

**AMENDMENTS TO THE ELECTION CODE OF THE
PHILIPPINE MEDICAL ASSOCIATION**
***(Amended and Approved by the Board of Governors in two consecutive
meetings on April 25, 2024, and May 1, 2024)***

The Board of Governors of the Philippine Medical Association (PMA), by virtue of the authority vested on the Board under Article V and XI of the By-Laws of the Association, hereby promulgates this Election Code.

**ARTICLE I
GENERAL PROVISIONS**

Section 1. Title. This Code shall be known as the Election Code of the Philippine Medical Association.

Section 2. Fundamental Principles. The participation of members in the governance and activities and in the selection of ***leaders of the association are vital to the life of the PMA.***

Every effort must be exerted to encourage maximum participation of ***PMA members*** in the elections that may arise and to ***address the*** problems and anomalies attendant to the electoral process.

Section 3. Scope and Applicability of this Election Code. The ***Election*** Code shall define who ***amongst the members*** have the right to vote and to be voted upon, as well as ***the qualifications of*** who can exercise these rights. Furthermore, it shall determine the conduct of election ***process*** for the ***members of the Board of Governors, and the Officers of Component Medical Societies*** as provided for in the By-Laws.

Election mentioned in this ***Election Code*** shall be taken to mean both National and Local election.

Section 4. Implementing Body. As provided for under Article VII, Section 3 of the By-Laws, the Commission on Elections shall have the exclusive power to enforce and administer all of the provisions, rules, regulations and policies relative to the conduct of elections.

From here on, the Commission on Elections of the Philippine Medical Association shall be referred to as the National COMELEC and the Commission on Elections in the Component Medical Societies shall be referred to as the ***Local COMELEC.***

ARTICLE 2

THE RIGHT TO VOTE

Section 1. Fundamental Principles. The right of a member to vote ***and be voted upon are*** inherent in his ***status as a member in good standing***. It may be limited, broadened and even denied as provided for in this Election Code. The exercise of the right to vote shall be subject to rules provided for in this Election Code.

Section 2. Who Are Qualified to Vote. ***A member in good standing and who is not otherwise disqualified, has the right to vote in the election. For election purposes, a member is in good standing upon fulfilment of the following conditions:***

- A. Duly licensed to practice medicine in the Philippines with an updated Professional Regulatory Commission License.***
- B. Member of a Component Medical Society of the PMA.***
- C. Has settled all financial obligations to the PMA and to the Component Medical Society. For purposes of eligibility to vote in the election, this condition shall mean payment of said PMA dues on or before September 30 of the current administrative year.***
- D. Has complied with the requirements of the Commission on Continuing Medical Education.***
- E. Is listed in the Official Voters List.***
- F. Such other requirements as deemed necessary by the Component Medical Society.***

Section 3. Who Are Disqualified To Vote. A member is disqualified ***to vote when the requirements enumerated in Article 2, Section 3 of this Election Code are not fulfilled, or has been penalized with disqualification to vote or from being voted upon as provided for in Article 3, Section 6 of this Election Code.***

A member who has been disqualified to vote may appeal to the Board of Governors through the Secretary-General for the restoration of voting rights. With a favorable action and recommendation by the Board of Governors, the member's name shall be included in the Official Voters 'List and the Component Medical Society concerned shall be notified accordingly.

Section 4. Preparation of the Official Voters List. ***The PMA Membership Committee and the Secretary General shall prepare the Official Voters List of every Component Medical Society and shall present the same to the Board of Governors for approval not later than November 15 of the current administrative year. Once approved by the Board of Governors, the Official Voters List shall be sent to the Presidents and Treasurers of the Component Medical Societies, not later than November 30 of the current administrative year.***

Upon receipt of the Official Voters List by the Component Medical Society, the President and Treasurer shall verify and validate the individual status of the members listed in the Official Voters List as a member in good standing in their Component Medical Society and therefore, is qualified to vote.

It shall be the responsibility of the President and Treasurer of the Component Medical Societies to furnish the Membership Committee and the Secretary General, the PMA number, updated contact information (Cellphone number and email address) of each PMA member listed in the Official Voters List.

