

CONGRESS OF THE PHILIPPINES }  
Fifth Regular Session }

HOUSE OF REPRESENTATIVES

H. No. 34811

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INTRODUCED BY CONGRESSMEN TINGA, ABAYA, CONGRESSWOMEN PLAZA (C.), RAYMUNDO, CONGRESSMEN CAINGLET, JOSON, JR., MONTEJO, CUENCO, DAZA, ESCUDERO III, LOPEZ (J.), PALACOL, ZAMORA, ROCD, ORTEGA, AQUINO (A.), BAUTISTA, SR., SANTOS (D.), GARCIA (P.), CHIPECO, JR., BERNARDEZ, MATHAY, JR., JAVIER (R.), JAVIER (E.), BACALTOS, VELOSO, DOMINGO, JR., CUA, RAMIRO, JR., CABOCHAN (G.), MERCADO (R.G.), ISIDRO, BAGATSING, JR., DRAGON, WEBB, MONFORT, DEL MAR AND PUZON, PER COMMITTEE REPORT NO. 1617

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AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS ON MAY 11, 1992, FOR ELECTORAL REFORMS, AND AUTHORIZING APPROPRIATIONS THEREFOR

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 SECTION 1. *Statement of Policy.* - It is the policy  
2 of the State to synchronize elections so that there  
3 shall be simultaneous regular elections once every three  
4 (3) years.

5 SEC. 2. *Date of Election.* - In accordance with the  
6 policy hereinbefore declared, there shall be held an  
7 election for President and Vice-President of the  
8 Philippines, twenty-four (24) Senators, all elective  
9 Members of the House of Representatives, and all  
10 provincial, city and municipal elective officials on May  
11 11, 1992.

1           SEC. 3. *Term of Office.* - The President, the Vice-  
 2 President and the Senators shall have a term of office  
 3 of six (6) years beginning at noon on the thirtieth day  
 4 of June next following their election: *Provided,*  
 5 *however,* That, of the twenty-four (24) Senators to be  
 6 elected on May 11, 1992, the first twelve (12) obtaining  
 7 the highest number of votes shall serve for six (6)  
 8 years and the remaining twelve (12), for three (3)  
 9 years.

10           The Members of the House of Representatives and all  
 11 elective provincial, city and municipal officials shall  
 12 serve for a term of three (3) years which shall begin at  
 13 noon on the thirtieth day of June next following their  
 14 election.

15           No Vice-President shall serve for more than two (2)  
 16 successive terms.

17           No Senator shall serve for more than two (2)  
 18 consecutive terms.

19           No Member of the House of Representatives shall  
 20 serve for more than three (3) consecutive terms.

21           No elective provincial, city or municipal official  
 22 shall serve for more than three (3) consecutive terms.

23           Voluntary renunciation of the office for any length  
 24 of time shall not be considered as an interruption in  
 25 the continuity of his service for the full term for  
 26 which he was elected.

27           SEC. 4. *Election of Members of the Sangguniang*

1 *Panlungsod and Sangguniang Bayan in the Metro Manila*  
2 *Area and in Highly Urbanized Cities; Sectoral*  
3 *Representatives.* - The number and election of elective  
4 members of the sangguniang panlungsod and sangguniang  
5 bayan in the Metro Manila Area, City of Cebu, City of  
6 Davao and any other city with two (2) or more  
7 representative districts shall continue to be governed  
8 by the provisions of Sections 2 and 3 of Republic Act  
9 No. 6636: *Provided*, That the Municipalities of Malabon,  
10 Navotas, San Juan, Mandaluyong, Muntinlupa, Las Piñas  
11 and Taguig shall have twelve (12) councilors, and  
12 Pateros, ten (10): *Provided*, further, That the  
13 Commission on Elections shall divide each of the  
14 municipalities in Metropolitan Manila into two (2)  
15 districts by barangay for purposes of representation in  
16 the sangguniang bayan as nearly as practicable according  
17 to the number of inhabitants, each district comprising a  
18 compact, contiguous and adjacent territory: *Provided*,  
19 finally, That in highly urbanized cities with only one  
20 (1) representative district, the Commission on Elections  
21 shall divide the same into four (4) or more districts  
22 with each councilor district electing at least two (2)  
23 councilors. For city representation, division shall as  
24 nearly as practicable be according to the number of  
25 inhabitants, each district comprising a compact,  
26 contiguous and adjacent territory, and ensuring  
27 representation of its rural areas, if any. For purposes

1 of succession under the Local Government Code, the  
 2 Commission on Elections shall certify the ranking of the  
 3 board members elected hereunder.

