

****Title:** Liwayway Vinzons-Chato vs. Commission on Elections and Renato J. Unico******

****Facts:****

Liwayway Vinzons-Chato (petitioner) and Renato J. Unico (respondent) were candidates for the lone congressional district of Camarines Norte in the 2004 elections. Petitioner Chato contested the election results alleging manifest errors and discrepancies in the returns from various precincts in Labo. During the canvassing of votes from May 10-12, 2004, Chato's counsel objected to several returns; however, the Municipal Board of Canvassers (MBC) required Chato to prove her allegations within 24 hours. Before this period lapsed, the MBC prematurely forwarded the canvassing results to the Provincial Board of Canvassers (PBC), and Chato's counsel was disallowed from presenting her objections.

Chato appealed to the PBC to suspend its proceedings due to pending incidents at the MBC, but was denied. Chato filed a letter-petition for reconsideration with the PBC, which was also denied. Subsequently, on May 14, 2004, PBC proclaimed Unico as the winner. Chato then filed a petition with the Commission on Elections (COMELEC) alleging gross discrepancies and manifest errors in the returns and requested that Unico's proclamation be annulled, and she be declared the winner.

On July 2, 2004, COMELEC's First Division suspended Unico's proclamation effects but lifted it on July 23, 2004, stating that the proclamation and oath-taking conferred jurisdiction to another tribunal. Chato's petition was eventually dismissed by the COMELEC (First Division) on April 13, 2005, for lack of merit, reasoning that it implied a request for a vote recount which was outside a pre-proclamation controversy's scope.

Chato filed a motion for reconsideration which was denied by the COMELEC en banc on March 17, 2006, again citing lack of jurisdiction as Unico took his oath as a Member of the House of Representatives. Chato then filed a petition for certiorari with the Supreme Court.

****Issues:****

1. Whether the COMELEC committed grave abuse of discretion in holding that it was divested of jurisdiction after Unico's proclamation and assumption of office.
2. Whether the COMELEC has jurisdiction to annul an allegedly void proclamation based on manifest errors and discrepancies.

****Court's Decision:****

The Supreme Court, in its detailed examination, dismissed Chato's petition for lack of merit, upholding the COMELEC's decision.

1. **Jurisdiction and HRET Sole Authority:**

- The Court reiterated that once a candidate (such as Unico) has been declared the winner, taken oath, and assumed office as a Member of the House of Representatives, the jurisdiction over contesting the election, returns, and qualifications is conferred solely to the House of Representatives Electoral Tribunal (HRET), not COMELEC.
- This jurisdictional shift from COMELEC to HRET after proclamation and oath-taking by an elected official is clearly enshrined in the Constitution (Article VI, Section 17) and previously upheld jurisprudence (Pangilinan vs. COMELEC, Aggabao vs. COMELEC).

2. **Merit of Pre-proclamation Controversy:**

- The alleged errors cited by Chato were in the nature of an election protest, which is beyond the scope of a pre-proclamation controversy that typically deals only with the face of returns and certificates without delving into a recount or deeper verification.
- Considering Unico had taken his oath and assumed his post, invalidating his proclamation based on errors alleged by Chato falls within the exclusive purview of HRET.

Doctrine:

- The Supreme Court underscored the constitutional mandate that the HRET has sole and exclusive jurisdiction over election contests relating to the election, returns, and qualifications of its members, reiterating that all contesting issues post-proclamation are within HRET's authority.

Class Notes:

1. **Jurisdiction Transfer:** Jurisdiction over election disputes transitions from COMELEC to HRET upon the successful candidate's proclamation, oath-taking, and assumption of office.
2. **Pre-proclamation vs Election protests:** Pre-proclamation controversies are limited to apparent issues on returns' face without considering detailed evidence requiring a recount, unlike election protests.
3. **Relevant Provisions:**
 - Article VI, Section 17, Constitution: HRET's exclusive jurisdiction.
 - COMELEC Resolution No. 6669, Section 31, and RA 7166 Section 20: Procedures on canvassing objections and corrections of manifest errors.

Historical Background:

Post the 1987 Constitution, electoral tribunals for Congress were re-established to exclusively handle electoral disputes. This case emphasizes the delineation of duties

between administrative bodies (like COMELEC) and judicial-like electoral tribunals (like HRET), reflecting a significant shift from previous procedures under the 1973 Constitution where COMELEC had broader jurisdiction over election disputes. The *Vinzons-Chato vs. COMELEC* case provides a critical interpretative affirmation of jurisdictional boundaries stipulated by the 1987 Constitution.