



REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
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REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
MANILA

RULES AND REGULATIONS ON THE LIQUOR BAN IN CONNECTION WITH THE CONDUCT OF THE DECEMBER 18, 2008 PLEBISCITE TO RATIFY THE CREATION OF SEVERAL BARANGAYS OF TAGUIG CITY PURSUANT TO ORDINANCE NOS. 24, 25, 26, 27, 57, 58, 59, 60, 61, 67, 68 AND 69, ALL SERIES OF 2008, RESPECTIVELY OF THE SANGGUNIANG PANLUNGSOD OF TAGUIG CITY.

MELO, JOSE A.R.
SARMIENTO, RENE V.
FERRER, NICODEMO T.
LEONIDA, LEONARDO L.
TAGLE, LUCENITO N.
VELASCO, ARMANDO C.

CHAIRMAN
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER

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Promulgated **November 12, 2008**

RESOLUTION NO. **8544**

WHEREAS, The Omnibus Election Code of the Philippines provides:

"Sec. 261. Prohibited Acts. -- the following shall be guilty of an election offense:

x x x

x x x

x x x

"(d) x x x (1) Any person who sells, furnishes, offers, buys, serves or takes intoxicating liquor on the eve and on the day of the conduct of the Plebiscite: *Provided*, further, That foreign tourists taking intoxicating liquor in said authorized hotels or establishments are exempted from the provisions of this paragraph."

WHEREAS, violation of said prohibited acts shall be punishable with imprisonment of not less than one year but not more than six 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;

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WHEREAS, the city of Taguig shall hold a plebiscite on December 18, 2008 to ratify the creation of several barangays in Taguig City pursuant to Ordinance Nos. 24, 25, 26, 27, 57, 58, 59, 60, 61, 67, 68 & 69 all series of 2008, respectively of the Sangguniang Panlungsod of Taguig;

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**, as it hereby **RESOLVES**, to promulgate the following implementing rules and regulations:

SECTION 1. Prohibited Acts. – It shall be unlawful for any person, including owners and managers of hotels and other establishments to sell, furnish, offer, buy, serve, or take intoxicating liquor in six (6) barangays namely Barangays Hagonoy, Bagong Tanyag, Upper Bicutan, Signal Village, Western Bicutan and Lower Bicutan in Taguig City.

SECTION 2. Prohibited Period. - The liquor ban shall be in force and effect on December 1-17, 2008.

Section 3. Exemption. – Hotels and other establishments in above-named barangays in Taguig City 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 from the liquor ban, **PROVIDED** they secure prior written authority from the Commission as provided for in Section 4 hereof.

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 Regional Election Director of National Capital Region.

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

- a) A request/petition for exemption which must be under oath and which 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 that the requesting hotel or establishment:



- 1. Tourist-oriented and is habitually in the business of catering to foreign tourists;
- 1. Currently licensed to do business; and
- 2. Has paid the required taxes and/or fees imposed by the government or any of its agencies or instrumentalities.

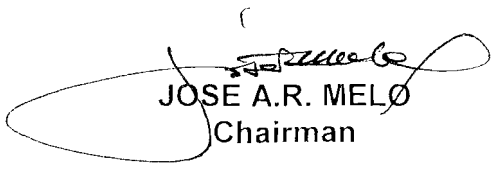
Section 6. Revocation.- The exemption granted may be revoked or withdrawn by the Commission upon petition of any interested party on showing, among others, that the reason upon which the exemption was made does not exist or is not justifiable, or that the requesting party or applicant has committed misrepresentation in the application, or introduced or submitted falsified documents.

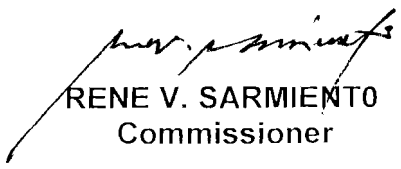
Section 7. Who shall implement: – The Philippine National Police (PNP) shall implement this Resolution.

Section 8. 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 and in one (1) newspaper of local circulation in Taguig City.

Section 9. 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 shall furnish copies thereof to the Philippine National Police, Taguig City, Regional Election Director of National Capital Region and the City Election Officer of Taguig City.

SO ORDERED.


 JOSE A.R. MELO
 Chairman


 RENE V. SARMIENTO
 Commissioner


 NICODEMO T. FERRER
 Commissioner


 LEONARDO L. LEONIDA
 Commissioner


 LUCENITO N. TAGLE
 Commissioner


 ARMANDO C. VELASCO
 Commissioner