

Title: Lazatin vs. House Electoral Tribunal and Timbol – Jurisdiction Over Election Protest Timeliness

Facts:

1. Carmelo F. Lazatin and Lorenzo G. Timbol were candidates for Representative of the first district of Pampanga in the May 11, 1987, elections.
2. During canvassing, Timbol objected to certain election returns, but the Municipal Board of Canvassers did not rule on his objections.
3. Timbol filed a case with the Commission on Elections (COMELEC).
4. On May 19, 1987, COMELEC ordered the suspension of the proclamation of the winning candidate.
5. On May 26, 1987, COMELEC ordered the resumption of canvassing and the proclamation.
6. Lazatin was proclaimed Congressman-elect on May 27, 1987.
7. Timbol challenged the proclamation before COMELEC and later sought to prohibit Lazatin from assuming office.
8. Despite these moves, Lazatin assumed office on June 30, 1987.
9. On September 15, 1987, COMELEC declared Lazatin's proclamation void ab initio.
10. Lazatin challenged COMELEC's decision before the Supreme Court (G.R. No. 80007), and on January 25, 1988, the Court set aside COMELEC's revocation.
11. On February 8, 1988, Timbol filed an election protest with the House of Representatives Electoral Tribunal (HRET).
12. Lazatin moved to dismiss the protest on the basis that it was filed late under Sec. 250 of the Omnibus Election Code (OEC).
13. HRET denied Lazatin's motion, prompting him to file a special civil action for certiorari and prohibition before the Supreme Court.

Issues:

1. Whether the HRET had the jurisdiction over the election protest filed by Timbol, considering the timeline of the filing.
2. The applicability of Sec. 250 of the Omnibus Election Code versus Sec. 9 of the HRET Rules in determining the timeliness of the election protest.
3. Whether there was a grave abuse of discretion by HRET in denying Lazatin's motion.

Court's Decision:

1. **Jurisdiction and Timeliness:** The Supreme Court held that the HRET has jurisdiction over election contests relating to the election, returns, and qualifications of Members of the House of Representatives.

- Sec. 250 of the Omnibus Election Code pertains to election contests before the COMELEC, not HRET.
- The HRET's own rules, established under its constitutional authority, govern the timelines for filing election protests.
- Timbol's protest was filed within 15 days from January 28, 1988, when the Supreme Court's decision setting aside COMELEC's revocation was served, making it timely under HRET Rules.

2. **Exclusive Jurisdiction of HRET**: The Supreme Court reaffirmed that the HRET's jurisdiction over its internal matters, including the timeliness of filings, is exclusive and not subject to the COMELEC regulations.

- HRET rules derive directly from the 1987 Constitution, which stipulates that the Electoral Tribunals are the sole judges of all contests relating to elections, returns, and qualifications.

3. **Grave Abuse of Discretion**: The Court did not find any grave abuse of discretion on HRET's part.

- The discretion over provisional relief such as restraining orders and injunctions lies within the HRET's judgment.
- No final action of HRET denying Timbol provisional relief had been shown to warrant review.

Doctrine:

- **Independent Rule-Making Authority**: The power of the HRET to establish their procedural rules, including timelines for filing election protests, arises from the Constitution and is distinct from statutory codes like the Omnibus Election Code.
- **Constitutional Exclusive Jurisdiction**: The Electoral Tribunals have exclusive jurisdiction over election contests involving Members of Congress, insulating their decisions from interference except in instances of grave abuse of discretion.

Class Notes:

- **Exclusive Jurisdiction**: Article VI, Sec. 17 of the 1987 Constitution: "The Senate and the House of Representatives shall each have an Electoral Tribunal which shall be the sole judge of all contests relating to the election, returns, and qualifications of their respective Members."
- **HRET Rule-Making Power**: Confirmed by the Court, derived from *Angara v. Electoral Commission*, 63 Phil. 139 (1936). The inference that a body with general power has incidental authority to promulgate necessary procedural rules.

- **HRET's Procedural Lis Independence**: HRET's procedural decisions, including the acceptance of timeliness for election protests, are autonomous and insulated from the statutory framework applied to other election contests.

Historical Background:

This case illustrates the restoration of constitutional provisions on the separation of powers post-1987, emphasizing a return to the constitutional separation wherein the legislative bodies have exclusive internal jurisdiction over their election matters. Previously under the 1973 Constitution, such matters were intertwined with administrative bodies like COMELEC. The 1987 shift recognizes the intent to isolate legislative election challenges from executive influence, maintaining an impartial and constitutionally-mandated framework.