

RULES OF THE ELECTORAL TRIBUNAL OF THE HOUSE OF REPRESENTATIVES

RULE I THE MEETINGS

SECTION 1. Upon the designation of the Justices of the Supreme Court and the Members of the House of Representatives who are to compose the Electoral Tribunal in pursuance of section 11, Article IV of the Constitution of the Philippines, the Electoral Tribunal shall meet for its organization and the adoption of such resolutions as it may deem proper.

Upon the expiration of the term of the Members of the House of Representatives, who are members of the Tribunal, and, before the designation of the new members who are to succeed them, as members of the Electoral Tribunal, the Justices of the Supreme Court who are members of the Electoral Tribunal, shall constitute themselves as a Division, to act on interlocutory matters that may be submitted to the Tribunal, subject to the approval of the Tribunal upon its organization.

SEC. 2. The Electoral Tribunal shall meet on such days and time as it may designate or at the call of the Chairman or of a majority of its Members. The presence of a majority will, at least one Justice shall be necessary to constitute a quorum. In the absence of the Chairman, the next senior Justice shall preside, and in the absence of both, the Justice present will take the chair, in both of which cases the acting Chairman shall also exercise the powers and duties of the Chairman.

SEC. 3. The Electoral Tribunal and its divisions and committees shall meet in the Session Hall of the Supreme Court or at such other place in the City of Manila as may be designated. When in their judgment the interests of justice require, they may also hold sessions outside of Manila. For the reception of evidence or the hearing of oral arguments, and when deemed convenient they may meet in the Session Hall of the Supreme Court or at such other place as may be designated.

RULE II THE CHAIRMAN

SECTION 1. The powers and duties of the Chairman of the Electoral Tribunal shall be as follows:

- (a) To issue calls for the sessions of the Tribunal;
- (b) To preside over the sessions of the Tribunal;
- (c) To preserve order and decorum during the session and for that purpose take such steps as may be convenient or as the Tribunal may direct;
- (d) To decide all questions of order, subject to appeal by any member to the Tribunal;
- (e) To enforce the orders, resolutions, and decisions of the Tribunal; and
- (f) With the approval of the Electoral Tribunal and in accordance with the provisions of the Civil Service Law, to appoint or remove any employee of the Electoral Tribunal.

RULE III CONTROL OF OWN FUNCTIONS

SECTION 1. The Electoral Tribunal shall have the exclusive control, direction, and supervision of all matters pertaining to its own internal operation.

RULE IV THE CLERK OF COURT, STENOGRAPHERS AND OTHER EMPLOYEES

SECTION 1. In addition to the Clerk of Court, Deputy Clerks of Court and Stenographers, the Electoral Tribunal shall have such other employees as may be authorized by law.

SEC. 2. The Clerk of Court of the Electoral Tribunal shall keep office at such place as may be assigned to him by the Tribunal, and shall have the following duties:

(a) To execute the orders, resolutions, decisions and proceedings issued by the Electoral Tribunal;

(b) To receive and file all pleadings, and other papers properly presented, endorsing on each such paper the date when it was filed, and to attend all of the sessions of the Tribunal and enter its proceedings for each day in a minute book to be kept by him;

(c) To keep a judicial docket wherein shall be entered in chronological order election contests and the proceedings had thereon;

(d) To issue under his signature and the seal of the Electoral Tribunal the notices, orders, resolutions and decisions which are to be given due course;

(e) To safely keep all records, papers, files, exhibits, and public property committed to his charge, including the library of the Tribunal, and the seals belonging to his office;

(f) To keep an account of the funds set aside for the expenses of the Electoral Tribunal when so directed;

(g) To perform such duties as are prescribed by law for Clerks of Superior Court;

(h) To keep a judgment book containing a copy of each judgment rendered by the Tribunal in the order of its date, and a book of entries of judgments containing at length in chronological order entries of all final judgments or orders of the Court;

(i) To keep an execution book in which is recorded at length in chronological order each execution, and the officer's return thereon, by virtue of which real property has been sold;

(j) To keep such other books and perform such other duties as the Tribunal may direct.

