

[BATAS PAMBANSA BLG. 697, March 14, 1984]

**AN ACT TO GOVERN THE ELECTION OF MEMBERS OF THE
BATASANG PAMBANSA ON MAY 14, 1984 AND THE SELECTION
OF SECTORAL REPRESENTATIVES THEREAFTER,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

Be it enacted by the Batasang Pambansa in session assembled:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Title and applicability.*—This Act shall be known and cited as "The Law on the 1984 Batasang Pambansa Election." It shall govern the election for the regular Batasang Pambansa which shall be held on May 14, 1984, and the selection of sectoral representatives thereafter as provided by the Constitution.

SEC. 2. *Election and campaign periods.*—Unless otherwise fixed by the Commission on Elections, hereinafter referred to as the Commission, in special cases, the election period shall commence ninety days before the day of the election and shall end thirty days thereafter.

The campaign period for the election on May 14, 1984 shall commence on March 27 and shall end at midnight of May 12, 1984. Campaigning shall be prohibited on Holy Thursday, Good Friday, the day before the election and on election day.

ARTICLE II
ELECTION OF MEMBERS FROM THE PROVINCES
AND THEIR COMPONENT CITIES, HIGHLY
URBANIZED CITIES AND DISTRICTS IN
METROPOLITAN MANILA

SEC. 3. *Voting by province and its component cities, by highly urbanized city or by district in Metropolitan Manila.*—All candidates shall be voted at large by the registered voters of their respective constituencies. The candidates corresponding to the number of Member or Members to be elected in a constituency who receive the highest number of votes shall be declared elected.

ARTICLE III
SELECTION OF SECTORAL REPRESENTATIVES

SEC. 4. *Sectoral representatives.*—There shall be three sectors to be represented in the Batasang Pambansa, namely: (1) youth; (2) agricultural labor; and (3) industrial labor whose representatives shall be selected by the President from the nominees of their respective sectors in the manner herein provided. Each sector shall be entitled to four representatives, two of whom shall come from Luzon, one from Visayas, and one from Mindanao: *Provided*, That the youth sector shall be entitled to two additional sectoral representatives who shall be selected from any part of the country.

SEC. 5. *Scope of the Sectors*.—The agricultural labor sector covers all persons who personally and physically till the land as their principal occupation. It includes agricultural tenants and lessees, rural workers and farm employees, owner-cultivators, settlers and small fishermen.

The industrial labor sector includes all non-agricultural workers and employees.

The youth sector embraces persons not more than twenty-five years of age.

SEC. 6. *Selection of sectoral representatives*.—Not later than twenty days after the election of provincial, city or district representatives, the most representative and generally recognized organizations or aggroupments of members of the agricultural labor, industrial labor, and youth sectors, as attested to by the Ministers of Agrarian Reform and of Agriculture, the Minister of Labor and Employment, and the Ministers of Local Government and of Education, Culture and Sports, respectively, shall, in accordance with the procedures of said organizations or aggroupments of members of the sector, submit to the President their respective nominess for each slot allotted for each sector. The President shall appoint from among the nominees submitted by the aforementioned organizations or aggroupments the representatives of each sector.

In recognizing the most representative and generally recognized organizations or aggroupments, the Ministers of Agrarian Reform and of Agriculture, the Minister of Labor and Employment, and the Ministers of Local Government and of Education, Culture and Sports shall consider:

- a) The extent of membership and activity of the organization or aggroupment which should be national;
- b) The responsiveness of the organization or aggroupment to the legitimate aspirations of its sector;
- c) The militancy and consistency of the organization or aggroupment in espousing the cause and promoting the welfare of the sector consistent with that of the whole country;
- d) The observance by such organization or aggroupment of the rule of law; and
- e) Other analogous factors.

The President of the Philippines shall in writing notify the Secretary-General of the Batasang Pambansa of the appointment made by him of any sectoral representative.

