

EXECUTIVE ORDER NO. 157

PROVIDING FOR ABSENTEE VOTING BY OFFICERS AND EMPLOYEES OF GOVERNMENT WHO ARE AWAY FROM THE PLACES OF THEIR REGISTRATION BY REASON OF OFFICIAL FUNCTIONS ON ELECTION DAY.

WHEREAS, under the electoral law now in force the rule is that a person has to be physically present in the polling place whereof he is a registered voter in order to be able to vote;

WHEREAS, the only exception is that established by Section 169 of Batas Pambansa Blg. 881, which allows members of the board of election inspectors to vote in the polling place where they are assigned on election day, under certain conditions;

WHEREAS, there are other persons who, by reason of public functions and duties, are assigned on election day in places other than their place of registration, and under existing rules, are thus unable to vote;

WHEREAS, the democratic principle requires the broadest participation in electoral and similar exercises by persons who have all the qualifications and none of the disqualifications to vote;

WHEREAS, government officials and employees who are assigned to places other than their place of registration must not be deprived of their right to participate in electoral exercises;

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

Section 1. Any person who by reason of public functions and duties, is not in his/her place of registration on election day, may vote in the city/municipality where he/she is assigned on election day: provided, that he/she is a duly registered voter.

Sec. 2. Thirty (30) days before the election, the appropriate head of office shall submit to the Commission on Elections a list of officers and employees of the office who are registered voters, and who, by reason of their duties and functions, will be in places other than their place of registration, and who desire to exercise their right to vote, with the request that said officers and employees be provided with application forms to cast absentee ballots in their place of assignment.

The list and the request shall be under oath.

Sec. 3. Upon verification by the Commission on Elections that the persons included in the list are qualified voters, it shall transmit the exact number of application forms to the head of the office making the request.

Sec. 4. The application forms shall be returned duly accomplished to the Commission on Elections not later than April 25, 1987.

Sec. 5. Upon verification of the applications, the Commission shall transmit the exact number of absentee ballots to the appropriate head of the government office for distribution to the applicants.

Sec. 6. The head of the office shall prepare a sworn report on the manner of distribution of the absentee ballots, indicating therein the number of ballots transmitted to each province, the names of the persons to whom the absentee ballots are delivered, and the serial numbers of the ballots. It shall be accompanied by a certificate of eligibility to vote absentee for each particular voter.

Sec. 7. For the purpose of the 1987 congressional election, the absentee voters shall vote only for candidates for senator.

Sec. 8. The voters who cast absentee voters shall vote one week before election day. They shall do so by delivering to the Commission on Elections Regional Director, or the Provincial Election Supervisor or the City or Municipal Election Registrar of the place of their assignment the special Commission on Elections absentee ballot within two security envelopes, the one containing the absentee ballots indicating only that it is an envelope of the Commission on Elections, and the other envelope indicating the name of the absentee voter and his/her affidavit number.

Sec. 9. The Commission on Elections official concerned to whom the absentee vote is delivered shall immediately transmit by the fastest means available to the Commission on Elections the special Commission on Elections absentee ballot within two security envelopes so that the same are in the central office of the Commission one day before the elections.

The transmittal letter shall indicate the names of the persons who cast the absentee votes, their voter's affidavit numbers and their certificates of eligibility to vote absentee.

Sec. 10. The Commission on Elections shall canvass the votes cast by absentee voters and shall add the results of the same to the votes reported throughout the country.

Sec. 11. The Commission shall promulgate the necessary rules and regulations to implement this Executive Order.

Sec. 12. Section 169 of Batas Pambansa Blg. 881 shall remain in force and effect, and shall continue to govern the voting privilege of members of the board of election inspectors. All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 13. This Executive Order shall take effect immediately.

Approved: 30 March 1987.