

Module 1: Election and Candidates

Features of Philippines Elections

Elective Officials

Candidate Defined

Qualifications and Disqualifications

Disqualification Cases

Certificate of Candidacy (CoC)

Dos and Don'ts after filing of CoC



ATENEUM DE MANILA UNIVERSITY
SCHOOL OF LAW

Fr Joaquin G Bernas SJ
Institute for Continuing Legal Education

Election Law for the 2022 Elections

MODULES

Elections and Candidates
September 30, 2021 | 3pm, Thursday

Electorate
October 28, 2021 | 3pm, Thursday

Commission on Elections
November 25, 2021 | 3pm, Thursday

Campaign
December 16, 2021 | 3pm, Thursday

Electoral Procedure
January 27, 2022 | 3pm, Thursday

Election Contests and Offenses
February 24, 2022 | 3pm, Thursday

Atty. Alberto C. Agra
Ateneo Election Law Professor
Ateneo Political Law Bar Reviewer

Qs & As from the Speaker

Don't worry.
No recitation. 😊

(1) Philippine Elections

Can Congress provide that:

1. Electoral Colleges?
2. Majority Formula in electing officials?
3. Vote for Vice-President is vote for President if no vote for latter?
4. 2-Party System?
5. Party-List System for choosing all Elective Officials?
6. IT expert-COMELEC Chair?

No for National Elective Positions:

- Direct vote
- Plurality Formula

Yes for Local Elective Positions
(Congress provides for “election”)

- Free and open party system
- List Proportional Representation Scheme only for 20% of House of Representatives
- Lawyer-COMELEC Chair

(1) Philippine Elections

Can Congress provide that:

6. National Elective Officials must be college graduates?
 7. They must be undergo a drug test? A COVID test?
 8. Same with Local Elective Officials?
 9. 2 Vice-Mayors where 1 is elected and the other appointed and the latter serves a 4-year term?
 10. Voters must own the house they are residing on?
- Qualifications for National Positions fixed/ exclusive (not for Local)
 - Qualifications must be germane to the Public Office
 - 3-Year term for Local Officials pertains to elective officials
 - Congress prescribes “qualifications, election, appointment xxx”
 - Suffrage: Finite list of Substantive qualifications in the Constitution
 - Physical Residence (for familiarity), not necessarily legal residence

(1) Philippine Elections

Can COMELEC:

- COMELEC has not authority to rule of qualifications and disqualifications of voters
- CHOPFE: Credible, Honest, Orderly, Peaceful and Free Elections (not straightjacketed by rules)
- Resolution (Due Process and Judicial Review/Exhaustion)
 - Quasi-Legislative (Rules)
 - Quasi-Judicial (Decisions)
- Mandatory obligation to issue rules depends on wording of statute
- There must be a law that resets election other than 2nd Monday
 - But can postponement elections “in any political subdivision”
- Administrative vs. Judicial cases

1. Rule on the qualifications of voters?
2. Extend the deadline for voter registration?
3. Suspend its rules?
4. Refuse to issue rules?
5. Issue Resolutions without notice, consultation and hearing?
6. Reschedule the date of the elections?
7. Require that all election cases are cognizable by the 2 Divisions?

(1) Philippine Elections

How many election laws can you name?

(1) Philippine Elections

14 Election Laws

1. 1987 Constitution
2. Omnibus Election Code (B.P. 881)
3. Automated Election Law (R.A. 9369 amending R.A. 8436)
4. Synchronized Elections Act (R.A. 7166)
5. 1991 Local Government Code (R.A. 7160)
6. Initiative and Referendum (R.A. 6735)
7. Party-List System Act (R.A. 7941)
8. Fair Election Act (R.A. 9006)
9. Voter's Registration Act of 1996 (R.A. 8189)
10. Overseas Absentee Voting (R.A. 10590 amending R.A. 9189)
11. Biometrics (R.A. 10367)
12. Lone Candidate in Special Elections (R.A. 8295)
13. Official Sample Ballots (R.A. 7004)
14. Citizenship Retention and Re-acquisition Act (R.A. 9225)

(2) Elective Officials

What are? Lists?

What are the National and Local Elective Positions?

Where can we find the lists?

What are the qualifications?

