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EXECUTIVE ORDER NO. 50

PROVIDING FOR THE GENERAL REGISTRATION OF VOTERS FOR THE PLEBISCITE ON THE PROPOSED CONSTITUTION, FOR THE PLEBISCITE, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

WHEREAS, pursuant to the Provisional Constitution of the Republic of the Philippines, a new Constitution shall be drafted by the Constitutional Commission and thereafter submitted to the people in a plebiscite;

WHEREAS, to ensure that the true will of the people will be reflected in the plebiscite, there is a need to annul the existing permanent list of voters and to call for a new registration of voters;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

a. General Provisions

SECTION 1. General Registration of Voters. - The existing permanent lists of voters in every city and municipality are hereby declared null and void. A general registration of voters shall be held throughout the Philippines before the plebiscite on the new Constitution in accordance with this Executive Order on such dates as the Commission on Elections may fix.

SEC. 2. List of Voters. - There shall be a list of voters in each city and municipality, with such additions, cancellations and corrections as herein provided.

SEC. 3. Necessity of Registration. - In order that a qualified voter may vote in the plebiscite, he must be registered in the list of voters for the city or municipality in which he resides.

SEC. 4. Who may be Registered in the List of Voters. - All persons possessing all the qualifications and none of the disqualifications of a voter and who have complied with the requirements for the registration of voters shall be registered in the list of voters of the city or municipality wherein they reside. Any person who may not have attained on the date of registration the age or period of residence required may also be registered upon proof that on the date of the plebiscite, he shall have such qualifications.

SEC. 5. Board of Election Inspectors. - At least ten (10) days before the first day of registration of voters in accordance herewith, the Commission shall, directly or through its duly authorized representatives, constitute a Board of Election Inspectors for each precinct to be composed of a Chairman and two members, who shall all be public school teachers registered as voters of the city or municipality: Provided, That in case of shortage of public school teachers, the Commission may appoint private school teachers, or other citizens of known probity and competence, who are registered voters of the city or municipality. The appointment shall specifically state the precinct to which they are assigned and the date of the appointment.

The members of the Board shall each receive a per diem of Fifty Pesos for each day of actual service rendered in the Board.

b. Registration of Voters

SEC. 6. Procedure in Registration. - Any person qualified to vote shall register with the Board of Election Inspectors of the precinct in which his residence is included on any of the dates fixed by the Commission on Elections under Section 1 hereof by accomplishing in four (4) copies a voter's affidavit in which he shall state the following data:

- (a) Surname, first name, middle name, if any and maternal surname in that order;
- (b) Date and place of birth;
- (c) Citizenship;
- (d) Periods of residence in the Philippines and in the place of registration;
- (e) Exact address with the name of the street and house number or in case there is none, a brief description of the locality and the place;

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A statement that the applicant has not applied for registration in any other precinct, city or municipality for this 1986 general registration of voters; and

Such other information or data which may be required by the Commission.

The voter's affidavit shall also contain three specimens of the applicant's signature and clear and legible fingerprints and shall be subscribed and sworn to by him before all the members of the Board.

The oath of the applicant shall include a statement that he does not have any of the disqualifications of a voter and he has not been previously registered in the precinct or any other precinct under this General Registration of Voters.

Before the applicant accomplishes his voter's affidavit, the Board shall apprise him of the qualifications and disqualifications prescribed for a voter as herein provided. It shall see to it that the accomplished voter's affidavit contains all the data therein required and that the applicant's specimen signatures, the prints of his left and right hand thumbmarks and the rest of his fingerprints are properly affixed in each copy of his voter's affidavit.

SEC. 7. Action by the Board. - Upon receipt of the voter's affidavit, the Board shall examine the data therein. If it finds that the applicant possesses all the qualifications and none of the disqualifications of a voter, he shall be registered. Otherwise, he shall not be registered.

The name and address of each registered voter shall, immediately upon his registration, be entered in the proper alphabetical group in the list of voters. The voter's identification card duly attested by the Chairman of the Board shall be issued to the voter.

