28 January 2004

FLAG STATE ADMINISTRATION ADVISORY NO. 55
Series of 2004

TO   **: ALL DOMESTIC SHIP OWNERS / OPERATORS AND ALL MARITIME   ENTIES CONCERNED**

SUBJECT **: COMELEC RESOLUTION NO. 6498 PERTAINING TO THE MAY 10, 2004 NATIONAL AND LOCAL ELECTIONS**

In compliance with the Commission on Elections (COMELEC) Resolution No. 6498 dated December 30, 2004 designating certain Department under the Executive Branch, Government owned and controlled Corporations and Financial Institution as Deputies related to the May 10, 2004 National and Local Election, all concerned holders of Certificates of Public Convenience (CPC), Provisional Authority (PA)/Special Permit (SE) are hereby informed of the following election offences:

1.   Selection 89 which prohibits any candidate, political party or organization or any person from giving or accepting transportation, free of charge, directly or indirectly during the five (5) hours before and after a public meeting, on the day preceding the election and on election day;

2.   Section 95 which prohibits contribution or partisan political activity given directly or indirectly by natural or juridical person operating a public utility; or by natural or juridical persons who held contacts or subcontracts to supply the Government or any of its Agencies subdivision or instrumentalities with goods or services or to perform construction or other work; or by natural juridical persons who have been granted franchise, incentives, exemption, allocation or similar privileges or concessions by the or any of its agencies, subdivisions or instrumentalities including government owned or controlled corporations; or by natural or juridical persons who within one year prior to the date of the election have been granted loans or other accommodations on excess of the hundred thousand pesos (P100,000,00) by the government or any of its agencies, subdivisions or instrumentalities including government owned or controlled corporations;

3.   Section 97 which takes unlawful for any person for any organization, whether civic or religious, to directly or indirectly solicit and/or accept from any candidates for public office or from its campaign manager, agent or

representative person acting in their behalf, any gift, food, transportation, contribution ordination donation in cash or in kind from the commencements of the election period up to and including election day.

4. Section 261(o) 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 subdivisions, agencies or instrumentalities, including government owned or controlled corporation; or any equipment, facility, apparatus, paraphernalia or vehicle owned by the government or by its political subdivision, agencies, instrumentalities including government owned and controlled corporation or by the armed force of the Philippines for any election campaign or for any partisan political activity.

5. Section 261(dd) which penalizes and operator or employee of a public utility or transportation company operating under a certificate of public convenience who refuses to carry official mail matters free of charge during the election period.

All holders of CPC/PA/SP are hereby directed to report within thirty (30) days following the day of the election, the use, rental or hiring of the their facilities by any candidate political party, coalition of political parties, or groups/organization in connection with the election campaign, including the amount paid for such use, rental or hiring which report shall be submitted to the Regional Election Director, who in turn shall submit the same to the ERSD for the purpose of proper accounting and monitoring expenses under sections100 and 101, respectively, in relation to section 112 of the Omnibus Election Code.

For strict compliance.

This advisory shall take effect immediately.

(Sgd.) OSCAR M. SEVILLA
Administrator