

# **BAYANIHAN FEDERALISM STRUCTURE AND POWERS**

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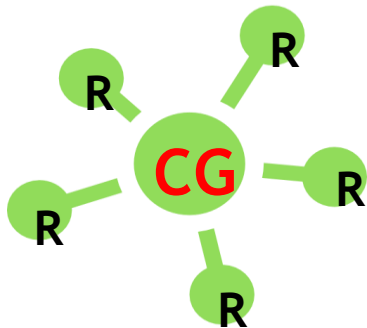
**Member, CONSULTATIVE COMMITTEE TO REVIEW THE 1987 CONSTITUTION**

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*\*some images courtesy of PATATAS Federalism Advocacy Group*

**FEDERALISM AS THE HIGHEST  
FORM OF DECENTRALIZATION**

IF  
FEDERALISM  
IS THE  
SOLUTION,  
WHAT IS THE  
PROBLEM?



**1**

Serious  
imbalance in  
economic  
development  
among  
regions

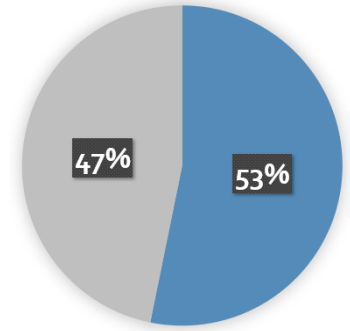


**2**

Overconcentration  
of economic  
resources and  
power in the Center

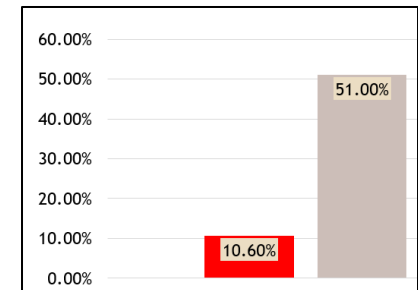
# INDICATORS of IMBALANCE and OVERCONCENTRATION

- **GDP**: NCR and CALABARZON 53%, the rest, 47% (2016)\*



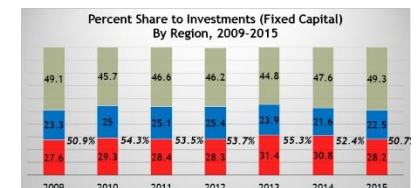
- **POVERTY INCIDENCE**: NCR and CALABARZON only 3 to 10.6%; the rest, from 20 to 51% (2016)\*

\*Source: Philippine Statistics Authority (2016)



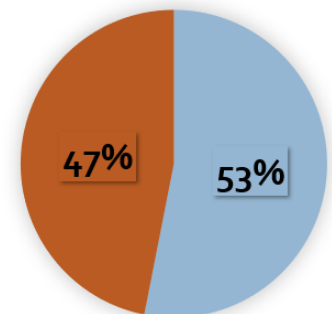
- **INVESTMENTS**: NCR and CALABARZON more than 50% (2009-2015)\*\*

\*\*Source: *Designing a Federal System of Government, Republic of the Philippines (Final Report)*, 22 September 2017. (Principal Research Team: Ret. CJ Reynato S. Puno & CPRMCI Chairperson Mr. Salvador M. Enriquez, Jr.)

