



Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Intramuros, Manila

**RULES AND REGULATIONS ON THE  
LIQUOR BAN IN CONNECTION  
WITH THE MAY 13, 2013  
AUTOMATED SYNCHRONIZED  
NATIONAL, LOCAL AND ARMM  
REGIONAL ELECTIONS.**

Brillantes, Sixto Jr., S.,	Chairman
Sarmiento, Rene V.,	Commissioner
Tagle, Lucenito N.,	Commissioner
Velasco, Armando C.,	Commissioner
Yusoph, Elias R.,	Commissioner
Lim, Christian Robert S.,	Commissioner
Padaca, Maria Gracia Cielo, M.	Commissioner

Promulgated: December 18, 2012

**RESOLUTION NO. 9582**

**WHEREAS**, the Omnibus Election Code of the Philippines provides:

**Sec. 261. Prohibited Acts.** - The following shall be guilty of an election offense:

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xxx

xxx

(dd) Other prohibitions:

*(1) Any person who sells, furnishes, offers, buys, serves or takes intoxicating liquor on the days fixed by law for the registration of voters in the polling place, or on the day before the election or on the election day. Provided, That hotels and other establishments duly certified by the Department of Tourism as tourist-oriented and habitually in the business of catering to foreign tourists may be exempted for justifiable reasons upon prior authority of the Commission. Provided, further, That foreign tourist taking intoxicating liquor in said authorized hotels or establishments are exempted from the provisions of this sub-paragraph."*

**WHEREAS**, violation of said prohibited acts shall be punishable with imprisonment of not less than one (1) year but not more than six (6) years and shall not be subject to probation, and in addition, the guilty party shall suffer disqualification to hold public office and deprivation of the right of suffrage;

**NOW, THEREFORE**, the Commission on Elections (Commission) pursuant to the powers vested in it by the Constitution, the Omnibus Election Code and other election laws, has **RESOLVED** to promulgate; as it hereby **RESOLVES** to promulgate the following implementing rules:

**SECTION 1. Prohibited Acts.** - It shall be unlawful for any person, including owners and managers of hotels and establishments to sell, furnish, offer, buy, serve, or take intoxicating liquor anywhere in the Philippines.



**SECTION 2. *Prohibition Period.*** – The liquor ban shall be in force and effect on the day before the election (May 12, 2013) and on election day (May 13, 2013).

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**SECTION 3. *Exemption.*** – Hotels and other establishments duly certified by the Department of Tourism as tourist-oriented and habitually in the business of catering to foreign tourists may be exempted from the liquor ban, **PROVIDED** they secure prior written authority upon showing that there are justifiable reasons therefor from the action officers enumerated in Sec. 4 hereof.

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Only foreign tourists taking intoxicating liquor in said authorized hotels or establishments are exempted from the prohibition.

**SECTION 4. *Where to apply for and secure exemption.*** – Applications for exemption together with supporting documents, shall be filed with, and duly acted upon by the following:

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- a. Regional Election Director of the National Capital Region (NCR), in cases of hotels and other establishments located in the NCR;
- b. Provincial Election Supervisors with respect to establishments located in the municipalities within their respective provinces; and
- c. City Election Officers with respect to those located within their respective cities/districts.

**SECTION 5. *Conditions for the grant of exemption.*** – Exemption may be granted only upon compliance and submission of the following:

- a.) the request/petition/application for exemption must be under oath and must contain a statement that the hotel/establishment operators/owners have not been convicted for an election offense;
  - b.) A certification by the Department of Tourism shall state that the requesting hotel or establishment is:
    - 1) tourist-oriented; and
    - 2) habitually in the business of catering to foreign tourist.
  - c.) Currently licensed to do business; and
  - d.) Has paid the required taxes and/or fees imposed by the government or any of its agencies or instrumentalities.
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**SECTION 6. *Revocation of exemption.*** – The exemption granted may be revoked or withdrawn by the Commission upon petition of any interested party on showing, among others, that the reason upon which the exemption was made does not exist or is not justifiable, or that the requesting party or applicant has



committed misrepresentation in the application, or introduced or submitted falsified documents.

**SECTION 7. Who shall implement.** - The Philippine National Police (PNP), National Bureau of Investigation (NBI), Regional Election Directors, Provincial Election Supervisors, Election Officers, and the COMELEC Election Laws Enforcement Team, if any, which will be fielded by the Commission in specific areas, shall implement this resolution.

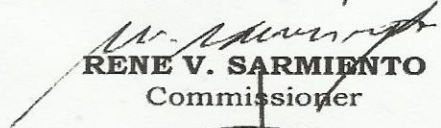
**SECTION 8. Effectivity.** - This Resolution shall take effect on the seventh day after its publication in two (2) daily newspapers of general circulation in the Philippines.

**SECTION 9. Dissemination.** - The Education and Information Department shall cause the publication of this resolution for two (2) daily newspapers of general circulation and shall furnish copies hereof to the Department of Tourism, Association of Hotels and Restaurants, Regional Election Directors, Provincial Election Supervisors, Election Officers, the Armed Forces of the Philippines, the Philippine National Police, the National Bureau of Investigation and the accredited Citizens Arm of the Commission.

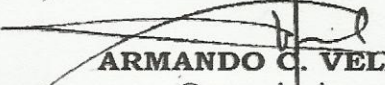
**SO ORDERED.**

  
**SIXTO S. BRILLANTES, JR.**

CO00014165  
Chairman

  
**RENE V. SARMIENTO**

Commissioner

  
**ARMANDO C. VELASCO**

Commissioner

  
**CHRISTIAN ROBERT S. LIM**

Commissioner

  
**LUCENITO N. TAGLE**

Commissioner

  
**ELIAS R. YUSOPH**

Commissioner

  
**MARIA GRACIA CIELO M. PADACA**

Commissioner

cc: Chairman  
All Commissioners  
Executive Director  
Deputy Executive Director for Operations  
Law Department  
Education and Information Department  
12/21/12, lsc

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