

[ **REPUBLIC ACT NO. 5496, June 21, 1969** ]

**AN ACT PROVIDING FOR THE PROCEDURE IN THE CANVASS OF VOTES CAST FOR PRESIDENT AND VICE-PRESIDENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NUMBERED ONE HUNDRED AND EIGHTY, AS AMENDED, OTHERWISE KNOWN AS THE REVISED ELECTION CODE.**

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

SECTION 1. Sections one hundred sixty, as amended, and one hundred sixty-six of Republic Act Numbered One hundred eighty, as amended, otherwise known as the Revised Election Code, are amended to read as follows:

"SEC. 160. *Canvass by the provincial board.*—The provincial board of canvassers shall meet as soon as possible within the fifteen days next following the day of the election, and the provincial treasurer shall then produce before it the statements of the election returns in the different precincts which may have been delivered to him.

"As soon as all the statements are before it but not later than fifteen days next following the date of the Section, the provincial board of canvassers shall proceed to make a canvass of all the votes cast in the province for national, provincial and city candidates, and upon the completion of the canvass, shall make, as the case may separate statements of all the votes received by each candidate for the offices of President and Vice-President, Senator and Member of the House of Representatives for each legislative district and by each candidate for provincial or city office. Upon the completion of the statements, the board shall proclaim in accordance therewith, who has been elected to the House of Representatives from each legislative district and who has been elected to each provincial and city office and shall post true copies of said proclamation in a conspicuous place for not less than one week. With regard to the election of President and Vice-President, the board shall certify and transmit the returns as provided in the Constitution. The board shall prepare the certificate of election returns, supported by a statement of votes by precinct, for the election of President and Vice-President, in quintuplicate by the use of carbon papers or such other means as the Commission on Elections shall prescribe to the end that all five copies be produced in one hand writing. Each and every sheet of each and every copy shall bear the official seal of the province or

city. Upon the completion of these certificates and statements, they shall be enclosed in envelopes furnished by the Commission on Elections and sealed, and immediately distributed as follows: the original copy, together with two complete sets of the carbon papers used shall be enclosed and sealed in the envelope directed to the President of the Senate; and the second copy, together with the remaining two sets of carbon papers shall likewise be enclosed and sealed in the envelope directed to the Commission on Elections; and shall be delivered personally to the respective office of the addressees by the provincial or city treasurer or his authorized representative. The third and fourth copies shall be directed to each of the two major political parties mentioned in Section seventy-six of this Code, and shall likewise be delivered personally to the representative that each of said parties shall station for that purpose in the office of the Commission on Elections. The fifth copy shall be kept on file in the office of the provincial or city treasurer. Any candidate for President or Vice-President shall be entitled, personally or by a duly authorized representative, to examine, inspect, photograph, copy or obtain a certified true copy of the copy of the certificates of election returns and supporting statements of votes by precinct and of the carbon papers used either preparation that are filed with the Commission on Elections and with the provincial or city treasurer, under such rules and regulations as the Commission on Elections shall promulgate in order to safeguard the integrity of these documents. With regard to the election of Senators, the board shall merely state and certify the number of votes polled by the candidates therefor and shall forthwith send by registered mail the corresponding statements to the Commission on Elections. The candidates may appoint watchers to be present at, and take note of, all the proceedings of the provincial board of canvassers and of the committee and subcommittees which the board may appoint.

"SEC. 166. *Canvass of votes for Senators.*—Thirty days after the election has been held, the Commission on Elections shall meet in session and shall publicly count the votes cast for senators. The registered candidates in the number of senators required to be elected who obtained the highest number of votes shall be declared elected. A copy of such statement shall be furnished to the Secretary of the Senate and to each elected candidate.

"In case it shall appear from the canvass of all votes for senators that two or more candidates have received the same number of votes for the last place in the number to be elected, the Commission on Elections, after recording this fact in the corresponding statement, shall, upon three days notice to all the tied candidates so that they may be present if they so desire, hold another public session at which it shall proceed to the drawing of lots of the candidates who have tied in the