

PRESCRIBING THE MANNER OF CALLING A PLEBISCITE OR A REFERENDUM AND THE MANNER OF RECALL OF LOCAL ELECTIVE OFFICIALS.

PRESIDENTIAL DECREE NO. 1577, June 11, 1978

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WHEREAS, the Constitution recognizes referendum and plebiscite as among the modes or means of ascertaining the will of the people and important questions and issues that confront them;

WHEREAS, the Constitution provides that referenda conducted through the barangays and under the supervision of the Commission on Elections may be called at any time the Government deems it necessary to ascertain the will of the people regarding any important matter, whether of national or local interest;

WHEREAS, the Constitution also provides for instances where plebiscite may be called for certain purposes;

WHEREAS, the Constitution further ordains the institution of an effective system of recall of local elective officials; and

WHEREAS, it is deemed necessary to prescribe the manner by which plebiscite or referendum may be called and the manner by which local elective officials may be recalled;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. When, as prescribed by law a referendum or plebiscite has to be called or when in the judgment of the President of the Philippines there is a need for calling either a plebiscite or a referendum, the President shall announce or proclaim the calling of the plebiscite or referendum, which announcement shall be made at least two (2) weeks before the holding of the plebiscite or referendum.

SEC. 2. The proclamation or announcement calling for a plebiscite or referendum shall not only provide for the date, place and other conditions of the plebiscite or referendum but shall also define or state the issues, whether national, local or both, that are to be submitted for consultation with or decision by the people in the plebiscite or referendum.

SEC. 3. The Sangguniang Panlalawigan, the Sangguniang Panlungsod and the Sangguniang Bayan may call for a plebiscite or referendum on any issue affecting the province, city or municipality, as the case may be.

SEC. 4. The conduct of the plebiscite or referendum may be formal or informal as determined by the President. The plebiscite or referendum, whether formal or informal, may be conducted through the barangays under the supervision of the Commission on Elections, or by an office or agency designated by the President but under the supervision of the Commission on Elections.

SEC. 5. An informal plebiscite or referendum may be done by a viva voce vote and conducted through the barangay or any other agency designated by the President and supervised by the Commission on Elections.

SEC. 6. When one-fifth (1/5) of the registered voters of a particular province, city or municipality, for reasons of

disloyalty to the Republic of the Philippines, dishonesty, oppression, misconduct in office, corruption, ignorance, negligence, incompetence, or any other cause which the petitioners may deem sufficient, file a petition for the recall of any of their respective local elective officials, the President shall call for a vote or recall of the local elective officials concerned, either formally or informally, subject to the supervision of the Commission on Elections.

SEC. 7. The recall of local elective officials shall be done by voting which shall be conducted in the province, city or municipality, as the case may be, to elect the successor from among the list of qualified candidates which shall include the name of the official sought to be recalled, subject to the following conditions:

- That the recall shall be effective only upon the determination of a successor in the person of the candidate receiving the highest number of votes cast during the voting; and
- That should the highest number of votes belong to the official sought to be recalled, confidence in him shall have been deemed reposed.

SEC. 8. The Commission on Elections shall promulgate such rules and regulations as may be necessary to implement the provisions of this Decree.

SEC. 9. All laws, decrees, orders, rules and regulations inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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