4 The Commission on Elections shall promulgate the  
 5 rules and regulations to effectively provide for the  
 6 election of sectoral representatives in the  
 7 implementation of the Local Government Code.

8 SEC. 5. *Postponement, Failure of Election and*  
 9 *Special Elections.* - The postponement, declaration of  
 10 failure of election and the calling of special elections  
 11 as provided in Sections 5, 6 and 7 of the Omnibus  
 12 Election Code shall be decided by the Commission on  
 13 Elections sitting *en banc* by a majority vote of its  
 14 members. The causes for the declaration of a failure of  
 15 election may occur before or after the casting of votes  
 16 or on the day of the election.

17 SEC. 6. *Election and Campaign Period.* - Unless  
 18 otherwise fixed by the Commission on Elections, the  
 19 election period for the May 11, 1992 regular elections  
 20 shall commence ninety (90) days before the day of the  
 21 election and shall end thirty (30) days thereafter.

22 The campaign periods are hereby fixed as follows:

23 (a) For President, Vice-President and Senators,  
 24 ninety (90) days before the day of the election;

25 (b) For Members of the House of Representatives and  
 26 local elective provincial, city and municipal officials,  
 27 forty-five (45) days before the day of the election.

28 The foregoing campaign periods shall not include the

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day before and the day of the election itself, Maundy Thursday and Good Friday during which days campaigning is absolutely prohibited.

Any provision of law to the contrary notwithstanding, any candidate for Senator, Member of the House of Representatives or any elective local office may campaign for any national candidates during their campaign periods and even before his own campaign period.

Any election campaign for or against any candidate outside of the campaign period herein provided is prohibited except as provided in the next succeeding section.

The term "candidate" when used in connection with election campaign or partisan political activity refers to any person aspiring for or seeking an elective public office, regardless of whether or not said person has already filed his certificate of candidacy or has been nominated by any political party, organization or coalition of parties as its candidate.

SEC. 7. *Nomination and Selection of Official Candidates.* - No political convention or meeting for the nomination or selection of the official candidates of any political party or organization or political groups or coalition thereof shall be held nor shall any campaign or partisan political activity for the purpose of enhancing the chances of aspirants for nomination as

1 official candidates of political party, organization or  
2 coalition be conducted earlier than the following  
3 periods:

4 (a) For President, Vice-President and Senators,  
5 one hundred eighty (180) days before the day of the  
6 election; and

7 (b) For Members of the House of Representatives and  
8 elective provincial, city or municipal officials, one  
9 hundred twenty (120) days before the day of the  
10 election.

11 SEC. 8. *Filing of Certificates of Candidacy.* - The  
12 certificate of candidacy of any person running for the  
13 office of President, Vice-President, Senator, Member of  
14 the House of Representatives or any elective provincial,  
15 city or municipal official shall be filed in five (5)  
16 legible copies with the offices of the Commission on  
17 Elections specified hereunder during regular office  
18 hours not later than the day before the date legally  
19 fixed for the beginning of his campaign period, except  
20 in cases provided by law:

21 (a) The certificate of candidacy for President,  
22 Vice-President and Senator of the Philippines shall be  
23 filed with the main office of the Commission on  
24 Elections in Manila;

25 (b) The certificate of candidacy for Member of the  
26 House of Representatives shall be filed with the  
27 provincial election supervisor of the province  
28 concerned. Those for legislative districts in the

1 National Capital Region shall be filed with the regional  
 2 election director of said region and those for  
 3 legislative districts in cities outside the National  
 4 Capital Region which comprise one (1) or more  
 5 legislative districts shall be filed with the city  
 6 election registrar concerned;

7 (c) The certificate of candidacy for provincial  
 8 offices shall be filed with the provincial election  
 9 supervisor concerned; and

10 (d) The certificate of candidacy for city or  
 11 municipal offices shall be filed with the city or  
 12 municipal election registrar concerned.

