

# Election Law and the 2025 Elections

## 44 Takeaways



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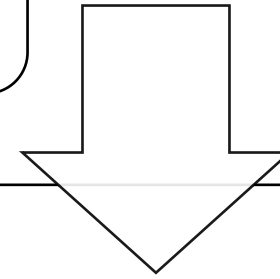
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# Lecture Flow

Q&A on  
Election Law



Q&A for  
Teachers

# **Q&A on Election Law and the May 12, 2025 Elections**



# 1. Suffrage

What is the  
**Noble Purpose**  
of Philippine  
Elections?

**CHOPFE –**  
Credible,  
Honest, Orderly,  
Peaceful and  
Free Elections.

## 2. Suffrage

Can one be  
**imprisoned for  
not voting?**

Before, one can  
be imprisoned  
for not voting.  
Today, since  
1987, suffrage is  
**a right.**



### 3. Regular Elections

How many **elections** will happen this **year?**

There are 3 **elections** in 2025.  
There are 3 **levels** of elective offices – National, Regional and Local.

## 4. Regular Elections

Can the  
National  
and Local  
**elections**  
be moved  
to **2026**?

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



## 5. Aspirants and Candidates

Do we have  
**candidates**  
*today?*

Since the **campaign period** has started for all elective positions, all filers of Certificates of Candidacy are now **candidates**, not just aspirants.





## 6. Aspirants and Candidates

When can there be **vote-buying**?

Prior to the **campaign period**, there is not vote-buying and unlawful campaigning. **Aspirants** can held liable for libel, physical injuries, coercion and littering.



## 7. Aspirants and Candidates

Is a **Public Official** considered **resigned** when he/she files a Certificate of Candidacy (**CoC**)?

An incumbent **Elective Official** who files a CoC for any Elective Office is **not deemed resigned**.  
An **Appointive Official** is.



## 8. Aspirants and Candidates

Where do we find the **qualifications of elective officials?**

The qualifications for National Elective Officials are found in the **1987 Constitution** while those for Local Elective Officials are listed in the **1991 Local Government Code**.



## 9. Aspirants and Candidates

Can Congress  
require all  
**elective  
officials** to be  
**lawyers?**

Congress, by  
ordinary legislation,  
can only change the  
qualifications of **local  
officials**. However,  
the qualifications  
must be **germane** to  
the position.

# 10. Aspirants and Candidates

What **cases** can be filed against an **aspirant/candidate**?

**3 Petitions:**

Petition to:

- Declare a candidate a **nuisance**
- **Cancel** a CoC
- **Disqualify** a candidate

# 11. Aspirants and Candidates

Can a candidate be substituted? Yes, on 3 grounds:

- Death
- Disqualification
- Withdrawal of CoC

## 12. Party-List System

Can I be a nominee of a **Women's Party** and serve as its Party-List Representative?

Yes, for as long as I am a **member** of the Party and I **advocate** the interest and welfare of the sector.



## 13. Party-List System

Can a Party-List Organization which obtains **1.7% of 2<sup>nd</sup> votes** secure a seat in the House of Representatives?

Yes, for as long as not all the **63 seats** have been filled-up.





## 14. COMELEC

Describe  
**COMELEC.**

COMELEC is an independent **constitutionally-created** Public Office, an Administrative Agency, enjoys fiscal autonomy, can issue 6 rules, can adjudicate, and can cite persons in contempt. But it cannot amend laws, rule on the right of suffrage and disobey the Procurement Law.

# 15. Campaign

**Can Public Officials and Employees *campaign*?**

**Elective Officials** can campaign while **Appointive Officials**, save Cabinet Secretaries, and members of the **Civil Service**, cannot. **Job Order and Contract of Service Workers** can.

## 16. Campaign

Must a voter follow campaign regulations?

A voter need **not** follow the **size requirements** for posters (2' x 3'), rally streamers (3' x 8') and printed materials (8.5" W x 14" L). Voters are also not required to register their campaign **social media accounts**.

