



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

**GUIDELINES ON THE FILING OF CERTIFICATES OF CANDIDACY AND CERTIFICATE OF NOMINATION OF OFFICIAL CANDIDATES OF REGISTERED POLITICAL PARTIES IN CONNECTION WITH THE AUGUST 11, 2008 ELECTION OF REGIONAL OFFICIALS IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM).**

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<b>Romeo A. Brawner</b>	Commissioner
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Promulgated: 13 May 2008

**RESOLUTION NO. 8442**

The Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act No. 6749, and other election laws, **RESOLVED** to promulgate, as it hereby promulgates, the following rules and guidelines on the filing of certificates of candidacy and nomination of official candidate of registered political parties in connection with the August 11, 2008 election regional officials in the Autonomous Region in Muslim Mindanao (ARMM).

**SECTION 1. Certificate of Candidacy.** – a) No person shall be elected Regional Governor, Regional Vice-Governor, or Member, Regional Legislative Assembly unless he files a sworn certificate of candidacy in the form prescribed by the Commission and within the period fixed herein.

b) No person shall be eligible for more than one office to be filled in the same election. If he files a certificate of candidacy for more than one office he shall not be eligible for any of them. However, before the expiration of the period for the filing of certificate of candidacy, the person who has filed more than one certificate of candidacy may declare under oath the office for which he desires to be eligible and cancel the certificate of candidacy for the other office or offices. Said declaration shall be filed personally or through his duly authorized representative with the proper office in accordance with Section 3 hereof.

c) A person who has filed a certificate of candidacy may, prior to the election, withdraw the same pursuant to Section 13 hereof.

d) The filing of a withdrawal of a certificate of candidacy shall not affect whatever civil, criminal or administrative liabilities that a candidate may have incurred.

**Sec. 2. Contents of certificate of candidacy.** – The certificate of candidacy shall be under oath and shall state that the person filing it is announcing his candidacy for the office and constituency stated therein; that he is eligible for said office, his age, gender, civil status, place and date of birth, his citizenship, whether natural-born or naturalized; the registered political party to which he belongs; if married, the full name of the spouse; his legal residence, giving the exact address, the precinct number, barangay, city or municipality and province where he is a registered voter; his post office address for election purposes; his profession or occupation or employment; that he is not a permanent resident of or an immigrant to a foreign country; that he will support and defend the Constitution of the

Republic of the Philippines and will maintain true faith and allegiance thereto; that he will obey the laws, legal orders, decrees, resolution, rules and regulations promulgated and issued by the duly-constituted authorities; that he assumes the foregoing obligations voluntarily without mental reservation or purpose of evasion; and that the facts stated in the certificate are true and correct to the best of his own knowledge.

Unless a candidate has officially changed his name through a court-approved proceeding, a candidate shall use in the certificate of candidacy the name by which he has been baptized or if he has not been baptized in any church or religion, the name registered in the office of the local civil registrar or any other name under the provisions of existing law or, in the case of a Muslim, his Hadji name after performing the prescribed religious pilgrimage: provided, that when there are two or more candidates for an office with the same name and surname, each candidate, upon being made aware of such fact, shall state his paternal and maternal surname, except the incumbent who may continue to use the name and surname stated in his certificate of candidacy when he was elected.

The person filing the certificate of candidacy may include one nickname or stage name by which he is generally or popularly known in the locality; Provided: That no candidate shall use the nickname, stage name or initials of another. In case of several nicknames or stage names, only the nickname or stage name first written shall be considered.

Titles, such as DON, DATU, DOCTOR, GINOO, or words of similar imports shall not be allowed.

He shall affix his signature, thumbmark and his latest passport size photograph (taken not more than three (3) months before the date of filing his certificate of candidacy) on the upper-right hand margin thereof. In addition, he shall submit a digital copy (CD or diskette) of the same photograph that was attached to his certificate of candidacy; and if he so desires, a statement, in duplicate in not more than one hundred words, containing his bio-data and program of government.

**Sec. 3. Where to file certificate of candidacy.** – The certificate of candidacy shall be filed in FIVE (5) LEGIBLE COPIES with the offices of the Commission specified hereunder:

<i>Elective Office</i>	<i>COMELEC Office where the certificates shall be filed</i>
Regional Governor Regional Vice Governor	Office of the Regional Election Director, ARMM.
Member, Regional Legislative Assembly	Office of the Provincial Election Supervisor concerned.

