

CIRCULAR NO. 18, December 15, 1986

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TO :

ALL JUDGES OF THE REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT:

Executive Order No. 50, dated October 20, 1986

Executive Order No. 50, dated October 20, 1986, of Her Excellency, President Corazon C. Aquino provides for the general registration of voters for the plebiscite on the proposed Constitution, for the plebiscite, appropriating funds therefor, and for other purposes.

Section 19 of Executive Order No. 50, provides:

"SEC. 19. Jurisdiction in Inclusion and Exclusion Cases. - The Municipal and Metropolitan Trial Courts shall have original and exclusive jurisdiction over all matters of inclusion and exclusion of voters from the list in their respective municipalities and cities. The decision of the Municipal or Metropolitan Trial Courts shall be rendered within ten (10) days after the filing of the petition and may be appealed directly by the aggrieved party to the proper Regional Trial Court within five (5) days from receipt of notice thereof otherwise said decision of the Municipal or Metropolitan Trial Court shall become final and executory. The Regional Trial Court shall decide the appeal within ten (10) days from filing and its decision shall be immediately final and executory. No motion for reconsideration shall be entertained by the Courts. Failure of the judges concerned to comply with the deadlines fixed in this Section shall subject them to administrative action."

Sections 20, 21 and 23 of the same Executive Order provide that petitions for inclusion and exclusion of voters from the I list, as well as applications by voters excluded from the list through inadvertence or registered with an erroneous or misspelled name, shall be filed with the proper Municipal or Metropolitan Trial Court within fifteen (15) days after the last registration day. COMELEC Resolution No. 1778, dated on October 30, 1986, set the dates for registration: December 6, 7, 13 and 14, 1986.

Pursuant to and conformably with the pertinent provisions of the aforementioned Executive Order, you are hereby directed to be at your respective salas from December 15 to 29, '86 inclusive of Saturdays and Sundays, except on Christmas December 25, 1986 which is a legal Holiday, to hear and decide cases for inclusion, exclusion, correction and change of names of voters.

Your attention is further called to the provisions in Section 24 of Executive Order No. 50.

"SEC. 24.

xxx

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xxx

"(a) No petition for inclusion, exclusion and correction of names of voters shall be received outside of regular office hours.

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xxx

"(f) These applications shall be heard and decided without delay. The decision shall be rendered within six (6) hours after the hearing."

December 15, 1986.

(SGD.) CLAUDIO TEEHANKEE

Chief Justice

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