SEC. 8. Voter's Identification Card. - The identification card issued to the voter shall serve and be considered as a document for the identification of each registered voter: Provided, That if the voter's identity is challenged on the day of voting and he can not present his voter's identification card or his identification card bears signs of tampering, his identity may be established by the specimen signature, or the fingerprints in his voter's affidavit in the book of voters. No extra or duplicate copy of the voter's identification card shall be prepared and issued except upon express written authority of the Commission.

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Each identification card shall bear the name and the address of the voter, his date of birth, sex, civil status and the precinct number where he is registered.

c. List of Voters

SEC. 9. Preparation of List of Voters. - For the preparation of the list of voters as provided in this Executive Order, the Board of Election Inspectors of each precinct shall hold four (4) meetings on the date fixed by the Commission on Elections under Section 1 of this Executive Order. At these meetings the Board shall prepare in the alphabetical order of the surnames of the voters eight (8) copies of the list of voters who registered in the precinct.

SEC. 10. Closing of the List of Voters. - The Board of Election Inspectors shall also meet on the fourth (4th) Saturday immediately preceding the day of the plebiscite, for the purpose of making such inclusions, exclusions, and corrections as may be ordered by the courts, stating opposite every name so corrected, added, or cancelled, the date of the order and the court which issued the same, and for the consecutive numbering of the voters registered in the election precinct.

Should the Board fail to include in the list of voters any person ordered by a competent court to be so included, the said person shall, upon presentation of a copy of the order of inclusion duly certified by the Clerk of Court and upon proper identification, even on the day of the plebiscite be allowed by the Board to vote.

Should the Board fail to exclude from the list of voters any person ordered by the court to be so excluded, the Board shall not permit said person to vote upon presentation to it by any interested party of a certified copy of the order of exclusion.

SEC. 11. Preservation of Voter's Affidavits. - A copy of the affidavit of each voter shall be kept by the Board until after the day of the plebiscite, when it shall deliver the same to the Election Registrar together with copies of the list of voters and other election papers. The Election Registrar shall compile the voter's affidavits by precincts in the alphabetical order of surnames in a book of voters. The other two (2) copies shall be sent by the Board on the day after the last date for registration of voters to the Office of the Provincial Election Supervisor and the main office of the Commission in Manila. The Provincial Election Supervisor and the Commission shall respectively file and preserve the voter's

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affidavits by cities and municipalities in the alphabetical order of their surnames. The fourth copy of the affidavit shall be given immediately to the voter as evidence of his registration.

SEC. 12. Provincial Central File of Registered Voters. - There shall be a Provincial Central File of registered voters containing the duplicate copies of all approved voter's affidavits in each city and municipality in the province which shall be under the care and custody of the Provincial Election Supervisor. The applications shall be compiled by precincts in the alphabetical order of the surnames of the registered voters to make the file an exact replica of the book of voters in the possession of the Election Registrar.

Should the books of voters in the care and custody of the Election Registrar be lost or destroyed at a time so close to the plebiscite that there is no time to reconstitute the same, the corresponding book of voters in the provincial file shall be used during the plebiscite.

SEC. 13. National Central File of Registered Voters. - There shall also be a National Central File of Registered voters consisting of the triplicate copies of all approved voter's affidavits in all cities and municipalities, which shall be prepared and kept in the Central Office of the Commission. The applications in the National Central File shall be compiled alphabetically according to the surnames of the registered voters regardless of the place of registration.

SEC. 14. Columns in the List of Voters. - The list of voters shall be arranged in columns as follows:

- (a) In the first column, there shall be entered, at the time of closing of the list before the plebiscite, a number opposite the name of each voter registered, beginning with number one and continuing in consecutive order until the end of the list;
- (b) In the second column, the surname of the registered voter shall be written in alphabetical order followed by the first name, middle name, if any, and maternal surname, without abbreviations of any kind;
- (c) In the third column, the residence of such person with the house number, name of the street, sitio and barangay, or, in case there be none, a brief

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but sufficient description of the locality or place shall be entered;

- (d) In the fourth column, the date of birth and periods of residence in the Philippines and in the city or municipality shall be entered;
- (e) In the fifth column, there shall be entered, on the day of the plebiscite, the number of the ballot given successively to each voter;
- (f) In the sixth column, the voter shall affix on the day of the plebiscite, his right thumbmark and under said mark his signature, which shall be the same as the signature in his voter's affidavit;
- (g) And in the seventh column, the signature of the Chairman of the Board of Election Inspectors who handed the ballot to the voter.