One (1) copy shall be returned to the candidate for his file. One copy (1) shall be kept by the Receiving Officer for his file and the other three (3) copies, together with the digital copy of the candidate's photograph, shall be forwarded to the Law Department. The certificate of candidacy shall be filed by the candidate personally or by his duly authorized representative. No certificate of candidacy shall be filed or accepted by mail, telegram or facsimile. The authority of the authorized representative shall be in writing and under oath and attached to the certificate of candidacy.

Certificate of candidacy not filed with the correct offices as enumerated above shall be accepted.

The filing of the certificate of candidacy of a substitute candidate, in case of valid substitution, shall be filed in accordance with Section 14 hereof.

A sample form of the certificate of candidacy shall be distributed free of charge and no filing fee shall be imposed.

**Sec. 4. Effects of Filing Certificates of Candidacy.** – a) Any person holding a public appointive office or position including active members of the Armed Forces of the Philippines, and other officers and employees in government-owned and controlled corporations, shall be considered *ipso facto* resigned from his office upon the filing of his certificate of candidacy.

b) Any elective official, whether national or local, running for any office shall not be considered resigned upon the filing of his certificate of candidacy.

**Sec. 5. Period of filing certificate of candidacy.** – The certificate of candidacy for all elective oppositions in the ARMM shall be filed on regular working days, from May 28, 2008 to June 04, 2008, during office hours except on the last day which shall be up to midnight.

No certificate of candidacy and/or party nomination shall be received after 12:00 o'clock midnight of June 04, 2008, except in cases of proper and valid substitution under Section 14 hereof.

**Sec. 6. Certificates of nomination of official candidates by the political party.** – The certificate of nomination by the political party/coalition duly signed and attested under oath by the party president or chairman or secretary-general shall be filed by the candidate or his

authorized representative not later than the last day for filing of certificates of candidacy. The nominee shall accept the nomination by affixing his signature in the space provided therein. If a candidate files his certificate of nomination after his certificate of candidacy has been filed, he shall attach thereto a copy of the certificate of candidacy.

For this purpose, all registered political parties shall submit to the Law Department the names and specimen signatures of the signatories to official party nominations, not later than June 07, 2008.

Except in case of valid substitution under Section 14 hereof, no certificate of nomination or amendment thereto shall be filed after the last day for filing of certificate of candidacy.

No political party shall be allowed to nominate candidates more than the number required to be voted for in an elective position; otherwise, all of the nominations shall be without effect and the candidates affected shall be considered as independent.

**Sec. 7. *Independent candidate.*** - A candidate who has not been nominated by a registered political party or its duly authorized representative, or whose nomination has not been submitted by a registered political party, or who accepts nominations from more than one registered political party, except in cases of coalitions of said political parties, or whose nomination has been considered without effect under Section 6 hereof, or whose nomination was filed after the last day of filing of certificates of candidacy, shall be considered as an independent candidate.

**Sec. 8. Ministerial duty of receiving and acknowledging receipt of certificates of candidacy/nomination; Recording.** – The receiving officer as provided for in Section 3 hereof shall have the ministerial duty to receive and acknowledge receipt of the certificates of candidacy/nomination by registered political parties or coalition of political parties on or before the deadline for filing of certificates of candidacy, provided said certificates are under oath and contains all the required data and in the form prescribed by the Commission. He shall stamp every copy of each certificate with the date and time of its receipt and affix his signature thereon. Thereafter, he shall enter in a record book, the following data, leaving no space between entries: a) date and time of receipt of the certificates; b) assigned consecutive number thereof; c) full name of the candidate; d) the office for which the candidate is running; e) the political party to which the candidate belongs and/or which nominated him, if any; f) the number of copies actually received; and g) the name of the officer or employee who received the certificate.

Without delay, after 12:00 o'clock midnight of the last day for filing certificate of candidacy, the receiving official shall close the record book by placing a line immediately after the last entry and writing the word "closed". He shall then affix his signature immediately below the word "closed" and indicate the date and exact line of closing.

**Sec. 9. Watchers of candidates, political parties and accredited citizens' arms.** – Any candidate, political party, accredited citizens' arm may appoint a watcher in connection with the filing and reception of the certificates of candidacy. The watcher shall be allowed to stay within the premises of the authorized receiving office and to take note of the

proceedings but without interrupting or disturbing official business. Any watcher may report in writing to the Commission any irregularity, which may require appropriate action.