## 17. Campaign

Are all acts of **goodness** done during the campaign period considered **campaigning**?

It depends. Campaign has a **specific purpose** – to promote the election (+) or defeat (-) of a candidate.

## 18. Campaign

Are there  
**limits to  
negative  
campaigning?**

**Libel** and cyber-libel are punishable. Campaign must be **fair and non-discriminatory** – no labeling/ red-tagging, no discrimination against women, no gender-based harassment and no vilification of PWDs.

## 19. Campaign

Let us talk about *ayuda* from Government. Is this **allowed** to be distributed **today**?

The distribution of **AICS, TUPAD, AKAP** and **4Ps** was given COMELEC exemption. Elective officials and candidates are not allowed to be present during the distribution.

## 20. Campaign

Are **free legal aid clinics and medical missions** allowed during the **campaign period**?

The holding of free legal aid clinics and medical missions where **names of candidates** are mentioned or displayed are presumed **vote-buying**.

## 21. Campaign

Is  
**campaigning**  
in **tri-media**  
allowed?

The use of tri-media in campaigning is expressly allowed and regulated by statute – **TV** (90/ 60 minutes/ station), **radio** (180/ 90 minutes/ station) and **print** (1/4 page in broadsheet and 1/2 page in tabloid  $\leq$  3x/ week). Being featured in the **news** is not counted.



## 22. Campaign

Are **billboards** and giving of **T-Shirts and Gadgets** allowed during the **campaign period**?

Putting up billboards during the campaign period is **expressly allowed** by COMELEC. For distribution of T-shirts and gadgets, COMELEC **request** is needed.

## 23. Campaign

How much can a  
mayorality **candidate**  
spend if there are  
**1,000,000** voters?

What if a candidate  
**exceeds?**

*Affiliated*

P3M (**x P3**)

*Independent*

P5M (**x P5**)

There are 3  
expenditures not  
covered in caps.



## 24. Election Offenses

**Can public funds be disbursed today?**

**Starting March 28, public funds cannot be disbursed for public works, social services and housing-related projects unless with COMELEC authority.**



## 25. Election Offenses

**Can a Mayor be suspended *today*?**

**Suspension Ban for LGU Elected Officials is already in force since January 12.**

## 26. Election Offenses

What are the **election offenses** that can be committed during the **campaign period**?

- Vote-Buying/ -Selling
- Campaign Fund-Raising
- Giving Donations
- Coercing Subordinates
- Giving Free Food & Drinks during rallies

## 27. Voting to Proclamation

What **activities** are **not allowed** on **Election Day**?

- Vote-Buying/ -Selling/ -Betting
- Campaigning
- Free Transportation, Food and Drinks
- Setting-up of Booths
- Cockfighting



## 28. Voting to Proclamation

What is the difference between the work of the **Electoral Boards** and **Boards of Canvassers**?

**EBs:**

- Precinct/ Polling Place
- Automated Counting Machine
- Ballots and Election Returns (ERs)
- Casting-Counting-Transmission

**BOCs:**

- Canvassing Center
- Consolidation and Canvassing System
- Certificates of Canvass and Statement of Votes
- Consolidation of Results



# 29. Voting

A voter shall/ should:

- **shade** ovals.
- **deposit** the ballot inside the Automated Counting Machine.
- **not make** unnecessary markings.



