

[REPUBLIC ACT NO. 8295, June 06, 1997]

**AN ACT PROVIDING FOR THE PROCLAMATION OF A LONE
CANDIDATE FOR ANY ELECTIVE OFFICE IN A SPECIAL ELECTION,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to provide the people with adequate and constant governance and representation in public affairs. Towards this end, the State shall ensure that, as much as practicable, each and every elective position in the executive and legislative branches of government is occupied at all times at the least of cost to government.

SEC. 2. *Proclamation of a Lone Candidate.* – Upon the expiration of the deadline for the filing of the certificates of candidacy in a special election called to fill a vacancy in an elective position other than for President and Vice President, when there is only one (1) qualified candidate for such position, the lone candidate shall be proclaimed elected to the position by proper proclaiming body of the Commission on Elections without holding the special election upon certification by the Commission on Elections that he is the only candidate for the office and is thereby deemed elected.

SEC. 3. *Assumption of Office.* – In the absence of any lawful ground to deny due course or cancel the certificate of candidacy in order to prevent such proclamation, as provided for under Sections 69 and 78 of Batas Pambansa Bilang 881 also known as the Omnibus Election Code of the Philippines, the candidate referred to in the preceding paragraph shall assume office not earlier than the scheduled election day. Certificates of candidacy filed in violation hereof shall not be given due course. For this purpose, the Commission shall decide petitions for disqualifications not later than election day; otherwise, such petitions shall be deemed dismissed.

SEC. 4. *Disqualification.* – In addition to the disqualifications mentioned in Sections 12 and 68 of the Omnibus Election Code and Section 40 of Republic Act No. 7160, otherwise known as the Local Government Code, whenever the evidence of guilt is strong, the following persons are disqualified to run in a special election called to fill the vacancy in an elective office, to wit:

- a. Any elective official who has resigned from his office by accepting an appointive office or for whatever reason which he previously occupied but has caused to become vacant due to his resignation; and
- b. Any person who, directly or indirectly, coerces, bribes, threatens, harasses, intimidates or actually causes, inflicts or produces any violence, injury, punishment, torture, damage, loss or disadvantage to any person or persons