

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 4960



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

EXPLANATORY NOTE

Article V, Section 1 of the Philippine Constitutions provides that, "Suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law, who are at least eighteen years of age, and who shall have resided in the Philippines for at least one year and in the place wherein they propose to vote for at least six months immediately preceding the election. No literacy, property, or other substantive requirement shall be imposed on the exercise of suffrage."

The right to suffrage is the essence of our democracy. As a means to increase participation by citizens who are otherwise prevented to vote, the country has enacted absentee voting laws. Presently, there are laws that allow absentee voting for Filipinos overseas, media practitioners, armed forces and police force. However, these still leave another group disenfranchised due to the performance of their function during elections.

Lawyers are officers of the court and serve as guardians of truth and the rule of law, and indispensable instruments in the fair and impartial administration of justice. It is their duty to ensure that justice prevails and the law is observed. As such, lawyers are called out during the elections to monitor the conduct of election and most are stationed away from their residences because of this.

Hence, this bill provides for means for lawyers stationed away from their residences on election days to vote on national elections in the precincts nearest to them subject to reasonable regulations by the Commission on Election.

In view thereof, approval of this bill is earnestly requested.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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AN ACT
PROVIDING FOR LOCAL ABSENTEE VOTING FOR LAWYERS

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

SECTION. 1. *Declaration of Policy.* - The state shall ensure the free exercise of the right of suffrage by all citizens of the Philippines not otherwise disqualified by law.

SEC. 2. *Local Absentee Voting for Lawyers.* - The Commission on Elections shall extend the right to vote under the local absentee voting system provided under existing laws and executive orders to members of the Integrated Bar of the Philippines, who are duly registered voters and who, on election day, may not be able to vote to the performance of their functions in monitoring the observance of laws during the elections: *Provided, That* they shall be allowed to vote only for the positions of President, Vice President, Senators and Party-List Representative.

SEC. 3. *Implementing Rules and Regulations.* - The Commission on Elections shall, within thirty (30) days from the effectivity of this Act, promulgate the implementing rules and regulations which shall include a system of accreditation and verification of the members of Integrated Bar of the Philippines who are qualified to avail of local absentee voting.

SEC. 4. *Appropriations.* - The initial funding of this Act shall be charged against the current year's appropriations or from any available savings of the Commission on Elections. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 5. *Separability Clause.* - If any part or provision of this Act shall be declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 6. *Repealing Clause.* - All laws, presidential decrees, executive orders, resolutions, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved