

[BATAS PAMBANSA BLG. 884, December 03, 1985]

AN ACT CONSTITUTING AN INDEPENDENT PRESIDENTIAL ELECTORAL TRIBUNAL TO TRY, HEAR AND DECIDE ELECTION CONTESTS IN THE OFFICE OF PRESIDENT AND VICE-PRESIDENT OF THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. There shall be an independent Presidential Electoral Tribunal, hereinafter referred to as the Tribunal, to be composed of nine members which shall be the sole judge of all contests relating to the election, returns and qualifications of the President and the Vice-President of the Philippines. It shall be composed of nine members, three of whom shall be the Chief Justice of the Supreme Court and two other justices to be designated by the Chief Justice, and the remaining six shall be chosen as follows: three to be nominated by the majority party from among its Members in the Batasang Pambansa, and three to be nominated by the minority party from among its Members. The Chief Justice of the Supreme Court shall be its Chairman.

Any vacancy in the Tribunal shall be filled by nomination by the Chief Justice, the majority party or the minority party in the Batasang Pambansa, as the case may be.

SEC. 2. The oath of office of the members of the Tribunal shall be administered by the Chief Justice of the Supreme Court not later than fifteen days prior to the scheduled date of any presidential and vice-presidential elections. The Chief Justice of the Supreme Court, who shall be the Chairman, shall take his oath of office before the Speaker of the Batasang Pambansa.

SEC. 3. Five members of the Tribunal shall constitute a quorum to do business. Unless otherwise specifically provided herein, it may provide its own rules and regulations concerning the procedure in the filing and hearing of such contests filed before it. The Tribunal shall hear and decide en banc all presidential and vice-presidential election contests brought under this Act, and the concurrence of at least five members of the Tribunal shall be necessary for a final decision thereon.

SEC. 4. The Tribunal must decide the contest within twelve months after it is filed. In case of a tie between the candidates for President and/or for Vice-President involved in the contest, the Tribunal shall notify the Batasang Pambansa of such fact, in which case the President or Vice-President, as the case may be, shall be chosen by a vote of a majority of all the Members of the Batasang Pambansa in session assembled.

The promulgation of the judgment shall be made on a date previously fixed, notice of which shall be served in advance upon the parties or their attorneys, personally or by special registered mail or by telegram. No motion shall be entertained for the opening of a case but only for the reconsideration of a decision based on the evidence already on record. No party may file more than one motion for