

[Commonwealth Act No. 725, January 05, 1946]

AN ACT TO PROVIDE FOR THE NEXT ELECTION FOR PRESIDENT AND VICE-PRESIDENT OF THE PHILIPPINES, SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, AND APPROPRIATING THE NECESSARY FUNDS THEREFOR.

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

SECTION 1. The next election for President and Vice President of the Philippines, Senators and Members of the House of Representatives, shall be held on Tuesday, April twenty-three, nineteen hundred and forty-six, in accordance with the provisions of this Act and of Commonwealth Act Numbered Three hundred and fifty-seven, otherwise known as the Election Code, and Commonwealth Act Numbered Six hundred and fifty-seven, entitled "An Act to Reorganize the Commission on Elections", in so far as they may be applicable and are not in conflict with the provisions hereof.

The term "national offices" used in the Election Code shall be understood to refer to the offices of President and Vice-President of the Philippines, Senator and Member of the House of Representatives; the term "Members of the National Assembly" used in the same Code shall be understood to refer to the Members of the House of Representatives, and the term "Secretary of the Interior" used in the same Code shall be understood to refer to the Commission on Elections.

SEC. 2. At least seventy days immediately prior to the day of the election, the certificates of candidacy for said election, in quadruplicate, subscribed and sworn to by the candidates themselves, shall be filed with the Commission on Elections, which shall immediately send copies of said certificates of candidacy to the Secretary of the Senate and the Secretary of the House of Representatives, and to the provincial or city treasurers of each province or city where the election shall be held who in turn must send immediately said copies to the board of election inspectors. The Commission on Elections, upon receipt of said certificates of candidacy, shall communicate the names of said candidates by telegraph or radiogram to the corresponding provincial city treasurer, who in turn must transmit the same immediately to the boards of elections inspectors within his jurisdiction. If the certificate of candidacy is sent by mail, it shall be by registered mail, and the date on which the envelope containing the certificate was deposited in the post office may be considered as the filing date of such certificate of candidacy. However, in case the post office wherein this envelope was deposited does not have registered mail facilities, the postmaster shall accept said envelope as ordinary mail, show the date on which it was deposited on the envelope, and in addition swear to a statement showing that he had received the said envelope on the same date, which date shall be considered as the filing date of such certificate of candidacy. In the absence of a postmaster, the duties pertaining to him shall be performed by the municipal treasurer.

The certificate of candidacy of a candidate who has been nominated by a political party as its official candidate may be filed by said political party without the signature or the oath of the candidate: *Provided*, That a political party having nominated candidates shall file with the Commission on Elections a certificate of

such nominations subscribed and sworn to by the president and secretary of the corresponding political party.

In case two or more certificates of candidacy for different offices are filed by different political parties in favor of the same candidate, the certificate of candidacy filed by the party to which said candidate belongs shall prevail unless the candidate concerned shall decide otherwise. If a candidate who files his own certificate of candidacy for one office is also nominated by one or more political parties for other offices, the certificate filed by the candidate himself shall prevail. A person occupying any civil office by appointment in the government or any of its political subdivisions or agencies or government-owned or controlled corporations, whether such office be appointive or elective, shall be considered to have resigned from such office from the moment of the filing of such certificate of candidacy.

SEC. 3. There shall be in each city or municipality a new list of voters wherein shall be registered electors who possess the qualifications prescribed by section ninety-three of the Election Code, and who are not disqualified under section ninety-four of the same Code. In order that a qualified elector may vote on the day of the election, it is necessary that his name shall appear in the new registry list: *Provider, however,* That the presentation of the residence certificate of voters shall not be required, nor shall documentary stamps be affixed in the voters' affidavits or on any other document required by the board of inspectors.

SEC. 4. The board of election inspectors of each precinct shall hold four meetings in the place designated as polling place on the seventh Friday, seventh Saturday, sixth Friday, and sixth Saturday next preceding the date of election which days are declared official holidays. In these meetings, the board shall prepare as provided in the Election Code eight copies of the list of voters of the precinct wherein it shall register the qualified electors applying for registration. The board shall also meet on the second Saturday immediately preceding the day of the election for the purpose of making such inclusions, exclusions, and corrections as may be ordered by the courts, stating opposite every name so corrected, added or cancelled, the date of the order and the court which issued the same, and for the consecutive numbering of voters of the election precinct.

SEC.5. Officers and enlisted men of the Philippine Army or of the Military Police, who possess the necessary qualifications and who are not otherwise disqualified, except officers and enlisted men of the permanent regular army of the Philippines organized under the laws of the Philippines and officers and enlisted men that form part of the regular army of the United States in the Philippines, may vote in this election.

SEC. 6. The ballots which shall be used in this election shall be prepared in accordance with Article VIII of the Election Code except that their size shall be one hundred and twenty millimeters wide and three hundred and fifty millimeters long exclusive of the stub and the coupon containing the detachable number of the ballots. The ballots shall be folded twice toward the bottom so that they shall, when folded, be about ninety by one hundred and twenty millimeters, with the entire coupon and its detachable number visible: *Provide, however,* That the space intended for member of the House of Representatives shall follow immediately that corresponding to Vice-President.