SEC. 3. It shall be the duty of the stenographer who has attended a session to deliver immediately at the close of such session, all the notes he has taken, to the Clerk of Court who shall stamp the date of receipt thereon, and when such notes are transcribed, the transcript shall likewise be delivered to the clerk, duly initialed on each page thereof. It shall be the duty of the Clerk of Court to demand that the stenographer comply with said duty.

SEC. 4. Subject to the supervision of the Chairman, the Clerk of Court shall be the chief of the personnel of the Electoral Tribunal and shall be responsible for the faithful and proper performance of their official duties.

RULE V THE SEAL

SECTION 1. The seal of the Electoral Tribunal shall be circular in shape and shall contain in the upper part the words "Electoral Tribunal of the House of Representatives," in the center, the coat of arms of the Republic of the Philippines, and at the base, the word "Philippines."

RULE VI ELECTION CONTESTS

SECTION 1. Election contests shall be filed with the office of the Clerk of Court of the Electoral Tribunal, or mailed at the post office as registered matter addressed to the Clerk of Court of the Electoral Tribunal, together with twelve legible copies thereof, within fifteen days following the proclamation of the result of the election by the provincial board of canvassers by any candidate voted for in said election and who has presented a certificate of candidacy. It shall be the duty of the Clerk of Court to serve notice and a copy of the contest upon each respondent within five days after the filing thereof.

SEC. 2. All contests and counter contests shall be sworn to by the parties filing them or their attorneys.

**RULE VII
ANSWERS AND COUNTER CONTESTS**

SECTION 1. Within ten days after service of notice of the filing of the contest, the respondent shall file his answer thereto specifying the nature of his defense, and serve copy thereof upon the contestant. If his answer is filed to the protest or to the counter-protest, within the time limits respectively fixed, a general denial shall be deemed to have been entered. A counter-contest, if any, must be filed within the same period. No demurrers shall be entertained.

**RULE VIII
REPLIES**

SECTION 1. Within five days after the receipt of copy of the answer, the contestant may file a reply. A counter-contest, if any, must be answered within ten days after the receipt of copy thereof by the contestant.

**RULE IX
PLEADINGS**

SECTION 1. All other pleadings of the contestant or the contestee shall be filed with the Office of the Clerk of Court of the Electoral Tribunal, together with twelve legible copies thereof. Any petition based on facts which ought to be proved shall be sworn to.

**RULE X
AMENDMENTS**

SECTION 1. After the period for receiving the evidence has commenced, no amendment to the allegations affecting the merits of the controversy shall be allowed except when, for some special reasons and because of the exigencies of the public interest, the filing of such amendment is permitted by the Electoral Tribunal. Any amendment in matters of form may be submitted at any stage of the proceedings.

**RULE XI
FILING FEES AND BONDS**

SECTION 1. No contest shall be registered without the payment of filing fee, in the amount of ₱50 for each contest.

SEC. 2. In a contest or a counter-contest not requiring ballot revision, the contestant or the counter-contestant, as the case may be, shall make a cash deposit in the amount of ₱200; if a revision of the ballots must be made, the cash deposit shall be in the sum of ₱500. The amount shall be deposited with the disbursing officer of the Electoral Tribunal, unless otherwise specifically provided, within ten days, after the filing of a contest or a counter-contest and shall be applied to the payment of all expenses incidental to such contest or counter-contest. When the circumstances so demand, additional cash deposits may be required. Failure to make the cash deposit herein provided, within the prescribed time limit, shall result in the automatic dismissal of the contest or counter-contest, as the case may be, unless the Tribunal shall otherwise resolve.

**RULE XII
PRODUCTION AND EXAMINATION OF ELECTION
DOCUMENTS AND REVISION OF BALLOTS**

SECTION 1. Where allegations in a contest or counter-contest so warrant, or whenever in the opinion of the Electoral Tribunal, the interest of justice so demands, it shall immediately order the list of voters, ballot boxes and their keys, ballots and other documents used in the election to be brought before the Electoral Tribunal and revised, and, for such purpose, it may appoint a committee on revision of ballots, composed of a chairman and two members, the appointment of which one member and his substitute shall be proposed by the contestant, and the other member and his substitute shall be proposed by the contestee, and fix the compensation of each which shall not exceed fifteen (15) pesos for every election precinct which they may completely revise and report upon.