It will be sufficient that the fourth, fifth, sixth, and seventh columns be filled in the copy of the list under the custody of any of the members of the Board of Election Inspectors who shall see to it that the thumbmark is affixed clearly.

SEC. 15. Certificate of the Board of Election Inspectors in the List of Voters. - Upon the adjournment of each meeting for the registration of voters, the Board of Election Inspectors shall close each alphabetical group of surnames of voters by writing the dates on the next line in blank which shall be forthwith signed by each member, and, before adding the new name on the same page at the next meeting, it shall write the following: "Added at the _____ meeting", specifying if it is the second or third meeting of the Board, as the case may be. If the meeting adjourned is the last one for the registration of voters, the Board shall, besides closing each alphabetical group of surnames of registered voters as above provided, add at the end of the list a certificate (a) whether or not corrections and cancellations were made in the list, specifying them, if any, and (b) specifying in words and numerals the total number of voters registered in the precinct as at the close of the registration period.

SEC. 16. Publication of the List. - At the first regular office hour of the working day following the last day of registration of voters, the poll clerk shall deliver to the Election

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Registrar a copy of the lists certified to by the Board of Election Inspectors as provided in the preceding section; another copy, also certified and properly sealed, shall be sent to the Provincial Election Supervisor of the province by messenger; and another copy, likewise certified and properly sealed, shall be sent by registered mail special delivery with return card, to the central office of the Commission where the said copies shall be opened to public inspection during regular office hours. On the same day and hour, the poll clerk shall also post a copy of the list in the polling place in a secure place on the door or near the same at the height of a meter and a half, where it may be conveniently consulted by interested parties. The chairman and the two (2) other members of the Board shall each keep a copy of the list which may be inspected by the public in their respective residences or offices during regular office hours. Immediately after the meeting of the Board for the closing of the list, the member designated as the poll clerk shall also send a notice to the Election Registrar, Provincial Election Supervisor and the Commission in Manila regarding the changes and the numbering referred to in Sec. 10 hereof, to be attached to the copy of the list sent to them previously.

d. Administrative and Judicial Powers

SEC. 17. Challenge of Right to Register. - Any person applying for registration may be challenged before the Board of Election Inspectors on any registration day by any voter or by any member of the Board of Election Inspectors. The Board shall then examine the challenged person and shall receive such other evidence as it may deem pertinent, after which it shall decide by majority vote whether the voter shall be properly included in or excluded from the list. All challenges shall be heard and decided without delay, and in no case beyond two (2) days from the date the challenge was made.

After the question has been decided, the Board of Election Inspectors shall give to the party challenged a brief certified statement setting forth the challenge and the decision thereon.

SEC. 18. Power of the Board of Election Inspectors to Administer Oath and Issue Summons. - For the purpose of determining the right of applicants to be registered as voters in the list, the Board of Election Inspectors shall have the same power to administer oaths, to issue subpoena and subpoena duces tecum and to compel witnesses to appear and testify, but the latter's fees and expenses incident to the process shall be paid in advance by the party in whose behalf the summons is issued.


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SEC. 19. Jurisdiction in Inclusion and Exclusion Cases. - The Municipal and Metropolitan Trial Courts shall have original and exclusive jurisdiction over all matters of inclusion and exclusion of voters from the list in their respective municipalities and cities. The decision of the Municipal or Metropolitan Trial Courts shall be rendered within ten (10) days after the filing of the petition and may be appealed directly by the aggrieved party to the proper Regional Trial Court within five (5) days from receipt of notice thereof, otherwise said decision of the Municipal or Metropolitan Trial Court shall become final and executory. The Regional Trial Court shall decide the appeal within ten (10) days from filing and its decision shall be immediately final and executory. No motion for reconsideration shall be entertained by the Courts. Failure of the judges concerned to comply with the deadlines fixed in this Section shall subject them to administrative action.

