

Election Law and the 2025 Elections

50 Truths and Updates



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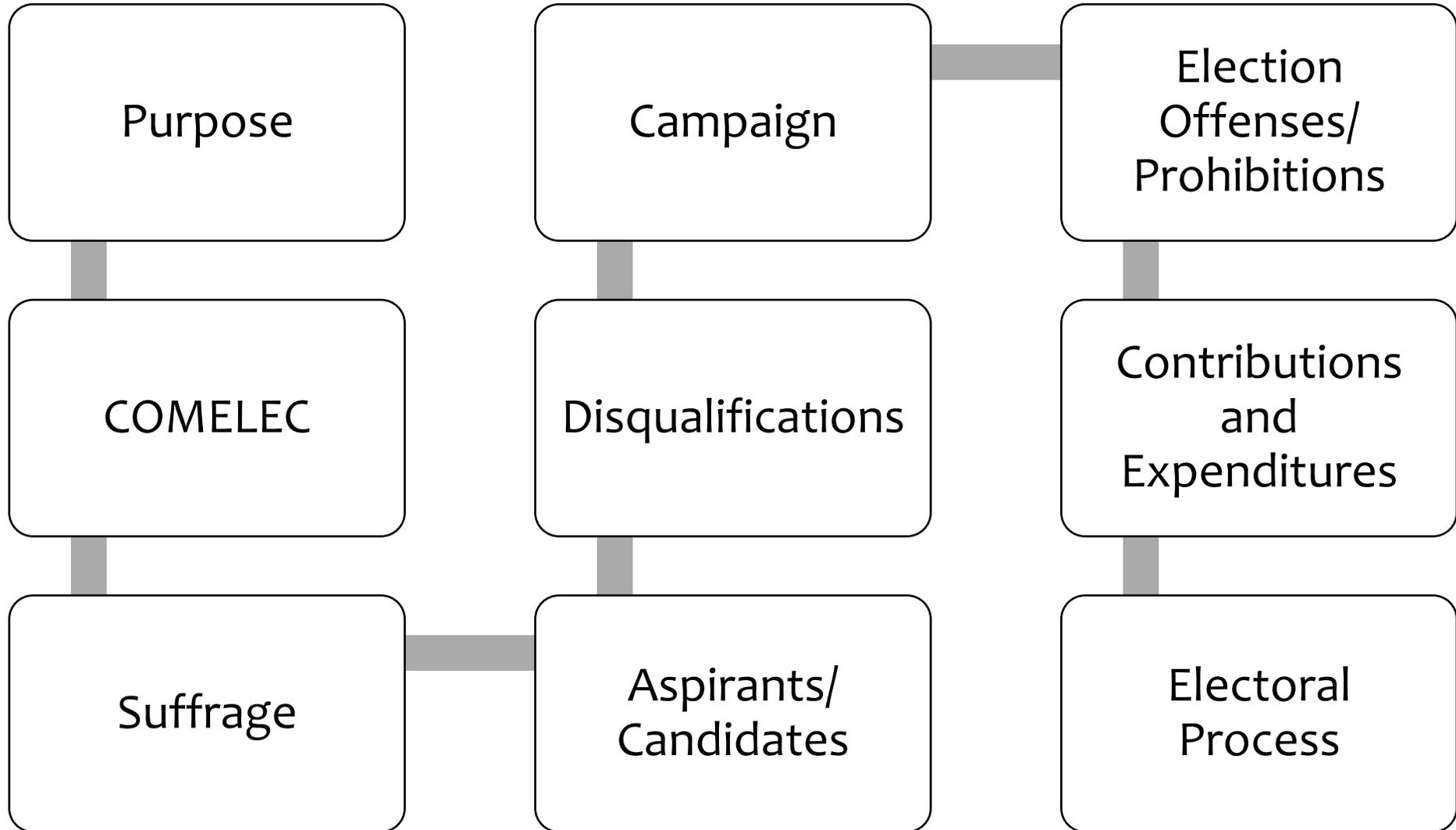
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9 Topics





1. Noble Purpose of Elections

Philippine Elections is about
CHOPFE.

Credible **H**onest **O**rdery

Peaceful and **F**ree **E**lections



2. Commission on Elections

The COMELEC is a constitutionally-created independent **Public Office**. It is a **full Administrative Agency**. It consists of the En Banc and 2 Divisions.



2. Electoral Offices

COMELEC is **not the only** public office involved in/ which can resolve election-related disputes.



3. Suffrage

Before, one can be imprisoned for not voting. Today, suffrage is a **right**.



3. Suffrage

Congress and COMELEC cannot impose **substantive requirements** on the right of suffrage.



3. Regular Elections

Philippine elections must be held **regularly** and can only be postponed by law or by authority of law.



4. Aspirants and Candidates

There are no candidates today, only **aspirants**.



4. Incumbents

Incumbent **elective officials** running for any position are not deemed resigned.