The revision of the ballots should be completed within three months from the date of the order, unless otherwise directed by

the Electoral Tribunal.

SEC. 2. The list of voters, the documents used in the election, ballots, ballot boxes and their keys, shall be kept and held secure in the "vault" of the Electoral Tribunal, or in such other place as may be designated, in the care and custody of the Clerk of Court of the Electoral Tribunal and under the authority of the Chairman. The revision of the ballots by the committee on revision shall be made in the office of the Electoral Tribunal or at such other place as may be designated by the Chairman of the Electoral Tribunal.

SEC. 3. The committee on revision shall make a statement of the condition in which the ballot boxes and their contents were found upon the opening of the same; and shall classify the ballots so examined and set forth clearly any objection that may have been offered to each ballot in the report to be submitted by them. Disputed ballots shall be numbered consecutively with colored pencil, for purposes of identification, in the presence and under the direction of the official designated by the Electoral Tribunal. After examination, the ballots and other election documents shall be returned to their respective boxes under lock, but disputed ballots shall be placed in a separate envelope duly sealed and signed by the member of the committee which shall then be returned to the box. For purposes of making said report which shall be submitted in 12 legible copies, only the prescribed form prepared by the Tribunal shall be followed.

During the revision of ballots, no person other than the members of the committee on revision of ballots and the Clerk of Court of the Electoral Tribunal or the latter's authorized representatives, and the parties, their attorneys or duly authorized representatives shall have access to the place where said revision is taking place.

**RULE XIII
SUBPOENAS**

SECTION 1. Subpoenas shall be issued by the Clerk of Court of the Electoral Tribunal to compel the attendance of witnesses who should testify before the Tribunal and may be enforced by him or any of his assistants, or through the sheriff of the province where such witness reside.

SEC. 2. A witness who after being duly subpoenaed shall fail to appear or testify without good cause, may be tried and punished for contempt in accordance with the provision of the Rules of Court in the Philippines.

**RULE XIV
EVIDENCE**

SECTION 1. All evidence shall be received by the Electoral Tribunal sitting in banc or by a division or committee thereof or by Commissioners authorized by the Tribunal. Any Division of the Tribunal can designate any member thereof to act as a committee of one to receive evidence. Original evidence may be received in the form of a deposition. The original copy of the deposition, together with twelve legible copies thereof shall be forwarded by registered mail to the Clerk of Court of the Electoral Tribunal by the official who took the deposition. Unless otherwise provided, the presentation of evidence shall be terminated within ninety days from the date of the commencement thereof.

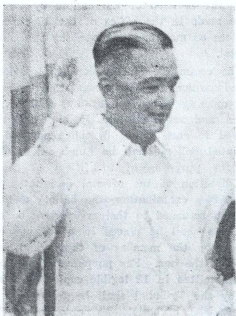
**RULE XV
VOTING**

SECTION 1. In passing on all questions submitted to the Electoral Tribunal, all the Members present, including the Chairman, shall vote. For the adoption of resolutions of whatever nature, the concurrence of five Members shall be necessary.

SEC. 2. During the hearings held for the reception of evidence, the presiding officer of the Electoral Tribunal, whether sitting in banc, in division, or in committee, shall decide all questions raised in connection with the examination of witnesses and the admission of evidence, and his rulings shall be deemed as made by the Electoral Tribunal. If a Member should ask that a question

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PROFILES OF MEMBERS OF THE BENCH AND BAR



Judge CONRADO M. VASQUEZ

Graduating valedictorian (*Cum laude*) of the College of Law, University of the Philippines, in 1937, there was little doubt that, sooner or later, Judge Conrado M. Vasquez would be appointed in the judiciary. For it is in the judicial department that our people expect and get scholarship. It is also because of the reputation of the Philippine judiciary for scholarship that Filipinos, to the wonder of the world, have accepted judicial pronouncements as guiding principles in their way of life.