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| <i>Elective</i> | <i>Qualifications</i> | | | | | <i>Term</i> | |
|---------------------------------|-----------------------|--|------------------------|--------------------|--|-----------------|-----------------|
| <i>Positions</i> | <i>Citizenship</i> | <i>Age</i> | <i>Voter</i> | <i>Residency</i> | <i>Literacy</i> | <i>Duration</i> | <i>Number</i> |
| <i>President/ VP</i> | Natural-Born | 40 | Registered | 10 years in Phl. | R and W | 6 | P – 1 VP – 2 |
| <i>Senator</i> | Natural-Born | 35 | Registered | 2 years in Phl. | R and W | 6 | 2 |
| <i>District Rep.</i> | Natural-Born | 25 | Registered in District | 1 year in District | R and W | 3 | 3 |
| <i>Party-List Rep.*</i> | Natural-Born | 25 (if youth: 25 – 30) | Registered | 1 year in Phl. | R and W | 3 | 3 |
| <i>BARMM Parliament</i> | Citizen | 25 | Registered in BARMM | 1 year in District | R and W | 3 | 3 |
| <i>Local Officials</i> | Citizen | P/HUC: 23 Other M/VM: 21 Others: 18 | Registered in LGU | 1 year in LGU | R and W (Filipino or Local Dialect) | 3 | 3 |

| <i>Features</i> | <i>District Representatives</i> | <i>Party-List Representatives</i> |
|-------------------------|---|--|
| <i>Candidate</i> | Natural Person | Juridical Person (Party or Organization – Sectoral or Territorial) |
| <i>Persons</i> | Directly, Natural Persons | Indirectly (5 – 10 nominees) |
| <i>Qualifications</i> | Citizenship-Age-Literacy-Residency-Registered Voter | Same (if youth 25 – 30 yo) plus Membership-Advocacy-Consent-1 party only-not ran/lost in 2019 |
| <i>Portion of House</i> | 80% | 20% “reserved” seats where all must be filled-up $(\# \text{ of Districts} \div 0.8) \times 0.2$ |
| <i>Formula</i> | Plurality | Proportional Representation $\# \text{ of votes} \div \# \text{ of } 2^{\text{nd}} \text{ votes}$ |
| <i>Number</i> | 1 per District | 2% legal threshold and 3-seat cap |
| <i>Electorate</i> | District/ Local | National |
| <i>Vote</i> | 1st | 2nd |

(3) Candidates

Definition

1. Are the filers of Certificates of Candidacy (CoCs) tomorrow till October 8 considered candidates?
2. If the aspirants campaign after filing but before the campaign period, are they liable for premature campaigning?
3. Must the filers/ aspirants follow campaign regulations, account for contributions and expenditures, and from date of filing to start of the campaign period?

Campaign Periods:

- February 8 for Nationally-Elected
- March 25 for Locally-Elected

“Any person who files his certificate of candidacy within this period shall **only** be considered as a **candidate** at the **start of the campaign period** for which he filed his certificate of candidacy: *Provided*, That, **unlawful acts or omissions** applicable to a candidate shall **effect only** upon that **start of the aforesaid campaign period: xxx” (RA 9369)**

Candidate:

1. Intent to seek elective office
2. Filed CoC
3. Valid CoC
4. Possesses all Qs and none of the DQs
5. Campaign period (Operative Fact)

(3) Candidates

Incumbent Public Officers

Elective *(regardless of position)*

- Continue till 06.30.22 *(not deemed resigned)*

Appointive *(includes AFP, GOCCs and private sector reps. in gov't)*

- Ipso facto resigned *(start of regular office hours on filing date)*
- Vacancy filled-up by appointment
(Note: Incompatible Offices)

1. What is the effect of the filing of the CoCs on incumbent public officers:
 - a. Elective?
 - b. Appointive?
2. What happens to the permanent vacancies created, if any?

(3) Candidates

Advantages of Incumbent Elective Officials

Continue with position until 06.30.2022

“Governance,” not Vote-Buying

“Use” of Government Resources

Liberality in Media Exposure

Use of Title in Campaign

If another candidate with same name, use first and last names

(4) Filing of CoCs

What-When-Where-How Many?

1. What is the significance of filing a CoC?
 - No CoC \equiv Not an Aspirant/Candidate
 - Only 1 CoC (if multiple, not a candidate for any unless cancel)
 - COMELEC Law Department and Field Offices
 - 8am to 5pm, October 1 to 8
 - November 15 and after*
 - On or before May 9*
2. When must you file the CoC?
3. Where do you file the CoC?
4. What if filed >1 CoC?

(4) Filing of CoCs

Role of COMELEC

Ministerial duty to receive the CoC but can reject if on its **face defective/ incomplete/ not follow rules:**

- Not prescribed form
- Not all items filled-up (N/A allowed)
- No photograph
- No complete address
- No signature of aspirant/ filer
- Not filed in Proper Office
- Not filed in person or through Representative (mail, email, telegram or fax)
- No P30 DST (P15 x 2 DST)
- Not notarized/ Not signed by Notary

Can the concerned office of the COMELEC refuse to accept?

