

[REPUBLIC ACT NO. 3036, June 17, 1961]

AN ACT TO AMEND SECTIONS THIRTY-SEVEN AND ONE HUNDRED FORTY-NINE OF REPUBLIC ACT NUMBERED ONE HUNDRED EIGHTY, 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. Section thirty-seven of Republic Act Numbered One hundred eighty, otherwise known as the Revised Election Code, is amended to read as follows:

"SEC. 37. *Ministerial duty of receiving and acknowledging receipt.*—The Commission on Elections, the secretary of the provincial board, the secretary of the municipal board in chartered cities, and the municipal secretary, in their respective cases, shall have ministerial duty to receive the certificates of candidacy referred to in the preceding section and to immediately acknowledge receipt thereof: *Provided*, That in all cases the said Commission may, *motu proprio* or upon petition of an interested party, refuse, to give due course to a certificate of candidacy if it is shown that said certificate has been presented and filed to cause confusion among the electors by the similarity of the names of the registered candidates or by other means which demonstrate that the candidate has no *bona fide* intention to run for the office for which the certificate of candidacy has been filed and thus prevent a faithful determination of the true will of the electorate."

SEC. 2. Subsection sixteen of Section one hundred forty-nine of the same Code is amended to read as follows:

"16. When there are two or more candidates for an office with the same name and/or surname, the voter shall, in order that his vote may be counted, add the correct name, surname or initial that will identify the candidate for whom he votes: *Provided*, That when two or more candidates have the same surname and one of them is seeking reelection, a ballot wherein only such surname is written shall be counted in favor of the candidate seeking reelection."