



Republic of the Philippines
COMMISSION ON ELECTIONS
 Intramuros, Manila

**IN THE MATTER OF
 ADDENDA TO RULE 25 IN
 RELATION TO PETITIONS FOR
 DISQUALIFICATION BASED
 ON CAMPAIGN FINANCE
 VIOLATIONS, FOR PURPOSES
 OF THE 13 MAY 2013
 NATIONAL AND LOCAL
 ELECTIONS.**

BRILLANTES, Sixto S. Jr., Chairman
SARMIENTO, Rene V., Commissioner
TAGLE, Lucenito N., Commissioner
VELASCO, Armando C., Commissioner
YUSOPH, Elias R., Commissioner
LIM, Christian Robert S., Commissioner
PADACA, Ma. Gracia Cielo M., Commissioner

Promulgated:

January 31, 2013

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RESOLUTION NO. 9629
[Signature]

WHEREAS, Section 3 of Article IX-C of the 1987 Constitution provides that the Commission on Elections shall promulgate its rules of procedure in order to expedite the disposition of election cases, including pre-proclamation controversies;

WHEREAS, the Philippines, as a State Party to the United Nations Convention Against Corruption¹, committed to take appropriate administrative measures to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties²;

WHEREAS, the Commission commits to enforce campaign finance laws as a means of guaranteeing equal access to opportunities for public service as provided by Section 26 of Article II of the 1987 Constitution;

WHEREAS, the Commission seeks to encourage the people's involvement in public affairs and empower them to participate in matters of public concern;

¹ Signed on 09 December 2003 and ratified by the Philippine Senate on 06 November 2006 as per Senate Resolution No. 581, 13th Congress, 3rd Regular Session (2006).

² Article 7.3, United Nations Convention against Corruption.

[Signature]

NOW, THEREFORE, pursuant to the aforementioned mandates and duties imposed upon this Commission by the Constitution, the Omnibus Election Code ("OEC") and other existing laws, the Commission RESOLVES, as it hereby resolved, to ADOPT the following addenda to Rule 25, as revised by Resolution No. 9523:

1. *Scope of application limited to acts and omissions relating to campaign finance and/or election spending.* - This Resolution shall apply to petitions filed to disqualify a candidate who, in an action or protest in which he is a party is declared by final decision of a competent court guilty of, or found by the Commission of having:

- (a) Given money or other material consideration to influence, induce or corrupt the voters or public officials performing electoral functions; [OEC, Section 68 (a)]
- (b) Spent in his election campaign an amount in excess of that allowed by this Code; [OEC, Section 68 (c) in relation to Section 100, as amended by Section 13 of Republic Act No. 7166]
- (c) Solicited, received or made any contribution prohibited under Section 89, 95, 96, 97 and 104 of the Omnibus Election Code; [OEC, Section 68 (d)]
- (d) Committed unlawful electioneering as described in Section 261 (k) of the OEC; [OEC, Section 68 (e)]
- (e) Released, disbursed or expended any public funds for public works which fall under the prohibition provided in Section 261 (v) of the OEC; [OEC, Section 68 (e)]
- (f) Solicited votes or undertakes any propaganda on the day of election, for or against any candidate or any political party within the polling place or within a radius of thirty (30) meter thereof as provided in Section 261 (cc) subparagraph (6); [OEC, Section 68 (e)]
- (g) Failed to submit his Statement of Contributions and Expenditures in relation to at least two (2) elections, in which case the penalty shall be perpetual disqualification to hold public office.

2. *Parties who may file petitions for disqualification expanded.* – In addition to registered voters, duly registered political parties, organizations or coalitions of political parties as provided in Section 2 of Rule 25, the following parties may also file petitions for disqualification, based on the grounds provided in Paragraph 1 of this Resolution:

- (a) Non-governmental organizations registered as non-stock and non-profit corporations with the Securities and Exchange Commission;
- (b) Accredited citizens' arms; and
- (c) Civil society organizations which are recognized as juridical entities or granted juridical personality by law.

3. *Filing fee waived.* – Any petition filed to disqualify a candidate based on the aforementioned grounds in Paragraph 1 filed by the parties specified in Paragraph 2 shall be exempt from the payment of filing fees as provided in Section 4 of Rule 23 as it applies to Rule 25.

4. *Same period of filing.* – Section 3 of Rule 25 shall likewise apply to petitions for disqualifications based on campaign finance violations.

5. *Same procedure as Section 4 of Rule 23, except the provisions on the filing fees and number of copies.* – The same procedure shall govern petitions for disqualification that are based on grounds other than those specified in Paragraph 1 of this Resolution, except for the provision on filing fees and number of copies, the latter having been superseded by this Commission's Resolution No. 9576 with respect to the Efficient Use of Paper Rule effective 16 January 2013.

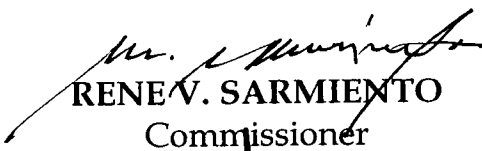
6. *Effectivity.* – This Resolution shall be published in two (2) daily newspapers of general circulation and shall take effect on the seventh (7th) day following its publication.


7. *Dissemination.* – The Education and Information Department of this Commission is directed to cause the publication

of this Resolution. The Clerk of the Commission is directed to disseminate the same to all accredited citizens' arms of this Commission.

SO ORDERED.


SIXTO S. BRILLANTES, JR.
Chairman

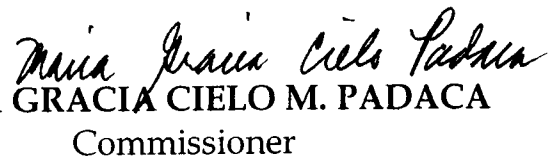

RENE V. SARMIENTO
Commissioner


LUCENITO N. TAGLE
Commissioner


ARMANDO C. VELASCO
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ELIAS R. YUSOPH
Commissioner


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MARIA GRACIA CIELO M. PADACA
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