

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

S E N A T E

P:S. RES. NO. _____

Introduced by _____

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE THAT ANY ATTEMPT BY THE HOUSE OF REPRESENTATIVES TO UNILATERALLY PROPOSE AMENDMENTS TO, OR REVISION OF, THE CONSTITUTION WITHOUT THE APPROVAL BY THREE-FOURTHS (3/4) OF THE SENATE VOTING SEPARATELY IS UNCONSTITUTIONAL

WHEREAS, the Constitution states that any amendment to, or revision of, the Constitution may be proposed by Congress, upon a vote of three-fourths of all its members;

WHEREAS, the Constitution clearly declares that the Congress of the Philippines shall "consist of a Senate and a House of Representatives";

WHEREAS, the House of Representatives adopted House Concurrent Resolution No. 26, convening Congress as a Constituent Assembly to propose amendments to, or revision of, the 1987 Constitution, and transmitted the same to the Senate for adoption;

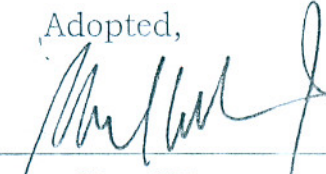

WHEREAS, to register its disapproval, the Senate of the Philippines has adopted Senate Resolution No. 75 expressing its sense that any proposed amendment to, or revision of the Constitution requires the approval of the Senate and House of Representatives voting separately;

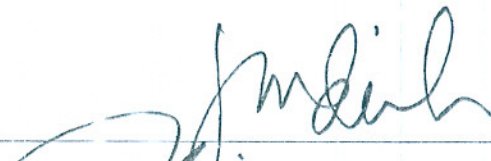
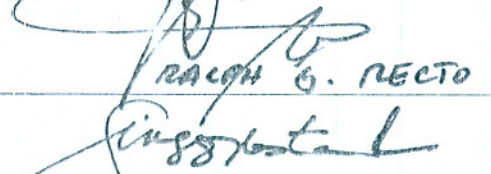
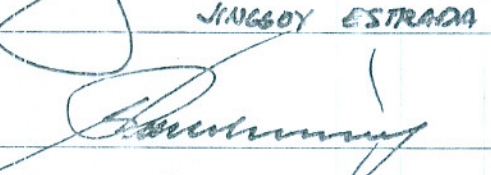
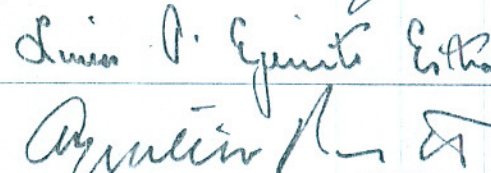
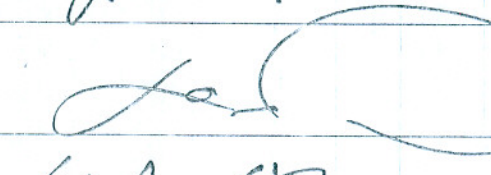
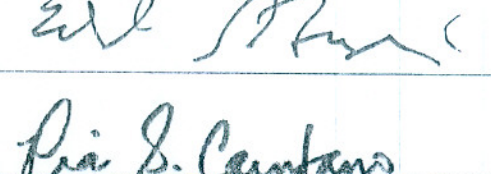
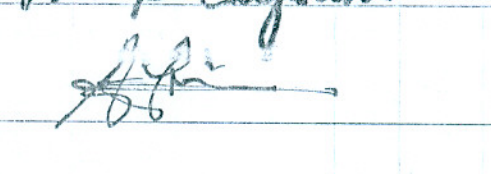
WHEREAS, despite strong objection from the Senate, there are reports that the House leadership intends to convene as a Constituent Assembly without the participation of the Senate;

WHEREAS, as a response to recent developments in the House of Representatives, the Senate deems it necessary to reiterate its position that any proposal to amend or revise the Constitution should be done by Congress through bicameral voting: *Now therefore, be it,*

RESOLVED BY THE SENATE, To reiterate its position that any attempt by the House of Representatives to unilaterally propose amendments to, or revision of, the Constitution without the approval by three-fourths (3/4) of the Senate voting separately is unconstitutional.