SEC. 20. Petition for Inclusion of Voters in the List. - Any person whose application for registration has been disapproved by the Board of Election Inspectors or whose name has been stricken out from the list may apply, within fifteen (15) days after the last registration day, to the proper Municipal or Metropolitan Trial Court, for an order directing the Board of Election Inspectors to include or reinstate his name in the list, together with the certificate of the Board of Election Inspectors regarding his case and proof of service of notice of his petition upon a member of the Board of Election Inspectors with indication of the date, time, place and court before which the petition is to be heard.

SEC. 21. Voters Excluded Through Inadvertence or Registered with an Erroneous or Misspelled Name. - Any voter who has registered under this general registration of voters whose name has been inadvertently omitted from the list prepared for the plebiscite or who has been included therein with a wrong or misspelled name or address shall have the right to file an application within fifteen (15) days after the last registration day with the proper Municipal or Metropolitan Trial Court, for an order directing that his name be reinstated in the list or that he be registered with his correct name or address. He shall attach to such application a xerox copy of his voter's affidavit, together with proof that he has applied without success to the Board of Election Inspectors for such reinstatement or correction and that he has served a copy of the application to a member of the Board.

SEC. 22. Change of Name of Registered Voter. - Any previously registered voter whose name has been changed by reason



of marriage or by virtue of a court order may request the Board of Election Inspectors during any of its meetings held under this general registration of voters that his registration in the list be recorded under his new name.

SEC. 23. Petition For Exclusion of Voters from the List.- Any registered voter in a city or municipality, or the Election Registrar, may apply at any time within fifteen (15) days after the last registration day with the proper Municipal or Metropolitan Trial Court, for the exclusion of a voter from the list of a given precinct, giving the name and residence of the latter, the precinct in which he is registered, and the ground or grounds for the challenge. The petition shall be sworn to by the petitioners and accompanied by proof of notice to the Board of Election Inspectors concerned and to the challenged voter.

SEC. 24. Common Rules Governing Judicial Proceedings in the Matter of Inclusion, Exclusion, and Correction of Names of Voters. - (a) No petition for inclusion, exclusion, and correction of names of voters shall be received outside of regular office hours.

(b) Notices to the members of the Board of Election Inspectors and to the challenged voters shall state the place, date and time in which such petition shall be heard, and such notice may be made by sending a copy thereof by registered mail special delivery with return card or by personal delivery or by leaving it in the possession of an identifiable person of sufficient discretion in the residence of the person to be notified or, in the event that the foregoing procedure is not practicable, by posting a copy thereof in a conspicuous place in the city hall or municipal building and in two other conspicuous places within the city or municipality, at least five (5) days prior to the date set for the hearing.

In the interest of justice and to afford the challenged voter every opportunity to contest the petition for exclusion, the court concerned may, when the challenged voter fails to appear on the first day set for the hearing, order that notice be effected in such manner and within such period of time as it may decide, which time shall in no case be more than four (4) days from the day the respondent is first found in default.

(c) Each petition shall refer to only one precinct.

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(d) No costs shall be assessed in these proceedings. However, if the court should be satisfied that the application has been filed for the purpose of harassing the adverse party and causing him to incur expenses, it may condemn the culpable party to pay the costs and incidental expenses.

(e) The decision shall be based on the evidence presented. If the question is whether or not the voter is real or fictitious, the non-appearance of the voter on the day set for hearing shall be prima facie evidence that such voter is fictitious. In no case shall a decision be rendered upon a stipulation of facts.

(f) These applications shall be heard and decided without delay. The decision shall be rendered within six (6) hours after the hearing.

SEC. 25. Canvass to Check Registration. - After the plebiscite, the respective Election Registrars, with the assistance of their Provincial Election Supervisors shall conduct regular verification by mail or house-to-house canvass, or both, of the registered voters of any precinct for purposes of exclusion proceedings.