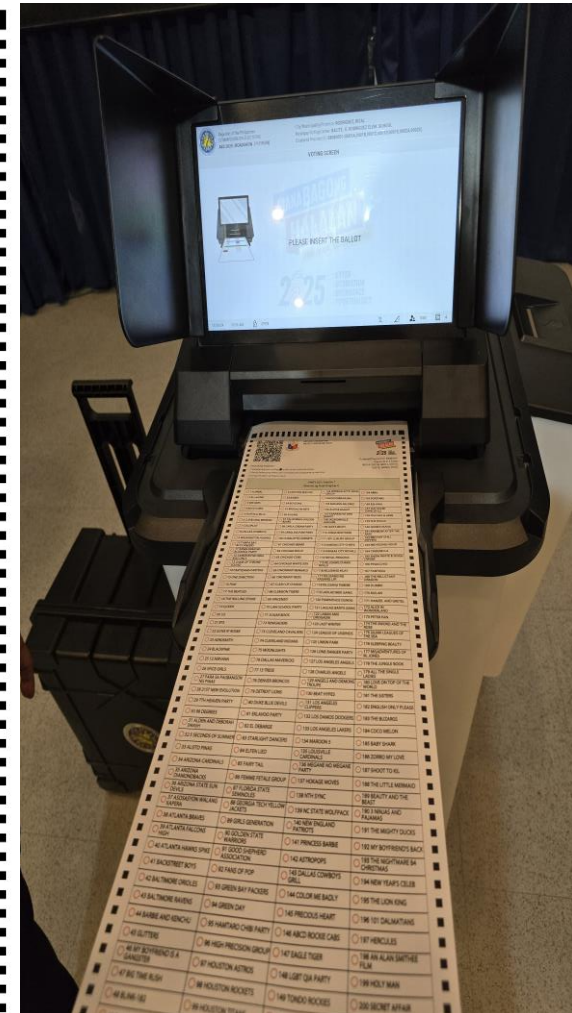
**MAY 12, 2025 NATIONAL, LOCAL AND BARMM PARLIAMENTARY ELECTIONS**  
**ALANGILAN, CITY OF BACOLOD, NEGROS OCCIDENTAL**

Clustered Precinct ID: 45010091  
Precincts in Cluster: 0302A, 0302B, 0302C, 0305A, 0305B

**PARAAN NG PAGBOTO**  
1. Markahan ang tolo ng bilog. satabi ng nais ibotong kandidato.  
2. Gamitin lamang ang marking pen na ibinigay para sa pagmarka ng mga bilog.  
3. Huwag markahan ng higit sa isat.