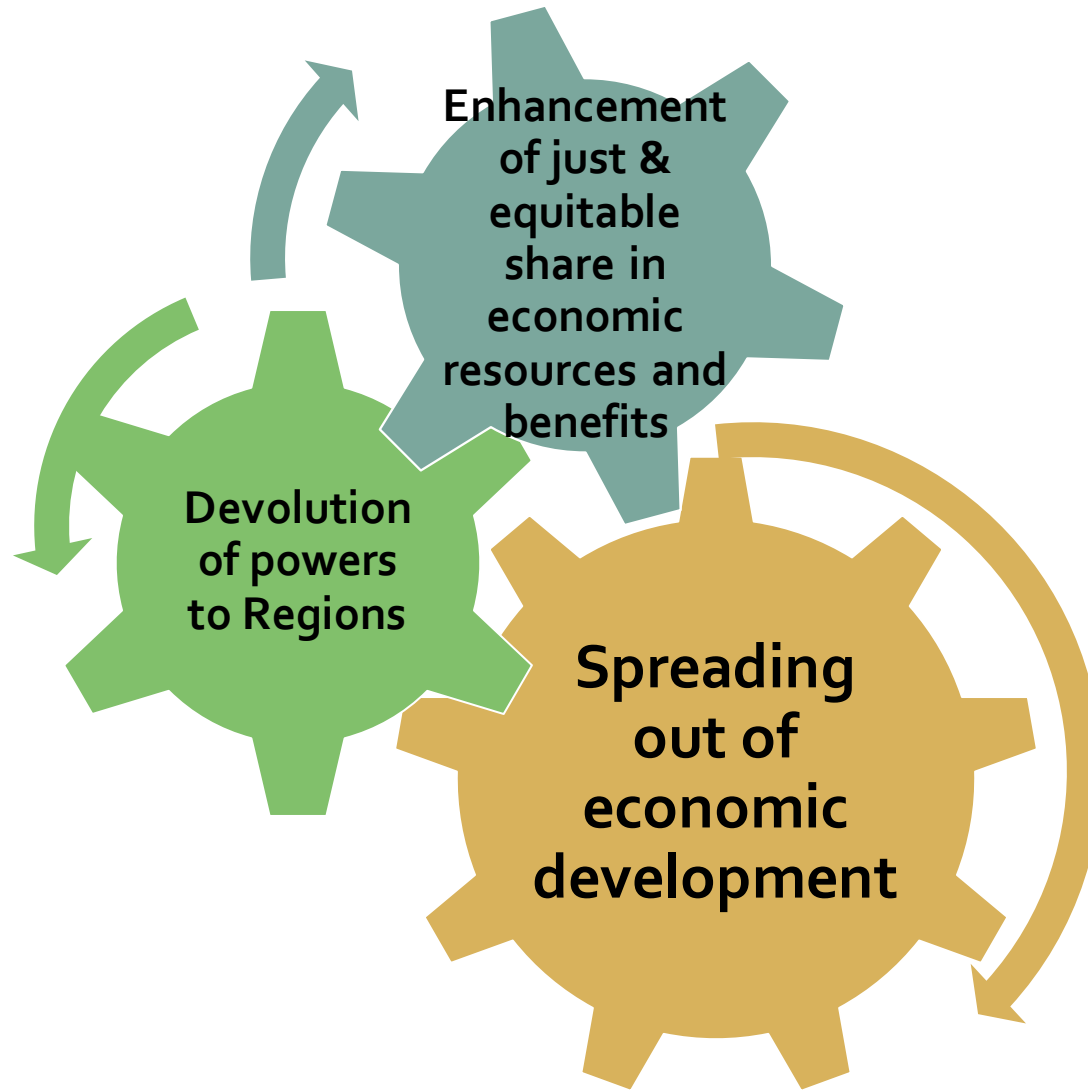


- **DOTr Budget Allocation**: NCR and CALABARZON 53% (2013-2016)\*\*\*

\*\*\*Source: CPBRD Discussion Paper (Congressional Policy and Budget Research Department - House of Representatives)



# FEDERALISM AS THE SOLUTION



# FROM UNITARY TO FEDERAL

FROM one centralized government TO TWO-TIER FORM OF GOVERNMENT:  
Federal and Regional



Regional government to exercise:

- general supervision over the LGUs
- authority over devolved regional line agencies

