

# [ 1973 CONSTITUTION, January 17, 1973 ]

## **THE 1973 CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES(WITH THE AMENDMENTS INCORPORATED)**

### **PREAMBLE**

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

### **ARTICLE I**

#### **THE NATIONAL TERRITORY**

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

### **ARTICLE II**

#### **DECLARATION OF PRINCIPLES AND STATE POLICIES**

SECTION 1. The Philippines is a republican state. Sovereignty resides in the people and all governmental authority emanates from them. SEC. 2. The defense of the State is a prime duty of the Government and the people, and in the fulfillment of this duty all citizens may be required by law to render personal military or civil service. SEC. 3. The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land, and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations. SEC. 4. The State shall strengthen the family as a basic social institution. The natural right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the aid and support of the Government. SEC. 5. The State recognizes the vital role of the youth in the nation-building and shall promote their physical, intellectual, and social well-being. SEC. 6. The State shall promote social justice to ensure the dignity, welfare, and security of all the people. Towards this end, the State shall regulate the acquisition, ownership, use, enjoyment, and disposition of private property, and equitably diffuse property ownership and profits. SEC. 7. The State shall establish, maintain, and ensure adequate social services in the field of education, health, housing, employment, welfare, and social security to guarantee the enjoyment by the people of a decent standard of living. SEC. 8. Civilian authority is at all times supreme over the military. SEC. 9. The State shall afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work. The State may provide for compulsory arbitration. SEC. 10. The State shall guarantee and promote the autonomy of local government units, especially the [barangays ], to ensure their fullest development as self-reliant communities.

### **ARTICLE III**

## CITIZENSHIP

SECTION 1. The following are citizens of the Philippines: (1) Those who are citizens of the Philippines at the time of the adoption of this Constitution. (2) Those whose fathers or mothers are citizens of the Philippines. (3) Those who elect Philippine citizenship pursuant to the provisions of the Constitution of nineteen hundred and thirty-five. (4) Those who are naturalized in accordance with law. SEC. 2. A female citizen of the Philippines who marries an alien shall retain her Philippine citizenship, unless by her act or omission she is deemed, under the law, to have renounced her citizenship. SEC. 3. Philippine citizenship may be lost or reacquired in the manner provided by law. SEC. 4. A natural-born citizen is one who is a citizen of the Philippines from birth without having to perform any act to acquire or perfect his Philippine citizenship.

## ARTICLE IV

### BILL OF RIGHTS

SECTION 1. No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. SEC. 2. Private property shall not be taken for public use without just compensation. SEC. 3. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall not be violated, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined by the judge, or such other responsible officer as may be authorized by law, after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized. SEC. 4. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety and order require otherwise. (2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding. SEC. 5. The liberty of abode and of travel shall not be impaired except upon lawful order of the court, or when necessary in the interest of national security, public safety, or public health. SEC. 6. The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, shall be afforded the citizen subject to such limitations as may be provided by law. SEC. 7. The right to form associations or societies for purposes not contrary to law shall not be abridged. SEC. 8. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights. SEC. 9. No law shall be passed abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances. SEC. 10. No law granting a title of royalty or nobility shall be enacted. SEC. 11. No law impairing the obligation of contracts shall be passed. SEC. 12. No ex post facto law or bill of attainder shall be enacted. SEC. 13. No person shall be imprisoned for debt or non-payment of a poll tax. SEC. 14. No involuntary servitude in any form shall exist except as a punishment for a crime whereof the party shall have been duly convicted. SEC. 15. The privilege of the writ of habeas corpus shall not be suspended except in cases of invasion, insurrection, rebellion, or imminent danger thereof, when the public safety requires it. SEC. 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies. SEC. 17. No person shall be held to answer for a criminal offense without due process of law. SEC. 18. All persons, except those charged with

capital offenses when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties. Excessive bail shall not be required. SEC. 19. In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial, and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustified. SEC. 20. No person shall be compelled to be a witness against himself. Any person under investigation for the commission of an offense shall have the right to remain silent and to counsel, and to be informed of such right. No force, violence, threat, intimidation, or any other means which vitiates the free will shall be used against him. Any confession obtained in violation of this section shall be inadmissible in evidence. SEC. 21. Excessive fines shall not be imposed, nor cruel or unusual punishment inflicted. SEC. 22. 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. SEC. 23. Free access to the courts shall not be denied to any person by reason of poverty.