Adopted,



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Map
Juan
T. L. P.
Bogart
Jacob
Mama Magall
Malladagal


RALPH G. RECTO

JINGBOY ESTRADA

Luis P. Espino Estrada
Agustin

Ed
Pia S. Cayetano




CONGRESS OF THE PHILIPPINES
THIRTEENTH CONGRESS
Second Regular Session

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HOUSE OF REPRESENTATIVES

H. Ct. Res. No. 26

BY REPRESENTATIVES JARULA, JAVIER, DOMOGAN, MARTINEZ AND CAGAS

CONCURRENT RESOLUTION CONVENING CONGRESS TO PROPOSE AMENDMENTS TO, OR REVISION OF, THE 1987 CONSTITUTION

WHEREAS, there are persistent calls for the amendment or revision of the 1987 Constitution from the local governments, the academe and civil society;

WHEREAS, Section 1, Article 17 of the 1987 Constitution provides that "(Any amendment to, or revision of, this Constitution may be proposed by: (1) The Congress, upon a vote of three-fourths of all its Members; or (2) A constitutional convention";

WHEREAS, for practical and realistic reasons the House approved overwhelmingly Concurrent Resolution No. 16 in the 12th Congress calling Congress to convene jointly to propose amendments to, or revision of, the 1987 Constitution;

WHEREAS, the second alternative of a constitutional convention is not affordable even now due to financial and time constraints, and the third option of "people's initiative" does not have any implementing law;

WHEREAS, proposing amendments to, or revision of, the 1987 Constitution through Congress, upon a vote of three-fourths of all its Members, is the cheapest, fastest and most practical under present circumstances,

especially considering the bi-election of 2007 and the presidential election of 2010 with an incumbent President whose term expires in 2010: Now, therefore, be it

1 *Resolved by the House of Representatives, the Senate concurring,* The
2 convening of Congress to propose amendments to, or revision of, the 1987
3 Constitution of the Philippines, limiting the areas of amendment or revision
4 principally to the following:

- 5 (1) Review of the structure of government, principally the shift to a
6 unicameral parliamentary form and from the unitary to the federal system;
7 (2) Review of basic economic provisions to maximize the benefits and
8 welfare of the people without being shackled by unnecessary and impractical
9 constraints and limitations; and
10 (3) Provide a mechanism for the orderly transition from the present to
11 the new form and system that may be adopted.

Adopted,

P. S. Res. No. 473

Republic of the Philippines
Congress of the Philippines

Senate

Manila City

Thirteenth Congress

Second Regular Session



RESOLUTION No. 75

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT ANY PROPOSED AMENDMENT TO, OR REVISION OF, THE CONSTITUTION REQUIRES THE APPROVAL OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, VOTING SEPARATELY

WHEREAS, the Constitution provides that any amendment to, or revision of, the Constitution may be proposed by Congress, upon a vote of three-fourths of all its members;

WHEREAS, the Constitution clearly states that the Congress of the Philippines shall "consist of a Senate and a House of Representatives";

WHEREAS, under a bicameral system of legislature, the Senate and the House of Representatives always vote separately on all bills and resolutions;

WHEREAS, if measures such as those which propose the change in names of streets require that the Senate and the House of Representatives vote separately, with more reason that

the two houses of Congress should vote separately in the case of the supreme exercise of amending or revising the Constitution;

WHEREAS, when the Constitution requires the "concurrence of a majority of all members of the Congress" in the grant of amnesty or tax exemption, Congress had always exercised said power by voting separately;

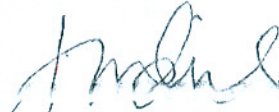
WHEREAS, the House of Representatives adopted House Concurrent Resolution No. 26, convening Congress as a Constituent Assembly to propose amendments to, or revision of, the 1987 Constitution, and transmitted the same to the Senate for adoption;

WHEREAS, various nongovernmental, people's and religious organizations, including the Catholic Bishops Conference of the Philippines (CBCP), stand to believe that changing the Constitution, which may involve major shifts in the form of government, requires widespread participation, total transparency, and relative serenity that allows for national discussion and debate;


WHEREAS, given the importance of the Constitution, which is the fundamental law of the land, we should devote the necessary time and resources to revisit the same to be able to recommend appropriate amendments, which are responsive to the needs of the Filipino people: Now, therefore, be it

Resolved by the Senate, To express its sense that any proposed amendment to, or revision of, the Constitution requires the approval of the Senate and the House of Representatives, voting separately.

Adopted,


FRANKLIN M. DRILON
President of the Senate

This Resolution was adopted by the Senate on March 21, 2006.


OSCAR G. YABES
Secretary of the Senate