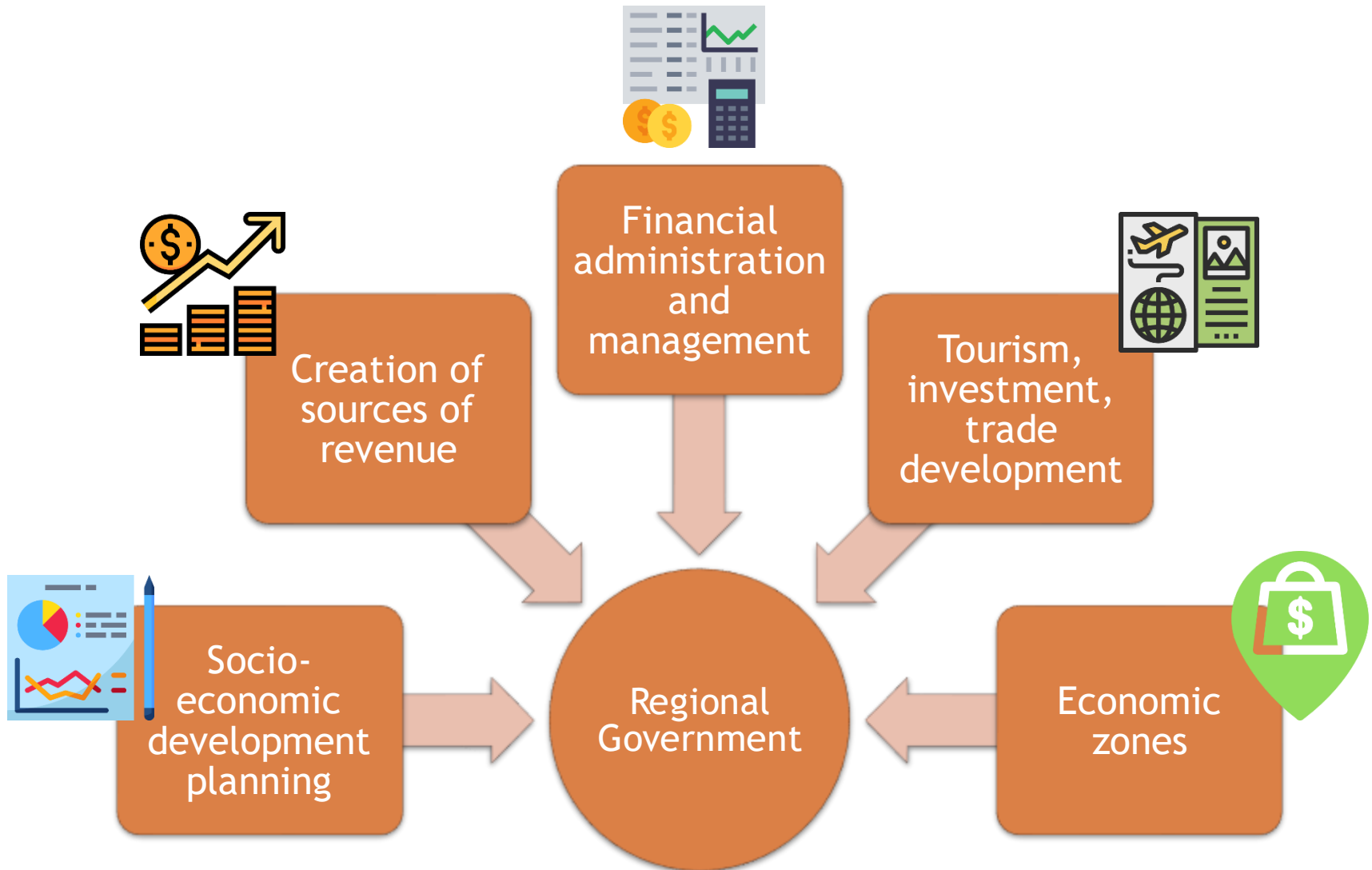
# DELIMITED EXCLUSIVE POWERS of the FEDERAL GOVERNMENT

- Defense and Security
- Foreign Affairs
- International Trade
- Customs and Tariffs
- Citizenship
- Monetary and Fiscal Policies
- Inter-regional Infrastructure and Public Utilities
- Promotion and Protection of Human Rights
- Law and Order
- Federal Crimes & Justice System
- Basic Education
- Science and Technology
- Standards of Weights & Measures
- Regulation & Licensing of Professions
- Social Security Benefits
- Prosecution of Graft & Corruption
- Civil, Family, Property, and Commercial laws
- Intellectual Property
- Elections
- National Socio-economic Planning



