



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

**GUIDELINES ON THE FILING OF
CERTIFICATES OF CANDIDACY
AND NOMINATION AND
ACCEPTANCE OF OFFICIAL
CANDIDATES OF REGISTERED
POLITICAL PARTIES OR COALITION
OF POLITICAL PARTIES IN
CONNECTION WITH THE MAY 13,
2013 AUTOMATED SYNCHRONIZED
NATIONAL, LOCAL AND ARMM
REGIONAL ELECTIONS**

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Promulgated: September 11, 2012

RESOLUTION NO. 9518

The Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code, 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 and Acceptance of official candidates of registered political parties or coalition of political parties in connection with the May 13, 2013 Automated Synchronized National, Local and ARMM Regional Elections:

SEC. 1. *Certificate of Candidacy.* – No person shall be elected Senator, Member of the House of Representatives, Provincial, City, Municipal or Regional ARMM officials unless he personally accomplishes a sworn Certificate of Candidacy in the form prescribed by the Commission (prescribed forms attached).

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, he may file a declaration under oath, the office for which he desires to be eligible and cancel the Certificate of Candidacy for the other office or office/s, stating the reasons therefor and attaching thereto the consent of the party that nominated him, if any, personally or by his duly authorized representative, with the proper office in accordance with Sec. 3 hereof.

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; the full name of the candidate, 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 duly registered political party or coalition of political parties to which he belongs; if married, the full name of the spouse; his legal residence, giving the exact address and the number of years he has been residing in the country and whenever applicable, the place where he intends to be elected; the barangay, city or municipality and province where he is a registered voter or will be a registered voter; his post office address for election purposes; his profession or occupation or employment; that he is not a permanent resident or an immigrant to a foreign country; that he will file, with the offices of the Commission, within thirty (30) days after election day, his full, true and itemized Statement of Contributions and Expenditures (SOCE) in connection with the election; 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, resolutions, 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 knowledge.

Unless a candidate has officially changed his name through a court-approved proceeding, a candidate shall use in his 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 shall 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.

The person filing a Certificate of Candidacy shall also affix his latest photograph, passport size; a statement in duplicate containing his bio-data and program of government not exceeding one hundred (100) words, if he so desires.

Documentary stamps in the amount of Fifteen Pesos (Php15.00) shall be attached to the Certificate of Candidacy.

For purposes of printing the candidate's name in the official ballots, the candidate's surname (in case of a female candidate, her married OR maiden name, whichever she prefers); first name OR

nickname; and the acronym of the political party/coalition of political parties affiliation should not exceed thirty (30) characters. Thus, the person filing a Certificate of Candidacy shall write in the appropriate spaces provided for in Item No. 4 of the Certificate of Candidacy, the following data:

- i. Last Name (in case of a female candidate, her married OR maiden name, whichever she prefers)
- ii. First Name OR Nickname
- iii. Political Party / Coalition of Political Parties Affiliation (Acronym only)

The Certificate of Candidacy shall be sworn before a Notary Public or any official authorized to administer oath. **COMELEC officials are not authorized to administer oath.**

SEC. 3. *Where to file Certificate of Candidacy.* – Depending on the elective positions, the Certificate of Candidacy shall be filed in FIVE (5) LEGIBLE COPIES with the offices of the Commission specified hereunder:

ELECTIVE POSITIONS	WHERE TO FILE
Senator	Law Department
Members of the House of Representatives for legislative districts in the National Capital Region (NCR)	Regional Election Director, NCR
1) Members of the House of Representatives of legislative districts in provinces 2) Provincial officials	Provincial Election Supervisor concerned
1) Members of the House of Representatives for legislative districts in cities outside the NCR, which comprise one or more legislative districts	City Election Officer concerned designated for the purpose by the Regional Election Director

2) City Officials of cities with more than one Election Officers	(Copies of the designation of the Election Officer concerned shall immediately be submitted to the Law Department of the Commission)
City/Municipal Officials	City/Municipal Election Officer concerned
ARMM Governor and Vice-Governor	In any of the Offices of the ARMM Regional Election Director
Member, Regional Legislative Assembly, ARMM	ARMM Provincial Election Supervisor concerned

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

The Certificate of Candidacy shall be filed by the candidate personally or by his duly authorized representative, whose authority shall be in writing, under oath and attached thereto.

No Certificate of Candidacy shall be filed or accepted by mail, electronic mail, telegram or facsimile.

The filing of the Certificate of Candidacy of a substitute candidate, in case of valid substitution, shall be filed in accordance with Sec. 15 hereof.

Sample forms of the Certificate of Candidacy are attached hereto, and are available at the Comelec offices for free. The forms may be photocopied or reproduced, or downloaded from the COMELEC official website (www.comelec.gov.ph).

SEC. 4. Effects of Filing Certificate 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 or controlled corporations, shall be considered ipso facto resigned from his office and must

vacate the same at the start of the day of the filing of his Certificate of Candidacy.

b) Any person holding an elective office or position shall not be considered resigned upon the filing of his Certificate of Candidacy whether for the same or any other elective office or position.

