

AN ACT TO AMEND CERTAIN SECTIONS OF THE REVISED ELECTION CODE

REPUBLIC ACT NO. 599, March 28, 1951

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Sections fifty-seven, fifty-eight, sixty-two and sixty-three of the Revised Election Code are amended to read as follows:

"SEC. 57. Election precincts to be established.-The unit of territory for the purpose of voting is the election precinct, and every municipality or municipal district shall have at least one.

The Commission on Elections shall fix ninety days before the day of the election the limits of all the election precincts."

"SEC. 58. Arrangement of election precincts.-(a) The election precinct shall be so arranged that no precinct shall have more than two hundred voters, and each shall comprise, as far as practicable contiguous and compact territory.

(b) When it appears that an election precinct contains more than two hundred voters, the Commission on Elections shall make such adjustment or new division as may be necessary.

(c) A municipality or a municipal district which has been merged with another municipality shall constitute at least one election precinct, if the distance between the remotest barrio of the merged municipality or district and the nearest polling place of the municipality to which it has been merged shall, by the shortest road, exceed five kilometers.

(d) An island or group of islands having one hundred and fifty or more voters shall constitute a precinct."

"SEC. 62. Designation of polling places.-At least seventy days before each regular election, the Commission on Elections shall designate in each election precinct a place as provided in this Code where the meetings of the board of inspectors for registration and the election shall be held."

"SEC. 63. Requirements for polling places.-Each polling place shall be, as far as practicable, a ground floor hall of sufficient size to admit and comfortably accommodate forty voters at one time outside the guard rail for the board of inspectors. The polling place shall be located as centrally as possible with respect to the residence of the voters of the precinct, but it may be located also in the poblacion of the municipality upon petition of the majority of the voters of the precinct or by agreement of all the political parties or by resolution of the Commission on Elections. A public building having the foregoing requirements shall be preferred."

SEC. 2. Sections seventy-five, seventy-six, ninety-four, ninety-five and one hundred of the same Code are amended to read as follows:

"SEC. 75. Appointment of election inspectors and poll clerks.-Fifty days immediately prior to the date of a regular election, the Commission on Elections shall, directly or through its duly authorized provincial representatives, appoint a board of election inspectors for each election precinct, to, be composed of a chairman and two inspectors and a poll clerk, who shall hold office until their successors are appointed for the next regular election, unless they are sooner relieved. The chairman and his substitute shall be appointed by the

Commission on Elections. Whenever in this Code mention is made of the board of inspectors or of members of the board of inspectors it shall be understood to include the poll clerk."

"SEC. 76. Representation of parties in the board of inspectors.-The appointment of one inspector and his substitute shall be proposed by the party presenting candidates for election which polled the largest number of votes in the next preceding presidential election and the other inspector and his substitute shall be proposed by the party also presenting candidates for election which polled the next largest number of votes in the Philippines. The Commission on Elections shall appoint the poll clerks in each election precinct, who shall be public school teachers. The party affiliation of the candidates voted for shall be determined from their certificates of candidacy. The national directorates of political parties shall choose their respective representatives in each legislative district, who shall submit in writing, at least ten days before the date fixed for the appointment of the board of election inspectors, the names and addresses of the persons whom they propose to be appointed as election inspectors. If said representatives shall fail to propose the names of persons to be appointed as election inspectors, or if no political party is entitled to propose the appointment of either inspectors, the Commission shall, at its discretion, choose said inspectors and their substitutes."

"SEC. 94. Pay for inspectors and poll clerks.-Every inspector and poll clerk shall be entitled to a per diem of five pesos for every day of actual service in the meetings of the board, and for the day of the election they shall receive ten pesos."

"SEC. 95. Permanent list of voters every twelve years.- There shall be in each municipality or municipal district a permanent list of voters which shall be completely renewed every twelve years. A new list of voters shall be prepared for the elections which will be held in nineteen hundred and fifty-one and said list with such additions, cancellations, and corrections as may be proper shall constitute the permanent list of voters until its renewal in nineteen hundred and sixty-three."

"SEC. 100. Preparation of the permanent list of voters.- For the preparation of the permanent list of voters in nineteen hundred and fifty-one and every twelve years thereafter, the board of inspectors of each election precinct shall hold six meetings in the place designated as polling place on the seventh Friday, seventh Saturday, sixth Friday, sixth Saturday, fifth Friday, and fifth Saturday next preceding the date of the regular election to be held. At these meetings' the board shall prepare as provided in this Code eight copies of the list of voters of the precinct wherein it shall register the additional electors applying for registration."