Except as herein otherwise provided, sectoral representatives shall have the same functions, responsibilities, rights, privileges, qualifications and disqualifications as the representatives from the provinces and their component cities, highly urbanized cities or district of Metropolitan Manila,

ARTICLE IV RIGHTS OF POLITICAL PARTIES

SEC. 7. *Political party*.—"Political party" or "party", when used in this Act, means an organized group of persons pursuing the same ideology, political ideals or platform of government and includes its branches and divisions. To acquire juridical personality and to entitle it to the rights and privileges herein provided for political parties, a political party shall first be duly registered with the Commission. Any

registered political party that singly or in coalition with others fails to obtain at least three percent of the votes cast in the constituency in which it nominated and supported a candidate or candidates in the election next following its registration shall, after notice and hearing, be deemed to have forfeited such status as a registered political party, in such constituency.

SEC. 8. *Registration.*—Any organized group of persons seeking registration as a political party may file with the Commission a verified petition attaching thereto its constitution, by-laws, program of government and such other relevant information as may be required by the Commission.

The Commission shall, after due notice and hearing, resolve the petition within ten days from the date it is submitted for decision.

No religious sect, and no organization that seeks to achieve its goals through violence shall be registered as a political party.

Existing registered political parties need not register anew.

SEC. 9. *Selection of party candidates.*—Any registered political party or coalition of political parties may hold its convention, caucus, consensus, conference or any such other methods to select its official candidates at any time before March 27, 1984.

SEC. 10. *Submission of party nomination.*—The nomination of the official candidates of a registered political party or coalition of political parties, duly signed and attested under oath by its President or Chairman, Secretary-General or any other party official duly authorized to do so, shall be personally filed by the party officers concerned or their duly authorized representatives with the Commission or other officials authorized by the Commission to receive such nominations, not later than March 27, 1984.

Nothing in this Act shall be construed as in any manner impairing the prerogative of any registered political party or coalition of political parties to make changes in its official ticket at any time: *Provided, however,* That any candidate whose nomination has been withdrawn, revoked, recalled, set aside, or changed shall, unless he withdraws his certificate of candidacy, remain as an individual candidate and may be voted upon and elected. The inclusion of a candidate in the official ticket of a registered political party shall not be given due course unless such candidate has filed a certificate of candidacy not later than the date fixed herein, except as provided under Section 18 hereof.

SEC. 11. *Coalition of political parties.*—Registered political parties shall have the right to coalesce and combine or unite their forces and present common candidates in any constituency.

Notice of such coalition or agreement to unite political forces of registered political parties shall be filed personally by the party officers concerned or their duly authorized representatives with the Commission not later than March 27, 1984 in the case of existing coalitions or agreements and thereafter within five days from such coalition or agreement.

A political party may nominate and/or support candidates not belonging to it.

ARTICLE V ELIGIBILITY OF CANDIDATES AND CERTIFICATES OF CANDIDACY

SEC. 12. *Qualifications for Members of the Batasang Pambansa.*—No person shall be elected Member of the Batasang Pambansa unless he is a natural-born citizen of the Philippines and on the day of the election, is at least twenty-five years of age, able to read and write, a registered voter in the political subdivision in which he shall be elected and a resident thereof for a period of not less than six months immediately preceding the day of the election.

A sectoral representative shall be a natural-born citizen of the Philippines, able to read and write, a resident of the Philippines for a period of not less than one year immediately preceding the day of the election, a *bona-fide* member of the sector he seeks to represent, a registered voter, and on the day of the election, at least twenty-five years of age, except the youth sector representative who should be at least eighteen and not more than twenty-five years of age: *Provided, however,* That any youth sector representative who attains the age of twenty-five years during his term shall continue in office until the expiration of his term.

SEC. 13. *Effects of filing of certificate of candidacy.*— (1) Any person holding a public appointive office or position, including active officers and members of the Armed Forces of the Philippines and the Integrated National Police, as well as officials and employees of government-owned and government-controlled corporations and their subsidiaries, shall *ipso facto* cease in office or position as of the time he files his certificate of candidacy: *Provided, however,* That the Prime Minister, the Deputy Prime Minister, the Members of the Cabinet, and the Deputy Ministers shall continue in the offices they presently hold notwithstanding the filing of their certificates of candidacy.