SEC. 5. *Period for Filing Certificate of Candidacy.* - The Certificate of Candidacy shall be filed on any day from **October 1, 2012 to October 5, 2012**, during office hours **(8:00 AM to 5:00 PM)**.

If at 4:45 o'clock p.m. of October 5, 2012, there are still persons intending to file Certificates of Candidacy present inside the offices mentioned in Section 3 hereof, the Receiving Officer shall prepare a complete list containing the names of said persons, consecutively numbered, and the time of listing. The persons listed shall be called by announcing each name in the order in which they are listed. Any person who is not present when his name is called, shall not be allowed to file his Certificate of Candidacy. A Certificate of Candidacy filed in accordance with this procedure shall be stamped received at the time it was actually filed, and deemed filed on time.

SEC. 6. *Filing of Certificate of Nomination and Acceptance of Official Candidates of a Political Party / Coalition of Political Parties.* - The Certificate of Nomination and Acceptance (CONA) of the official candidates of the duly registered political party or coalition of political parties shall be, in five (5) legible copies, attached to and filed simultaneously with the Certificate of Candidacy. The CONA shall also be stamped received in the same manner as the Certificate of Candidacy.

The CONA, sample form attached, shall be duly signed and attested to under oath, either by the Party President, Chairman, Secretary-General or any other duly authorized officer of the nominating party and shall bear the acceptance of the nominee as shown by his signature in the space provided therein.

For this purpose, all duly registered political parties or coalition of political parties shall, not later than **October 1, 2012**, submit to the Law Department, the names and specimen signatures of the authorized signatories of their official party nominations.

No duly registered political party or coalition of political parties shall be allowed to nominate more than the number of candidates required to be voted for in a particular elective position; otherwise, in such a situation, all of the nominations shall be denied due course by the Commission.

SEC. 7. *Independent Candidate.* - An independent candidate is one who falls in any of the following circumstances:

- a) who has not been nominated by a duly registered political party or coalition of political parties or its duly authorized representative;
- b) whose CONA has been submitted by a political party or coalition of political parties not duly registered with the Commission;
- c) who has not accepted a nomination, or has repudiated his CONA from a duly registered political party or coalition of political parties on or before December 21, 2012;
- d) who accepts nominations from more than one duly registered political parties for the same constituency, except in cases of coalitions of said political parties;
- e) whose CONA was filed after the last day of filing of Certificates of Candidacy;
- f) whose CONA was not filed together with his Certificate of Candidacy;

g) whose CONA was cancelled, withdrawn or substituted by the nominating party within the period for the filing of Certificates of Candidacy;

h) whose CONA was denied due course pursuant to the last paragraph of Sec. 6 hereof.

A candidate who accepts nominations from both national and local registered political parties shall not be considered as an independent candidate.

SEC. 8. Ministerial Duty of Receiving and Acknowledging Receipt of Certificates of Candidacy/Nomination and Acceptance; Recording. - The Receiving Officer of the offices tasked or designated to receive Certificates of Candidacy/Nomination and Acceptance as provided for in Sec. 3 hereof shall have the ministerial duty to receive and acknowledge receipt thereof; Provided that the same are filed in conformity with the herein rules and regulations. He shall stamp every copy of each Certificate with the date and actual time of his receipt and affix his signature thereon.

The Receiving Officer shall enter in a record book, the following data, leaving no space between entries:

- a) date and actual 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 or coalition of political parties to which the candidate belongs and/or which nominated him, if any;
- f) the number of copies actually received;
- g) the name of the duly authorized representative, if the certificate is not filed personally by the candidate; and

h) the name of the Receiving Officer.

Without delay, on the last day after the time allowed for the filing of the Certificates of Candidacy, the Receiving Officer shall immediately 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 time of closing.

SEC. 9. *Watchers of Independent Candidates, Political Parties and Accredited Citizens' Arms.* – An independent candidate, political party, accredited citizen's arm may appoint one watcher each in connection with the filing and reception of the Certificates of Candidacy. The watcher, who shall present his appointment as such to the Receiving Officer, 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 for which they intend to be elected.

SEC. 10. *Reports of the Certificates of Candidacy Received.* – The Head of the Receiving Office shall, not later than **October 6, 2012:**

- a) print a Certified List of Candidates as entered in the record book, affix his signature thereon and submit it, through any fastest means of communication available, to the Commission, through the Law Department; and
- b) using the program and the format provided by the Information Technology Department (ITD), encode

the candidates' information and save the same in two (2) compact discs (CDs) which shall be submitted, together with the record book, four (4) copies including the original copy of the Certificates of Candidacy and Nomination and Acceptance, as well as the Certified List of Candidates duly signed by him to the concerned Provincial Election Supervisors and Regional Election Directors.

