



Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Intramuros, Manila

\_\_\_\_\_  
Complainant,

- versus -

\_\_\_\_\_  
Respondent.

x-----x

For: Violation of Section 261  
(w) of the Omnibus Election  
Code

(Prohibition Against  
Construction of Public Works,  
Delivery of Materials for Public  
Works and Issuance of Treasury  
Warrants and Similar Devices)

**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 \_\_\_\_\_;  
*(narration of detailed information of the respondent.)*

2. On \_\_\_\_\_, Respondent/s unlawfully undertaken the  
construction of public works / issued, used or availed of treasury  
warrants or any device, goods or things of value chargeable against  
public funds, in violation of Section 261 (w) 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 (w) of the OEC reads:

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

**(w) Prohibition against construction of public works, delivery of materials for public works and issuance of treasury warrants and similar devices.** - During the period of forty-five days preceding a regular election and thirty days before a special election, any person who (a) undertakes the construction of any public works, except for projects or works exempted in the preceding paragraph; or (b) issues, uses or avails of treasury warrants or any device undertaking future delivery of money, goods or other things of value chargeable against public funds.

4. For purposes of the \_\_\_\_\_ Elections, construction of public works, delivery of materials for public works and issuance of treasury warrants and similar devices shall be prohibited from \_\_\_\_\_ to \_\_\_\_\_;

5. Clearly, when Respondent/s committed the act of \_\_\_\_\_, it is evident that all the elements of the offense under Section 261 (w) are present, particularly that construction of public work projects was undertaken during election ban on \_\_\_\_\_. Said project is not included in the enumeration of excepted public works under Section 261 (v) of the OEC; *(For Public Works.)*

Clearly, when Respondent/s issued, used / availed of treasury warrants / goods / things of value which were chargeable against the public funds, it is evident that all the elements of the offense under Section 261 (w) are present; *(In case of issuance, use / availment of treasury warrants / goods / things of value chargeable against the public funds)*

6. Such willful and unlawful act is considered abuse of state resources in elections that undermines the electoral system which is detrimental to democratic governance;

7. 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 (w) 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 \_\_\_\_\_.