Watchers shall be entitled, upon written request, to secure from the receiving officer a copy of the full list of those who filed their certificates of candidacy and their respective positions.

**Sec. 10. *Reports on the delivery of certificates of candidacy.* –**

On June 05, 2008 the receiving officer shall report, by facsimile or any available fastest means of communication, to the Law Department of the Commission, the complete list of candidates who have filed their certificates of candidacy as entered in the record book.

On or before June 07, 2008, the record book provided in Section 8 hereof, the list of candidates, the digital copy of the candidate's photograph and three (3) copies of the certificates of candidacy/nomination, shall be personally delivered to the Law Department by the following:

- 1) Regional Election Director, for candidates for Regional Governor and Regional Vice-Governor.
- 2) Provincial Election Supervisor, for candidates for Member of the Regional Legislative Assembly.

**Sec. 11. *Distribution of Certificates of Candidacy.* –** The Law Department shall retain one (1) copy and distribute one (1) copy each to the Election Records and Statistics Department (ERSD) and the Information Technology Department (ITD). The digital copies of the candidates' photographs shall likewise be forwarded to ITD.

**Sec. 12. *Preparation of the Certified List of Candidates.*** –

Immediately, upon receipt of the certificates of candidacy, the Law Department shall prepare the list of candidates and submit the same to the Commission for approval. Upon approval, the Law Department shall prepare, in hard and soft copies, the certified list of candidates and provide the ITD with the same. The ITD shall, in turn, furnish the Printing Committee with the certified list of candidates.

**Sec. 13. *Withdrawal of Certificate of Candidacy.*** – Any person who has filed a certificate of candidacy may at any time before election day file personally a statement of withdrawal under oath in five (5) legible copies with the office where the certificate of candidacy was filed. No statement of withdrawal shall be accepted if filed by a person other than the candidate or if filed by mail, telegram or facsimile.

Upon receipt of the sworn written statement of withdrawal by the Regional Election Director or the Provincial Election Supervisor, as the case may be, the certificate of candidacy subject of the withdrawal shall be considered *ipso facto* withdrawn.

The Regional Election Director or the Provincial Election Supervisor concerned shall, upon receipt of the withdrawal, notify the Law Department and the field offices concerned, by the fastest means of communication of the a) full name of the candidate withdrawing; b) elective office concerned; c) political party, if any; and d) substitution made, if any. On the same date, he shall retain a file copy and immediately forward to the Law Department all the other copies. The Law Department shall, in turn,

distribute the copies to the offices/departments concerned as provided under Section 11 hereof.

**Sec. 14. *Substitution of Candidates, in case of death, disqualification or withdrawal of another.*** – If after the last day for the filing of certificate of candidacy but not beyond June 22, 2008, an official candidate of a registered political party dies, withdraws or is disqualified for any cause, he may be substituted by a candidate belonging to, and nominated by, the same political party. No substitution shall be allowed for any independent candidate. The substitute for candidates who died or were disqualified or withdrew, may file his certificate of candidacy up to June 22, 2008. After this date, filing of certificates of candidacy by substitutes shall not be accepted.

No person who has withdrawn his candidacy shall be eligible as substitute candidate for any position after the deadline for filing of certificates of candidacy.

**Sec. 15. *Effectivity.*** – This Resolution shall take effect on the seventh (7<sup>th</sup>) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

**Sec. 16. *Dissemination.*** – The Education and Information Department shall cause the publication of this Resolution in two (2) newspapers of general circulation and give the same the widest dissemination possible and furnish copies thereof to the Regional Election Director of the Autonomous Region in Muslim Mindanao, the Provincial Election Supervisors and Election Officers of Basilan, Lanao del Sur, Maguindanao, Shariff Kabunsuan, Sulu and Tawi-Tawi.

(Sgd.) **JOSE A. R. MELO**  
Chairman

(on official business)  
**ROMEO A. BRAUNER**  
Commissioner

(Sgd.) **RENE V. SARMIENTO**  
Commissioner

(Sgd.) **NICODEMO T. FERRER**  
Commissioner

(Sgd.) **MOSLEMEN T. MACARAMBON**  
Commissioner