

PROVIDING FOR PUBLIC AND FREE DISCUSSIONS AND DEBATE ON THE REFERENDUM QUESTIONS AND SETTING A PERIOD THEREFOR.

GENERAL ORDER NO. 51, January 17, 1975

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WHEREAS, in my desire to ascertain the people's views, I have, through Proclamation No. 1366, dated December 31, 1974, called a nation-wide referendum on January 30, 1975;

WHEREAS, I have declared that our people should be fully informed and enlightened on the referendum questions in order that they can cast their votes intelligently and with full understanding of the issues involved;

WHEREAS, therefore, our people should be afforded the fullest opportunity to discuss and debate freely and publicly the questions to be submitted in the referendum;

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

SECTION 1. Declaration of Policy. - Free and public discussions and debates on the questions to be submitted in the referendum of February 27, 1975, shall be allowed and encouraged in order that the barangay voters can vote intelligently and with full understanding of the issues involved.

SECTION 2. Implementation of Policy. - To implement the policy declared in the preceding section, the following provisions shall be enforced:

- Any persons who is duly registered as a barangay member shall not be questioned, interrogated or investigated before or after the referendum for any speech, remark or statement in any discussion or debate intended to explain the referendum questions or to enlighten the people about the issues involved, or for any view for or against any or all of the questions made in public rallies or debates or in other forms of communications, radio or television, and such remarks, statements or views shall not be admissible as evidence in any investigation or suit against the person or persons making then.

- The printing of pamphlets, leaflets posters, handbills and other printed materials designed to explain the referendum questions or to enlighten the people about them, and the dissemination or circulation of these materials shall be allowed and in no way restricted, subject to pertinent and applicable provisions of the Election Code of 1971 and regulations that may be promulgated by the Commission of Elections in accordance with Sec. 5 of this General Order, and no person or persons who are duly registered as barangay member shall be held to account for views expressed in these printed materials, which shall likewise be inadmissible as evidence in any investigation or suit against the person or persons printing, publishing or circulating them: Provided, however, That any printed material shall not be allowed to be disseminated or circulated if it does not indicate the name and address of the author thereof as well as the name and address of the printer.

Nothing in this Order, however, shall be construed as in any manner allowing any speech, remark or statement in the discussions or debates herein referred to which are patently libelous or which are not clearly and patently related to, or connected with the questions or issues involved.

Likewise, the distribution of printed materials shall not be allowed if the contents thereof are patently libelous or are not clearly and patently related to, or connected with the questions or issues involved.

SECTION 3. Period of Free and Public Discussion or Debate. - Free and public discussions and Debates for the purpose herein provided shall be allowed during the period from February 7th up to February 21st, 1975.

SECTION 4. Power of Supervision and Control. - The Commission of Elections shall have direct and immediate supervision and control over national, provincial, city, municipal and municipal district officials required by it to perform duties relative to the enforcement of the provisions of this General Order and the rules and regulations promulgated in accordance with Section 5 of this Order, including members of any national or local enforcement agency and instrumentality of the Government.

SECTION 5. Rules and Regulations. - The Commission on Elections is hereby empowered to promulgate rules and regulations necessary for the implementation of this General Order, taking into account the conditions of peace and order in each locality in the light of pertinent provisions of existing laws.

SECTION 6. Penal Provisions. - The penalty of imprisonment of one year but not more than five years or a fine of not less than one thousand pesos but not more than five thousand pesos, or both, at the discretion of the court, shall be imposed upon any person who:

- Shall obstruct, impede, or frustrate in any manner the exercise by any barangay member of the right to free and public debate or discussion provided herein;
- Shall prevent or obstruct any barangay member in disseminating or circulating printed materials allowed under this General Order;
- Shall print or disseminate or circulate propaganda materials in violation of the proviso appended to sub-paragraph 2, of Section 2 of this General Order;
- Shall violate any provision of the rules and regulations promulgated by the Commission on Elections in pursuance of Section 5 hereof.

SECTION 7. Repealing Clause. - All laws, executive orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Order are hereby repealed, amended or modified accordingly.

SECTION 8. Effectivity. - This General Order shall take effect in accordance with the provision of Section 3 hereof.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES

Acting Executive Secretary

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