## **ARTICLE V**

### **DUTIES AND OBLIGATIONS OF CITIZENS**

SECTION 1. It shall be the duty of the citizen to be loyal to the Republic and to honor the Philippine flag, to defend the State and contribute to its development and welfare, to uphold the Constitution and obey the laws, and to cooperate with the duly constituted authorities in the attainment and preservation of a just and orderly society. SEC. 2. The rights of the individual impose upon him the correlative duty to exercise them responsibly and with due regard for the rights of others. SEC. 3. It shall be the duty of every citizen to engage in gainful work to assure himself and his family a life worthy of human dignity. SEC. 4. It shall be the obligation of every citizen qualified to vote to register and cast his vote.

## **ARTICLE VI**

### **SUFFRAGE**

SECTION 1. Suffrage shall be exercised by citizens of the Philippines not otherwise disqualified by law, who are eighteen years of age or over, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage. The Batasang Pambansa shall provide a system for the purpose of securing the secrecy and sanctity of the vote.

## **ARTICLE VII**

### **THE PRESIDENT**

SECTION 1. The President shall be the head of state and chief executive of the Republic of the Philippines. SEC. 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 fifty years of age on the day of election for President, and a resident of the Philippines for at least ten years immediately preceding such election. SEC. 3. The 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 following the day of the election and shall end at noon of the same date six years thereafter when the term of his successor shall begin. The returns of every election for President, duly certified by the board of canvassers of each province or city, shall be transmitted to the Speaker

at the Batasang Pambansa, who shall, not later than thirty days after the day of the election, and in the presence of the Batasang Pambansa open all the certificates, and the votes shall then be counted. The person having the highest number of votes shall be proclaimed elected; but in case two or more shall have an equal and the highest number of votes, one of them shall forthwith be chosen by a vote of a majority of all the Members of the Batasang Pambansa in session assembled. SEC 4. If, at the time fixed for the beginning of his term, the President-elect shall have died or shall have failed to qualify or if the President shall not have been chosen, the Executive Committee, headed by the Prime Minister, as hereinafter provided, shall exercise the powers and discharge the duties of the President until a President shall have been elected and qualified. If the Batasang Pambansa withdraws its confidence in the Prime Minister, the Speaker shall preside over the Executive Committee. In the absence of an Executive Committee, the Speaker of the Batasang Pambansa shall act as President until a President shall have been elected and qualified. In the event of death or failure to qualify as herein provided, the Batasang Pambansa shall call a special election in the manner prescribed in Section 7 hereof. SEC. 5. The President, on assuming office, shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully and conscientiously fulfill my duties as President of the Philippines, preserve and defend its Constitution, execute its laws, do justice to every man and consecrate myself to the service of the Nation. So help me God." (In case of affirmation, the last sentence is omitted.) SEC. 6. (1) The President shall have an official residence and shall receive a compensation to be fixed by law, which shall not be increased or decreased during his term of office. He shall not receive during his tenure any other emolument from the Government or any other source. Until the Batasang Pambansa shall provide otherwise, the President shall receive an annual salary of one hundred thousand pesos. (2) The President shall not, during his tenure, hold any other office, practice any profession, participate directly or indirectly in the management of any business, or be financially interested directly or indirectly in any contract with, or in any franchise or special privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned or controlled corporation. . SEC. 7 . In case of permanent disability, death, removal from office or resignation of the President, the Executive Committee headed by the Prime Minister as hereinafter provided shall exercise the powers of the President until a President shall have been elected and qualified. If the permanent disability, death, removal from office or resignation of the President occurs earlier than eighteen (18) months before the expiration of his term, the Batasang Pambansa shall, within thirty days from the time the vacancy occurs, call a special election to be held not earlier than forty-five days nor later than sixty days from the time of such call, to elect a President to serve the unexpired term. In the absence of an Executive Committee, the Speaker shall act as President until the President shall have been elected and qualified. SEC. 8. The President shall have control of the ministries. SEC. 9. The President shall be commander-in-chief of all armed forces of the Philippines and, whenever it becomes necessary, he may call out such armed forces to prevent or suppress lawless violence, invasion, insurrection, or rebellion. In case of invasion, insurrection, or rebellion, or imminent danger thereof, when the public safety requires it, he may suspend the privilege of the writ of habeas corpus, or place the Philippines or any part thereof under martial law. SEC. 10. The President shall appoint the heads of bureaus and offices, the officers of the armed forces of the Philippines from the rank of brigadier general or commodore, and all other officers of the Government whose appointments are not otherwise provided for, those whom he may be authorized by law to appoint. However, the Batasang Pambansa may by law vest in the Prime