Not apparent:

- Qualifications
- Disqualifications
- Bona fide intention
- Conviction of a Crime
- Dual Citizenship
- Filed multiple CoCs



**CERTIFICATE OF CANDIDACY FOR
PRESIDENT**

Annex "H"

Affix Latest
Photo Here

Passport Size

INSTRUCTIONS: (Read well before filling up this form.)

- File this in **FIVE (5) LEGIBLE copies** with the COMELEC Office concerned, **from 8:00 AM to 5:00 PM ONLY**, on any day from **OCTOBER 1-8, 2021 (including Saturday and Sunday)**.
- Attach to this certificate, the Certificate of Nomination and Acceptance (CONA), if applicable.
- This certificate shall be **sworn before a notary public or any official authorized to administer oath. COMELEC officials are not authorized to administer oath, even in their capacities as Notary Public.**
- No filing fee shall be imposed.**

I hereby announce my candidacy for the position of **PRESIDENT, Republic of the Philippines, in the May 9, 2022 National and Local Elections; and after having been sworn to in accordance with law, I hereby state the following:**

| | | | |
|---|--|--|--------------------------|
| 1. NAME: 1.1 Last Name _____ 1.2 First Name _____ 1.3 Middle Name _____ | | 15. SEX: <input type="checkbox"/> Male <input type="checkbox"/> Female | 16. AGE: _____ |
| 2. NICKNAME OR STAGENAME: (Indicate only one nickname or stage name) _____ | | 17. DATE OF BIRTH: ____/____/____ Month Day Year | |
| 3. OFFICIALLY NOMINATED BY: (Attach CONA) _____ (Political Party/Coalition of Political Parties) | | 18. PLACE OF BIRTH: City/Mun _____ Province _____ | |
| 4. Name to appear on the Official Ballot not to exceed thirty (30) characters: (including space, letter, number, symbol and punctuation) _____ (Last Name, First Name OR Nickname, and Acronym of Political Party Affiliation as stated in Items 1 to 3) (In case of a legally married female candidate, she has the option to choose either her maiden name, married name or both) | | 19. CIVIL STATUS: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widow/er Full Name of Spouse, if married _____ | |
| 5. RESIDENCE/ADDRESS: 5.1 Province _____ 5.2 City/Municipality _____ 5.3 Barangay _____ 5.4 House No./ Street / Subdivision _____ | | 20. PROFESSION OR OCCUPATION: _____ | |
| 6. ADDRESS FOR ELECTION PURPOSES: (Could be the same as No.5) (Note: In case of change of address, please notify immediately the COMELEC Office where the COC was filed. Otherwise, notices sent to the herein indicated address shall be deemed served.) _____ | | 21. <input type="checkbox"/> I AM A REGISTERED VOTER OF <input type="checkbox"/> I WILL BE A REGISTERED VOTER OF: Barangay _____ City/Mun _____ Province _____ | |
| 7. PERIOD OF RESIDENCE IN THE PHILIPPINES UP TO THE DAY BEFORE MAY 9, 2022: ____ No. of Years _____ No. of Months | | 22. Have you ever been found liable for an offense which carries with it the accessory penalty of perpetual disqualification to hold public office, which has become final and executory? <input type="checkbox"/> Yes (Please provide details at the back) <input type="checkbox"/> No | |

- I AM A NATURAL BORN FILIPINO CITIZEN.
- I AM NOT A PERMANENT RESIDENT OF, OR AN IMMIGRANT TO, A FOREIGN COUNTRY.
- I EXECUTED A SWORN RENUNCIATION OF FOREIGN CITIZENSHIP. (IF APPLICABLE, ATTACH A COPY)
- I AM ELIGIBLE FOR THE OFFICE I SEEK TO BE ELECTED TO.
- I WILL FILE, WITH THE OFFICE OF THE COMMISSION, WITHIN THIRTY (30) DAYS AFTER ELECTION DAY, MY FULL, TRUE AND ITEMIZED STATEMENT OF CONTRIBUTIONS AND EXPENDITURES (SOC) IN CONNECTION WITH THE ELECTIONS.
- I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES AND WILL MAINTAIN TRUE FAITH AND ALLEGIANCE THERETO. I WILL OBEY THE LAWS, LEGAL ORDERS AND DECREES PROMULGATED BY THE DULY CONSTITUTED AUTHORITIES. I IMPOSE THIS OBLIGATION UPON MYSELF VOLUNTARILY, WITHOUT MENTAL RESERVATION OR PURPOSE OF EVASION.
- I GIVE MY CONSENT TO THE COMMISSION ON ELECTIONS TO COLLECT, DISCLOSE OR SHARE, AND PROCESS THE PERSONAL DATA I PROVIDED HEREIN FOR ELECTION AND OTHER LAWFUL PURPOSES IN ACCORDANCE WITH THE PRIVACY NOTICE AT THE BACK OF THIS FORM, AND AS MAY BE AUTHORIZED BY EXISTING LAWS.

