

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



13 AUG 29 P5:09

SENATE
S. No. 1440

RECEIVED BY: *je*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, under Article 5, Section 1, provides that suffrage may be exercised by all citizens of the Philippines not otherwise disqualified by law. This right to suffrage is the essence of our democracy. As a means to increase participation by citizens who are otherwise prevented to vote, we have enacted absentee voting laws. Presently, we have 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 it is their duty to see justice done and the law observed. As such, lawyers are called out during the elections to monitor the conduct of election and most are stationed away from their residences in doing so.

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.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

over

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Senate
Office of the Secretary

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1 AN ACT
2 PROVIDING FOR ABSENTEE VOTING FOR LAWYERS

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

3 SECTION 1. *Declaration of Policy.* – Elections shall be free and equal. The
4 State shall always ensure the free exercise of the right of suffrage by all citizens of
5 the Philippines not otherwise disqualified by law.

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

14 SECTION 3. *Implementing Rules and Regulations.* – The Commission on
15 Elections shall, within thirty (30) days from the effectivity of this Act, promulgate
16 the implementing rules and regulations which shall include a system of

1 accreditation and verification of the members of Integrated Bar of the Philippines,
2 who are qualified to avail of local absentee voting.

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

8 SECTION 5. *Repealing Clause.* – Any law, presidential decree or issuance,
9 executive order, letter of instruction, administrative order, rule or regulation
10 contrary to or is inconsistent with the provision of this Act is hereby repealed,
11 modified, or amended accordingly.

12 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15)
13 days after its publication in at least two (2) newspapers of general circulation.

14 Approved,