**PARTY LIST / Vote for 1**  
(Bumoto ng hindi higit sa 1)

<input type="radio"/> 1 4PS	<input type="radio"/> 40 BABAE AKO	<input type="radio"/> 80 BOSES PARTY-LIST	<input type="radio"/> 119 COOP NATCCO
<input type="radio"/> 2 PPP	<input type="radio"/> 41 ARISE	<input type="radio"/> 81 ARANGKADA FILIPINO	<input type="radio"/> 120 KABAYAN
<input type="radio"/> 3 FPJ PANDAY BAYANIHAN	<input type="radio"/> 42 MAGDALO	<input type="radio"/> 82 AANGAT TAYO	<input type="radio"/> 121 1MUNTI
<input type="radio"/> 4 KABATAAN	<input type="radio"/> 43 APEC	<input type="radio"/> 83 OFW	<input type="radio"/> 122 PINOY WORKERS
<input type="radio"/> 5 OUTERTE YOUTH	<input type="radio"/> 44 MAGBUBUKID	<input type="radio"/> 84 BIDA KATAGUMPAY	<input type="radio"/> 123 API PARTY
<input type="radio"/> 6 ML	<input type="radio"/> 45 SSS-GSIS PENSYONADO	<input type="radio"/> 85 KAMANGGAGAWA	<input type="radio"/> 124 AKO BISAYA
<input type="radio"/> 7 PBBM	<input type="radio"/> 46 GABRIELA	<input type="radio"/> 86 BFF	<input type="radio"/> 125 KAMALAYAN
<input type="radio"/> 8 P3PWD	<input type="radio"/> 47 TINGOG	<input type="radio"/> 87 BUNYOG	<input type="radio"/> 126 AKO TANOD
<input type="radio"/> 9 MURANG KURYENTE	<input type="radio"/> 48 APAT-DAPAT	<input type="radio"/> 88 AGRI	<input type="radio"/> 127 PROBINSYANO AKO
<input type="radio"/> 10 BICOL SARO	<input type="radio"/> 49 AHON MAHIRAP	<input type="radio"/> 89 SENIOR CITIZENS	<input type="radio"/> 128 KABABAHIAN
<input type="radio"/> 11 IPATUPAD	<input type="radio"/> 50 UGB	<input type="radio"/> 90 4K	<input type="radio"/> 129 RAM
<input type="radio"/> 12 PATROL	<input type="radio"/> 51 AKBAYAN	<input type="radio"/> 91 PBP	<input type="radio"/> 130 ALONA
<input type="radio"/> 13 JUAN PINOY	<input type="radio"/> 52 AGIMAT	<input type="radio"/> 92 ONE COOP	<input type="radio"/> 131 AKO BICOL
<input type="radio"/> 14 ARTE	<input type="radio"/> 53 PHILRECA	<input type="radio"/> 93 CIBAC	<input type="radio"/> 132 GP GALING SA PUSO
<input type="radio"/> 15 WFI	<input type="radio"/> 54 KAPUSO PM	<input type="radio"/> 94 BHT-BADONG HENERASYON	<input type="radio"/> 133 KAUNLAD PINOY
<input type="radio"/> 16 MAAGAP	<input type="radio"/> 55 ILOCANO DEFENDERS	<input type="radio"/> 95 LAGILA	<input type="radio"/> 134 ABP
<input type="radio"/> 17 UNITED SENIOR CITIZENS	<input type="radio"/> 56 1-RIDER PARTY-LIST	<input type="radio"/> 96 EDUAKSYON	<input type="radio"/> 135 CWS
<input type="radio"/> 18 EPANAW SAMBAYANAN	<input type="radio"/> 57 TICTOK	<input type="radio"/> 97 ANG TINIG NG SENIORS	<input type="radio"/> 136 LPQMA
<input type="radio"/> 19 AKO PADAYON	<input type="radio"/> 58 BAYAN MUNA	<input type="radio"/> 98 BG PARTY-LIST	<input type="radio"/> 137 A TEACHER
<input type="radio"/> 20 TUCP	<input type="radio"/> 59 ANG PROBINSYANO	<input type="radio"/> 99 PINOY AKO	<input type="radio"/> 138 SWERTE
<input type="radio"/> 21 ACT TEACHERS	<input type="radio"/> 61 BANAT	<input type="radio"/> 100 H.E.L.P. FILIPINAS	<input type="radio"/> 139 GABAY
<input type="radio"/> 22 1PACHAN	<input type="radio"/> 62 SBP	<input type="radio"/> 101 HEALTH WORKERS	<input type="radio"/> 140 MALASAKIT (BAYANIHAN)
<input type="radio"/> 23 TGP	<input type="radio"/> 63 BUHAY	<input type="radio"/> 102 PEOPLE'S CHAMP	<input type="radio"/> 141 AKAY NI SOL
<input type="radio"/> 24 DUMPER PTDA	<input type="radio"/> 64 TULUNGAN TAYO	<input type="radio"/> 103 AA-KASOSYO PARTY	<input type="radio"/> 142 LUNAS
<input type="radio"/> 25 ANAKALUSUGAN	<input type="radio"/> 65 SAGIP	<input type="radio"/> 104 SOLID NORTH PARTY	<input type="radio"/> 143 DIWA
<input type="radio"/> 26 AKSYON DAPAT	<input type="radio"/> 66 BTS BAYANING TSUPER	<input type="radio"/> 105 ABAMIN	<input type="radio"/> 144 PINUNO
<input type="radio"/> 27 BHW	<input type="radio"/> 67 VENDORS	<input type="radio"/> 106 TRABAHO	<input type="radio"/> 145 PAMILYA MUNA
<input type="radio"/> 28 SULONG DIGNIDAD	<input type="radio"/> 68 ACT-CIS	<input type="radio"/> 107 ANGKASANGGA	<input type="radio"/> 146 BAGONG PILIPINAS
<input type="radio"/> 29 BATANG QUIAPO	<input type="radio"/> 69 AKTIBONG KAAGAPAY	<input type="radio"/> 108 TODA AKSYON	<input type="radio"/> 147 HUGPONG FEDERAL
<input type="radio"/> 30 PBA	<input type="radio"/> 70 ASENSO PINOY	<input type="radio"/> 109 TURISMO	<input type="radio"/> 148 TUPAD
<input type="radio"/> 31 GILAS	<input type="radio"/> 71 SOLO PARENTS	<input type="radio"/> 110 ABONG	<input type="radio"/> 149 LAANG KAWAL
<input type="radio"/> 32 AKO ILOKANO AKO	<input type="radio"/> 72 ANG KOMADRONA	<input type="radio"/> 111 ASAP NA	<input type="radio"/> 150 PAMILYA KO
<input type="radio"/> 33 PAMILYANG MAGSASAKA	<input type="radio"/> 73 PHOMDI	<input type="radio"/> 112 LINGAP	<input type="radio"/> 151 BBM
<input type="radio"/> 34 CLICK PARTY	<input type="radio"/> 74 PUSONG PINOY	<input type="radio"/> 113 UNITED FRONTLINERS	<input type="radio"/> 152 HEAL PH
<input type="radio"/> 35 ABANTE BISOAK	<input type="radio"/> 75 KUSUG TAUGOG	<input type="radio"/> 114 KASAMBAYAN	<input type="radio"/> 153 ABANG LINGKOD
<input type="radio"/> 36 MANILA TEACHERS	<input type="radio"/> 76 DAMAYANG FILIPINO	<input type="radio"/> 115 TUTOK TO WIN	<input type="radio"/> 154 MAGSASAKA
<input type="radio"/> 37 PAMANA	<input type="radio"/> 77 MPBL	<input type="radio"/> 116 AKO OFW	<input type="radio"/> 155 MAHARILKA
<input type="radio"/> 38 NANAY	<input type="radio"/> 78 ANGAT	<input type="radio"/> 117 AGAP	<input type="radio"/> 156 USWAG ILONGGO
<input type="radio"/> 38 NANAY	<input type="radio"/> 79 KALINGA	<input type="radio"/> 118 ITAHANAN	





