

# [ PRESIDENTIAL DECREE NO. 1099, February 25, 1977 ]

## **REESTABLISHING THE PERMANENT SYSTEM OF REGISTRATION OF VOTERS UNDER REPUBLIC ACT NUMBERED SIX THOUSAND THREE HUNDRED AND EIGHTY-EIGHT, PRESCRIBING THE MECHANICS THEREOF, VALIDATING THE LISTS OF VOTERS FOR USE IN THE ELECTION OF THE SANGGUNANG PAMPOOK AND SUBSEQUENT ELECTIONS, PLEBISCITES OR REFERENDA, AND FOR OTHER SIMILAR PURPOSES**

**WHEREAS**, section 9(2) of Article XII (c) of the 1973 Constitution expressly prohibits any political party or candidate from membership in the election registration boards;

**WHEREAS**, the election registration boards as constituted under Republic Act Numbered 6388, otherwise known as the "Election Code of 1971," is composed of the election registrar and one representative each from the Nacionalista and Liberal parties;

**WHEREAS**, the existence of the election registration boards has not only become incompatible with the Constitution but has also made the process of registration more circuitous and complicated;

**WHEREAS**, upon the ratification of the Constitution on January 17, 1973, the continuing and permanent system of registration under Republic Act 6388 was necessarily rendered inoperative, there being no subsequent law to reconcile the provisions of the Election Code with the Constitution;

**WHEREAS**, in contemplation of the election of members of the Sangguniang Pampook, of the interim Batasang Pambansa, and of future elections, plebiscites and referenda, it is imperative to reestablish the continuing and permanent system of registration of voters to enable the qualified citizens to register as voters in the most convenient and least cumbersome manner;

**WHEREAS**, furthermore, it is necessary to update the list of voters preparatory to the election of members to the Sangguniang Pampook;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order the following:

**SECTION 1.** *Reestablishment of permanent System.* — The continuing and permanent system of registration of voters under Republic Act Numbered Six Thousand Three Hundred and Eighty-Eight, otherwise known as the "Election Code of 1971", is hereby reestablished and shall be governed by the provisions of said law except as herein modified.

**SECTION 2.** *Election registration board abolished.* — The election registration board as constituted under the Election Code of 1971 is hereby abolished and all its powers and functions shall henceforth pertain to the election registrar as herein provided.

**SECTION 3.** *List of voters.* — For purposes of the election of members of the Sangguniang Pampook and subsequent elections, Plebiscites and referenda, the permanent list of voters of the November 1971 elections and that part of the barangay list of voters containing the names of voters eighteen years and above in the October 1976 referendum-plebiscite shall be used. The City, municipal, or municipal district election registrar shall, with respect to those registered in accordance with the provisions of Presidential Decrees Nos. 210, as amended, 629, 629-A, 1032 and other related laws, transfer the names and personal data of barangay voters to the forms prescribed by the Commission on Elections, except those who have applied for the cancellation of their registration, those who have died, those who have been excluded by court orders, and, upon summons to the voters concerned, those who have become disqualified.

Qualified voters not otherwise included in the lists of voters as hereinabove provided shall register with the election registrar in the manner herein prescribed.

**SECTION 4.** *Registration of voters.* — Any qualified voter shall register by personally appearing before, and filing a sworn application for registration in duplicate with the election registrar of the city, municipality or municipal district wherein he is a resident on any date but not later than ten days before any election, plebiscite or referendum.

A qualified voter may file an application for registration before the election committee of the voting center nearest his residence whenever any such registration in the voting centers is provided by law.

**SECTION 5.** *Approval or disapproval of application filed with the election registrar.* — Upon receipt of the sworn application for registration, the election registrar shall approve it if he finds the applicant possessing all the qualifications and none of the disqualifications of a voter. Upon approval, the election registrar shall forthwith issue to the voter a certificate of registration.

If the application for registration is disapproved, the applicant shall be furnished with a certificate of such disapproval stating the grounds therefor.

**SECTION 6.** *Preservation of approved applications for registration.* — The original of the approved application for registration of each voter shall be compiled and incorporated alphabetically into the existing precinct book of voters.

The election registrar concerned shall send to the Commission on Elections the duplicate copy on the day following the approval of the application for registration. The copy for the Commission shall be compiled and incorporated alphabetically into the central file of registered voters.

**SECTION 7.** *Voter's Certificate of Registration.* — The certificate of registration issued to the voter as provided under section 5 hereof shall serve and be considered as document for the identification of each registered voter: Provided, however, That no voter shall be required to present his certificate of registration on election, plebiscite or referendum day if his identity be shown by other records or fingerprints in his approved application in the precinct book or if he is identified under oath by a member of the election committee or by a duly accredited watcher.

A voter previously registered in accordance with the first paragraph of Section 3 hereof shall, upon request, be issued a certificate of registration by the election

registrar concerned.

No extra copy or duplicate of the certificate of registration shall be prepared and issued except upon authority of the commission.

**SECTION 8.** *Qualifications of a voter.* — Every citizen of the Philippines, not otherwise disqualified by law, who on the day of the election is eighteen years of age or over and who shall have resided in the Philippines for at least one year and in the city, municipality or municipal district wherein he proposes to vote for at least six months immediately preceding the election shall be qualified to vote in the election, plebiscite or referendum.

Any person who transfers his residence to another city, municipality or municipal district solely by reason of his occupation, profession, employment in public or private service, educational activities, work in military or naval reservations, service in the army, navy or air force, the constabulary or national police force, or confinement or detention in government institutions in accordance with law shall not be deemed to have lost his residence.

**SECTION 9.** *Disqualifications.* — The following shall be disqualified to vote:

- a) Any person who has been sentenced by final judgment to suffer imprisonment for not less than one year, the disability attached to such penalty not having been removed by plenary pardon.
- b) Any person who has been adjudged by final judgment by competent court or tribunal of having violated his oath of allegiance to the Republic of the Philippines.
- c) Insane or feeble-minded persons.
- d) Persons suffering temporary special disqualification from exercising the right of suffrage in accordance with existing laws.

**SECTION 10.** *Election Committees.* — Whenever the registration of voters is decreed to be done in the voting centers, the powers and functions of the board of election inspectors with respect to the registration of voters under Republic Act No. 6388 shall devolve upon the election committees.

**SECTION 11.** *Voter's application for Registration.* — The application for registration shall be filed in duplicate and shall be under oath. It shall contain two specimens of the applicant's signature. His left and right thumbmarks, and his photograph which shall be optional on the part of the applicant, and the following data:

- (a) Name, surname, and middle/maternal surname;
- (b) Date and place of birth;
- (c) Citizenship;
- (d) Periods of residence in the Philippines and in the place of registration;
- (e) Exact address with the name of the street and house number or in case there be none, a brief description of the locality and place;