Request for members inclusion or exclusion in the Official Voters List shall be communicated to the Membership Committee and the Secretary General not later than December 30 of the current administrative year. After which date, no request for any members inclusion or exclusion in the Official Voters List shall be entertained. No challenge to any entry in the Official Voters List shall be considered on the Election Day at the polling places.

Section 5. Transfer of Voter. A member may transfer membership to another Component Medical Society, as provided for in Article 1, Section 4 of the By-Laws. ***During the current administrative year*** in which the transfer is processed, approved and effected, ***the voting right of the member shall be exercised*** in the previous Component Medical Society where the member is originally listed in the Official Voters list. In the year following the transfer, the member shall then be included in the Official Voters list and shall vote in the Component Medical Society into which he transferred.

The corresponding changes in the Official Voters list of the Component Medical Society shall be accomplished by the Membership Committee and the Secretary-General.

ARTICLE 3 THE RIGHT TO BE VOTED UPON

Section 1. Fundamental Principles. ***The right of a member to be voted upon in any elective position is inherent in his status as a member in good standing, provided that the requirements listed in this Election Code are fulfilled and a valid Certificate of Candidacy has been submitted to the National COMELEC.***

Section 2. Qualifications of a Candidate for National Office.

A. A member must be in good standing for five (5) consecutive years immediately preceding the election.

- B. A member who availed of an amnesty program and is reinstated as a PMA member in good standing, under Chapter 2 of paragraph 3; Amnesty of the Administrative Code, the five (5) consecutive years requirement shall start at the date of reinstatement.**
- C. The member must have been elected and must have served as President of a Component **Medical** Society or one of the 8 Specialty Societies for at least one year prior to his being a candidate to National Office.
- D. Must be of good moral character and must not have been convicted of any criminal offense.
- E. Must not have a pending case filed against the PMA or component society in any court of law or any quasi-judicial body.
- F. Must not have been penalized with disciplinary action by the PMA or the component society within 5 years prior to election.

Section 3. Certificate of Candidacy. A member who desires to be a candidate in a National Office shall file with the National COMELEC, a Certificate of Candidacy in the form prescribed in this Election Code, together with all the pertinent supporting documents, namely;

- A. Certificate of membership in good standing.
- B. Pertinent qualifications for the office being sought.
- C. Updated Curriculum Vitae of not more than three hundred (300) words with a signature of the candidate over the printed name attesting to the veracity of all the statements contained therein.**
- D. Four (4) passport size photographs with white background taken within one calendar year from the date of filing of the Certificate of Candidacy
- E. Photocopy of the Updated PRC **ID**Card.

The Certificate of Candidacy together with the required supporting documents, whether delivered directly or sent by mail, must be received by the National COMELEC Secretariat not later than 5:00 PM of November 15 of the current administrative year of the election.

The National COMELEC shall verify and validate the Certificate of Candidacy and all the accompanying documents submitted and shall ascertain that the Candidate have complied with all the requirements of the position being sought. The National COMELEC may call on the candidate concerned to answer any queries or clarifications regarding the

veracity of the submitted documents. Any false statement or misrepresentation made by the candidate may constitute a ground for disqualification.

Section 4. Listing of Official Candidates and Publications. The National COMELEC shall make public announcement of all qualified and approved candidates for National Office before December 31 of the current administrative year. A publication listing of the qualified candidates with their corresponding bio-data shall be issued in the PMA Newsletter and other equivalent medium. Such publication shall be sent to the Component Medical Societies and shall be made available for each member.

Section 5. Complaints Against Candidates. Any member may file ***a verified sworn affidavit of complaint with the National COMELEC alleging that a candidate is not qualified for the office being sought or cannot run for the office being sought for gross violations of this Election Code. Verified sworn affidavit of complaints for gross violations of this Election Code must be filed before the candidates are proclaimed. Verified sworn affidavit of complaints questioning the qualifications of candidates must be filed on or before March 1 of the current administrative year, preceding the PMA election.*** The National COMELEC shall serve a copy of said complaint to the candidate concerned and a sworn statement of reply to the allegations shall be required within three (3) days upon receipt of the said sworn affidavit of complaints, ***excluding Sunday and Official Holidays.*** Failure to submit such reply within the time allotted shall be a ground for cancellation of candidacy or disqualification. The National COMELEC shall ***then conduct an investigation and may call for a hearing to resolve the complaint. The National COMELEC shall rule on the penalties applicable for violations incurred in this Election Code. A motion for reconsideration on the decision of the National COMELEC may be filed with the said Commission within three (3) days of receipt thereof, excluding Sunday and Official Holidays.***

Section 6. Prohibited Campaign Practices. The conduct of PMA Election shall be in a manner and at a level consonant with the dignity and noble status of the physician. Candidates are enjoined to refrain from directly or indirectly engaging in the following prohibited practices or activities, from the time of filing of Certificates of Candidacy to the Last Day of the Election Period.