# 30. Voting

The Automated Counting Machine:

- displays the **choices** of the voter.
- prints a Voter-Verified Paper Audit Trail (**VVPAT**).
- transmits the **results**.



# 31. Voting to Proclamation

Who proclaims  
*winning*  
*candidates?*

The **COMELEC en banc** proclaims 12 Senators and allocates 63 party-list seats while **Local Boards of Canvassers** proclaim winning local candidates. The basis for canvassing and **proclamation** are the **transmitted results**.

# **Q&A for Teachers**

## 32. Campaign

**Can Public School Teachers:**

- |                                 |        |
|---------------------------------|--------|
| 1. Campaign?                    | 1. No  |
| 2. Express their views?         | 2. Yes |
| 3. Mention names of candidates? | 3. Yes |
| 4. Like/ share posts?           | 4. Yes |
| 5. Make campaign contributions? | 5. No  |



## 33. Abuse of State Resources

Can campaign materials be stored or displayed in public schools, and transported by **DEPED vehicles?**

This is an **election offense (ASR).**



## 34. Voting Hours

What time  
can you cast  
your **vote** on  
**Election Day?**

Regular voting hours  
is from **7:00 a.m. to  
7:00 p.m.**, but Seniors,  
Persons with  
Disabilities and  
Pregnant Women can  
vote as early as **5:00  
a.m..**



## 35. Postponement

Can the EB  
reschedule the  
elections to  
**May 13** due to  
**violence?**

Only the **COMELEC  
En Banc** can  
postpone the  
elections.

## 36. Pollwatchers

**Who?** Pollwatchers (2/ polling place  
**What?** serving alternately) must be  
**registered voters** of the place  
**How?** where they are assigned. They  
can **witness proceedings**, stay  
in the designated area, take  
photos and videos and  
challenge voters. They cannot  
take photos of ballots.