SEC. 3. Sections one hundred and twenty-four, one hundred and twenty-six, one hundred and thirty-four, one hundred and thirty-five, one hundred and thirty-seven, one hundred and forty-five, one hundred and forty-six, one hundred and forty-eight, one hundred and fifty, one hundred and sixty and one hundred and sixty-four of the Revised Election Code are amended to read as follows:

"SEC. 124. Official ballots.-Ballots for national and local offices shall be uniform throughout the Philippines and shall be provided at public expense. Said ballots shall be in the shape of a strip with stubs and coupons containing the detachable numbers of the ballots, and shall bear at the top on the middle portion thereof the coat of arms of the Republic of the Philippines, and the words 'Official Ballot,' the name of the city or of the municipality and province in which the election is held, the date of the election, and the following notice: 'Fill out this ballot secretly inside the booth. Do not put any distinctive mark in any part of this ballot.' Each ballot shall contain the names of all offices to be voted for in the election, allowing, opposite the name of each office, sufficient space or spaces within which the voter may write the name or names of the individual candidate voted by him.

There shall not be anything on the reverse side of the ballot. There shall be in the coupon a space for the thumb-mark of the voter.

Ballots in municipalities and municipal districts where Arabic is of general use shall have each of the titles of offices to be voted printed in Arabic in addition to and immediately below the English title."

"SEC. 126. Arrangement of the official ballots.-The official ballots shall be bound in separate books of one hundred ballots each. Each ballot shall be joined by a perforated line to a stub numbered consecutively, beginning with number one in each municipality. Each ballot shall also have at its bottom a detachable coupon bearing the same number of the stub. Each book of ballots shall bear on its cover the name of the municipality in which the ballots are to be used and the numbers of the ballots contained therein, and shall be numbered consecutively from number one in each municipality. The Director of Printing, the provincial treasurer and the municipal treasurer shall respectively keep a record of the ballots furnished to the various provinces, cities, municipalities, municipal districts and election precincts."

"SEC. 134. Manner of obtaining ballots.-The voter shall approach one of the inspectors or the poll clerk and shall give him his name and address together with other data concerning his person which appear in the registry list and which may be asked of him by any member of the board of inspectors. Said inspector or poll clerk shall then distinctly announce the voter's name in a clear manner and in a tone loud enough to be plainly heard throughout the polling place. If such person is entitled to vote and has not been challenged or if, having been challenged the question has been decided in his favor, said inspector or poll clerk shall deliver to him one ballot correctly folded. The inspector or poll clerk shall not deliver the ballot to the voter without first entering its number in the corresponding columns of the registry list. No person other than the inspectors or the poll clerk shall deliver official ballots, nor shall more than one ballot be delivered at one time."

"SEC. 135. Manner of preparing the ballots.-The voter, on receiving his ballot, shall forthwith retire to one of the empty voting booths and shall there fill his ballot by writing in the proper space for each office the name of the person for whom he desires to vote. No voter shall be allowed to enter a booth occupied by another voter, nor enter the same accompanied by somebody, nor stay therein for more than five minutes in case there are other voters who are waiting for their turn to vote, nor speak with anyone other than as herein provided while within the polling place. It shall be unlawful to prepare the ballots outside the voting booth or to exhibit their contents to any person, or to erase any printing from the ballots, or to intentionally tear or deface the same or put thereon any distinguishing mark. It is likewise unlawful to use carbon paper, paraffin paper, or other means for making a copy of the ballot or make use of any other means to identify the vote of the voter."

"SEC. 137. Casting of vote.-After his ballot is filled, the voter shall stamp his thumb mark on the corresponding coupon and deliver the folded ballot to the inspector or poll clerk from whom he received it, and the latter, without seeing or exposing its contents, in the presence and view of the voter, shall verify and remove its number, shall deposit the ballot in the box for valid ballots, and shall place the number in the box for spoiled ballots. The voter shall forthwith affix his signature and the imprint of the thumb of his right hand in the copy of the registry list of the inspector or poll clerk who gave him the ballot, in the column intended for that purpose, and the inspector or poll clerk shall in turn sign by the side of said thumb mark. The voter shall then depart. At the time of casting a vote, any ballot whose detachable coupon has not been removed in the presence of the board and of the voter or whose number does not coincide with the number of the ballot delivered to the voter, as entered in the registry list, shall be considered spoiled and shall be so marked and signed by the inspectors."

"SEC. 145. Excess ballots.-Before proceeding to count the votes the board of inspectors shall count the ballots in the box for valid ballots without unfolding them or exposing their contents, except so far as to ascertain that each ballot is single, and shall compare the number of ballots in the box with the number of voters who have voted. If there are excess ballots they shall be replaced in the box and thoroughly mingled therein; and one of the inspectors designated by the board, without seeing the ballots and with his back to the box, shall publicly draw out as many ballots as may be equal to such excess and without unfolding them, place them in a package which shall be marked 'EXCESS BALLOTS' and which shall be sealed and signed by the members of the board. The package shall be placed in the box for valid votes, but its contents shall not be read in the counting of votes. If, in the course of the examination, any ballots shall be found folded together before they were deposited in the box, they shall be placed in the package for excess ballots. In case ballots with their detachable

numbers be found in the box, such numbers shall be removed and deposited in the box for spoiled ballots, and, if ballots with the words "spoiled" be found in the box, such ballots shall likewise be placed in the box for spoiled ballots."