13 The certificate of candidacy shall be filed by the  
 14 candidate or his duly authorized representative  
 15 personally. No certificate of candidacy shall be filed  
 16 or accepted by mail.

17 Whenever practicable, the names of registered  
 18 candidates shall be printed in the election returns.

19 SEC. 9. *Precincts and Their Establishment.* - Any  
 20 provision of law to the contrary notwithstanding, where  
 21 it is not practicable to divide the precinct by  
 22 territory, the Commission on Elections may adjust or  
 23 split the precinct by assigning the registered voters  
 24 therein alphabetically and equitably among the  
 25 precincts.

26 SEC. 10. *Registration of Voters.* - There shall be a  
 27 registration of voters on the fifteenth Saturday before

1 the day of the election or on such other date or dates  
 2 as the Commission on Elections may determine for voters  
 3 who will reach the age of eighteen (18) years on or  
 4 before the day of the election or for those who are  
 5 qualified but not registered in the list of voters.

6 Before adjourning on registration day, the board of  
 7 election inspectors shall close the list of voters by  
 8 affixing their signatures on the space immediately after  
 9 the last name, number consecutively the names of the  
 10 voters listed therein and authenticate the list of  
 11 voters by affixing their signatures on each and every  
 12 page thereof.

13 The board of election inspectors shall post the list  
 14 of voters in each precinct beginning on the first  
 15 working day after registration day until election day.  
 16 Failure to post said list shall constitute an election  
 17 offense.

18 When there is a significant number of inclusions,  
 19 exclusions and corrections in the list of voters in a  
 20 precinct, the Commission shall direct the board of  
 21 election inspectors concerned to meet on the eighth  
 22 Saturday immediately preceding the day of the election  
 23 for the purpose of making such inclusions, exclusions  
 24 and corrections as may be or may have been ordered by  
 25 the courts, stating opposite every name so corrected,  
 26 added or cancelled the date of the order and the court  
 27 which issued the same; otherwise, the board shall not  
 28 meet but such inclusions, exclusions and corrections, if

1 any, shall be made in the list of voters before the  
2 voting starts on election day.

3 SEC. 11. *Annulment of the List of Voters.* - Any  
4 book of voters the preparation of which has been  
5 effected with fraud, bribery, forgery, impersonation,  
6 intimidation, force or any other similar irregularity  
7 or which is statistically improbable may be annulled by  
8 the Commission on Elections after the filing of a  
9 verified complaint supported with documentary and other  
10 convincing evidence and after proper hearing: *Provided,*  
11 That no order, ruling or decision annulling a book of  
12 voters shall be executed within sixty (60) days before  
13 an election.

14 SEC. 12. *Voting Booth.* Any provision of law to  
15 the contrary notwithstanding, there shall be in each  
16 polling place at least ten (10) voting booths of such  
17 size, specifications and materials as the Commission on  
18 Elections may provide to enable the voters to fill out  
19 their ballots secretly.

20 SEC. 13. *Absentee Voting.* - Absentee voting as  
21 provided for in Executive Order No. 157 dated March 30,  
22 1987 shall apply to the elections for President, Vice  
23 President and Senators only and shall be limited to  
24 members of the Armed Forces of the Philippines and the  
25 Philippine National Police and other government officers  
26 and employees who are temporarily assigned in connection  
27 with the performance of election duties to places where

1 they are not registered voters.

2 SEC. 14. *Authorized Expenses of Candidates and*  
3 *Political Parties.* The aggregate amount that a  
4 candidate or registered political party may spend for  
5 election campaign shall be as follows:

6 (a) For candidates - Three pesos (P3.00) for every  
7 voter currently registered in the constituency where he  
8 filed his certificate of candidacy; *Provided,* That a  
9 candidate without any political party and without  
10 support from any political party may be allowed to spend  
11 Five pesos (P5.00) for every such voter; and

12 (b) For political parties Five pesos (P5.00) for  
13 every voter currently registered in the constituency or  
14 constituencies where it has official candidates.