I hereby certify that the facts stated herein are true and correct to the best of my knowledge.

Signature of Candidate Over Printed Name

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2021, at _____, affiant exhibiting to me an Identification document/card which contains a photograph and signature bearing No. _____ issued by _____ on _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

(Affix P30.00 documentary stamp)

(Officer Authorized to Administer Oath)



**CERTIFICATE OF CANDIDACY FOR
MEMBER, HOUSE OF REPRESENTATIVES**

Annex "H-3"

Affix Latest
Photo Here

Passport Size

INSTRUCTIONS: (Read well before filling up this form.)

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- Attach to this certificate, the Certificate of Nomination and Acceptance (CONA), if applicable.
- This certificate shall be **sworn before a notary public or any official authorized to administer oath. COMELEC officials are not authorized to administer oath, even in their capacities as Notary Public.**
- No filing fee shall be imposed.**

I hereby announce my candidacy for the position of **MEMBER, HOUSE OF REPRESENTATIVES, _____ District, City of _____, Province of _____, in the May 9, 2022 National and Local Elections; and after having been sworn to in accordance with law, I hereby state the following:**

| | | | |
|---|--|--|--------------------------|
| 1. NAME: 1.1 Last Name _____ 1.2 First Name _____ 1.3 Middle Name _____ | | 15. SEX: <input type="checkbox"/> Male <input type="checkbox"/> Female | 16. AGE: _____ |
| 2. NICKNAME OR STAGENAME: (Indicate only one nickname or stage name) _____ | | 17. DATE OF BIRTH: ____/____/____ Month Day Year | |
| 3. OFFICIALLY NOMINATED BY: (Attach CONA) _____ (Political Party/Coalition of Political Parties) | | 18. PLACE OF BIRTH: City/Mun _____ Province _____ | |
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| 5. RESIDENCE/ADDRESS: 5.1 Province _____ 5.2 City/Municipality _____ 5.3 Barangay _____ 5.4 House No./ Street / Subdivision _____ | | 20. PROFESSION OR OCCUPATION: _____ | |
| 6. ADDRESS FOR ELECTION PURPOSES: (Could be the same as No.5) (Note: In case of change of address, please notify immediately the COMELEC Office where the COC was filed. Otherwise, notices sent to the herein indicated address shall be deemed served.) _____ | | 21. <input type="checkbox"/> I AM A REGISTERED VOTER OF <input type="checkbox"/> I WILL BE A REGISTERED VOTER OF: Barangay _____ City/Mun _____ Province _____ | |
| 7. PERIOD OF RESIDENCE IN THE PHILIPPINES UP TO THE DAY BEFORE MAY 9, 2022: 7.1 In the Philippines: _____ No. of Years _____ No. of Months 7.2 In the above-stated District/City/Province _____ No. of Years _____ No. of Months | | 22. Have you ever been found liable for an offense which carries with it the accessory penalty of perpetual disqualification to hold public office, which has become final and executory? <input type="checkbox"/> Yes (Please provide details at the back) <input type="checkbox"/> No | |

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- I GIVE MY CONSENT TO THE COMMISSION ON ELECTIONS TO COLLECT, DISCLOSE OR SHARE, AND PROCESS THE PERSONAL DATA I PROVIDED HEREIN FOR ELECTION AND OTHER LAWFUL PURPOSES IN ACCORDANCE WITH THE PRIVACY NOTICE AT THE BACK OF THIS FORM, AND AS MAY BE AUTHORIZED BY EXISTING LAWS.

I hereby certify that the facts stated herein are true and correct to the best of my knowledge.

Signature of Candidate Over Printed Name

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2021, at _____, affiant exhibiting to me an Identification document/card which contains a photograph and signature bearing No. _____ issued by _____ on _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

(Affix P30.00 documentary stamp)

(Officer Authorized to Administer Oath)

INSTRUCTIONS: (Read well before filling up this form.)