## 37. Challenge of Voters

Can a voter be **challenged** on **Election Day**?

As one is about to cast his/her vote, he/she can be **challenged** for being an **illegal voter** or for committing an **illegal act** by a voter or watcher.



## 38. Voting Don'ts

Name 5  
**election  
offenses  
related to  
voting?**

1. Vote  $> 1x$
2. Vote when not registered
3. Vote for another
4. Voter shows ballot
5. Voter uses a different ballot

## 39. Police

Can the EB  
allow the **police**  
inside the  
polling place?

Yes, only if there is  
**actual violence/**  
disturbance inside.  
When necessary to  
protect EB and  
materials, police  
within 30 meters.

## 40. Replacement Ballot

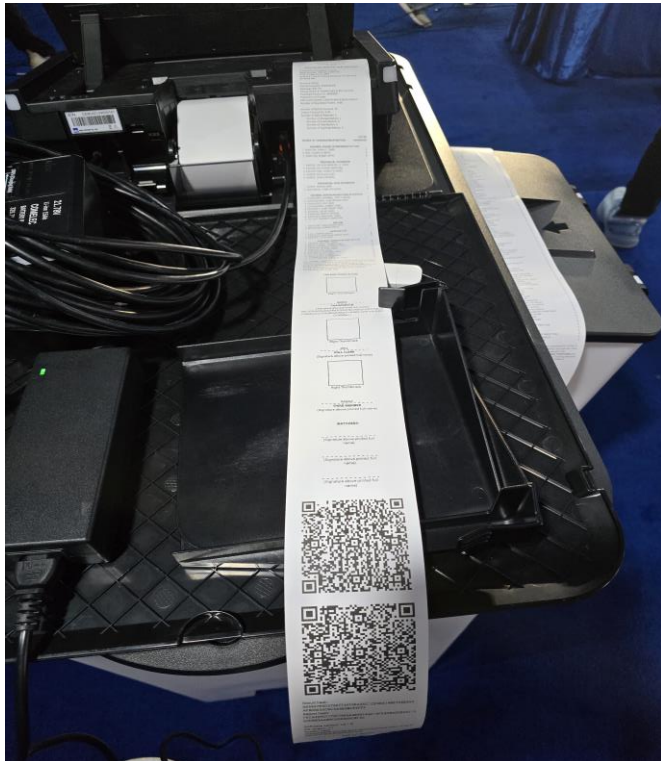
Can the EB give a voter a **replacement ballot** when:

1. Voter intentionally tears a ballot?
2. Ballot rejected through fault of the voter?
3. Voter objects to results shown on screen/ VVPAT?

**All No.**

# 41. Election Returns (ERs)

How many **ERs**?  
Who gets **copies**?



## 30 ERs - 1<sup>st</sup> Batch

1. M/CBoC
2. COMELEC
3. PPCRV
4. NAMFREL
5. Lakas-CMD
6. NPC
7. Ballot Box
8. Wall (Post)\*
9. PBoC

## 2<sup>nd</sup> Batch (21)

1. Congress
2. 10 Major Parties
3. 2 Local Parties
4. 4 Nat'l Media
5. 2 Local Media
6. 2 Citizens Arms



## 42. Transmission

Where are the  
results  
**transmitted?**

### 7 Recipients

1. M/C BoC
2. Central Server
3. Citizens Arm Server 1
4. Citizens Arm Server 2
5. Lakas-CMD
6. NPC
7. Media Server



## 43. Post-Proclamation

Can anomalies/  
irregularities on  
May 12 be raised  
after  
proclamation?

Yes, in an **Election  
Protest.**



## 44. Find the Sum

$$\begin{aligned} &\text{No. of members per EB} + 3 + \\ &\text{No. of members of} 7 + \\ &\text{COMELEC} + 2028 + \\ &\text{Year of Next Presidential} 63 = \\ &\text{Elections} + 2,101 \\ &\text{No. of Party-List Seats} = \end{aligned}$$



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