

AN ACT TO PROVIDE FOR THE HOLDING OF A SPECIAL ELECTION TO FILL EXISTING VACANCIES IN THE HOUSE OF REPRESENTATIVES CALLED IN PROCLAMATION NUMBERED NINETEEN, DATED JANUARY SIX, N...

REPUBLIC ACT NO. 91, March 04, 1947

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

SECTION 1. The special election for members of the House of Representatives in the first district of Iloilo, the fifth district of Pangasinan, and the only district of Bukidnon, on March eleven, nineteen hundred and forty-seven, to fill the existing vacancies in the House of Representatives for the unexpired term, called in Proclamation Numbered Nineteen, dated January six, nineteen hundred and forty-seven, of the President of the Philippines, shall be governed by the provisions of this Act and of Commonwealth Act Numbered Three hundred and fifty-seven, otherwise known as the Election Code, and Commonwealth Act Numbered Six Hundred and fifty-seven, entitled "An Act to Reorganize the Commission on Elections," in so far as they may be applicable and are not in conflict with the provisions hereof.

SEC. 2. At least twenty days immediately prior to the day of the election, the certificates of candidacy for said election, in quadruplicate, subscribed and sworn to by the candidates themselves, shall be filed with the Commission on Elections which shall immediately send copies of said certificates of candidacy to the Secretary of the House of Representatives, and to the provincial treasurers of the provinces where the special elections shall be held who in turn must send immediately said copies to the boards of election inspectors concerned. The Commission on Elections, upon receipt of said certificates of candidacy, shall communicate the names of said candidates by telegram or radiogram to the corresponding provincial treasurer who in turn must transmit the same immediately to the boards of election inspectors of the legislative district where the election will be held. If the certificate of candidacy is sent by mail, it shall be by registered mail, and the date on which the envelope containing the certificate was deposited in the post office may be considered as the filing date of such certificate of candidacy. However, in case the post office wherein this envelope was deposited does not have registered mail facilities, the postmaster shall accept said envelope as ordinary mail, show the date on which it was deposited on the envelope, and in addition swear to a statement showing that he had received the said envelope on the same date, which date shall be considered as the filing date of such certificate of candidacy. In the absence of a postmaster, the duties pertaining to him shall be performed by the municipal treasurer.

A person occupying any civil office by appointment in the Government or any of its political subdivisions or agencies or government-owned or controlled corporations, whether such office be appointive or elective, shall be considered to have resigned from such office from the moment of the filing of his certificate of candidacy.

SEC. 3. In the special election, the boards of election inspectors including the poll clerks appointed in accordance with section four of Republic Act Numbered Seventy-three shall also act as the boards of election inspectors, and the polling places and voting booths to be used in the election provided in Act Numbered Seventy-three shall also be used for the purposes of the special election.

SEC. 4. Only qualified electors whose names appear in the permanent registry list of voters prepared for the election provided in Republic Act Numbered Seventy-three may vote in the special election. For this purpose, the same registry lists of voters to be used in said election will be used in the special election. The procedure in using the same registry list of voters for the two elections shall be determined by the Commission on Elections. No person shall be allowed to vote in the special election unless his or her name appears in this registry list of voters as finally completed and revised by the boards of election inspectors.

SEC. 5. The ballots which shall be used in this special election shall be prepared in accordance with article eight of the Election Code, except as to size which shall be determined by the Commission on Elections.

SEC. 6. The provincial board of canvassers shall be composed of the provincial treasurer, the provincial auditor and the provincial fiscal. It shall meet as soon as possible but not later than fifteen days next following the day of the election to canvass the votes cast in the legislative district, and upon the completion of the canvass, shall make, as the case may be, a statement of all the votes received by each candidate for the office of Member of the House of Representatives for the district. Upon the completion of the statement, the board shall proclaim elected the registered candidate who received the largest number of votes in the legislative district; but in case two or more candidates of the district shall receive the same largest number of votes, the board shall proceed in accordance with section one hundred sixty of the Election Code. Copies of the statement of the results of the election shall be made and signed by the members of the provincial board of canvassers and sealed with the seal of the provincial government. A copy of such statement shall be filed by the provincial treasurer in his office, and he shall send immediately by registered mail a copy thereof to the following: the Commission on Elections; the Secretary of the House of Representatives and the candidate who received the largest number of votes in the legislative district.

SEC. 7. The terms of office of the candidates for member of the House of Representatives who have been proclaimed elected by the respective boards of canvassers shall begin on the day of their election and shall run for the unexpired portion of the terms of their predecessors.

SEC. 8. There is hereby appropriated out of any funds in the Philippine Treasury not otherwise appropriated, the sum of ten thousand pesos, or so much thereof as may be necessary to defray the expenses of the election provided in this Act: Provided, That any amount of the expenditure necessary for the holding of said election in excess of the sum herein appropriated shall be advanced from any funds in the National Treasury not otherwise appropriated.

SEC. 9. This Act shall take effect upon its approval and shall govern only the special election provided for herein.

Approved, March 4, 1947.

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