1. Please complete the following information and submit to the Law Department on or before September 30, 2021 (Thursday) from 8:00 AM to 5:00 PM.
2. Additional sheets may be used in case of more than five (5) authorized signatories
3. No filing fee shall be imposed.

LIST OF AUTHORIZED SIGNATORIES
(For the May 9, 2022 National and Local Elections)

1. Name of Political Party, Sectoral Party, Organization or Coalition: _____
2. Address of Political Party, Sectoral Party, Organization or Coalition: _____

3. Contact Number and Email Address of the Political Party, Sectoral Party, Organization or Coalition: _____

4. Acronym/s and its abbreviated version/s in not more than six (6) characters, taking into account the 30-character limitation of the name to appear on the official ballot of an aspirant: _____

By affixing my signature below, I understand that any personal information provided herein will be used solely by the Commission on Elections in the evaluation of the Certificate of Candidacy and Certificate of Nomination and Acceptance.

| Name of Authorized Signatory | Three (3) sets of specimen signature of each signatory | Position | Jurisdiction, whether National or Local (If Local, name of Province/City/Municipality) |
|------------------------------|--|----------|---|
| 1. | a. | | |
| | b. | | |
| | | | |

Republic of the Philippines)
_____) S.S.

CERTIFICATE OF NOMINATION AND ACCEPTANCE

By virtue of the power and authority vested in me by the Constitution and By-Laws of

I, _____
(Name of Political Party) (Name)
the _____
(Position in the Political Party)

and duly authorized signatory for and in behalf of the party, hereby nominates:

(Name of Nominee)

(Address of the Nominee)

as the party's official candidate in the May 9, 2022 National and Local Elections for the position of _____ in _____

(Place where the candidate intended to be elected)

IN WITNESS WHEREOF, I hereunto affix my signature this ___ day of _____ 2021, in _____, Philippines.

(Name and Signature of Authorized Signatory)

(Date)

SUBSCRIBED AND SWORN to before me this ___ day of _____ 2021, at _____, affiant exhibiting to me an Identification document/card which contains a photograph and signature bearing No. _____ issued by _____ on _____.

(Officer Authorized to Administer Oath)

Doc. No. _____;
Page No. _____;
Book No. _____;
Series 2021.

ACCEPTANCE/CONFORMITY OF THE CANDIDATE

I hereby voluntarily accept the foregoing nomination.

(Name and Signature of Candidate)

(Date of Acceptance)

NOTICE/DISCLAIMER: All authorized recipients of any personal data, personal information, privileged information and sensitive personal information contained in this document, including other pertinent documents attached thereto that are shared by the Commission on Elections in compliance with existing laws and rules, and in conformity with the Data Privacy Act of 2012 (R.A. No. 10173) and its Implementing Rules and Regulations, as well as the pertinent Circulars of the National Privacy Commission, are similarly bound to comply with said laws, rules and regulations, relating to data privacy, security, confidentiality, protection and accountability.

(4) Filing of CoCs *Beyond October 8*

1. Can a CoC be filed after the deadline?
2. When is substitution allowed? Not allowed?

Original Aspirant must be PP-nominated (not an independent)

| Death | Withdrawal | Disqualification |
|---|--|--|
| <ul style="list-style-type: none"> ○ 10.01/08 – 11.15 (need not be same surname) ○ 11.16 – 05.09 (same surname) | <ul style="list-style-type: none"> ○ In person (not rep.) ○ Not mail, email or fax ○ 10.01/08 – 11.15 | <ul style="list-style-type: none"> ○ Final judgment ○ 11.16 – 05.09 (same surname) ○ Ground: Commission of an Election Offense* |

** Substitution not allowed if lack qualifications, violate term limit, nuisance candidate and commit material misrepresentation*

(4) Filing of CoCs

Independent Candidates

- Indicate “Independent” or N/A in CoC (No CONA or not accepted nomination)
- Defective CONA: from unregistered PP, >1 PP (national PP and local PP permitted), filed beyond deadline, different position from CoC, PP cancelled CONA, signed by non-registered signatory, 2 CONAs from same party signed by different signatories, coalition component-member and others

1. Who is an independent candidate?
2. What are the effects if one is an independent candidate?

Effects:

- Cannot be substituted
- Spend more (P10/ P5 [~P3])
- No additional funds from PP (P5/ voter)
- Own pollwatcher

(4) Substitution of Party-List Nominees

- 3 Grounds: Death, Incapacity and Valid Withdrawal (expulsion not expressly allowed)
 - Withdrawal
 - Not later than November 15
 - Substitute Nominee placed last in list
 - Original Nominee cannot be renominated
 - Death and Incapacity
 - Beyond November 15 to May 9
 - Original list must be exhausted
 - Notify COMELEC
1. Can the list of nominees be changed/ order revised after October 8?
 2. Up to when can there be substitution?
 3. What will the place/ rank of the substitute nominee?
 4. Can the original nominee be renominated?

