

**[ ADMINISTRATIVE ORDER NO. 100, June 24, 2004 ]**

**PRESCRIBING GUIDELINES TO FILL TEMPORARY VACANCIES IN LOCAL ELECTIVE OFFICES IN CERTAIN AREAS TO PREVENT PARALYZATION OF LOCAL GOVERNMENT OPERATIONS IN SAID AREAS**

**WHEREAS**, the term of office of local elective officials elected during the May 14, 2001 elections will expire at noon of June 30, 2004;

**WHEREAS**, some local elective offices will become temporarily vacant in the event that by noon of June 30, 2004, the Commission on Elections will not proclaim the winning candidates in the May 10, 2004 elections for these local elective offices or declare a failure of elections in some local government units;

**WHEREAS**, these temporary vacancies in local elective offices will disrupt the delivery of basic services and may paralyze local government operations in said areas, yet neither the existing election laws nor the Local Government Code of 1991 provide guidelines for filling said temporary vacancies;

**WHEREAS**, in order to avoid the disruption of the delivery of basic services and the paralysis of local government operations in said areas, there is an urgent need for the President to exercise her constitutional powers of appointment and general supervision over local government units;

**WHEREAS**, similar threats of disruption of the delivery of basic services and paralysis of local government operations after the May 8, 1995, May 11, 1998 and May 14, 2001 elections were remedied by filling temporary vacancies in local elective office in accordance with Memorandum Circular No. 123 dated June 30, 1995, Administrative Order No. 2 dated July 6, 1998 and Administrative Order No. 12 dated June 29, 2001, respectively;

**NOW, THEREFORE, I, GLORIA MACAPAGAL - ARROYO**, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and law, hereby promulgate the following guidelines:

**SECTION 1. Non-Proclamation or Declaration of Failure of Election.-** In the event that the Commission on Elections has not proclaimed by noon of June 30m 2004 the winning candidates for all the local elective offices of a local government unit (LGU) or has declared a failure of election in said LGU, the President may designate Officers-In-Charge (OICs) for the offices of the governor, vice-governor, mayor, vice-mayor and the members of the sangguniang panlalawigan, sangguniang panlungsod and sangguniang bayan; Provided, that the OIC must possess all the qualifications and none of the disqualifications prescribed for the corresponding elective office.