

AN ACT PROVIDING FOR THE ACCREDITATION OF POLITICAL PARTIES OR GROUPS AND DEFINING CERTAIN RIGHTS OR PRIVILEGES THEREOF, AND FOR OTHER PURPOSES.

BATAS PAMBANSA BLG. 126, April 28, 1981

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Be it enacted by the Batasang Pambansa, in session assembled:

SECTION 1. Accreditation of political parties or groups. — For purposes of the election herein provided, only two political parties or groups shall be accredited in accordance with the following rules:

The Commission on Elections shall determine *motu proprio* or upon sworn petition by any political party or group, after due notice and hearing, which of the political parties or groups presenting or supporting a candidate shall be granted accreditation, taking into consideration the number of members of said political party or group in the Batasang Pambansa, the record of performance in past elections, plebiscites or referendums, bailiwicks of support, capability to wage a national campaign, the platforms or programs of government, and other similar and relevant factors. The sworn petition of a political party or group as herein provided shall contain statements relevant to the standards of accreditation established in this paragraph, and such other information as may be required by the Commission on Elections.

The Commission on Elections shall decide any petition for accreditation within three days from the submission of the case for resolution.

Political parties with national or regional constituencies, and/or other groups or organizations may enter into alliances or coalitions for the purpose of presenting or supporting a common candidate for President.

In case the two accredited political parties or groups entitled to representatives in the Citizens Election Committee, or the Board of Canvassers shall be supporting or nominating a common candidate, the two accredited political parties shall be entitled to only one representative. The Commission on Elections in such case shall grant the right to appoint the other representative to the political party or group nominating the opponent or in case of several opponents such right shall be given to the party or group pursuant to the guidelines provided for in this section.

The accreditation herein granted shall be without prejudice to the right of any political party or group to present and support a candidate for President.

SEC. 2. Representation of parties or groups in the Citizens Election Committee.—The appointment of the member of the Citizens Election Committee and his substitute shall be proposed by the two political parties or groups duly accredited by the Commission on Elections in accordance with the preceding section.

SEC. 3. Defining other rights or privileges of accredited political parties or groups.— (1) Party vote.—If the voter writes on the ballot the name of the accredited political party or group instead of the name of its official candidate, the vote shall, any provision of law to the contrary notwithstanding, be counted in favor of the official candidate of such accredited political party or group.

(2) Extension of time for party nomination.—If on account of lack of material time or due to any excusable delay, the Commission on Elections is unable to decide any petition or application for accreditation on or before April 28, 1981, in accordance with Section 1 hereof; or if the accredited political party or group fails to hold on or before April 28, 1981, the party convention, caucus, consensus or meeting to choose its official candidate, the political party or group concerned and thereafter accredited shall be granted an extension of time up to and including but not later than May 16, 1981, within which to submit to the Commission on Elections the certificate of nomination, of its official candidate.

If, notwithstanding the extension of time granted it in the preceding paragraph, the accredited political party or group fails to nominate its candidate, said party shall lose its accreditation, and the Commission on Elections shall forthwith determine which of the other political parties or groups with an official nominee shall be entitled to accreditation under the same standards provided in Section 1 hereof.

The candidate or candidates nominated in accordance with this section may file his certificate of candidacy on or before May 16, 1981.

(3) Right of accredited party or group or candidate to contest election.—A sworn petition contesting the election of a President shall be filed with the Batasang Pambansa within thirty days after the proclamation of the results of the election by any accredited political party or group or by any candidate voted for.

SEC. 4. Manner and date of proposing appointments of party representatives in the Citizens Election Committees and Boards of Canvassers.— (1) The political party or group entitled to be represented in the Citizens Election Committees shall, through its duly authorized officials, designate its representative in each province and city who shall have the authority to submit in writing not later than May 21, 1981, the names and addresses of persons whom they propose to be appointed as members of the Citizens Election Committees. If said political party or group fails to propose the names of the persons to be appointed as members of the Citizens Election Committees, the Commission on Elections shall, at its discretion, choose said members and their substitutes.

(2) The two political parties or groups granted accreditation under Section 1 hereof shall be entitled to representation in the Provincial and City Boards of Canvassers. The political parties or groups referred to herein shall submit to the Commission on Elections not later than May 27, 1981, the names of their respective representatives in the Boards of Canvassers.

SEC. 5. Relief and substitution of party or group representatives.—Any member of the Citizens Election Committee or Board of Canvassers as well as his substitute, proposed by a political party or group may at any time be relieved from office and substituted with another having the legal qualifications upon petition of the authorized representative of the political party or group upon whose nomination the appointment was made, and it shall be unlawful to prevent said person from, or disturb him in, the performance of the duties of the said office. A record of each case of substitution shall be made, setting forth therein the hour in which the replaced member ceased in office and the status of the work of the Citizens Election Committee or Board of Canvassers. Said record shall be signed by each member of the Citizens Election Committee or the Board of Canvassers as the case may be.

SEC. 6. Qualifications of members of the Citizens Election Committee or of the Board of Canvassers nominated by political party or group.—No person shall be appointed or shall sit as member of the Citizens Election Committee or of the Board of Canvassers, or a substitute member thereof, upon nomination of a political party or group, unless he is a qualified voter of the municipality or city in the case of member of the Citizens Election Committee, and of the city or province in the case of member of the Board of Canvassers, of good reputation, shall not have been convicted of any election offense or of any other crime or shall have pending against him an

information for any election offense, and must knew how to read and write.

SEC. 7. Rules and regulations.—The Commission on Elections shall promulgate rules and regulations to implement this Act.

SEC. 8. Separability clause.—If for any reason any section or provision of this Act or any portion thereof, or the application of such section, provision or portion to any person, group or circumstance, is declared invalid or unconstitutional, the remainder of the Act or the application of such provision to other persons, groups or circumstances shall not be affected by such declaration.

SEC. 9. Effectivity and applicability.—This Act shall take effect upon its approval and shall be applicable only to the presidential election of 1981. In case of conflict or inconsistency with other laws, decrees, orders, rules and regulations or parts thereof, the provisions of this Act shall prevail and govern. In all matters not herein provided for, the pertinent provisions of the 1978 Election Code and rules and regulations promulgated thereunder not inconsistent with this Act shall govern.

Approved, April 28, 1981.

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