15 SEC. 15. *Statement of Contributions and*  
16 *Expenditures; Effect of Failure to File Statement.*

17 Every candidate and treasurer of the political party  
18 shall, within thirty (30) days after the day of the  
19 election, file in duplicate with the office indicated in  
20 the following section full, true and itemized statement  
21 of all contributions and expenditures in connection with  
22 the election.

23 No person elected to any public office shall enter  
24 upon the duties of his office until he has filed the  
25 statement of contributions and expenditures herein  
26 required.

27 The same prohibition shall apply if the political  
28 party which nominated the winning candidate fails to

1 file the statement required herein within the period  
2 prescribed by this Act.

3 Furthermore, except candidates for barangay elective  
4 positions who are hereby exempt from filing and from  
5 liability, failure to file the statements or reports in  
6 connection with electoral contributions and expenditures  
7 as required herein shall constitute an administrative  
8 offense for which the offenders shall be liable to pay  
9 an administrative fine ranging from One thousand pesos  
10 (P1,000.00) to Thirty thousand pesos (P30,000.00), in  
11 the discretion of the Commission on Elections.

12 The fine shall be paid within thirty (30) days from  
13 receipt of notice of such failure; otherwise, it shall  
14 be enforceable by a writ of execution issued by the  
15 Commission against the properties of the offender.

16 It shall be the duty of every city or municipal  
17 election registrar to advise in writing, by personal  
18 delivery or registered mail, within five (5) days from  
19 the date of election all candidates residing in his  
20 jurisdiction to comply with their obligation to file  
21 their statements of contributions and expenditures.

22 SEC. 16. *Pre-proclamation Controversies; Proper*  
23 *Issues.* - A pre-proclamation controversy refers to any  
24 question pertaining to or affecting the proceedings of  
25 the board of canvassers which may be raised by any  
26 candidate or by any registered political party or  
27 coalition of political parties before the board or

1 directly with the Commission on Elections.

2 The following shall be proper issues that may be  
3 raised in a pre-proclamation controversy;

4 (a) Illegal composition or proceedings of the board  
5 of canvassers; and

6 (b) Correction of errors in tabulation or tallying  
7 of results by the board of canvassers.

8 SEC. 17. *Correction of Errors in Tabulation or*  
9 *Tallying of Results by the Board of Canvassers.* - Where  
10 it is clearly shown before proclamation that manifest  
11 errors were committed in the tabulation or tallying of  
12 election returns, or certificates of canvass, during the  
13 canvassing, as were;

14 (a) A copy of the election returns of one (1)  
15 precinct or two (2) or more copies of a certificate of  
16 canvass was tabulated more than once;

17 (b) Two (2) copies of the election returns or  
18 certificate of canvass were tabulated separately;

19 (c) There had been a mistake in the adding or  
20 copying of the figures into the certificate of canvass  
21 or into the statement of votes; or

22 (d) So-called election returns from nonexistent  
23 precincts were included in the canvass, the board may,  
24 *motu proprio*, or upon verified petition by any  
25 candidate, political party, organization or coalition of  
26 political parties, after due notice and hearing, correct  
27 the errors committed. Correction must be made in writing  
28 and must be promulgated.

1 Any candidate, political party, organization or  
2 coalition of political parties aggrieved by said order  
3 may appeal therefrom to the Commission on Elections  
4 within twenty-four (24) hours from the promulgation.

5 Once an appeal is made, the board of canvassers  
6 shall not proclaim the winning candidates, unless their  
7 votes are not affected by the appeal.

8 SEC. 18. *Contested Composition of the Board; Period*  
9 *to Appeal; Decision by the Commission on Elections.* -  
10 Parties adversely affected by a ruling of the board of  
11 canvassers on questions affecting the composition of the  
12 board may appeal the matter to the Commission on  
13 Elections within three (3) days from a ruling thereon.  
14 The Commission shall summarily decide the case within  
15 five (5) days from the filing thereof.