- A. Offering to pay or actually paying for membership dues and/or convention registration fees, transportation, food and hotel expenses of members
- B. Invoking loyalty to alma mater, affiliation to an institution, or common employment in the government / private services, as a means of attracting votes

- C. Providing entertainment to members
- D. Publishing of candidates in the press, television, radio or other similar media such as the use of social media applications like Facebook, Instagram, Viber, Messenger, Twitter and other similar applications.**
- E. Displaying posters and streamers to publicise the candidacy
- F. Distributing badges, balloons, shirts, lighters, matches, pencils and similar propaganda gimmicks or giving of gifts of any kind
- G. Issuing of statements inimical to the PMA and National COMELEC and derogatory remarks against a candidate.**

Section 7. Penalties for Prohibited Campaign Practices. Candidates and/or any PMA member found to have engaged in any of the prohibited election campaign practices shall be directed by the National COMELEC to submit a written explanation for such practices within three (3) days from receipt of notice, excluding Sunday and official holidays. For written explanations found unsatisfactory, the National COMELEC may conduct a hearing or may impose any or all of the following penalties in accordance with the gravity of the offense.

- A. Reprimand and warning against further engaging in prohibited campaign practices;
- B. Cancellation of Certificate of Candidacy and disqualification;**
- C. **Temporary suspension** of the right to vote and from being voted upon;
- D. **Cancellation of membership**, subject to the approval of the Board of Governors.

The National COMELEC shall refer the said erring candidates and/or PMA members to the Commission on Ethics for further appropriate disposition.

Section 8. Withdrawal of Candidacy. Withdrawal of Candidacy shall be made in writing and submitted to the National COMELEC seven (7) days prior to the election. In the event death, disability, disqualification or absence from the country of the candidate, as such circumstances would prevent the candidate from assuming office if elected, the National COMELEC may consider the acceptance of a Certificate of Candidacy for the vacated candidacy.

ARTICLE 4

THE NATIONAL COMELEC

Section 1. As provided for in Article 7 of the By-Laws, the National COMELEC shall be composed of six (6) members, each of whom shall serve a three (3) year term of office, arranged on a staggered basis, so that only two (2) commissioners are appointed each year. The National COMELEC shall prepare its own rules of procedures on the conduct of election and canvassing of votes, which must not be in conflict with the By-laws and the Election Code. The members of the Commission on Election shall not be eligible for election during their incumbency.

Section 2. In the event of any vacancy in the National COMELEC by reason of resignation, death or incapacity, the President with the concurrence of the Board of Governors, shall immediately appoint a new member to fill the vacancy, and the member appointed shall serve only for the remainder of the unexpired term of the replaced commissioner.

Section 3. The National COMELEC shall have the exclusive power to enforce and administer all provisions, rules, regulations and policies relative to the conduct of election and canvassing. The duties of the National COMELEC shall be:

- A. To promulgate and enforce the rules and regulations implementing the Election Code that governs the nomination of candidates, verification and validation processes on whether the candidates have the qualifications and none of the disqualifications prescribed in this Election Code.***
- B. To send the unique and personal PMA Code of each qualified voter, whose name, Professional Regulatory Commission license number and contact information such as Cellphone number and email address, are contained in the Official Voter's List furnished to the National COMELEC by the Membership Committee and the Secretary General.***
- C. To conduct, supervise and exercise control of the election, including the promulgation of canvassing rules and procedures and other election processes;***
- D. To receive and investigate verified sworn affidavits of election related complaints submitted by members regarding anomalies, irregularities and violations of this Election Code, committed by candidates and other members;
- E. To be the sole authority to proclaim the winners of the Election.