4. Incumbents

Appointed Officials, Civil Servants and Non-Civil Service Personnel are deemed resigned upon filing their Certificates of Candidacy and Party-List Nomination.



4. Qualifications

Congress can **change** the qualifications of local elective officials, not national officials.



4. House of Representatives

The House of Representatives consists of **317 Members**, i.e., 254 District Representatives who are locally-elected (80%) and 63 Party-List Representatives who are nationally-elected (20%).



4. Party-List System

I can be a **nominee** of a Women's Party and serve as its Party-List Representative even if the Women's Party obtains less than **2%** of 2nd votes.



4. Term of Office

An elective local official is considered to have served a **full term** when s/he resigns, assumes an appointive position, placed under preventive suspension and vacates an office because of an immediately executory decision of dismissal by the Ombudsman.



4. Term of Office

An elective local official is **not** considered to have served a **full term** when s/he assumes an office via succession, is suspended, and wins in a recall election and election protest.



5. Disqualifications

COMELEC can **disqualify** a candidate, declare a candidate a **nuisance** and **cancel** a certificate of candidacy.



5. Effect of Disqualification

A proclaimed candidate who is later on disqualified or has been determined to be ineligible, will be **unseated** and will be replaced by succession or by the 2nd placer, as the case may be.



5. Substitution

Today, up to election day, an aspirant/ candidate can be substituted only on account of **death** and **disqualification**.



5. Substitution

Only **affiliated** candidates, not independents, can be substituted.



6. Campaign

To be considered campaigning, the **purpose** must be established, i.e., to promote the election or defeat of a candidate.



6. Campaign Periods

For Senators and Party-List, campaign starts on **February 11**, while for District Representatives, BARMM Parliament, Provincial, City and Municipal Elective Officials, on **March 28**.



6. Campaigners

Elective Officials can campaign but **Appointive Officials**, except Cabinet Secretaries, and Civil Servants cannot.



6. Campaigners

Voters, Media Personalities who are not candidates and who are not members of Political Parties, and Members of the **Clergy** can campaign.



6. Campaign

Giving *ayuda* by public officials may or may not be considered campaigning.



6. Quad Media Campaign

The use of **tri-media** in campaigning is expressly allowed and regulated by statute, while **social media** is not.



6. Posters

2' x 3' posters by candidates and parties can only be displayed in Common Poster Areas and Private Premises with the consent of the owner.



6. Printed Materials

Pamphlets, leaflets, cards, decals, stickers, or other written or printed materials must not exceed **8 ½” width** and **14” in length.**



6. Streamers

3' x 8' streamers can only displayed at or on the occasion of a public rally.



6. Requirements

1. Encouraged to use **recyclable and environment-friendly materials**
2. Required to indicate “***This material should be recycled or disposed responsibly.***”
3. Bear and be identified by the reasonably legible words “***political advertisement paid for***” followed by the true name and address of the benefiting candidate or party
4. Gender-sensitive and conform with **Magna Carta of Women**
5. Encouraged to make available printed materials in **Braille**
6. Respect **intellectual property** rights



6. Public Rallies

There are **2 types of rallies**, i.e., Physical Rallies, which require LGU permits, and E-rallies which allow candidates to receive gifts.



6. Billboards

For the very first time, putting up billboards are **expressly allowed** by COMELEC, while giving away **t-shirts and gadgets** still requires COMELEC approval.



6. Headquarters

Party/ Candidate	Number	Submit List to
National Party or Candidate	1/ Province or HUC	COMELEC Law Department and EID
Regional Party	1/ Province or HUC	RED
Provincial Party or Candidate	1/ Municipality	PES
District Representatives	1/ District (1/ Municipality)	---
City Candidates	1/ Councilor District	EO (if NCR, RED)
Municipal Candidates	1	EO (if NCR, RED)



6. Campaigning by Voters

A voter need **not follow** the requirements for posters, streamers and printed materials which are displayed in their private homes/ premises.



6. Removal

Prohibited Materials must be removed not later 72 hours before start of campaign period. Only COMELEC can remove unlawful materials and file cases against candidates.



7. Firearms

Without a Certificate of Authority from the COMELEC, no one can carry firearms and deadly weapons in **public places** during the **election period**.



7. Civil Servants

Without COMELEC approval, civil servants cannot be **transferred** or **detailed** during the election period.



7. Elected LGU Officials

Without COMELEC approval, elective local officials cannot be **suspended** during the election period, unless pursuant to the Anti-Graft and Corrupt Practices Act.



7. Fund-Raising and Donations

During the campaign period, candidates cannot make **donations**, contribute to **repair** roads and chapels, and any person cannot **raise funds** through dances and performances.



7. Vote-Buying and -Selling

During the campaign period, any person cannot **give, offer** or **promise,** or **solicit** or **receive** anything of value for campaign purposes.