(5) Cancelling a CoC/ Disqualifying a Candidate

Dissecting the CoC



**CERTIFICATE OF CANDIDACY FOR
PRESIDENT**

Annex "H"

Affix Latest
Photo Here
Passport Size

No photo

INSTRUCTIONS: (Read well before filling up this form.)

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3. This certificate shall be **sworn before a notary public or any official authorized to administer oath. COMELEC officials are not authorized to administer oath, even in their capacities as Notary Public.**
4. **No filing fee shall be imposed.**

I hereby announce my candidacy for the position of **PRESIDENT, Republic of the Philippines, in the May 9, 2022 National and Local Elections; and after having been sworn to in accordance with law, I hereby state the following:**

Transgender

Use surname of
common law spouse

1. NAME:

1.1 Last Name

1.2 First Name

1.3 Middle Name

15. SEX: Male Female

16. AGE:

17. DATE OF BIRTH:

/ /

Month Day Year

2. NICKNAME OR STAGENAME: (Indicate only one nickname or stage name)

18. PLACE OF BIRTH:

City/Mun

Province

S when M

Indicate PP
when no CONA

3. OFFICIALLY NOMINATED BY: (Attach CONA)

(Political Party/Coalition of Political Parties)

19. CIVIL STATUS:

Single Married Widow/er

Full Name of Spouse, if married

4. Name to appear on the Official Ballot not to exceed thirty (30) characters: (including space, letter, number, symbol and punctuation)

(Last Name, First Name OR Nickname, and Acronym of Political Party Affiliation as stated in Items 1 to 3)
(In case of a legally married female candidate, she has the option to choose either her maiden name, married name or both)

20. PROFESSION OR OCCUPATION:

Lawyer when not

5. RESIDENCE/ADDRESS:

5.1 Province

5.2 City/Municipality

5.3 Barangay

5.4 House No./ Street / Subdivision

21.

I AM A REGISTERED VOTER OF

I WILL BE A REGISTERED VOTER OF:

Barangay

City/Mun

Province

Will register after 10.08

9 years – 2 months

6. ADDRESS FOR ELECTION PURPOSES: (Could be the same as No.5)
(Note: In case of change of address, please notify immediately the COMELEC Office where the COC was filed. Otherwise, notices sent to the herein indicated address shall be deemed served.)

22. Have you ever been found liable for an offense which carries with it the accessory penalty of perpetual disqualification to hold public office, which has become final and executory?

Yes (Please provide details at the back)

No

Convicted of
crime involving
moral turpitude

Illegitimate

7. PERIOD OF RESIDENCE IN THE PHILIPPINES UP TO THE DAY BEFORE MAY 9, 2022:

No. of Years No. of Months

Foundling

No DST

8. I AM A NATURAL BORN FILIPINO CITIZEN.

9. I AM NOT A PERMANENT RESIDENT OF, OR AN IMMIGRANT FROM, ANOTHER COUNTRY.

10. I EXECUTED A SWORN RENUNCIATION OF FOREIGN CITIZENSHIP. (IF APPLICABLE, ATTACH COPY OF THE SWORN RENUNCIATION OF FOREIGN CITIZENSHIP.)

11. I AM ELIGIBLE FOR THE OFFICE I SEEK TO BE ELECTED TO.

12. I WILL FILE, WITH THE OFFICE OF THE COMMISSION, WITHIN THIRTY (30) DAYS AFTER ELECTION DAY, MY FULL, TRUE AND ITEMIZED STATEMENT OF ASSETS, LIABILITIES, CONTRIBUTIONS AND EXPENDITURES (SOCE) IN CONNECTION WITH THE ELECTIONS.

13. I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES AND WILL MAINTAIN TRUE FAITH AND ALLEGIANCE THERETO. I WILL OBEY THE LAWS, LEGAL ORDERS AND DECREES PROMULGATED BY THE DULY CONSTITUTED AUTHORITIES. I IMPOSE THIS OBLIGATION UPON MYSELF VOLUNTARILY, WITHOUT MENTAL RESERVATION OR PURPOSE OF EVASION.