Section 4. The Campaign Period. The campaign period for the annual election of the National Officers and the Board of Governors shall be from January 01 to Midnight of the last Friday before the designated Election Day. The latter date shall be no less than sixty (60) days prior to the date of the PMA Annual Convention, in accordance with the provisions in Article 6 and 7 of this Election Code.

ARTICLE 5
THE LOCAL COMELEC

Section 1. Formation. The Commission on Elections in the Component Medical Society shall be established in every Component Medical Society. The Local COMELEC shall be composed of at least three (3) members. It shall be the duty of the President of the Component Medical Society to appoint the Local COMELEC members, subject to the confirmation of the executive council, board or any equivalent body of the Component Medical Society. The members of the Local COMELEC shall have a ***term of two (2) years subject to reappointment by the current President of the Component Medical Society.*** The President and/or Secretary of the Component Medical Society shall report the composition of their Local COMELEC to the National COMELEC immediately after their assumption of office and must not be later than September 30 of the current administrative year.

The Local COMELEC Officers (Chairman, Secretary, Member) shall be inducted into office during the designated Component Medical Society Officers Induction Ceremony.

Any changes in the composition of the Local COMELEC thereafter must be immediately reported and must be approved by the National COMELEC before assuming their functions.

The members of the Local COMELEC cannot hold any local elective office during their incumbencies nor can a member who is holding elective office be appointed as a member of the Local COMELEC.

Local COMELEC Officers must be apolitical and must not endorse any Local or National candidate.

Section 2. Duties. The Chairman, Secretary and a Member of a Local COMELEC are de facto deputies of the National COMELEC for purposes of the Election. In the performance of their duties as deputy COMELEC Officers, they are subject to the control and supervision of the National COMELEC. The duties of the Local COMELEC are as follows:

- A. To enforce the provisions of this Code within the jurisdictional limits of the Component Medical Society;
- B. To conduct the National and Local elections on the designated Election Day in accordance with the provisions of this Election Code and the instructions of National COMELEC.***
- C. To set up an adequate number of polling place commensurate to the number of qualified voters as listed in the official Voter's List. Such polling place should be accessible, centrally located in the geographical area of the Component Medical Society. The physical arrangement of the polling place must be conducive for an***

orderly voting procedure and with dedicated computer devices (Desktop, Laptop, Tablet/iPad, or Smartphone) for the purpose of Online election.

- D. To assist the members in securing their unique and personal PMA Code for the purposes of election. In the event that the qualified voters listed in the Official Voters List did not receive their unique and individual PMA Code by 12:00 PM on the day before the PMA Election Day, the local COMELEC must notify the National COMELEC for appropriate action.***
- E. To conduct, supervise and exercise control of the election process in the precincts of the Component Medical Society, including the promulgation of canvassing rules and procedures.
- F. To ascertain that each of the qualified voter was able to successfully cast their Online vote.***
- G. To resolve any election related concerns or problems that might adversely affect the conduct and successful outcome of the election. Any unresolved election related concerns or problems must be communicated to the National COMELEC for guidance of its resolution.***
- H. To report the Component Medical Society election result and proclaimed winners to the PMA National COMELEC, within three (3) days from the Election Day by email and/or Courier.***
- I. To comply with all instructions of the National COMELEC and perform such other functions and responsibilities as directed by the National COMELEC.

Section 3. Penalties. Failure of the Local COMELEC to comply with the provisions of this Election Code shall have corresponding disciplinary actions, sanctions or penalties. The following sanctions or penalties may be imposed in accordance with the gravity of the offense.

A. Reprimand and warning

B. Ouster from office in the Local COMELEC

C. Disqualification from voting and/or from being voted upon for the current election year

D. Perpetual disqualification from holding office on any elective or appointed position in the PMA

E. Termination of membership with the Philippine Medical Association, upon approval of the Board of Governors.

If the Local COMELEC Officers fail to comply with the provisions of this Election Code in conspiracy or with the help or assistance of members, such members, although they may not be Local COMELEC Officers, shall likewise be given corresponding sanctions or penalties in accordance with the degree of participation or involvement in the commission of the offenses.

The National COMELEC shall refer the said erring Local COMELEC Officers and members to the Commission on Ethics for appropriate disposition.