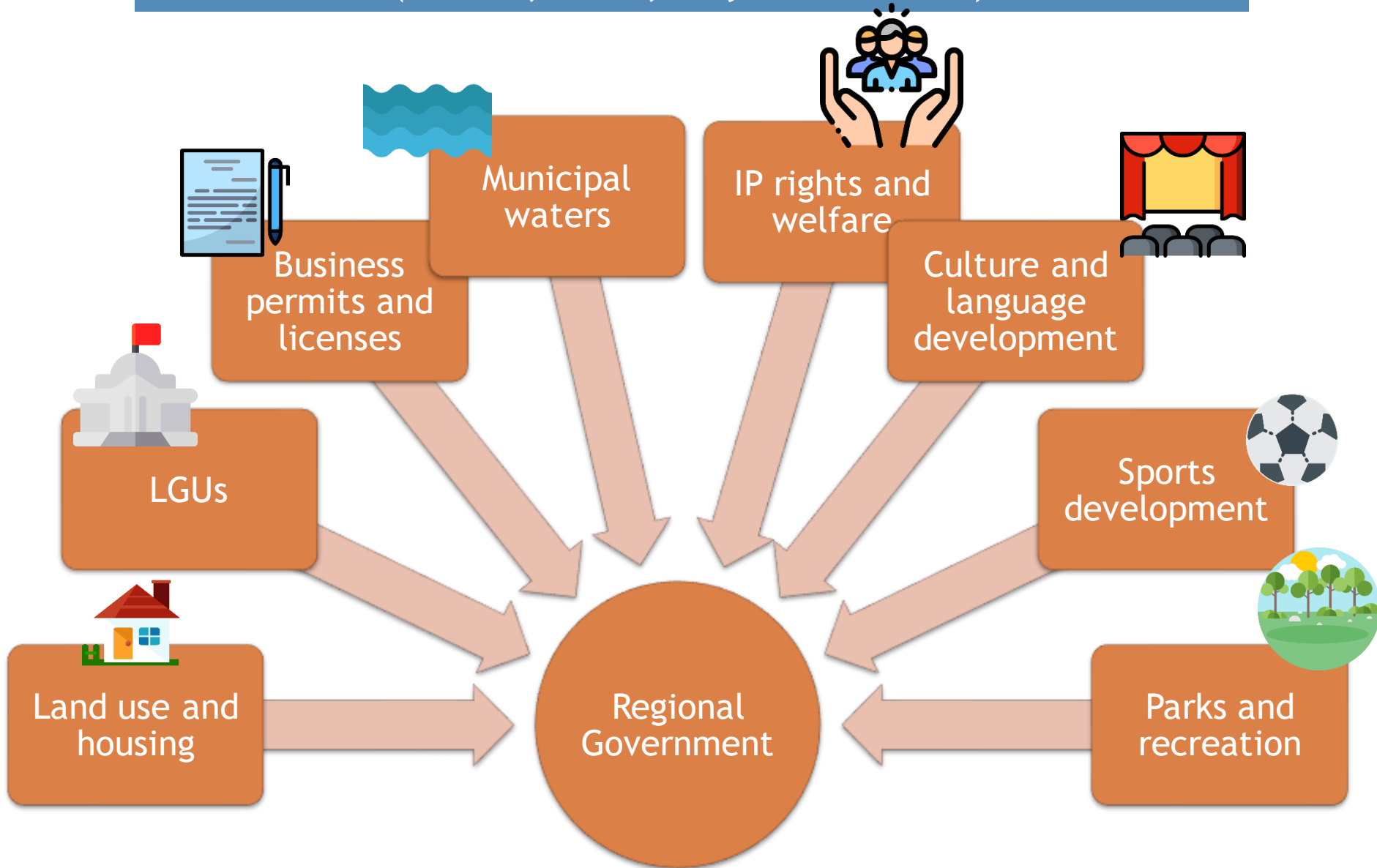
# DEVOLVED EXCLUSIVE ECONOMIC POWERS TO THE REGIONAL GOVERNMENTS

*(Art. XII, Sec. 2, Draft Constitution)*





# OTHER DEVOLVED EXCLUSIVE POWERS TO THE REGIONAL GOVERNMENTS (Art. XII, Sec. 2, Draft Constitution)



# DISTRIBUTION OF TAXING POWERS

## FEDERAL GOVERNMENT

income tax, customs duties, VAT and excise tax, charges, and other impositions *EXCEPT those granted to the Federated Regions*

## FEDERATED REGIONS

- ☐ *Real Property Tax*
- ☐ *Estate Tax*
- ☐ *Donor's Tax*
- ☐ *DST*
- ☐ *Professional Tax*
- ☐ *Games and Amusement Tax*
- ☐ *Environmental, Pollution and similar taxes*
- ☐ *Franchise Tax*
- ☐ *Road users tax*
- ☐ *Vehicle registration fees*
- ☐ *Transport franchise fees*
- ☐ *Those granted by federal law*

(Art. XIII)

# REGIONAL AND LOCAL GOVERNMENT SHARE IN FUNDS AND OTHER RESOURCES

## 1. NATIONAL TAXES

- ☐ Regions to receive 50% or more of nat'l taxes, including customs duties, VAT and excise taxes
- ☐ Equally divided among the regions

