



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

Complainant,

- versus -

Respondent.

x-----x

For: Violation of Section 261 (i)
of the Omnibus Election Code
(Intervention of Public Officers
and Employees)

COMPLAINT

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 public officer / employee in the civil service as
_____;

(narration of detailed information regarding the position of the Respondent in the Government, including
the specific agency, department and station/unit)

2. On _____, Respondent unlawfully engaged in the
election campaign of _____, a candidate for the position
of _____ / participated in partisan political activity
in connection with the _____ Elections, in
violation of Section 261 (i) of the Omnibus Elections Code (OEC),
committed 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)*

3. Section 261 (i) of the OEC reads:

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

(i) Intervention of public officers and employees. - Any officer or employee in the civil service, except those holding political offices; any officer, employee, or member or the Armed Forces of the Philippines, or any police force, special forces, home defense forces, barangay self-defense units and all other para-military units that now exist or which may hereafter be organized who, directly or indirectly, intervenes in any election campaign or engages in any partisan political activity, except to vote or to preserve public order, if he is a peace officer.

4. The elements of the offense under Section 261 (i) of the OEC are as follows: That -

- a. The offender must be an officer or employee in the civil service, except political offices; Armed Forces of the Philippines (AFP) or any police force, special forces, home defense forces, barangay self-units and all other para-military units;
- b. The offender, directly or indirectly intervenes in any election campaign or engages in any partisan political activity, except to vote or to preserve public order if he is a peace officer.

5. Clearly, when Respondent/s engaged / participated in the election campaign of _____ / conducted partisan political activity through _____, it is evident that all the elements of the election offense of unlawful intervention of public officers and employees are present;

6. From the foregoing, Respondent intervened in the election campaign or engaged in partisan political activity in violation of existing laws, despite being fully aware that, as a government officer/ employee in the civil service, he / she is prohibited from doing so, except to vote or to preserve public order if he is a peace officer;

7. Verily, this act is considered as an abuse of state resources in elections considering that government manpower is used for partisan political activity. Respondent has unduly used his position and official power to promote the candidacy of _____ / when he / she engaged in partisan political activity;

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 (i) 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 _____.