14. I GIVE MY CONSENT TO THE COMMISSION ON ELECTIONS TO COLLECT, DISCLOSE OR SHARE, AND PROCESS THE PERSONAL DATA I PROVIDED HEREIN FOR ELECTION AND OTHER LAWFUL PURPOSES IN ACCORDANCE WITH THE PRIVACY NOTICE AT THE BACK OF THIS FORM, AND AS MAY BE AUTHORIZED BY EXISTING LAWS.

Not signed

Not notarized

I hereby certify that the facts stated herein are true and correct to the best of my knowledge.

Signature of Candidate Over Printed Name

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2021, at _____, affiant exhibiting to me an Identification document/card with _____ photograph and signature bearing No. _____ issued by _____ on _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

(Affix P30.00 documentary stamp)

(Officer Authorized to Administer Oath)

(5) Cancelling a CoC/ Disqualifying a Candidate

Grounds – Requirements – Period

| Aspects | Lack Qualifications | Commission of an Election Offense | Material Misrepresentation | Nuisance |
|-------------------------|--|---|---|--|
| <i>Pleading Caption</i> | Petition to disqualify | Petition to disqualify | Petition to Deny Due Course or Cancel a CoC | Petition to Declare a Candidate a Nuisance Candidate (or COMELEC initiates) |
| <i>Allegations</i> | <ol style="list-style-type: none"> 1. Candidate does not possess all the qualifications 2. Candidate possesses some or all of disqualifications 3. Candidate violated term limits | <ol style="list-style-type: none"> 1. Vote-Buying 2. Terrorism 3. Unlawful Expenditures 4. Unlawful Campaign 5. Coercion of Subordinates 6. Threats 7. Prohibition against release of public funds 8. Failure to submit SOCE in 2 elections | <ol style="list-style-type: none"> 1. Misrepresentation 2. Material (i.e., related to qualifications – residency, crime of moral turpitude, term rule; not surname, profession, PP, civil status and legitimacy) 3. Deliberate intent to defraud voters 4. Candidate not actually qualified | <p>CoC filed to:</p> <ol style="list-style-type: none"> 1. Put election process in mockery or disrepute 2. Cause confusion due to similarity in names <p>No bona fide intention (capability, track record, health, exposure, age, funds, education, party)</p> |

(5) Cancelling a CoC/ Disqualifying a Candidate

Grounds – Requirements – Period

| Aspects | Lack Qualifications | Commission of an Election Offense | Material Misrepresentation | Nuisance |
|--------------------------------------|------------------------------|--|-----------------------------------|--|
| <i>Where file</i> | COMELEC Division | | | |
| <i>Who files</i> | Registered Voter or PP | [Registered Voter or PP] | Registered Voter or PP | Real Parties-in-Interest Registered candidate for the same position |
| <i>When file</i> | Any time before proclamation | Any time before proclamation | Within 25 days from CoC filing | Within 5 days from last day of CoC filing |
| <i>Remedy after period</i> | Quo Warranto | Election Offense | Quo Warranto | No remedy |
| <i>Substitution after Resolution</i> | Not allowed | Allowed | Not allowed | Not allowed |

(5) Cancelling a CoC/ Disqualifying a Candidate

Effect of DQ

Succession (*P, VP and Local Officials*) or Special Elections (*Congress*)

