

AN ACT TO PROVIDE FOR THE ELECTION AND HOLDING OF THE CONSTITUTIONAL CONVENTION AUTHORIZED BY THE ACT OF THE CONGRESS OF THE UNITED STATES OF MARCH TWENTY-FOURTH, NINETEEN HUNDRED...

Acts No. 4125, May 26, 1934

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

ELECTION OF DELEGATES FOR THE CONSTITUTIONAL CONVENTION

SECTION 1. The Constitutional Convention authorized by Public Act Numbered One hundred and twenty-seven of the Seventy-third Congress of the United States, approved March twenty-fourth, nineteen hundred and thirty-four, entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and form of government for the Philippine Islands, and for other purposes," shall be composed of two hundred and two elective delegates distributed at the ratio of two delegates for each representative district, except in the special provinces of Mindanao and Sulu which shall each have two delegates, and except in the Mountain Province which shall have two delegates for each subprovince thereof and two delegates for the City of Baguio.

SEC. 2. The office of delegate shall be honorary and shall be compatible with any other public office not subject to the civil service rules.

SEC. 3. No person shall be eligible for delegate who has not the qualifications required by existing law for eligibility for representative.

SEC. 4. The election of delegates shall be held on June twenty-sixth, nineteen hundred and thirty-four, in accordance with the provisions of the Election Law governing special elections for representative, except as herein otherwise provided. For good reasons, the Governor-General may postpone the election to a date not later than July sixteenth, nineteen hundred and thirty-four, in which case the Constitutional Convention shall be held on the thirtieth of the same month and year, at eleven o'clock in the morning.[1]

SEC. 5. The delegates shall be elected as follows:

- The delegates of the elective representative districts and those of Nueva Vizcaya, Baguio, Agusan, Davao, and Zamboanga shall be elected by a plurality of the votes of the qualified electors registered in the list of voters of the general election of nineteen hundred and thirty-four in the respective districts or provinces, as the case may be. The voters of Tagudin, Cervantes, Angaki, San Emilio, Concepcion, Sigay, Suyo, Alilem, and Sugpon, of the Province of Ilocos Sur, shall vote at the election of delegates of the second district of said province, and the voters of Pugo, Burgos, San Gabriel, Santol, and Sodipen, of the Province of La Union, shall vote at the election of delegates of the first district of the latter province. No new voters shall be admitted at this election; and

- The delegates of the Mountain Province, Bukidnon, Cotabato, Lanao, and Sulu shall be elected by secret ballot and by a plurality of the votes of the members present at a meeting to be held in their respective localities at nine o'clock in the morning of the day of the election of delegates, by the presidents, vice-presidents, and councilors of the municipalities and municipal districts, and the respective municipal secretary shall certify to the result of the balloting and the provincial board shall act as provincial board of canvassers.

SEC. 6. The certificates of candidacy of the candidates for delegate shall be filed at least ten days, before the election by the candidates themselves or by ten or more electors of the district or province in which they are to be elected, and need not contain any statement regarding their political affiliation.

SEC. 7. The election inspectors and poll clerks shall be paid a per diem of three pesos for each day of service in carrying out the election herein provided for.

SEC. 8. The Secretary of the Interior shall prescribe the forms for the official ballots which shall be numbered but shall not have any coupons nor any printing on the back; the types of ballot boxes which shall not require more than two padlocks each the keys whereof shall during the election be in the keeping of inspectors of opposing parties and shall after the election be surrendered to the clerk of the Court of First Instance and the provincial commander of the Constabulary; the forms for the statements of the results of the election, and the forms for the telegraphic transmission of the results. The statements and official telegrams relative to the results of the election shall be received and transmitted by the Bureau of Posts without delay and free of charge, and shall be given the preference over other matter.

MEETING OF THE CONSTITUTIONAL CONVENTION

SEC. 9. The Constitutional Convention shall meet in the Session Hall of the House of Representatives on July fourth, nineteen hundred and thirty-four, at eleven o'clock in the morning. A majority of its members shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. The Convention shall be the sole judge of the elections, returns, and qualifications of its members; it may organize and adopt such rules as it may see fit, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel them.

SEC. 10. The laws relative to the parliamentary immunity of the members of the Legislature and the protection of the sessions of the same and its committees against disturbance and molestation, and the penalties provided for the violation of said laws shall be applicable to the members of the Constitutional Convention and to the sessions of the same and of its committees.

SEC. 11. The Secretaries of the Houses of the Legislature shall place at the disposal of the Constitutional Convention such personnel, premises and furniture thereof as can, in their judgment, be spared without detriment to the public service, without cost, refund or additional pay.

APPROPRIATION OF FUNDS

SEC. 12. The sum of five hundred thousand pesos, or so much thereof as may be necessary, is hereby appropriated out of any general funds not otherwise appropriated, (a) for the payment of the expenses of the election, subject to the approval of the Secretary of the Interior; (b) for the expenses of fitting the session hall of the House of Representatives and the necessary rooms for the use of the Constitutional Convention; and (c) for the payment of per diems to the members of the Convention not receiving government salary in any other capacity at the rate of five pesos for each day of session of said Convention actually attended by them; for the expenses of going to and returning from the sessions of the Convention, to the same extent to which such expenses are

allowed to members of the House of Representatives, and for other incidental expenses of the Convention, subject to the approval of the chairman or acting chairman of the Convention.

DATE OF TAKING EFFECT

SEC. 13. This Act shall take effect on its approval.

Approved, May 26, 1934.

[1] Postponed to July 10, 1934, see Proclamation No. 694, p. 275, post.

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