ARTICLE 6 THE ELECTION PROCESS

Section 1. Precinct Election. The National and Local elections shall be through precinct elections in the Component Medical Society. ***PMA members whose names are included in the Official Voter's List shall be allowed to vote Online using a Smartphone, Tablet, Laptop, or Desktop computers anywhere.***

Members who have no internet access, slow internet speed or technologically challenged to navigate the Online voting process shall proceed to the voting precincts set up by the Local COMELEC, where they shall be assisted by the Local COMELEC Officers or their deputized members to cast their Online votes.

The PMA Code and the personal choice of candidates of the member shall be respected and kept private at all times.

All National election votes cast at the precincts of each Component Medical Society are automatically and instantaneously transmitted to the National COMELEC.

Section 2. Additional Precincts. Upon the recommendation of the Local COMELEC Officers, for justifiable reasons and upon approval by the National COMELEC, additional precincts in specific geographical areas within the jurisdiction of the Component Medical Society, may be established. Only members practicing or residing in such specific geographical area shall be allowed to vote in the additional precinct established. The Local COMELEC shall inform the PMA members concerned regarding the location of the additional precinct. ***A member of the Local COMELEC shall be present to conduct, supervise and assist the members in these additional precincts.*** The candidates shall have the right to designate their poll watchers in all the additional precincts established, subject to the other provisions of this Election Code.

Section 3. Election Preparation. At the start of each administrative year, the PMA IT Committee shall generate a unique and personal PMA Code for each Member.

By January one (01) of the current administrative year, the Official Voter's list containing the verified and validated contact information of each member must have been finalized by the Membership Committee and the Secretary General.

The Official Voter's list shall be transmitted to the National COMELEC. The soonest received, PMA Code shall be sent to the Cellphone number and email address of each registered voter contained in the Official Voter's List for election purposes. The PMA Code shall be used to login in the PMA Website Election Link and from thereon, the member shall proceed with the Online voting.

ARTICLE 7 THE ELECTION DAY

Section 1. Date. The Election Day shall be at least sixty (60) days before the PMA Annual Convention, on a Sunday, designated by the National COMELEC for the purpose of National election for the positions of National Officers (President, Vice President, Treasurer) and Regional Governors and Local election of Component Medical Society officers.

Section 2. Special Election. Should a Local COMELEC find it impossible to conduct the election in its jurisdiction during the designated Election Day, the Local COMELEC may request the National COMELEC to authorize the conduct of a Special Election, which shall be any day ***within three (3) days***, before or after the designated Election Day.

Any Component Medical Society election conducted by the Local COMELEC which does not coincide with the designated PMA Election Day, without prior authorization and approval by the National COMELEC shall be null and void.

Section 3. Voting Hours. The ***PMA Website Election Link for Online election*** shall be opened on the designated Election Day, at exactly eight o'clock in the morning (8:00 AM) and shall be closed at five o'clock in the afternoon (5:00 PM) of the same day.

Section 4. Poll Watchers, Authorized Representative, Legal Counsel. Each candidate may nominate one poll watcher for the election held at each of the Component Medical Society, and one legal counsel or authorized representative during the tallying of votes by the National COMELEC. The poll watcher in the Component Medical Society shall be approved by the local COMELEC while the legal counsel or authorized representative shall be approved by the National COMELEC, prior to the assumption of their function.

Section 5. Local Election. The election of officers of the Component Medical Societies shall be held simultaneously with the National Election. It shall be the responsibility of the Local COMELEC to conduct the local election and proclaim the winning candidates in the Component Medical Society.

The Local COMELEC shall answer any questions or resolve any disputes relating to the Component Medical Society election. The Local COMELEC shall resolve all complaints and contest on the day of the election and before proclamation.

Any unresolved complaints or disputes in the Local COMELEC of the Component Medical Society may be appealed to the National COMELEC within three (3) days after rendering such decision and/or proclamation. The decision of the National COMELEC shall be final and executory.

Questions and disputes arising at the Component Medical Society level regarding the National Election shall be heard and resolved by the Local COMELEC, whose decision may be appealed within three (3) days from receipt of such decision by the National COMELEC. If the Local COMELEC does not make any decision or refuses to take cognizance of the case regarding the National elections, the complaint or contest may be directly filed before the National COMELEC.