(2) Governors, mayors, members of the various sanggunians or barangay officials shall, upon filing a certificate of candidacy, be considered on forced leave of absence from office.

SEC. 14. *Change of political affiliation.*—Any person, including an elective official, may change his party affiliation for purposes of the election herein provided for.

Cases for disqualification based on change of political party affiliation or guest candidacy pending in the Commission or the Supreme Court shall not be affected by the provisions of this section.

SEC. 15. *Certificate of candidacy.*—No person shall be eligible for election as Member of the Batasang Pambansa unless he files a sworn certificate of candidacy not later than March 27, 1984.

No fee shall be collected for the filing thereof.

No person shall be eligible to be a candidate in more than one constituency and if he files certificates of candidacy for more than one constituency, he shall not be eligible for any of them. However, before midnight of March 27, 1984, the person who has filed more than one certificate of candidacy may declare under oath the constituency for which he desires to be a candidate and such declaration shall *ipso facto* cancel the certificate of candidacy for the other constituency or constituencies.

The filing of a certificate of candidacy shall not affect whatever civil, criminal or administrative liabilities a candidate may have incurred: *Provided, however,* That hearings of the case involving the same shall be suspended during the election period, unless such hearings are sought by the candidate himself.

SEC. 16. *Contents of certificate of candidacy.*—The certificate of candidacy shall state that the person filing it is announcing his candidacy for the office of Member of the Batasang Pambansa and that he is eligible for said office; the province and its component city or cities, highly urbanized city, or the district in Metropolitan Manila which he seeks to represent, as the case may be; the political party or coalition of political parties to which he belongs, if any, and whether he is the official candidate of such political party or coalition, if such be the case; civil status, and if married, the full name of his or her spouse; his date of birth, residence, and his post office address for all election purposes; his profession or occupation; the voting center where he is duly registered; that he will support and defend the Constitution of the Republic of the Philippines and will maintain true faith and allegiance thereto; that he will obey the laws and legal orders promulgated by the duly constituted authorities; that the obligation imposed by his oath is assumed voluntarily, without mental reservation or purpose of evasion; and that the facts stated in the certificate of candidacy are true of his own personal knowledge.

A candidate may use in his certificate of candidacy the name by which he has been baptized, or the name registered in the office of the local civil registrar, or any other name allowed under the provisions of existings laws: *Provided*, That when there are two or more candidates for an office with the same name and surname, each candidate, upon being made aware of such fact, shall state his paternal and maternal surnames, except the incumbent who may continue to use the name and surname stated in his certificate of candidacy when he was elected. He may also include one nickname or stage name by which he is generally or popularly known in the locality.

The person filing a certificate of candidacy shall also affix his latest passport-size photograph and a statement in duplicate containing his bio-data.

In case a candidate has a pending petition for his inclusion as a voter in the constituency where he seeks to be elected or is the respondent in a petition for exclusion, his certificate of candidacy shall be allowed and given due course subject to the outcome of the petition. Any decision on a petition for inclusion or exclusion which affects the qualification of a candidate may be elevated for review to the Commission on Elections.

SEC. 17. *Filing and distribution of a certificate of candidacy.*— (a) The certificate of candidacy of a person running for election as representative of a province and its component city or cities, highly urbanized city, or district in Metropolitan Manila, shall be filed in five legible copies on any day not later than March 27, 1984 with the Provincial Election Supervisor, City or Municipal Election Registrar or the Commission, as the case may be: *Provided*, That in cases of postponement or failure of election, no additional certificate of candidacy shall be accepted except in cases of substitution of candidates as prescribed in this Act. In case there are two or more election registrars in a district of Metropolitan Manila, the Commission shall designate the election registrar authorized to receive certificates of candidacy.

The candidate shall, in addition, file legible copies of his certificate of candidacy equivalent to double the number of voting centers in the province and its component city or cities, highly urbanized city or district in Metropolitan Manila, as the case may be.