

June 20, 2007

MR. WILFRED LUCAS M. TOLEDO
Canamucan, Toledo City
6038 Cebu

Dear Mr. Toledo:

This has reference to your letter dated June 15, 2007, on the application of the three-term limit rule.

In reply thereto, please be advised that the Supreme Court, interpreting Section 43(b) of the Local Government Code of 1991, ruled in the case of Borja vs. Comelec, G.R. No. 133595, and Lonzanida vs. Comelec, G.R. No. 135150, that for the three consecutive term limit of local elective officials to apply, two conditions must concur: first, an individual must have served three consecutive terms in an elective office; and second, that the individual must have been elected to the same position for the same number of times. Based on the foregoing ruling of the Supreme Court, the two conditions set for the three-term limit to apply are not present in the case of your mother. Hence, she may still run for the position of barangay kagawad in the next barangay election.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director

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