SEC. 26. Annulment of Lists of Voters. - Any book of voters not prepared in accordance with the provisions of this Executive Order or the preparation of which has been effected by fraud, bribery, forgery, impersonation, intimidation, force, or any other similar irregularities or which list is statistically improbable may, upon verified petition of any voter or by the Election Registrar, and after notice and hearing, or motu proprio by the Commission, when the list of voters has been prepared in a manner which is palpably irregular, be annulled by the Commission which shall then order a new registration of voters in the affected precincts on a date or dates fixed by it: Provided, That no order, ruling or decision of the Commission annulling a book of voters shall be executed within thirty (30) days before the plebiscite.

SEC. 27. Reconstitution of Lost or Destroyed Registration Records. - The Commission shall reconstitute all registration records which have been lost or destroyed. For this purpose, it shall be the duty of the Election Registrar concerned to report immediately to the Commission any loss or destruction of approved applications for registration in his custody. Such reconstitution shall be made with the use of the corresponding copies in the National or Provincial Central Files

of registered voters: Provided, That if this is not feasible, the registered voter concerned may be summoned by the Election Registrar to effect such reconstitution by accomplishing a new application. Reconstituted forms shall be clearly marked with the word "Reconstituted".

The reconstitution of any lost or destroyed application for registration shall not affect the criminal liability of any person or persons who may be responsible for such loss or destruction.

SEC. 28. Examination of Registration Records. - All registration records in the possession of the city or municipal Election Registrar, the Provincial Election Supervisor, and the Commission shall, during regular office hours, be opened to examination by the public.

Law enforcement agencies shall, upon prior authorization by the Commission, have access to said registration records should the same be necessary to, or in aid of, their investigative functions and duties, subject to regulations promulgated by the Commission.

SEC. 29. Posting of List of Voters. - On the day immediately following revision day, the Board of Election Inspectors must post the FINAL list of voters in each precinct with each and every page thereof duly signed or subscribed and sworn to by the members of the Board of Election Inspectors and that failure to comply with this provision will constitute an election offense.

Any voter, upon formal request made to an Election Registrar, shall be entitled to a certified copy of the most recent list of voters in any precinct, municipality, or city or province, upon payment of a reasonable fee as may be prescribed by the Commission.

SEC. 30. Applicability of Pertinent Provisions of Batas Pambansa Blg. 881. - The pertinent provisions of Batas Pambansa Blg. 881, otherwise known as the Omnibus Election Code of the Philippines regarding precincts and polling places, Board of Election Inspectors, watchers, election offenses including penalties, preliminary investigation, prosecution, jurisdiction of courts, prescription, persons criminally liable, and other provisions, which are not in conflict with this Executive Order shall remain in full force and effect and hereby adopted as part hereof: Provided, That the forms and other papers necessary for purpose of this general registration of voters and plebiscite shall be printed under the

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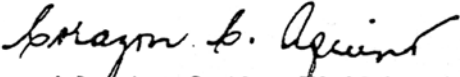
supervision and control of the Commission: Provided, further, That the Commission may engage the services of any printing press and shall provide appropriate security measures for the printing, storage and distribution thereof.

SEC. 31. Appropriation. - The amount of THREE HUNDRED SEVENTY FIVE MILLION PESOS or so much thereof as may be necessary for the purpose of the implementation of this Executive Order is hereby set aside out of the appropriation of the Commission on Elections in its current budget and savings, which shall both be automatically released by the Ministry of the Budget upon request of the Chairman of the Commission on Elections. In case of deficiencies, the funds herein provided shall be augmented from the Special Activities Fund intended for special priority activities authorized in the current General Appropriations Act, which shall likewise be automatically released upon similar request by the Chairman of the Commission on Elections.

SEC. 32. Repealing Clause. - All laws, orders, issuances, rules and regulations or parts thereof, inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 33. Effectivity. - This Executive Order shall take effect immediately.

Done in the City of Manila, this 20th day of October, in the year of Our Lord, nineteen hundred and eighty-six.


President of the Philippines

By the President:


JOKER P. ARROYO
Executive Secretary