7. Releasing Public Funds

Activity/ Expense	Period	Allowed
Social Services (SS)	March 28 – May 11	With COMELEC exemption
Assistance to Individuals in Crisis Situation	May 2 – May 12	If normally given to qualified individuals (basic needs)
Housing-Related (HR)	March 28 – May 11	With COMELEC exemption
Treasury Warrants	March 28 – May 11	(Absolutely prohibited)
Calamities and Disasters	(at anytime)	COMELEC exemption not required (report to COMELEC Law Dept.)
Salaries and MOOE	(at anytime)	COMELEC exemption not required
Projects/ Programs/ Activities Not SS and HR	March 28 – May 11	COMELEC exemption not required Established < 03.28 and reported to COA Not used for campaign



7. Subordinates and Employees

During the campaign period, **coercion, threats, undue influence** of subordinates and employees are prohibited in the public and private sectors.



7. Government Personnel

During the 45-day period before Election Day, **appointment** or **hiring new employees** without COMELEC authority, and **promotions** or giving of **salary increases** by public officials are prohibited.



7. Transportation, Food & Drinks

Free transportation, food and drinks cannot be given by anyone 5 hours before and after a campaign rally, and on May 11 and 12.



8. Contributions

Prohibited

- All SEC-registered corporations (2 views)
- Financing Institutions
- Public Utility Operator
- Natural Resources Explorer
- Government Contractors
- Franchise Holders
- Donee Institution from Government (P100,000)
- Donee Educational Institutions (P100,000)
- Foreigners/ Foreign Corporations
- Civil Servants and AFP



8. Expenditures

If there are 70M voters, an affiliated Senatorial candidate can only spend as much as P210M (**P3/ voter**).



8. Expenditures

Lawful

1. Use of Facilities
2. Travel
3. Compensation
4. Communications
5. Written Materials
6. Pollwatchers
7. Office/ HQ
8. Advertisements
9. Meetings/ Rallies
10. Volunteers

Not included in P5/3 per voter cap:

11. Counsel*
12. Copying of List of Voters*
13. Sample Ballots*

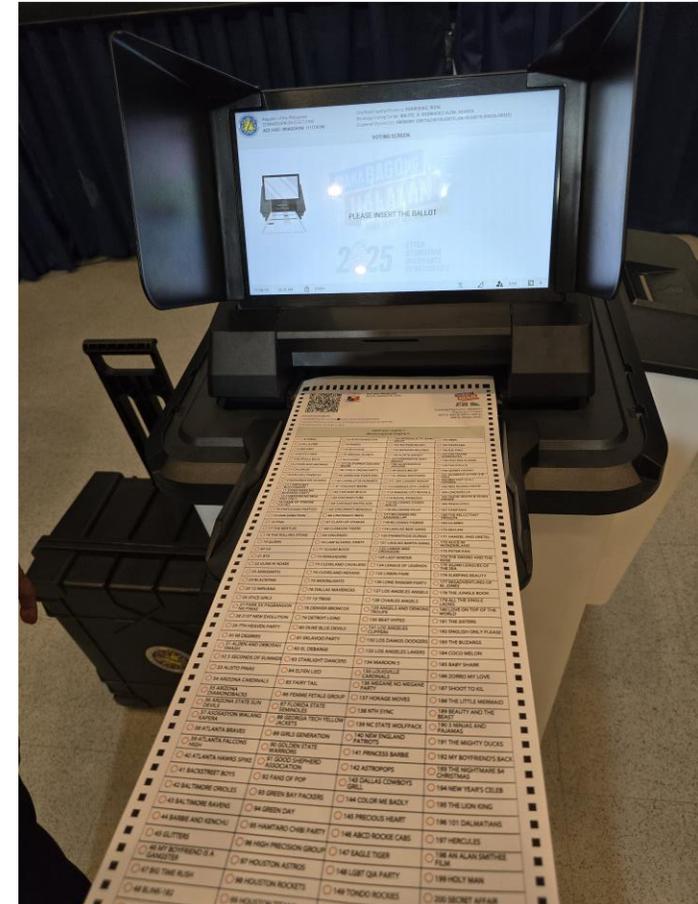


9. Voting Hours

Regular voting hours on Election Day is from **7:00 a.m. to 7:00 p.m.**, but Seniors and PWDs can vote as early as 5:00 a.m..

9. Automated Counting Machine

The ACM has a **big screen** where you can see/ check who you voted for. It also prints a **VVPAT**.





9. Election Returns

Election Returns have **QR Codes**, will be **posted** outside the polling place, will be **transmitted** to Stakeholders and will be given to **10 Political Parties**.



9. Pre-Proclamation Cases

Cases involving the **Boards of Canvassers** (i.e., composition and proceedings) are the only Pre-Proclamation Cases allowed in an automated system.



9. Canvassing

Canvassing and proclamations are **localized/ decentralized** and **centralized**.

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Thank you.



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