

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2986

Authored by **HON. JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

Present laws provide that appeals from the decision of courts of general jurisdiction as regards election contest are elevated to the Court of appeals. The problem with this set-up is that the Court of Appeals, notable in its campaign to provide quality decision, more often than not, is also burdened with caseloads dealing with equality important aspect of law.

The measure then seeks to modify the appeal process wherein it would now be the Commission on Election (COMELEC) that would have appellate jurisdiction over election contests. This would translate into a de-clogging of the Court of Appeals dockets as well as ensuring that election contests would be deliberated and resolved by people with technical expertise in election laws.

Premises considered, the early passage of this legislative measure is earnestly sought.



JOSEPH VICTOR G. EJERCITO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2986

Authored by **HON. JOSEPH VICTOR G. EJERCITO**

AN ACT

**AMENDING BATAS PAMBANSA BLG.881 OTHERWISE KNOWN AS THE
OMNIBUS ELECTION CODE OF THE PHILIPPINES, AS AMENDED AND
FOR OTHER PURPOSES.**

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

SECTION 1. Section 256 of Batas Pambansa Blg, 881 , otherwise known as the Election Code of the Philippines, as amended, hereby further amended, hereby further amended to read as follows:

"SEC.256.APPEALS.- Appeals from any decision rendered by [the regional trial] courts of GENERAL AND LIMITED JURISDICTION [under Section 251 and paragraph two, Section 253 hereof with respect to quo warranto petitions filed] in election contests[affecting municipal officers, the aggrieved party may appeal to the intermediate Appellate Court] SHALL BE FILED WITH THE COMMISSION within five (5) days [after receipt of a copy] FROM THE PROMULGATION of the decision OR RECEIPT OF THE DECISION.

No motion for reconsideration shall be entertained by the court. The appeals shall be decided within sixty (60) days after the case has been submitted for decision, BUT NOT LATER THAN NINETY(90) DAYS FROM THE FILING OF THE APPEAL."

SEC. 2. Article XXI is hereby amended to include the following new provision:

"SECTION 256-A. EXECUTION PENDING APPEAL IS NOT ALLOWED.- NOTWITHSTANDING THE PROVISION OF THE RULES OF THE COURT, EXECUTION OF JUDGEMENT PENDING APPEALS SHALL NOT APPLY TO ELECTION CASES."

SEC. 3 Section 257 of Batas Pambansa Blg. 881 is hereby amended to read as follow:

"SEC. 267 DECISION ON ELECTION CONTES.- THE PARTY WHO HAS BEEN DECLARED ELECTED SHALL HAVE THE RIGHT TO ASSUME OFFICE UPON FINALITY OF JUDGMENT."

SEC. 4 Repealing Clause.- All laws, presidential decrees ,
issuances, orders , rules and regulations or any part thereof inconsistent
herewith are hereby amended, repealed or modified accordingly.

SEC. 5. Effectivity Clause.- This act shall take effect after fifteen
(15) days following completion of its publication in the Official Gazette or at
least two (2) newspaper of general circulation.

Approved,