SEC. 11. Preparation of the Certified List of Candidates. -

Immediately after the last day for filing of Certificates of Candidacy, the following shall prepare a Certified List of Candidates in five (5) copies:

IMPLEMENTING OFFICE	ELECTIVE POSITION
Law Department	Senator
For NCR : a.) Regional Election Director, NCR; b.) City/Municipal Election Officer concerned;	a.) Members of the House of Representatives in the legislative districts in the NCR; and b.) City/Municipal Positions in the NCR.
For outside NCR : Provincial Election Supervisor concerned;	Members of the House of Representatives for legislative districts and Provincial, City and Municipal Positions.
For ARMM : Regional Election Director, ARMM;	Governor, Vice-Governor and Members of the Regional Legislative Assembly.

SEC. 12. Delivery of the Reports on the Certificates of Candidacy Received. – The following officers shall personally deliver to the offices mentioned in Section 13 hereof, not later than October 10, 2012, the record book, the Certified List of Candidates,

CDs, and copies of the Certificates of Candidacy and Nomination and Acceptance:

1) **for NCR :**

- a. **Regional Election Director** – For Member of the House of Representatives in the legislative districts in the NCR;
- b. **Election Officers concerned** – For city and municipal positions in the NCR;

2) **for outside NCR :**

Provincial Election Supervisor – For Member of the House of Representatives and provincial, city and municipal positions;

3) **for ARMM :**

Regional Election Director for ARMM – For Governor, Vice-Governor and Members of the Regional Legislative Assembly.

SEC. 13. *Distribution of the Reports on the Certificates of Candidacy Received.* – The record book, Certified List of Candidates, CDs, and copies of the Certificates of Candidacy and Nomination and Acceptance shall be distributed to the following offices:

- A. **Law Department** – Record Book, Certified List of Candidates, original copy of the Certificates of Candidacy and the original copy of the Certificates of Nomination and Acceptance and one (1) CD.
- B. **Election Records and Statistics Department** – Certified List of Candidates, second copy of the Certificates of Candidacy and the Certificates of Nomination and Acceptance and one (1) CD.
- C. **Education and Information Department** – Certified List of Candidates, third copy of the Certificates of Candidacy and the Certificates of Nomination and Acceptance.

- D. **Clerk of the Commission** – Certified List of Candidates, fourth copy of the Certificates of Candidacy and the Certificates of Nomination and Acceptance.

SEC. 14. *Withdrawal of Certificate of Candidacy.* - Any person who has filed a Certificate of Candidacy may, at any time before election day and subject to Sec. 15 hereof, 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 himself or if filed by mail, electronic mail, telegram or facsimile.

The Regional Election Director, Provincial Election Supervisor, or the Election Officer concerned shall, upon receipt of the withdrawal, notify the Law Department by fastest means of communication, stating the following:

- a) full name of the candidate withdrawing;
- b) elective office concerned;
- c) nominating political party or coalition of political parties, if any; and
- d) full name of the substitute, if any

On the same day, he shall immediately forward to the Commission, through the Law Department, four (4) copies of the Statement of Withdrawal, retaining one (1) copy thereof for his file. The Law Department shall, in turn, distribute the copies to the offices/departments concerned as provided for under Sec. 13 hereof.

The filing of a withdrawal of a Certificate of Candidacy shall not affect whatever civil, criminal or administrative liabilities a candidate may have incurred.

A person who has withdrawn his Certificate of Candidacy for a position shall not be eligible, whether as a substitute candidate or not, for any other position.

SEC. 15. *Substitution of Candidates in case of death, disqualification or withdrawal of another.* - If after the last day for the filing of Certificates of Candidacy, an official candidate of a duly registered political party or coalition of political parties 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 substitute shall be allowed for any independent candidate.

The substitute of a candidate who has withdrawn on or before December 21, 2012 may file his Certificate of Candidacy for the office affected not later than December 21, 2012, so that the name of the substitute will be reflected on the official ballots.

No substitution due to withdrawal shall be allowed after December 21, 2012.

The substitute for a candidate who died or is disqualified by final judgment, may file his Certificate of Candidacy up to mid-day of election day, provided that the substitute and the substituted have the same surnames.

If the death or disqualification should occur between the day before the election and mid-day of election day, the substitute candidate may file his Certificate of Candidacy with any Board of Election Inspectors in the political subdivision where he is a candidate, or in the case of a candidate for Senator, with the Law Department of the Commission on Elections in Manila, provided that the substitute and the substituted candidate have the same surnames.

SEC. 16. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines;


SEC. 17. Dissemination. - The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and give the same the widest dissemination possible.

SO ORDERED.


SIXTO S. BRILLANTES, JR.
Chairman


RENE V. SARMIENTO
Commissioner


LUCENITO N. TAGLE
Commissioner


ARMANDO C. VELASCO
Commissioner


ELIAS R. YUSOPH
Commissioner


CHRISTIAN ROBERT S. LIM
Commissioner