

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 202

Introduced by Hon. Rozzano Rufino B. Biazon

EXPLANATORY NOTE

This bill seeks to provide the presentation of a National Bureau of Investigation (NBI) clearance and Police clearance as additional requirements in the filing of certificates of candidacy of persons aspiring to run for public office.

One of the pertinent laws relative to elections used as legal basis of the Commission on Elections (COMELEC) is Batas Pambansa Blg. 881 otherwise known as the Omnibus Election Code of the Philippines. Approved and enacted into law on December 3, 1985, this Code governs all election of public officers and, to the extent appropriate, all referenda and plebiscites.

Article IX of the Code prescribes, among others, the eligibility of candidates and the requirements of filing of certificates of candidacy.

While the provision seems quite adequate, there is a need to include additional requirements to this section. If an ordinary applicant vying for a certain job is required by his prospective employer to present an NBI clearance and a Police clearance to show his integrity and character and to determine his trustworthiness, there is greater reason to require the same of a person aspiring to be elected to public office and who shall then be carrying the public trust. A candidate for public office must also show that he has always observed good conduct and has obeyed the laws, legal orders, and decrees promulgated by the duly constituted authorities of the Republic of the Philippines. Thus, the need to present and attach a recent NBI and Police clearance of a candidate in his certificate of candidacy before filing it.

The foregoing presents a legal and practical basis for the adoption of this bill. Approval of this bill is thus earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District of Muntinlupa City

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AN ACT
PROVIDING ADDITIONAL REQUIREMENTS FOR FILING OF
CERTIFICATES OF CANDIDACY, AMENDING FOR THE PURPOSE SEC. 74
OF BATAS PAMBANSA BLG. 881, OTHERWISE KNOWN AS THE OMNIBUS
ELECTION CODE

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

SECTION 1. Section 74 of Batas Pambansa No. 881 is hereby amended to read as follows:

“Sec. 74. Contents of certificate of candidacy. - XXX

XXX

The person filing a certificate of candidacy shall also affix his latest photograph, passport size; a statement in duplicate containing his bio-data, HIS LATEST NATIONAL BUREAU OF INVESTIGATION CLEARANCE AND POLICE CLEARANCE and program of government not exceeding one hundred words, if he so desires.”

SECTION. 2. Repealing Clause. - All laws, decrees, orders, issuances, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION. 3. Effectivity. - This Act shall take effect fifteen (15) days after publication in two (2) national newspapers of general circulation.

Approved,