

REPUBLIC ACT NO. 7056

AN ACT PROVIDING FOR THE NATIONAL AND LOCAL ELECTION IN 1992, PAVING THE WAY FOR SYNCHRONIZED AND SIMULTANEOUS ELECTIONS BEGINNING 1995, AND AUTHORIZING APPROPRIATIONS THEREFOR.

Section 1. *Statement of Policy.* - It is the policy of the State to start, as much as practicable, the synchronization of the elections so that the process can be completed in the 1995 elections with the result that beginning 1995 there shall be only one (1) simultaneous regular elections for national and local elective officials once every three (3) years.

Sec. 2. *Start of Synchronization.* - To start the process of synchronization of elections in accordance with the policy herein before declared, there shall be held:

(a) An election for President and Vice-President of the Philippines, twenty-four (24) Senators, and all elective Members of the House of Representatives on the second Monday of May 1992; and

(b) An election of all provincial, city, and municipal elective officials on the second Monday of November 1992.

Sec. 3. *Term of Office.* - The President, the Vice-President, and the Senators shall have a term of office of six (6) years beginning at the noon of the 30th day of June next following their elections: Provided, however, That, of the twenty-four (24) Senators to be elected on the second Monday of May 1992, the first twelve (12) obtaining the highest number of votes shall serve for six (6) years and the remaining twelve, for three years. The Members of the House of Representatives and all elective provincial, city, and municipal officials shall serve for a term of three years which shall begin at noon on the 30th day of June next following elections: Provided, however, That, in view of the many difficult if not insurmountable problems to a full and immediate synchronization of all elections on the second Monday of May 1992, all incumbent provincial, city, and municipal officials shall hold over beyond the 30th day of June 1992 and serve until their successors shall have been duly elected and qualified. The tenure of the newly elected local officials shall start at noon of November 30, 1992.

No Vice-President shall serve for more than two (2) consecutive terms.

No Senator shall serve for more than two (2) consecutive terms.

No Member of the House of Representatives shall serve for more than three (3) consecutive terms.

No elective provincial, city, or municipal official shall serve for more than three (3) consecutive terms.

Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected.

Sec. 4. Full Synchronization of Elections. - (a) The regular elections for the President and Vice-President of the Philippines shall be held on the second Monday of May 1992 and on the same day for every period of six (6) years thereafter; and

(b) The regular election of twelve (12) Senators, all Members of the House of Representatives, and the elective provincial city, and municipal officials shall be held on the second Monday of May 1995, and on the same day for every period of three (3) years thereafter.

Sec. 5. Election of Provincial, City, and Municipal Members of the Sangguniang Panlalawigan, Sangguniang Panlungsod, and Sangguniang Bayan by Districts. - To reduce the number of positions to be voted for, which is one of the problems preventing immediate and full synchronization of elections in May 1992, for better representation, and to ensure free, orderly, honest, and less expensive elections, the elective members of the sangguniang panlalawigan, sangguniang panlungsod, and sangguniang bayan shall be elected by the qualified voters of their respective districts as follows:

Beginning with the 1992 elections:

(a) The number of elective councilors or sangguniang panlungsod members in the Metro Manila area, the City of Cebu, City of Davao and any other city with two (2) or more representative districts shall continue to be governed by the provisions of Sections 2 and 3 of Republic Act No. 6636: Provided, That, the Municipalities of Malabon, Navotas, San Juan, Mandaluyong, Muntinlupa, Las Pinas, and Taguig shall have twelve (12) councilors, and Pateros, ten (10).

(b) For provinces with two (2) or more representative districts, the number of elective members of the sangguniang panlalawigan shall be equally divided among them; Provided, That, if equal division is not possible, the remaining member or members shall be elected in the district or districts with the greater number of voters or, if they be the same, with the greater number of population.

Beginning with the 1995 elections:

(a) For provinces and cities with only one (1) representative district, the Commission on Elections shall divide them into two (2) districts for purposes of provincial or city representation as nearly as may be according to the number of inhabitants, each district comprising a compact, contiguous and adjacent territory, and the number of elective members of their respective sanggunian shall be equally divided between the districts in accordance with the standard or formula provided in the next preceding section.

(b) The Commission on Elections shall apportion the number of elective councilors or members of the sangguniang bayan among the duly constituted barangays and sitios as

nearly as practicable according to the number of their respective inhabitants, each councilor district to comprise a compact, contiguous and adjacent territory: Provided, however, That each councilor district shall elect at least two (2) councilors: Provided, further, That, in case of any extra member, he shall be elected in the district with greater number of population.

No person shall be elected member of the sangguniang panlalawigan, sangguniang panlungsod, or sangguniang bayan, as the case may be, unless he is an actual resident of his district: Provided, however, That an incumbent member of the sanggunian who competes in the election for the same position may run in any district within the municipality, city, or province where he is a registered candidate.

