

PRESCRIBING THE MANNER OF SERVING THE SENTENCE IMPOSED UPON PERSONS WHO FAIL TO CAST THEIR VOTES WITHOUT JUSTIFIABLE CAUSE

PRESIDENTIAL DECREE NO. 1053, November 25, 1976

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WHEREAS, it is the duty and obligation of every Filipino citizen to exercise the right of suffrage and failure to do so is penalized in Presidential Decree No. 229;

WHEREAS, despite the condonation of the failure of qualified citizens to register and/or cast their votes in previous referenda, in order to preserve national unity, there are still elements in our society who not only have failed to perform this duty in the last referendum-plebiscite but also have influenced others to adopt the same course of action;

WHEREAS, there is a compelling need to adopt a procedure which can adequately meet the problems that may arise as a result of the strict enforcement of the penal sanctions in the above-cited decree.

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

SECTION 1. Any person who shall have been convicted for failure to cast his vote without justifiable cause as provided in Section 17(j) of Presidential Decree No. 229 shall, at the discretion of the municipal judge or city judge, as the case may be, serve the sentence imposed upon him either in the appropriate jail or in the following manner.

- (a) He may be confined to his residence or any habitation for the duration of the sentence;
- (b) In addition to (a), he may be made to participate in construction, gardening, maintenance or agricultural activities in projects national, provincial or municipal in scope for the duration of the sentence;
- (c) He shall report once a day to the chief of police of the city or municipality of his residence, as the case may be, or his duly designated representative, at a definite time to be prescribed by said chief of police.

SECTION 2. Failure to report as required in paragraph (c) of the preceding section without justifiable cause shall constitute a new offense, the penalty for which shall not exceed that originally imposed upon him under section 1 hereof, the offender to be confined in the municipal or city jail, as the case may be, after his original sentence shall have been fully served.

SECTION 3. All laws, executive orders, decrees, rules and regulations, or parts thereof inconsistent herewith are hereby repealed, amended or modified accordingly.

SECTION 4. This Decree shall take effect immediately.

DONE in the City of Manila, this 25th day of November, in the year of Our Lord, Nineteen Hundred and Seventy-Six.

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

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

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