## 2. EXPLORATION, DEV'T. AND USE OF NATURAL RESOURCES

- ☐ 50% of all net revenues DERIVED from federated regions' TERRITORY

## 3. EQUALIZATION FUND

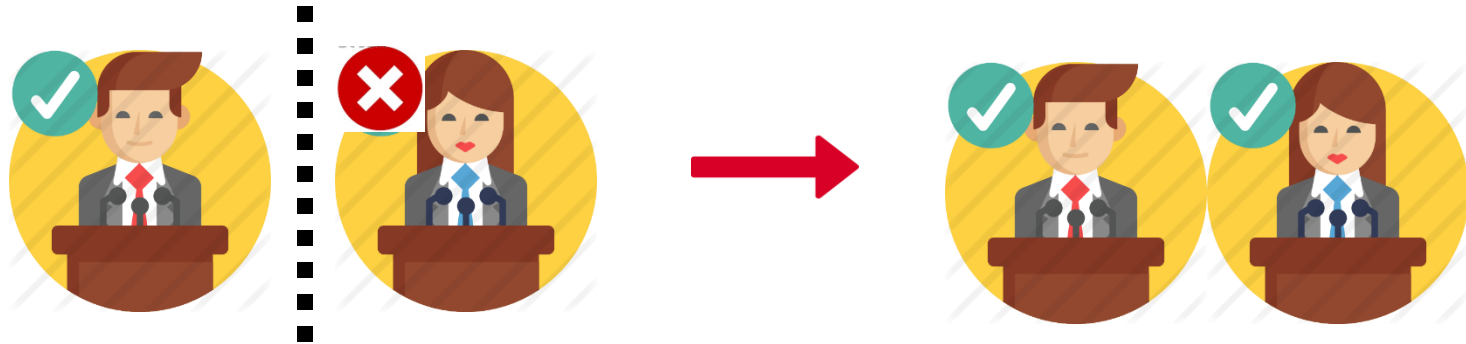
- ☐ Not less than 3% of GAA for the regions

## 4. NATIONAL BUDGET

- ☐ Congress may provide additional funds for the federated regions

# EXECUTIVE DEPARTMENT

## Federal - Presidential System



- President and Vice-President now elected as a team.
- Other changes:
  - ✓ Four-year terms for both President and Vice-President
  - ✓ One re-election
  - ✓ President and Vice-President must be holder of college degree or its EQUIVALENT.
  - ✓ Incumbent President is barred from running as transition or regular President

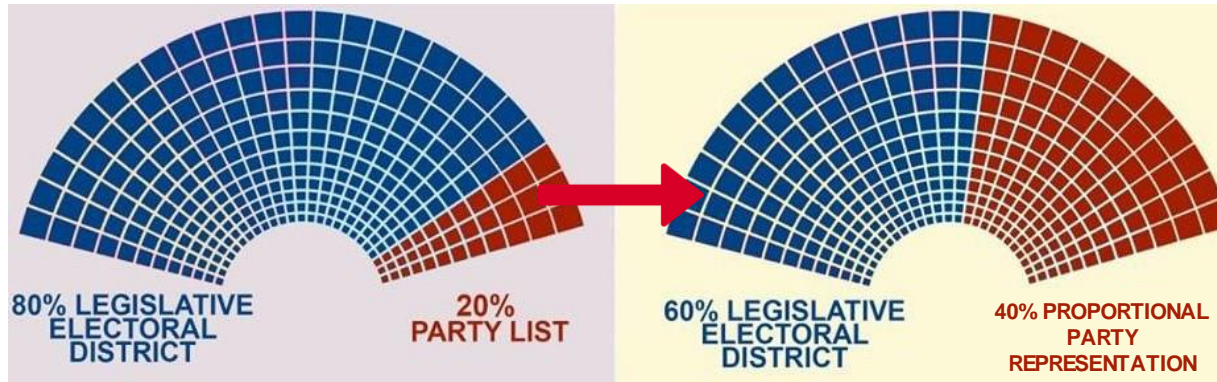
MORE  
DYNAMIC,  
EFFICIENT,  
AND INDEPENDENT JUSTICE  
SYSTEM



- (1) From one Supreme Court to four specialized HIGH COURTS
  - Federal Supreme Court
  - Federal Constitutional Court
  - Federal Administrative Court
  - Federal Electoral Court
- (2) From exclusively presidential to SHARED authority to appoint members of the High Courts
- (3) From presidential to JUDICIAL APPOINTMENT of judges and justices in lower courts
- (4) From JBC to JADC

# LEGISLATIVE DEPARTMENT

## HOUSE OF REPRESENTATIVES



- **GENUINE** proportional party representation (5% of the votes and above)
- **Mandatory** allocation for marginalized sectors for the first 3 electoral cycles

## SENATE

- From 12 national senators to 2 senators **PER REGION** (total of 36)
- 4-year terms for members of both houses

# THANK YOU.

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*\*CTTO of images in this presentation*