Sec. 6. *Applicability of the Omnibus Election Code and All Existing Laws Governing Elections.* - The Omnibus Election Code (Batas Pambansa Blg. 881), Republic Act No. 6636, Republic Act No. 6646, and all existing laws governing or pertaining to elections shall govern and apply to all elections unless inconsistent with or repealed or modified by any of the provisions of this Act and subsequent laws.

Sec. 7. *Postponement, Failure of Election and Special Elections.* - The postponement, declaration of failure of election and the calling of special elections, as provided in Sections 5, 6 and 7 of the Omnibus Election Code (Batas Pambansa Blg. 881) shall be decided only by the Commission on Elections sitting en banc by a majority vote of its members.

The causes for the declaration of a failure of election may occur before or after the casting of the votes or the day of the election.

Sec. 8. *Election and Campaign Periods.* - Unless otherwise fixed in special cases by the Commission on Elections, the election period for regular and special elections shall commence ninety (90) days before the day of the election and shall end thirty (30) days thereafter.

The campaign periods for regular and special elections are hereby fixed as follows:

- (a) For Presidential and Vice-Presidential elections, one hundred twenty (120) days before the day of the election;
- (b) For Senatorial elections, ninety (90) days before the day of the election; and
- (c) For the election of Members of the House of Representatives and local elective provincial, city, and municipal officials, forty-five (45) days before the day of the election.

However, the foregoing campaign periods shall not include the day before and the end of the election day itself, Holy Thursday, and Good Friday during which any kind of campaigning is absolutely prohibited.

Any provision of law to the contrary notwithstanding, any candidate for Senator, Member of the House of Representatives or any elective local official may campaign for the national candidates of their political parties before their own campaign periods.

Sec. 9. *Nomination and Selection of Official Candidates.* - No political convention or meeting process for the nomination or selection of the official candidates of any political party or organization, or political group, or a coalition thereof, shall be held earlier than the following periods:

- (a) For President, Vice-President and Senators, one hundred eighty (180) days before the day of the election; and
- (b) For elective provincial, city, or municipal officials, ninety days before the day of the election.

Sec. 10. *Filing of Certificates of Candidacy.* - The certificates of candidacy of any person running for the office of President, Vice-President, Senator, Member of the House of Representatives, or any elective provincial, city, or municipal official shall be filed not later than the day legally fixed for the beginning of their campaign periods in accordance with the form, manner, and with the receiving offices or officials provided by existing laws.

Sec. 11. *Registration of New Voters.* - There shall be a registration of voters on the 15th Saturday before the day of the election herein provided for voters who will reach the age of eighteen (18) years on or before the day of elections or for those who failed to register in the last preceding election: Provided, however, That the Commission on Elections may designate an additional date of registration in certain areas upon showing of special reason therefor by any interested party.

The board of election inspectors shall also meet on the 8th Saturday immediately preceding the day of the elections for the purpose of making such inclusions, exclusions and corrections as may be or may have been ordered by the courts stating the date of the order and the court which issued the same and for the consecutive numbering of the voters of the election precinct.

The board of election inspectors must post the final list of voters in each precinct with each and every page thereof duly signed or subscribed and sworn to by its members thirty (30) days before the date of the elections and that failure to comply with this provision will constitute an election offense.

Members of the military, Philippine National Police, and other government officers and employees who may temporarily be assigned in connection with the performance of election duties to places where they are not registered voters, upon presentation of their voters identification cards to the board of elections inspectors concerned, may be allowed to vote in the election precincts of their assignment for the offices of President, Vice-President, and Senators only unless they are registered voters in the district of their temporary assignment, in which case they can vote for the office of Representative.

A list of said persons shall be prepared by the board of election inspectors in duplicate. The original copy shall be transmitted to the Commission on Elections and the duplicate copy to the election registrar of the municipality.

Special ballots may be prepared by the Commission on Elections for their use.

Sec. 12. *Rules and Regulations.* - The Commission on Elections shall issue rules and regulations to implement this Act. Said rules must be published in at least two (2) newspapers of general circulation.

Sec. 13. *Separability Clause.* - If any provision, or part thereof, of this Act is declared unconstitutional, such declaration of unconstitutionality will not affect the other provisions of this Act.

Sec. 14. *Appropriations.* - The amount of Six hundred million pesos (P600,000,000.00) is hereby authorized to be appropriated out of any savings or unexpended balance in the National Treasury not otherwise appropriated to cover the costs of holding the 1992 national and local elections. Hereafter, the amounts necessary to fund subsequent elections shall be included in the General Appropriations Act for the corresponding fiscal year.

Sec. 15. *Effectivity Clause.* - This Act shall take effect upon the publication of its official text, as approved by the President, twice in two (2) newspapers of general circulation.

Approved: June 20, 1991.