

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 DEC 11 P2:42

SENATE

Senate Bill No. 2026

RECEIVED BY: *J*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

A candidate is defined as any person aspiring for or seeking an elective public office, who has filed a certificate of candidacy by himself or through an accredited political party or coalition of parties. In the Philippines, as long as he or she can meet the minimum qualifications set by the law, anyone can be a candidate for public office. Because of this flexibility, almost everybody in our country can run for an elective office. Filipinos from all walks of life regardless of their leadership capability and intellectual capacity are willing to run for any office at whatever cost not withstanding the impossibility of winning an election. They are called "nuisance candidates".

Nuisance candidates are those candidates that file their certificate of candidacy even though they not really expect or intend to win. They bring confusion among the voters and pester other candidates, including the Commission on Elections.

To ensure free, orderly, honest, peaceful and credible elections, the Commission on Elections must formulate effective mechanism whereby the presence of nuisance candidates will be minimized if not eradicated. Nuisance candidates must be interpreted in such a way that it will encompass all possible instances, tantamount to making the election process a mockery in itself.

Hence, the passage of this bill is earnestly recommended.


JINGGOY EJERCITO ESTRADA
Senator

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 DEC 11 P2:42

SENATE

RECEIVED BY: *ju*

Senate Bill No. 2026

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
AMENDING SECTION 69 OF BATAS PAMBANSA BLG. 881, AS AMENDED,
OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE

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

SECTION 1. Section 69 of Batas Pambansa Blg. 881, as amended, otherwise known as the Omnibus Election Code is hereby amended to read as follows:

“Section 69. *Nuisance Candidates.* The Commission may, *motu proprio* or upon a verified petition of an interested party, AND AFTER DUE NOTICE AND HEARING, refuse to give due course to or cancel a certificate of candidacy, if it is shown that the CERTIFICATE OF CANDIDACY HAS BEEN FILED UNDER ANY OF THE FOLLOWING CIRCUMSTANCES: to put the election process in mockery or disrepute [or];

1. To cause confusion among the voters by similarity of the names of the registered candidates [or];
2. WHEN IT SHOWN THAT THE REASON FOR FILLING THE CRTIFICATE OF CANDIDACY IS TO OBTAIN MONEY PROFIT OR ANY OTHER CONSIDERATION.
3. WHEN IT IS SHOWN THAT THE REASON FOR FILING THE CERTIFICATE OF CANDIDACY IS TO DISCREDIT ANOTHER CANDIDATE;
4. By ANY other circumstances or acts which clearly demonstrates that the candidate has no *bona fide* intention to run for the office for which the certificate of candidacy has been filed and thus prevent a faithful determination of the true will of the electorate.”

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

Approved,