		
<p>Section 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 or 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 the executive and managing officers of such corporation or association must be citizens of the Philippines.</p>	<p>See ARTICLE XV, SECTION 13 above</p>	<ul style="list-style-type: none"> • Capital was changed to <u>'voting capital'</u> • The period of exclusive grant was changed from "fifty years" to <u>"twenty-five (25) years, renewable for another twenty-five (25) years"</u>. • An additional power of Congress to <u>"change the voting capital requirement"</u> was also added under the section. • The previous requirement that a public utility's <u>"executive and managing officers"</u> must be citizens of the Philippines was phrased as "such entities shall be <u>managed</u> by citizens".
<p>Section 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.</p>		
<p>Section 13. The State shall pursue a trade policy that serves the general welfare and utilizes all forms and arrangements of</p>		<ul style="list-style-type: none"> • No specific counterpart

exchange on the basis of equality and reciprocity.		
Section 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.	See ARTICLE XV, SECTION 14 above	<ul style="list-style-type: none"> • The clauses on sustained development of national talents and transfers of appropriate technology were removed.
Section 15. The Congress shall create an agency to promote the viability and growth of cooperatives as instruments for social justice and economic development		<ul style="list-style-type: none"> • No specific counterpart. Dropped
Section 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.		<ul style="list-style-type: none"> • No specific counterpart. Dropped
Section 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.		<ul style="list-style-type: none"> • No specific counterpart on takeover of privately owned public utility business. Dropped

<p>Section 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.</p>		<ul style="list-style-type: none"> • No specific counterpart. Dropped
<p>Section 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.</p>	<p>See ARTICLE XV, SECTION 11 above</p>	<ul style="list-style-type: none"> • Same
<p>Section 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.</p> <p>Until the Congress otherwise provides, the Central Bank of the Philippines operating under existing laws, shall function as the central monetary authority.</p>		<ul style="list-style-type: none"> • No specific counterpart. Dropped
<p>Section 21. Foreign loans may only be incurred in accordance with law and the</p>		<ul style="list-style-type: none"> • No specific counterpart. Dropped

<p>regulation of the monetary authority. Information on foreign loans obtained or guaranteed by the Government shall be made available to the public.</p>		
<p>Section 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.</p>		<ul style="list-style-type: none"> • No specific counterpart. Dropped