

## **MEMORANDUM CIRCULAR NO. 115**

**TO : ALL SHIPPING OPERATORS / OWNERS, SHIPPING CORPORATIONS/ENTITIES AND ALL MARITIME REGIONAL DIRECTORS/OFFICERS-IN-CHARGE, MARINA**

**SUBJECT : COMELEC RESOLUTION NO. 2825 RELATIVE TO THE SANGGUNIANG KABATAAN (SK) ELECTIONS SCHEDULED ON 06 MAY 1996**

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In compliance with Resolution No. 2825 of the Commission on Elections (COMELEC) promulgated on 12 February 1996, designating the Department of Transportation and Communications, among other departments and concerned agencies/offices under it Commission on Election's deputies for purposes of Sangguniang Kabataan Elections on 06 May 1996, this Memorandum Circular is hereby promulgated directing all concerned holders of MARINA issued Certificate of Public Convenience (CPC), Franchises, Provisional Authority (PA) and Special Permit (SP) to comply with the said Resolution of the Comelec, with particular attention on the offenses enumerated therein, to wit:

- “1. Section. 89 of the Omnibus Election Code prohibiting any person from giving or accepting, free of charge, directly or indirectly, transportation on the day preceding the election and on election day;
2. Section 95 of the same Code prohibiting contribution for partisan political activity made directly or indirectly by natural or juridical persons operating a public utility; natural or juridical persons who hold contracts or subcontracts to supply the government or any of its divisions/subdivisions or instrumentalities with goods or services or to perform construction or other works; natural or juridical persons who have been granted franchises, incentives, exemptions, allocations or similar privileges or concessions by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations; natural or juridical persons who, within one year prior to the date of the election, have been granted loans or other accommodations in excess of P100,000.00 by the government or any of its divisions, subdivisions or instrumentalities including government- owned or controlled corporations;
3. Section 97 of the same Code making it unlawful for any person or organization, whether civic or religious to directly or indirectly solicit and/or accept from any candidate for public office or from his campaign manager, agent or representative, or any person acting in their behalf, transportation from the commencement of the election period up to and including election day;

4. Section 261 (o) of the same Code which prohibits the use under any guise whatsoever, directly or indirectly, of any printing press, radio or television station or audio-visual equipment operated by the government or by its divisions, subdivisions, agencies or instrumentalities, including government-owned or controlled corporations, or any equipment, facility, apparatus, paraphernalia or vehicle owned by the government or by its political subdivision, agency, including government-owned or controlled corporations, or by the Armed Forces of the Philippines for any election campaign or for any partisan political activity;
5. Section 261 (dd) (4) of the same Code which penalizes any operator or employee of a public utility or transportation company operating under a certificate of public convenience who refuses to carry official election mail matters free of charge during the election period.  
(Emphasis supplied)

For strict compliance.

This Circular shall take effect immediately

Done on this 3rd day of May 1996, at Manila, Philippines.

Let copy of this Circular be furnished the Department of Transportation and Communications and the Comelec, for their guidance and reference.

PACIENCIO M. BALBON, JR.  
Administrator

#### SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 115 has been approved in the Special Meeting of the Maritime Industry Board on 25 March 1996.

PURITA C. CENTENO  
Corporate Board Secretary