The position of the Philippine judiciary in world law is unique. It is here where the way of life under the civil law of Rome and Spain merged with the Anglo Saxon law of England and America. The conflicts between civil law and Anglo Saxon law were many, often critical, hence the early demand for scholarship among the

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be previously decided in consultation, the presiding officer shall act only after the matter has been voted upon.

RULE XVI DECISIONS

SECTION 1. In deciding contests, the Electoral Tribunal shall follow the procedure prescribed for the Supreme Court in sections 11 and 12, Article VIII of the Constitution of the Philippines, and allow any member of the Tribunal, after a matter has been deliberated upon and vote taken, a period not to exceed ten days from the date the decision is signed by the majority within which to present a dissenting opinion, if so desires. His failure to do so within the period above stated, will authorize the Tribunal to promulgate the said decision, without prejudice to any member filing any dissenting opinion subsequent to the promulgation.

SEC. 2. The decisions of the Electoral Tribunal shall become final ten days after promulgation. The promulgation shall be made on a date previously fixed, of which notice shall be served in advance upon the parties or their attorneys, personally or by registered mail or by telegram. No motion shall be entertained for the reopening of a case except for the reconsideration of a decision under the evidence already of record. No party may file more than one motion for reconsideration, copy of which shall be served upon and received by the adverse party within ten days

judges. Philippine judicial decisions on this conflict are therefore studied and often cited by the world's bar.

The career of Judge Conrado M. Vasquez reads like a highway to the judiciary. He was born in Biñan, Laguna, 48 years ago, son of Castor Vasquez and Vicenta Moravilla, both of Biñan. He graduated valedictorian of the Biñan Elementary School, 1928; valedictorian of the U.P. High School in 1931; A.A. (*Cum laude*) College of Liberal Arts, U.P., in 1933; and valedictorian (*Cum laude*) of the U.P. College of Law in 1937. He was admitted to the Philippine Bar the same year.

He engaged in private law practice in 1927 to 1939, and 1943 to 1945. In 1939, he was appointed attorney in the Department of Justice. From here, he rose up to the judiciary.

He was chief, legal research division, Department of Justice, in 1946; chief, law division, Department of Justice, in 1948, and technical assistant to the Secretary of Justice, in 1951.

In 1954, Judge Conrado M. Vasquez was appointed judge of the Court of First Instance of Batangas. In 1960, he was chosen "Provincial Judge of the Year" by the Justice and Court Reports Association of the Philippines.

In 1961, Judge Vasquez was appointed to the Court of First Instance of Manila, Branch V, along with seven other judges.

He is a professor of law in the F.E.U. Institute of Law. He also served as professor in other law colleges such as the National University College of Law, the Philippine Law School, and the U.E. College of Law.

The opinions he prepared in the Department of Justice, and the decisions he rendered in the courts of Batangas and Manila reflect the judicial quality of a brilliant mind. He does not have any speciality in law, and brings to every case before him a warm and sympathetic personality and a brilliant intellect.

At age 48, Judge Vasquez is one of the youngest judges in the judiciary. The path that was drawn for him in Biñan, and through the University of the Philippines and Department of Justice, keeps extending towards higher and higher responsibilities.

after promulgation, who shall answer it within five days, after the receipt thereof.

SEC. 3. As soon as a decision becomes final, notice thereof shall be sent to the Secretary of the House of Representatives, the President of the Philippines, and the Auditor General. The originals of the decisions of the Electoral Tribunal shall be kept in bound form in the files of the Tribunal. Decisions shall be published in the Official Gazette and printed like the decisions of the Supreme Court.

RULE XVII

SUPPLEMENTARY RULES

SECTION 1. In so far as they may be applicable and are not inconsistent with these rules and with the orders, resolutions and decisions of the Electoral Tribunal, the following shall be in force as supplementary rules of its proceedings namely:

- (a) The Rules of Court in the Philippines; and
- (b) The decisions of the Supreme Court and the Rules of the Courts of Justice.

RULE XVIII EFFECTIVITY

SECTION 1. These Rules shall take effect upon its approval and, notwithstanding the periodic dissolution of the Electoral Tribunal, shall be operative until amended or substituted by a newly constituted Electoral Tribunal.

Adopted, February 14, 1958.