16 SEC. 19. *When Election Returns are Delayed, Lost or*  
17 *Destroyed.* - In case its copy of the election returns is  
18 missing, the board of canvassers shall, by messenger or  
19 otherwise, obtain such missing election returns from the  
20 board of election inspectors concerned or, if said  
21 returns have been lost or destroyed, the board of  
22 canvassers, upon prior authority of the regional trial  
23 court of the province or city, may use any of the  
24 authentic copies of said election returns or a certified  
25 copy of said election returns issued by the Commission  
26 and forthwith direct its representative to investigate  
27 the case and immediately report the matter to the

1 Commission. The order of the court authorizing such use  
2 is immediately executory.

3 The board of canvassers, notwithstanding the fact  
4 that not all the election returns have been received by  
5 it, may terminate the canvass and proclaim the candidate  
6 elected on the basis of the available election returns  
7 if the missing election returns will not affect the  
8 result of the election.

9 SEC. 20. *Material Defects in the Election Returns.*

10 - If it should clearly appear that some requisite in  
11 form or data had been omitted in the election returns,  
12 the board of canvassers shall call for all the members  
13 of the board of election inspectors concerned by the  
14 most expeditious means for the same board to effect the  
15 correction: *Provided, That, in case of the omission in*  
16 *the election returns of the name of any candidate and/or*  
17 *his corresponding votes, the board of canvassers shall*  
18 *require the board of election inspectors concerned to*  
19 *complete the necessary data in the election returns and*  
20 *affix therein their initials: Provided, further, That,*  
21 *if the votes omitted in the returns cannot be*  
22 *ascertained by other means except by recounting the*  
23 *ballots, the regional trial court of the province or*  
24 *city, after satisfying itself that the identity and*  
25 *integrity of the ballot box have not been violated,*  
26 *shall order the board of election inspectors to open the*  
27 *ballot box and also, after satisfying itself that the*

1 integrity of the ballots therein has been duly  
 2 preserved, order the board of election inspectors to  
 3 count the votes for the candidates whose votes have been  
 4 omitted with notice thereof to all candidates for the  
 5 position involved and thereafter complete the returns.  
 6 The order of the court is immediately executory.

7 The right of a candidate to avail of this provision  
 8 shall not be lost or affected by the fact that an  
 9 election protest is subsequently filed by any of the  
 10 candidates.

11 SEC. 21. *When Election Returns Appear to be*  
 12 *Tampered With or Falsified.* - If the election returns  
 13 submitted to the board of canvassers appear to be  
 14 tampered with, altered or falsified after they have left  
 15 the hands of the board of election inspectors, or  
 16 otherwise not authentic, or were prepared by the board  
 17 of election inspectors under duress, force,  
 18 intimidation, or prepared by persons other than the  
 19 members of the board of election inspectors, the board  
 20 of canvassers shall use the other copies of said  
 21 election returns and, if necessary, the copy inside the  
 22 ballot box which, upon previous authority given by the  
 23 regional trial court of the province or city, may be  
 24 retrieved in accordance with Section 220 of the Omnibus  
 25 Election Code. If the other copies of the returns are  
 26 likewise tampered with, altered, falsified, not  
 27 authentic, prepared under duress, force, intimidation,  
 28 or prepared by persons other than the members of the

1 board of election inspectors, the board of canvassers or  
 2 any candidate affected shall bring the matter to the  
 3 attention of the regional trial court of the province or  
 4 city. The court shall then, after giving notice to all  
 5 candidates concerned and after satisfying itself that  
 6 nothing in the ballot box indicate that its identity and  
 7 integrity have been violated, order the opening of the  
 8 ballot box and likewise, after satisfying itself that  
 9 the integrity of the ballots therein has been duly  
 10 preserved, shall order the board of election inspectors  
 11 to recount the votes of the candidates affected and  
 12 prepare a new return which shall then be used by the  
 13 board of canvassers as basis of the canvass. The order  
 14 of the court is immediately executory.

15 SEC. 22. *Discrepancies in Election Returns.* - In  
 16 case it appears to the board of canvassers that there  
 17 exist discrepancies in the other authentic copies of the  
 18 election returns from a polling place or discrepancies  
 19 in the votes of any candidate in words and figures in  
 20 the same return, and in either case the difference  
 21 affects the result of the election, the regional trial  
 22 court of the province or city, upon motion of the board  
 23 of canvassers or any candidate affected and after giving  
 24 notice to all candidates concerned, shall proceed  
 25 summarily to determine whether the integrity of the  
 26 ballot box had been preserved, and once satisfied  
 27 thereof shall order the opening of the ballot box to

1 recount the votes cast in the polling place solely for  
 2 the purpose of determining the true result of the count  
 3 of votes of the candidates concerned. The order of the  
 4 court is immediately executory.

