


15 MAY 18 P4:32

SENATE
P. S. R. No. 1361

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 RESOLUTION
2 DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID
3 OF LEGISLATION, ON THE REPORT THAT VOTE-BUYING INCREASED SINCE THE
4 IMPLEMENTATION OF AUTOMATED ELECTIONS

5 WHEREAS, the Constitution, Article 2, Section 27 provides: "The State shall maintain
6 honesty and integrity in the public service and take positive and effective measures against graft
7 and corruption";

8 WHEREAS, B.P. No. 881, also known as the "Omnibus Election Code," states:

9 Section 261. Prohibited Acts. - The following shall be guilty of an election
10 offense:

11 (a) Vote-buying and vote-selling. -

12 (1) Any person who gives, offers or promises money or anything of value,
13 gives or promises any office or employment, franchise or grant, public or private,
14 or makes or offers to make an expenditure, directly or indirectly, or cause an
15 expenditure to be made to any person, association, corporation, entity, or
16 community in order to induce anyone or the public in general to vote for or
17 against any candidate or withhold his vote in the election, or to vote for or against
18 any aspirant for the nomination or choice of a candidate in a convention or similar
19 selection process of a political party.

20 (2) Any person, association, corporation, group or community who solicits
21 or receives, directly or indirectly, any expenditure or promise of any office or
22 employment, public or private, for any of the foregoing considerations.

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24 WHEREAS, the *Manila Bulletin* on 3 May 2015 quoted acting poll chief Christian
25 Robert Lim saying that the Commission on Elections noticed an increase in vote-buying and
26 vote-selling with the entry of the automated election system;

27 WHEREAS, Lim reportedly said that it seems ballot snatching and violence has been
28 minimized, but candidates in elections have resorted to giving incentives to voters;

29 WHEREAS, the acting poll chief further claimed that the issue of vote-buying and vote-
30 selling is not just an issue of enforcement, but a cultural issue as well;

31 WHEREAS, in 7 May 2013, the Comelec issued Resolution No. 9688, which sought to
32 limit withdrawals to ₱100,000 daily in an attempt to stop candidates from using huge sums from
33 banks to buy votes during the May 13 elections;

1 WHEREAS, the so-called Money Ban Resolution was however halted when the Supreme
2 Court on 10 May 2013 a status quo ante order;

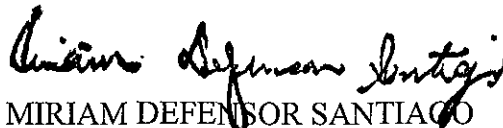
3 WHEREAS, taking cognizance of the evils of vote-buying, the Supreme Court declared
4 when it dismissed a petition to strike down the measure:

5 Congress, too, at this point, should have taken note of this case and has the
6 plenary authority, through its lawmaking powers, to address the circumstances
7 and evils the Money Ban Resolution sought to address. In other words, Congress
8 can very well act to consider the required measures for future elections, thus
9 rendering unnecessary further action on the merits of the assailed Money Ban
10 Resolution at this point.

11 WHEREAS, Congress, in its wisdom, must address the issue of vote-buying through
12 relevant legislation;

13 WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct
14 the proper Senate committee to conduct an inquiry, in aid of legislation, on the report that vote-
15 buying increased since the implementation of automated polls.

Adopted,


MIRIAM DEFENSOR SANTIAGO
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