

## Postponement and Failure of Elections

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	<i>Postponement of Elections</i>	<i>Failure of Elections</i>
<b>Legal Bases</b>	Section 5, Omnibus Election Code Section 4, RA No. 7166	Section 6, Omnibus Election Code Section 4, RA No. 7166
<b>Grounds</b>	<ol style="list-style-type: none"> <li>1. Force Majeure</li> <li>2. Violence</li> <li>3. Terrorism</li> <li>4. Loss or Destruction of Election Paraphernalia</li> <li>5. Analogous causes</li> </ol>	<ol style="list-style-type: none"> <li>1. Force Majeure</li> <li>2. Violence</li> <li>3. Terrorism</li> <li>4. Fraud</li> <li>5. Analogous causes</li> </ol>
<b>Extent of Cause</b>	Serious <i>and</i> Impossibility to have free and orderly elections	Failure to elect <i>and</i> affect results of elections (illegality must affect 50% of the votes)
<b>Basis</b>	Expectancy/ potential effect	Actual outcome/results
<b>Conditions</b>	Grounds must exist before voting	<ol style="list-style-type: none"> <li>1. Election not held or suspended</li> <li>2. After voting or during preparation</li> <li>3. Transmission</li> <li>4. Canvassing</li> </ol>
<b>Area</b>	Any political subdivision	Any polling place
<b>Procedural Requirements</b>	<ol style="list-style-type: none"> <li>1. Motu Propio or by Verified Petition</li> <li>2. Notice and Due Process</li> </ol>	<ol style="list-style-type: none"> <li>1. Verified Petition</li> <li>2. Notice and Due Process</li> </ol>
<b>Authority</b>	Comelec En Banc	
<b>Effect if Petition Granted</b>	<ol style="list-style-type: none"> <li>1. Postpone elections</li> <li>2. Conduct elections reasonable close to elections which was not held; but not later than 30 days from cessation of the cause</li> </ol>	<ol style="list-style-type: none"> <li>1. Declaration of failure of elections</li> <li>2. Holding or continuation of elections reasonably close to elections which was not held; but not later than 30 days from cessation of cause</li> </ol>

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