5 **SEC. 23. *When Integrity of the Ballots is Violated.***

6 - If upon the opening of the ballot box as ordered by  
 7 the regional trial court under Sections 19, 20 and 21  
 8 hereof, it should appear that there are evidence or  
 9 signs of replacement, tampering with or violation of the  
 10 integrity of the ballots, the regional trial court shall  
 11 not recount the ballots but shall forthwith seal the  
 12 ballot box and order its safekeeping.

13 **SEC. 24. *Partial Proclamation.*** - Notwithstanding

14 the pendency of any pre-proclamation controversy, the  
 15 Commission may summarily order the proclamation of other  
 16 winning candidates whose election will not be affected  
 17 by the outcome of the controversy.

18 **SEC. 25. *Signature of Chairman at the Back of Every***

19 ***Ballot.*** - In every case before delivering an official  
 20 ballot to the voter, the chairman of the board of  
 21 election inspectors shall, in the presence of the voter,  
 22 affix his signature at the back thereof. Failure to so  
 23 authenticate shall be noted in the minutes of the board  
 24 of election inspectors and shall constitute an election  
 25 offense.

26 **SEC. 26. *Number of Copies of Election Returns and***

27 ***Their Distribution.*** - The boards of election inspectors  
 28 shall prepare in handwriting the election returns in

1 their respective polling places, in the number of copies  
2 herein provided and in the form to be prescribed by the  
3 Commission.

4 The copies of the election returns shall be  
5 distributed as follows:

6 (a) In the election of President, Vice-President,  
7 Senators and Members of the House of Representatives:

8 (1) The first copy shall be delivered to the city  
9 or municipal board of canvassers;

10 (2) The second copy, to Congress, directed to the  
11 President of the Senate;

12 (3) The third copy, to the Commission on  
13 Elections;

14 (4) The fourth copy, to the provincial board of  
15 canvassers;

16 (5) The fifth copy shall be deposited inside the  
17 compartment of the ballot box for valid ballots; and

18 (b) The sixth, seventh and eighth copies shall be  
19 delivered respectively to the representatives of the  
20 political parties with candidates for President, Vice-  
21 President and twenty-four (24) Senators having the  
22 largest, second largest and third largest number of  
23 Members in the House of Representatives as of the date  
24 of the approval of this Act; and

25 (b) In the election of local officials:

26 (1) The first copy shall be delivered to the city  
27 or municipal board of canvassers;

1 (2) The second copy, to the Commission on  
2 Elections;

3 (3) The third copy, to the provincial board of  
4 canvassers;

5 (4) The fourth copy shall be deposited inside the  
6 compartment of the ballot box for valid ballots; and

7 (5) The fifth, sixth and seventh copies shall be  
8 delivered respectively to the representatives of the  
9 political parties with candidates for all local  
10 officials having the largest, second largest and third  
11 largest number of Members in the House of  
12 Representatives as of the date of the approval of this  
13 Act.

14 The board of election inspectors, together with the  
15 two (2) principal watchers, if available, shall sign and  
16 affix their right thumbmark on the election returns.

17 The Commission on Elections shall promulgate rules  
18 for the preservation and safe and speedy delivery of the  
19 election returns.

20 SEC. 27. *Canvass of Remaining or Unquestioned*  
21 *Returns to Continue.* - In cases under Sections 18, 19,  
22 20 and 21 hereof, the board of canvassers shall continue  
23 the canvass of the remaining or unquestioned election  
24 returns. Thereafter, the board of canvassers shall  
25 canvass the election returns in any of the cases under  
26 Sections 18, 19, 20 and 21 as soon as the case is  
27 disposed of pursuant to said sections. If, after the  
28 canvass of all the said election returns, it should be

1 determined that the returns which had been set aside and  
 2 is still unresolved by the court will affect the result  
 3 of the election, no proclamation shall be made until the  
 4 cases involving said returns are resolved. Any  
 5 proclamation made in violation hereof shall be null and  
 6 void.