Minister, members of the Cabinet, the Executive Committee, courts, heads of agencies, commissions, and boards the power to appoint inferior officers. SEC. 11. The President may, except in cases of impeachment, grant reprieves, commutations and pardons, remit fines and forfeitures and, with the concurrence of the Batasang Pambansa, grant amnesty. SEC. 12. The President may contract and guarantee foreign and domestic loans on behalf of the Republic of the Philippines, subject to such limitations as may be provided by law. SEC. 13. The President shall formulate the guidelines of national policy. SEC. 14. The President shall address the Batasang Pambansa at the opening of its regular session. He may also appear before it at any other time. SEC. 15. The President shall be immune from suit during his tenure. Thereafter, no suit whatsoever shall lie for official acts done by him or by others pursuant to his specific orders during his tenure. The immunities herein provided shall apply to the incumbent President referred to in Article XVII of this Constitution. SEC. 16. All powers vested in the President of the Philippines under the 1935 Constitution and the laws of the land which are not herein provided for or conferred upon any official shall be deemed and are hereby vested in the President unless the Batasang Pambansa provides otherwise.

## **ARTICLE VIII BATASANG PAMBANSA**

SECTION 1. The Legislative power shall be vested in a Batasang Pambansa. SEC. 2. The Batasang Pambansa which shall be composed of not more than 200 Members unless otherwise provided by law, shall include representatives elected from the different regions of the Philippines, those elected or selected from various sectors as may be provided by law, and those chosen by the President from the members of the Cabinet. Regional representatives shall be apportioned among the regions in accordance with the number of their respective inhabitants and on the basis of a uniform and progressive ratio. The number of representatives from each region and the manner of their election shall be prescribed by law. The number of representatives from each sector and the manner of their election or selection shall be prescribed by law. SEC. 3. (1) The Members of the Batasang Pambansa shall have a term of six years which shall begin; unless otherwise provided by law, at noon on the thirtieth day of June next following their election. (2) In case the Batasang Pambansa is dissolved, the newly elected Members shall serve the unexpired portion of the term from the time the President convokes the Assembly, which shall not be later than thirty days immediately following their election. SEC. 4. No person shall be a Member of the Batasang Pambansa as a regional representative unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least twenty-five years of age, able to read and write, a registered voter in the Region 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. A sectoral representative shall be a natural-born citizen, able to read and write, and shall have such other qualifications as may be provided by law. SEC. 5. (1) The regular election of the Members of the Batasang Pambansa shall be held on the second Monday of May 1984 and every six years thereafter. (2) In case a vacancy arises in the Batasang Pambansa eighteen months or more before a regular election, the Commission on Elections shall call a special election to be held within sixty days after the vacancy occurs to elect the Member to serve the unexpired term. SEC. 6. The Batasang Pambansa shall convene once every year on the fourth Monday of July for its regular session, unless a different date is fixed by law, and shall continue to be in session for such number of days as it may determine. However, it may be called to session at any time by the President to consider such subjects or legislation as he may designate; SEC. 7. (1) The Batasang Pambansa shall, by a majority vote of all its