ENFORCEMENT OF COMELEC RESOLUTION NO. 2899 DATED 04 MARCH 1997, ENTITLED: “DEPUTATION OF CERTAIN NATIONAL AND LOCAL OFFICIALS OR EMPLOYEES, LAW ENFORCEMENT AGENCIES AND INSTRUME...

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Pursuant to COMELEC Resolution No. 2899 promulgated on 04 March 1997, Part IV thereof, deputizing the Department of Transportation and Communications and all concerned agencies and offices under it and prescribing their duties and functions in connection with the May 12, 1997 barangay elections, we are quoting hereunder election offenses under the Omnibus Election Code for guidance and strict compliance.

a. Section 51 of Resolution No. 2899 prohibits any person from giving or accepting, free of charge, directly or indirectly, transportation on the day of a barangay assembly meeting or other authorized public forum or public meeting on registration day, on the day preceding the election and on election day.

b. Section 95 of the Omnibus Election Code prohibits contributions for partisan political activity made directly or indirectly by natural or judicial person operating a public utility; natural or juridical persons who hold contracts or subcontracts to supply the government or any of its divisions, subdivisions or instrumentalities with goods or services or to perform construction or other works; natural or juridical persons who have been granted franchises, incentives, exemptions, allocations or similar privileges or concessions by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations; natural or juridical persons who, within one year prior to the date of the election, have been granted loans or other accommodations in excess of P100,000.00 by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations.

c. Section 97 of the same Code makes it unlawful for any person or organization whether civic or religious to directly or indirectly solicit and/or accept from the commencement of the election period up to the end including election day.

d. Section 261 (o) of the same Code prohibits the use under any guise whatsoever, directly or indirectly, of any printing press, radio or television station or audio-visual equipment operated by the government or by its divisions, subdivisions agencies or instrumentalities, including government-owned or controlled corporations, or any equipment, facility, apparatus, paraphernalia or which owned by the government-owned or controlled corporations, or by the Armed Forces of the Philippines for any election campaign or for any partisan political activity shall be prohibited.

e. Section 261 (dd) (4) of the same Code which penalizes any operator, or employee of a public utility operating under a Certificate of Public Convenience who refuses to carry official election mail matters free of charge during the election period.

All concerned MARINA officials and employees are hereby directed to apprehend violators of the aforesaid prohibitions and refer such violations to the Commission, thru its Regional Election Directors or Provincial Election Supervisors, for appropriate action.

All shipping operators/owners engaged in domestic shipping shall report within thirty (30) days following the day of the election, the use, rental or hiring of their facilities by any candidate or political party in connection with the election campaign, including the amount paid for such use, rental or hiring, which reports shall be submitted to the Election Records and Statistics of the Commission on Elections for the purpose of proper accounting, and monitoring of expenses of candidates and political parties under Section 100 and 101, respectively, in relation to Section 112 of the Omnibus Election Code.

Adopted: 22 April 1997

By authority of the board:

(SGD.) RADM PIO H. GARRIDO JR. AFP (RET)
Administrator

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