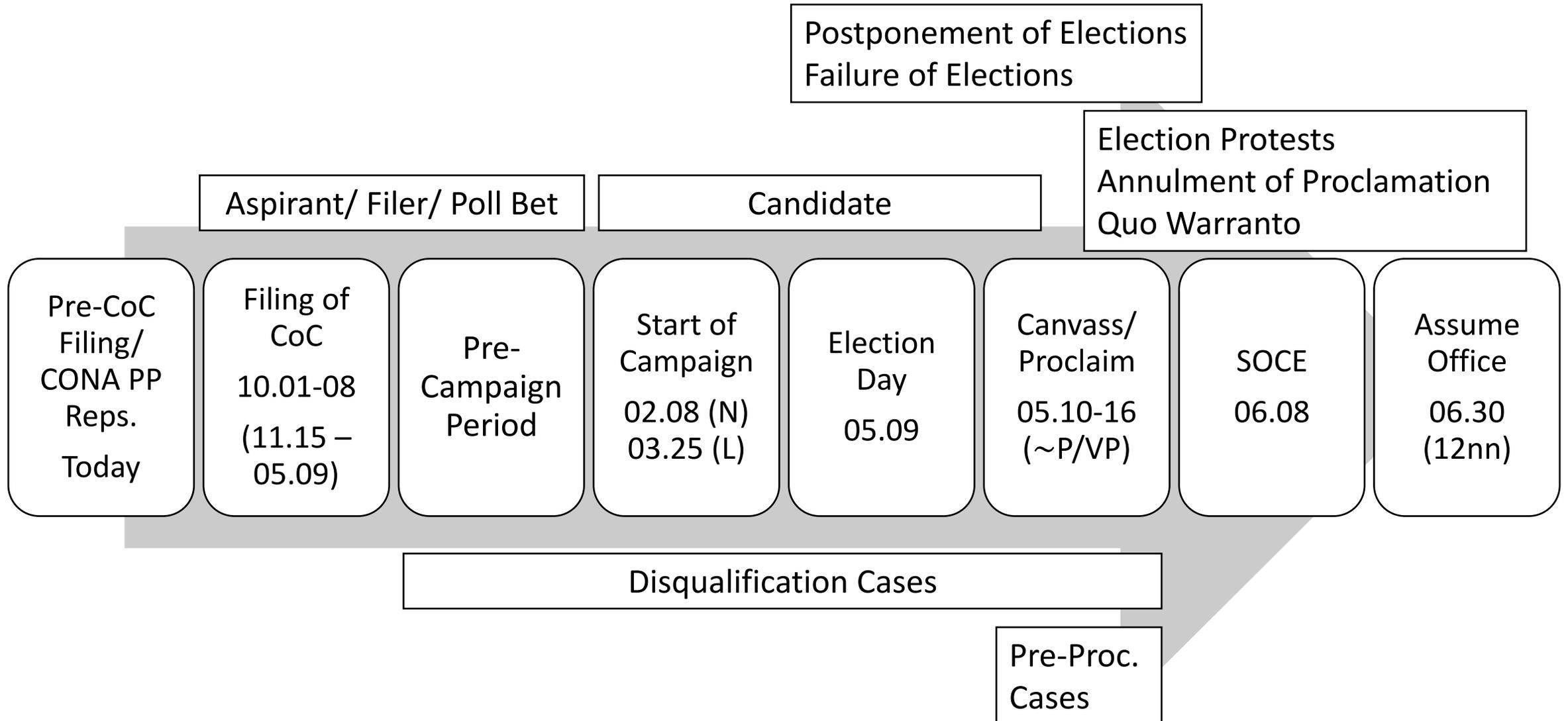
- Commission of an Election Offense

“2nd Placer” is 1st Placer (*votes considered stray*)

- Violated term limit, not a voter, not a citizen, dual citizen, conviction of a crime involving moral turpitude

If a candidate is disqualified by final judgment after proclamation, thus creating a permanent vacancy, who assumes the position for the unexpired portion of the term?

(6) 2022 Electoral Process





Republic of the Philippines
COMMISSION ON ELECTIONS
 Manila

IN THE MATTER OF ABAS, SHERIFF M., Chairman
PRESCRIBING THE GUANZON, MA. ROWENA AMELIA V., Commissioner
CALENDAR OF ACTIVITIES INTING, SOCORRO B., Commissioner
AND PERIODS OF CERTAIN CASQUEJO, MARLON S., Commissioner
PROHIBITED ACTS IN KHO, ANTONIO JR. T., Commissioner
CONNECTION WITH THE FEROLINO-AMPOLOQUIO, Aimee P. Commissioner
MAY 09, 2022 NATIONAL
AND LOCAL ELECTIONS.

Promulgated: February 10, 2021

RESOLUTION NO. 10695



Republic of the Philippines
COMMISSION ON ELECTIONS
 Intramuros, Manila

RULES AND REGULATIONS
GOVERNING: 1) POLITICAL
CONVENTIONS; 2) SUBMISSION
OF NOMINEES OF GROUPS OR
ORGANIZATIONS
PARTICIPATING UNDER THE
PARTY-LIST SYSTEM OF
REPRESENTATION; AND 3)
FILING OF CERTIFICATES OF
CANDIDACY AND NOMINATION
OF AND ACCEPTANCE BY
OFFICIAL CANDIDATES OF
REGISTERED POLITICAL
PARTIES OR COALITIONS OF
POLITICAL PARTIES IN
CONNECTION WITH THE MAY 9,
2022 NATIONAL AND LOCAL
ELECTIONS.

ABAS, S.M., *Chairman*
 GUANZON, M.R.A.V., *Commissioner*
 INTING, S.B., *Commissioner*
 CASQUEJO, M.S., *Commissioner*
 KHO, JR., A.T., *Commissioner*
 FEROLINO, A.P., *Commissioner*

Promulgated: August 18, 2021

RESOLUTION NO. 10717



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Thank you. Good luck to all.