



THIRTEENTH CONGRESS OF )  
THE REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

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SENATE

RECEIVED BY: \_\_\_\_\_

1939

S.B. No. \_\_\_\_\_

Introduced by Senator JINGGOY EJERCITO ESTRADA

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

*Be it 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, is 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 appeal 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 NOT ALLOWED. - NOTWITHSTANDING THE PROVISIONS OF THE RULES OF COURT, EXECUTION OF JUDGMENT PENDING APPEALS SHALL NOT APPLY TO ELECTION CASES."

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

"SEC. 257. *DECISION ON ELECTION CONTESTS.* - 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decrees, issuances, orders, rules and regulations or any part thereof inconsistent herewith are hereby amended, repealed or modified accordingly.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.* - This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,