

Title: Nelson T. Lluz and Catalino C. Aldeosa vs. Commission on Elections and Caesar O. Vicencio

Facts:

1. **Election Context**:

- In the 15 July 2002 Synchronized Barangay and Sangguniang Kabataan Elections, Caesar O. Vicencio ran for the position of punong barangay of Barangay 2, Poblacion, Catubig, Samar.

- Vicencio's certificate of candidacy listed him as a certified public accountant (CPA).

2. **Allegation of Misrepresentation**:

- After Vicencio's proclamation, petitioners Lluz and Aldeosa filed charges with the Commission on Elections (COMELEC), alleging Vicencio falsely claimed to be a CPA.

- The complaint included a Professional Regulation Commission (PRC) certification verifying that Vicencio's name was not listed in the Board of Accountancy's book.

3. **Procedural History**:

- Vicencio responded, asserting he passed the CPA Board examinations in 1993 with a rating of 76%.

- COMELEC Law Department required the PRC to verify this claim, revealing Vicencio actually received a failing score of 40.71% in the 1993 exam.

- Despite this, the Law Department recommended dismissing the complaint based on precedents (*Romualdez-Marcos v. COMELEC*, *Salcedo II v. COMELEC*), as misrepresentation was deemed immaterial to eligibility.

- COMELEC En Banc initially disagreed, ordering the filing of charges. It noted election offenses as *mala prohibita*, where criminal intent is not needed.

- However, upon Vicencio's motion for reconsideration, the COMELEC En Banc reversed its decision, emphasizing the necessity of materiality, noting profession is not a material fact in certificate of candidacy.

4. **Petitioners' Argument**:

- Petitioners sought to annul COMELEC's resolutions, arguing Section 262 of B.P. 881 penalizes misrepresentation and contending it is *malum prohibitum*.

- They asserted that the misrepresentation of being a CPA increased Vicencio's election chances, and thus, should be deemed material.

Issues:

1. **Whether misrepresentation of profession in a certificate of candidacy constitutes an election offense under Section 262 in relation to Section 74 of B.P. 881 without materiality?**
2. **Whether the provisions and rulings in Romualdez-Marcos and Salcedo are applicable to this case concerning the materiality of misrepresentation?**
3. **Whether materiality should affect the interpretation of election offenses under Section 262 and 74 of B.P. 881?**

Court's Decision:

The Supreme Court affirmed the COMELEC En Banc's resolutions, dismissing the petition and ruling:

1. **Materiality Requirement:**

- The misrepresentation of profession or occupation is not material as it does not pertain to qualifications for elective office, which include citizenship, residency, voter registration, and language proficiency (Section 39, R.A. 7160).

2. **Penal Provisions Interpretation:**

- Section 262's phrase "pertinent portions" implies limitations, indicating only materially misrepresented qualifications can denounce an election offense.
- The doctrine from *Abella v. Larrazabal* and *Salcedo* states materiality relates to qualifications affecting eligibility.

3. **Application in Perjury and Election Laws:**

- Perjury requires false statements to be made on material matters (Article 183, Revised Penal Code).
- Section 264 of B.P. 881 imposes severe penalties for election offenses, underscoring the need for narrow interpretation.

Conclusively, false statements regarding non-material facts such as profession or occupation bear no criminal responsibility under Section 262 in the absence of material effect on candidacy qualifications.

Doctrine:

- **Materiality in Election Offenses:** Misrepresentation in a certificate of candidacy constitutes a criminal election offense only if the misrepresented fact is material to the qualifications for the elective office.
- **Malum Prohibitum:** Even as a malum prohibitum, the offense must relate to material

qualifications to trigger criminal liability.

Class Notes:

- **Key Elements**:

- **Material Misrepresentation**: False statement about a candidate's qualification which affects eligibility for office.
- **Given Penalties**: Section 264 of B.P. 881 delineates stringent consequences including imprisonment and disqualification from office.
- **Statutory References**:
 - Section 74 and 262 of B.P. 881: Establish requirements of the Certificate of Candidacy and stipulate specific election offenses.
 - Section 39, R.A. 7160: Specifies qualifications for elective local officials.
 - Article 183, Revised Penal Code: Pertains to perjury, defining material falsity under oath.

Historical Background:

The case arose in the context of determining the legal threshold for penalizing candidates' false statements under the Omnibus Election Code. Historical judicial precedents like Romualdez-Marcos and Salcedo focused on materiality, reflecting judicial efforts to delineate the scope of criminal responsibility in electoral settings. This ruling reiterated the judicial principle of narrowly interpreting penal laws to avoid undue criminal liability for immaterial misstatements, standardizing electoral integrity while safeguarding candidates' rights.