



ANNEX "6"

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 _____.