ARTICLE 8 NATIONAL CANVASSING AND PROCLAMATION

Section 1. Canvassing of the National Election Returns

The National COMELEC shall canvass the results transmitted from the Local COMELEC of each Component Medical Society within 1 hour after the 5:00 PM cut-off time.

The canvassing of the election results shall be done in the presence of the candidates with their one legal counsel or authorized representative at the canvassing venue. The canvassing shall be open to all members and shall be able to view the live proceedings via online.

The date of the canvassing may be held on another date, within three (3) days after the PMA election for justifiable causes. All the candidates shall be informed, if a different date of the canvassing is set by the National COMELEC.

The National COMELEC shall set the rules and procedures of the canvassing and such rules and procedures shall be made known to everyone prior to the start of the canvassing.

Once the result of the National Election has been ascertained, proclamation of winners shall be done by the National COMELEC Officers.

In the presence of complaints or contests on the result of the PMA election that cannot be resolved by the National COMELEC, the National COMELEC may defer the proclamation of a winning candidate and refer the matter to the Electoral Tribunal.

ARTICLE 9 ELECTION CONTESTS

Section 1. Assumption of Office Notwithstanding an Election Contest. Every winning candidate in the National election duly proclaimed by the National COMELEC shall assume office, notwithstanding the pendency of any contest against the winning candidate in the Securities and Exchange Commission or in the courts, unless such assumption of office is prevented by an injunction.

After the proclamation is made, the National COMELEC shall refer all unresolved complaints or contests regarding the election of National officers to the Electoral Tribunal.

In appealed matters related to the election of Component Component Society officers, the National COMELEC may enjoin the assumption of office of a candidate or make such other orders to preserve the integrity of the local election.

Section 2. Petition for Recounts of Votes. In the Component Medical Society election, the Local COMELEC has the authority to grant a recount of votes upon a written petition of any candidate, their legal counsel or authorized representative, made before any proclamation of winners has been made. The result of the recount in the final tally sheets and canvas report shall be signed by the Local COMELEC officers.

In the National election, the National COMELEC has the authority to grant a recount of votes upon a written petition stating the ground/s thereof, filed directly by any candidate to the National COMELEC, before any proclamation has been made and a copy of which has been served to the rival candidate/s.

All expenses for the recount of votes shall be shouldered by the requesting party. The National COMELEC shall set the case for expeditious hearing after giving the parties concerned three (3) days within which to answer the petition. In the event that a recount is granted, the results of the recount shall be adopted as the final tally and after which, the winner shall be proclaimed.

ARTICLE 10 ELECTORAL TRIBUNAL

Section 1. Composition. There shall be an Electoral Tribunal composed of five (5) members and should be constituted not later than November 30 of the current administrative year. Two members shall be appointed by the Board of Governors from amongst themselves, two shall be appointed by the National COMELEC officers from amongst themselves, one PMA member

at large shall be appointed by the Board of Governors from amongst the PMA members in good standing. The members of the Electoral Tribunal shall serve for a term ending at the formation of its successors. The members of the Electoral Tribunal shall elect a Chairman, Vice-Chairman and a Secretary from among themselves.

Section 2. Jurisdiction. The Electoral Tribunal shall have exclusive jurisdiction to receive, hear and decide election protests referred to it by the National COMELEC. Its decisions are not appealable, though it may entertain motions for reconsideration or re-hearing.

Section 3. Procedure. The Electoral Tribunal shall prescribe the rules and procedures for the conduct of its proceedings.

ARTICLE 11 AMENDMENTS

Section 1. Amendments to this Code shall be approved by a two-thirds majority of the Board of Governors in two consecutive Board meetings.

ARTICLE 12 EFFECTIVITY

Section 1. Effectivity. This Election Code, as well as all amendments thereto, shall apply to all elections in the next administrative year following the approval by the Board of Governors and ratification of the members of the General Assembly.

The amendments after being approved by the Board of Governors shall be distributed to the members of the next General Assembly.

Amended and Approved on **April 25, 2024**, (1st Reading) and **May 1, 2024** (2nd reading) by the PMA Board of Governors and ratified by the General Assembly on **May 17, 2024** at **Royce Hotel, Clark Pampanga**.

Attested:


MARIANNE L. ORDOÑEZ-DOBLES, MD
Secretary-General


MARIA MINERVA P. CALIMAG, MD
President