"SEC. 146. Marked ballots.-The board of inspectors shall then unfold the ballots and determine whether there are any marked ballots, and, if any be found, they shall be placed in a package labelled 'MARKED BALLOTS' which shall be sealed and signed by the members of the board and placed in the box for valid ballots, and shall not be counted. A majority vote of the board shall be sufficient to determine whether any ballot is marked or not. Non-official ballots which the board may find, except those which have been used as emergency ballots, shall be counted as marked ballots."

"SEC. 148. Manner of counting votes.-The counting of votes shall be made in the following manner: The board shall form separate piles of one hundred ballots fully extended, which shall be held together with rubber bands, with cardboards of the size of the ballots to serve as folders. The chairman of the board shall take the ballots of the first pile one by one and read, jointly with another inspector, the names of the persons voted and the offices for which they were voted in the order in which they appear thereon, assuming such a position as to enable all or at least a majority of the watchers to read such names.

The other inspector shall record on the tally sheet, as the names voted for each office are read, the number of votes received by each candidate, each vote being recorded by a vertical line, except every fifth vote of the same candidate which shall be recorded by a diagonal line crossing the previous four vertical lines. The poll clerk shall do likewise on the blackboard. After finishing the first pile of ballots, the board shall determine the total number of the votes recorded for each candidate, the sum being noted on the tally sheet and on the blackboard. In case of discrepancy such recount as may be necessary shall be made. The ballots shall then be grouped together again as before the reading. Thereafter the same procedure shall be followed with the second pile of ballots and so on successively. After all the votes of the precinct have been counted the board shall sum up the totals recorded for each candidate, and the aggregate sum shall be likewise recorded on the tally sheet and on the blackboard. It shall then place each pile of ballots in an envelope prepared for the purpose, and each envelope shall be closed, signed, and deposited in the box for valid ballots. The tally sheet on which the votes have been recorded and wherein the partial and total sums appear shall not be changed or destroyed but shall be kept in the box for valid ballots."

"SEC. 150. Statement of the count.-Immediately after the count, the board of inspectors shall make, complete and sign a written statement thereof in quadruplicate. The statement shall show the date of the election, the name of the municipality and the number of the election precinct in which it was held, the total number of ballots found in the box for valid ballots, the total number of ballots withdrawn from the box for spoiled ballots because they were erroneously placed therein, the total number of excess ballots, total number of rejected ballots, and the total number of votes polled by each candidate, writing out the said number in words and figures, and, at the end of the statement, the board shall make a certificate signed by all its members present that the contents of the statement are correct. The statements should be contained, if possible, in a single sheet of paper, but, if this is not possible, each sheet of every copy shall be signed on its margin by all the inspectors."

"SEC. 160. Canvass by the provincial board.-The provincial board of canvassers shall meet as soon as possible within the fifteen days next following the day of the election and the provincial treasurer shall then produce before it the statements of the election returns in the different precincts which may have been delivered to him.

As soon as all the statements are before it but not later than fifteen days next following the date of the election, the provincial board of canvassers shall proceed to make a canvass of all the votes cast in the province for national, provincial and city candidates, and upon the completion of the canvass, shall make, as the case may be, separate statements of all the votes received by each candidate for the offices of President and Vice-President, Senator, and Member of the House of Representatives for each legislative district and by each

candidate for provincial or city office. Upon the completion of the statements, the board shall proclaim in accordance therewith, who has been elected to the House of Representatives from each legislative district and who has been elected to each provincial and city office and shall post true copies of said proclamation in a conspicuous place for not less than one week. With regard to the election of President and Vice-President, the board shall certify and transmit by registered mail the returns as provided in the Constitution. With regards to the election of Senators, the board shall merely state and certify the number of votes polled by the candidates therefor and shall forthwith send by registered mail the corresponding statements to the Commission on Elections. The candidates may appoint watchers to be present at, and take note of, all the proceedings of the provincial board of canvassers and of the committees and subcommittees which the board may appoint."

"SEC. 164. Distribution of the statements.-Copies of the statement of the result of the election for Member of the House of Representatives and for provincial and city office shall be made in sufficient number and signed by the members of the provincial board of canvassers present and sealed with the seal of the provincial government. A copy of the statement shall be filed by the provincial treasurer in his office, another sent immediately by registered mail to the Commission on Elections, another to the House of Representatives and one shall be sent by registered mail to each of the registered candidates participating in said election."

SEC. 4. Sections fourteen, fifteen and seventy-seven and paragraphs numbered nineteen and twenty of section one hundred and forty-nine of the same Code are hereby repealed.

SEC. 5. This Act shall take effect upon its approval.

Approved, March 28, 1951.

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