



24 May 2017

MEMORANDUM NO. 2017-015

TO : ALL ELECTRIC COOPERATIVES (ECs)

**SUBJECT : DEFERMENT OF THE DISTRICT ELECTIONS DUE TO THE
PRESIDENT'S DECLARATION OF STATE OF MARTIAL LAW
IN THE MINDANAO GROUP OF ISLANDS**


In view of the issuance of Proclamation No. 216 on May 23, 2017, "Declaring a State of Martial Law and Suspending the Privilege of the Writ of Habeas Corpus in the Whole of Mindanao" and pursuant to NEA's authority under Section 4-A (a) of RA 10531 to issue orders, rules and regulations over all matters affecting the Electric Cooperatives (ECs), the District Elections of ECs covered by the declaration of state of Martial Law are hereby deferred.

Thus, the covered ECs are enjoined to observe the following:

1. District Elections originally scheduled on June and third quarter of 2017 shall be deferred to the fourth quarter of the same year in order to avoid any involvement in the conflicts due to declaration of state of Martial Law;
2. All Directors in the deferred elections shall immediately assume office upon taking their oath, and shall serve only the remaining portion of the current three year-term;
3. Further, the conduct of the Annual General Membership Assembly (AGMA) may also be deferred, if in the discretion of the EC Board, its conduct will be affected by the state of Martial Law declaration. All deferred AGMA's originally scheduled within the June and 3rd quarter of 2017 shall be correspondingly held in the fourth quarter of 2017; and
4. Actual dates for the conduct of deferred elections and AGMAs shall be submitted to the Institutional Development Department (IDD) not later than (30) days before their actual conduct for monitoring purposes.

Attached is a copy of Proclamation No. 216 dated May 23, 2017.

For compliance.


EDGARDO R. MASONGSONG
Administrator



05/26/17



MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 216

**DECLARING A STATE OF MARTIAL LAW AND
SUSPENDING THE PRIVILEGE OF THE WRIT OF
HABEAS CORPUS IN THE WHOLE OF MINDANAO**

WHEREAS, Proclamation No. 55, series of 2016, was issued on 04 September 2016 declaring a state of national emergency on account of lawless violence in Mindanao;

WHEREAS, Section 18, Article VII of the Constitution provides that "x x x In case of invasion or rebellion, when the public safety requires it, he (the President) may, for a period not exceeding sixty days, suspend the privilege of the writ of *habeas corpus* or place the Philippines or any part thereof under martial law x x x";

WHEREAS, Article 134 of the Revised Penal Code, as amended by R.A. No. 6968, provides that "the crime of rebellion or insurrection is committed by rising and taking arms against the Government for the purpose of removing from the allegiance to said Government or its laws, the territory of the Republic of the Philippines or any part thereof, of any body of land, naval or other armed forces, or depriving the Chief Executive or the Legislature, wholly or partially, of any of their powers or prerogatives";

WHEREAS, part of the reasons for the issuance of Proclamation No. 55 was the series of violent acts committed by the Maute terrorist group such as the attack on the military outpost in Butig, Lanao del Sur in February 2016, killing and wounding several soldiers, and the mass jailbreak in Marawi City in August 2016, freeing their arrested comrades and other detainees;

WHEREAS, today, 23 May 2017, the same Maute terrorist group has taken over a hospital in Marawi City, Lanao del Sur, established several checkpoints within the City, burned down certain government and private facilities and inflicted casualties on the part of Government forces, and started flying the flag of the Islamic State of Iraq and Syria (ISIS) in several areas, thereby openly attempting to remove from the allegiance to the Philippine Government this part of Mindanao and deprive the Chief Executive of his powers and prerogatives to enforce the laws of the land and to maintain public order and safety in Mindanao, constituting the crime of rebellion; and

WHEREAS, this recent attack shows the capability of the Maute group and other rebel groups to sow terror, and cause death and damage to property not only in Lanao del Sur but also in other parts of Mindanao.

THE PRESIDENT OF THE PHILIPPINES



MALACAÑAN PALACE
MANILA

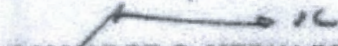
NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby proclaim, as follows:

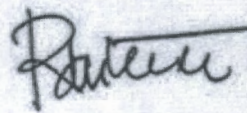
SECTION 1. There is hereby declared a state of martial law in the Mindanao group of islands for a period not exceeding sixty days, effective as of the date hereof.

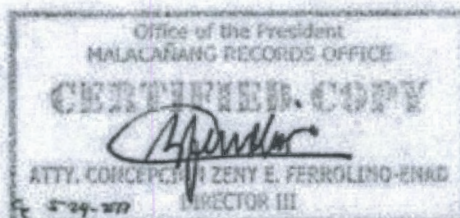
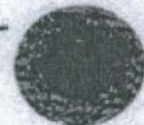
SECTION 2. The privilege of the writ of habeas corpus shall likewise be suspended in the aforesaid area for the duration of the state of martial law.

DONE in the Russian Federation, this 23rd day of May in the year of our Lord, Two Thousand and Seventeen.

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary





THE PRESIDENT OF THE PHILIPPINES