7       SEC. 28. *Canvassing by Provincial, City, District*  
 8 *and Municipal Board of Canvassers.* - (a) The city or  
 9 municipal board of canvassers shall canvass the election  
 10 returns for President, Vice-President, Senators and  
 11 Members of the House of Representatives and for elective  
 12 provincial and city or municipal officials. Upon  
 13 completion of the canvass, it shall proclaim the elected  
 14 city or municipal officials, as the case may be, and  
 15 prepare the certificate of canvass for President, Vice-  
 16 President, Senators and Members of the House of  
 17 Representatives and elective provincial officials.

18       (b) The city board of canvassers of cities  
 19 comprising one (1) or more legislative districts shall  
 20 canvass the election returns for President, Vice-  
 21 President, Senators, Members of the House of  
 22 Representatives and elective provincial officials. Upon  
 23 completion of the canvass, the board shall proclaim the  
 24 elected Members of the House of Representatives and city  
 25 officials, and prepare the certificate of canvass for  
 26 President, Vice-President and Senators.

27       (c)(1) In the Metropolitan Manila Area, each

1 municipality comprising a legislative district shall  
 2 canvass the election returns for President, Vice-  
 3 President, Senators, Members of the House of  
 4 Representatives and elective municipal officials. Upon  
 5 completion of the canvass, it shall proclaim the elected  
 6 Members of the House of Representatives and municipal  
 7 officials, and shall prepare the certificate of canvass  
 8 for President, Vice-President and Senators.

9 (2) Each component municipality in a legislative  
 10 district in the Metropolitan Manila Area shall have a  
 11 municipal board of canvassers which shall canvass the  
 12 election returns for President, Vice-President,  
 13 Senators, Members of the House of Representatives and  
 14 elective municipal officials. Upon completion of the  
 15 canvass, each shall proclaim the elected municipal  
 16 officials and prepare the certificate of canvass for  
 17 President, Vice-President, Senators and Members of the  
 18 House of Representatives.

19 (3) The district board of canvassers of each  
 20 legislative district comprising two (2) municipalities  
 21 in the Metropolitan Manila Area shall canvass the  
 22 certificates of canvass for President, Vice-President,  
 23 Senators and Members of the House of Representatives  
 24 submitted by the municipal boards of canvassers of the  
 25 component municipalities. Upon completion of the  
 26 canvass, it shall proclaim the elected Member of the  
 27 House of Representatives in the legislative district,  
 28 and prepare a certificate of canvass for President,

1 Vice-President and Senators.

2 (4) The provincial board of canvassers shall  
3 canvass the certificates of canvass for President, Vice-  
4 President, Senators, Members of the House of  
5 Representatives and elective provincial officials  
6 submitted by the board of canvassers of municipalities  
7 and component cities. Upon completion of the canvass,  
8 it shall proclaim the elected Members of the House of  
9 Representatives and provincial officials, and prepare  
10 the certificate of canvass for President, Vice-President  
11 and Senators.

12 SEC. 29. *Number of Copies of Certificates of*  
13 *Canvass and their Distribution.* - (a) The certificate  
14 of canvass for President, Vice-President, Senators,  
15 Members of the House of Representatives and elective  
16 provincial officials shall be prepared in six (6) copies  
17 by the city or municipal board of canvassers, and  
18 distributed as follows:

19 (1) The first copy shall be delivered to the  
20 provincial board of canvassers for use in the canvass of  
21 election results for President, Vice-President,  
22 Senators, Members of the House of Representatives and  
23 elective provincial officials;

24 (2) The second copy, to the Commission on  
25 Elections;

26 (3) The third copy shall be kept by the chairman of  
27 the board; and

1           (4) The fourth, fifth and sixth copies shall be  
 2 delivered respectively to the representatives of the  
 3 political parties with candidates for President, Vice-  
 4 President and twenty-four (24) Senators having the  
 5 largest, second largest and third largest number of  
 6 Members in the House of Representatives as of the date  
 7 of the approval of this Act.

