



ANNEX " B "

Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

Complainant,
- versus -

For: Violation of Section 261 (a)
of the Omnibus Election Code
(*Vote Buying and Vote Selling*)

Respondent.
x-----x

C O M P L A I N T

I _____, herein Complainant, is of legal age and a resident of _____, after having been sworn to in accordance with law depose and states that:

1. Respondent _____, is of legal age and a resident of _____. Respondent is a candidate for the position of _____ in connection with the _____ Elections;

2. Respondent _____, is of legal age and a resident of _____. Respondent is _____

(narration of detailed information of the respondent, whether as a relative, supporter, campaign manager, agent or representative of a candidate)

3. On _____, Respondent/s committed acts of vote-buying and vote-selling in violation of Section 261 (a) of the Omnibus Elections Code (OEC), as follows:

(narration of detailed circumstances of the allegation/complaint, with reference to evidence with assigned Annexes. The narration of facts shall be based on personal knowledge / acts which are personally witnessed by Complainant/s.)

The _____
is/are hereto attached as Annex "A". *(title or description of referred evidence)*

4. Section 261 (a) of the OEC reads:

Section 261. Prohibited acts. The following shall be guilty of an election offense:

(a) Vote-Buying and vote selling. -

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

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

5. The elements of the offense of vote-buying and vote-selling are as follows: That -

- a. The offender is any person;
- b. The offender:
 - i. Gives, offers or promises money or anything of value;
 - ii. Gives or promises any office or employment, franchise or grant, public or private;
 - iii. Makes or offers to make an expenditure, directly or indirectly, or

iv. Cause an expenditure to be made to any person, association, corporation, entity, or community.

c. The act was done in order to induce anyone or the public in general to vote for or against any candidate or withhold his vote in the election, or to vote for or against aspirant for the nomination or choice of a candidate in any convention or similar selection process of a political party.

6. Clearly, when Respondent/s committed the act of _____, it is evident that all the elements of vote-buying / vote-selling are present;

7. Verily, prescinding from the foregoing, Respondent is engaged in vote buying / vote selling to induce, influence and manipulate the voters and ultimately undermines the electoral system which is detrimental to democratic governance;

8. Therefore, in view of the foregoing, I am executing this Complaint to attest to the truth of the facts stated herein and for purposes of filing an election offense case against the Respondent/s for violation of Section 261 (a) of the OEC.

IN WITNESS WHEREOF, I hereunto affix my signature this _____ at _____.

Name and Signature of Complainant
(Address and Contact Details)

SUBSCRIBED AND SWORN TO before me, this _____ at _____, Affiant exhibiting to me an identification document/card which contains a photograph and signature bearing No. _____, issued by _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.