8           (b) The certificates of canvass for President,  
 9 Vice-President and Senators shall be prepared in six (6)  
 10 copies by city boards of canvassers of cities comprising  
 11 one (1) or more legislative districts, by provincial  
 12 boards of canvassers and by district boards of  
 13 canvassers in the Metropolitan Manila Area, and  
 14 distributed as follows:

15           (1) The first copy shall be sent to Congress,  
 16 directed to the President of the Senate for use in the  
 17 canvass of election results for President and Vice-  
 18 President;

19           (2) The second copy, to the Commission on  
 20 Elections for use in the canvass of the election results  
 21 for Senators;

22           (3) The third copy shall be kept by the chairman of  
 23 the board; and

24           (4) The fourth, fifth and sixth copies shall be  
 25 delivered respectively to the representatives of the  
 26 political parties with candidates for all local  
 27 officials having the largest, second largest and third  
 28 largest number of Members in the House of

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Representatives as of the date of the approval of this Act.

(c) The certificates of canvass prepared by the board of canvassers shall each be supported by a statement of votes by precinct, signed and thumbmarked by the chairman and members of the board, and the principal watchers if available, sealed and placed inside an envelope which shall likewise be properly sealed.

SEC. 30. *Determination of the Authenticity and Due Execution of the Certificate of Canvass for the President and Vice-President.* - The authenticity and due execution of the certificate of canvass for President and Vice-President shall be determined by the respective provincial, city or district board of canvassers and any question therein shall be decided immediately. The questioned certificate of canvass shall be sent to Congress which shall finally decide on the matter.

SEC. 31. *Rules and Regulations.* - The Commission on Elections shall issue rules and regulations to implement this Act. Said rules shall be published in at least two (2) newspapers of general circulation.

SEC. 32. *Governing Laws.* - The elections provided herein and all subsequent elections and plebiscites shall be governed by this Act, by the provisions of the Omnibus Election Code, Republic Act No. 6646 and other election laws not inconsistent herewith.

1           SEC. 33. *Separability Clause.* - If any provision,  
 2 or part thereof, of this Act is declared  
 3 unconstitutional, such declaration of  
 4 unconstitutionality shall not affect the other  
 5 provisions of this Act.

6           SEC. 34. *Appropriations.* - The amount of One  
 7 billion pesos (P1,000,000,000.00) is hereby authorized  
 8 to be appropriated out of any savings or unexpended  
 9 balance in the National Treasury not otherwise  
 10 appropriated to cover the costs of holding the May 11,  
 11 1992 elections. Thereafter, the amounts necessary to  
 12 fund subsequent elections shall be included in the  
 13 General Appropriations Act for the corresponding fiscal  
 14 year. Any provision of law to the contrary  
 15 notwithstanding and, for purposes of the May 11, 1992  
 16 elections only, the chairman and members of the board of  
 17 election inspectors shall each be paid a *per diem* of  
 18 Four hundred pesos (P400.00) on election day and Two  
 19 hundred pesos (P200.00) on registration day. The  
 20 Commission on Elections may provide hazard pay, where  
 21 warranted, incentive and merit awards to members of the  
 22 board of election inspectors and board of canvassers and  
 23 personnel of the Commission and its deputized agencies.

24           SEC. 35. *Amending and Repealing Clause.* - Sections  
 25 107, 108, 233, 234, 235, 236, 237, 238, 241, 243 and  
 26 254 of the Omnibus Election Code are hereby repealed.  
 27 Likewise, the inclusion in Section 262 of the Omnibus  
 28 Election Code of violations of Sections 105, 106, 107,

1 108, 109, 110, 111 and 112 as among election offenses is  
 2 also hereby repealed. This repeal shall have retroactive  
 3 effect.

4 Republic Act No. 6646, Executive Order Nos. 144 and  
 5 157 and all other laws, orders, decrees, rules and  
 6 regulations or other issuances, or any part thereof,  
 7 inconsistent with the provisions of this Act are hereby  
 8 amended or repealed accordingly.

9 SEC. 36. *Effectivity Clause.* - This Act shall take  
 10 effect upon its approval.

Approved,