



DEPARTMENT OF EDUCATION

Region X-Northern Mindanao

DIVISION OF MALAYBALAY CITY

Sayre Highway, Purok 6, Casisang., Malaybalay City

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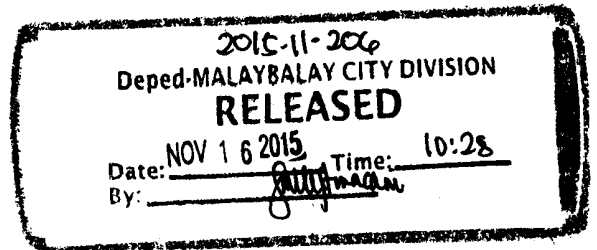
November 13, 2015

DIVISION ADVISORY

DISSEMINATION OF COMELEC RESOLUTION NO.10003

(Rules and Regulations on Local Absentee Voting in Connection
With the May 9, 2016 National and Local Elections)

**TO : Chief Education Supervisors and Staff, CID & SGOD
Public Schools District Supervisors
Elementary and Secondary School Heads
Section Heads and Staff
All Others Concerned**



**FROM : EDILBERTO L. OPLENARIA, CESO VI,
OIC-Schools Division Superintendent**

1. For the information and guidance of all concerned, this Office hereby reiterates the herein DepEd Memorandum No. 137. S. 2015 re: **DISSEMINATION OF COMELEC RESOLUTION NO.10003** (Rules and Regulations on Local Absentee Voting in Connection with the May 9, 2016 National and Local Elections).
2. For widest dissemination.

Encl.:

As stated

Copy furnished:

Records Section
AO File

TO BE POSTED IN THE DIVISION WEBSITE



Republic of the Philippines
Department of Education

11 NOV 2015

DepEd MEMORANDUM
No. **137**, s. 2015

DISSEMINATION OF COMELEC RESOLUTION NO. 10003
(Rules and Regulations on Local Absentee Voting in Connection
With the May 9, 2016 National and Local Elections)

To: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Regional Directors
Schools Division/City Superintendents
Public and Private Elementary and Secondary Schools Heads
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of the Commission on Elections (COMELEC) Resolution No. 10003 dated October 14, 2015 entitled *Rules and Regulations on Local Absentee Voting in Connection With the May 9, 2016 National and Local Elections*.
2. Immediate dissemination of this Memorandum is desired.


BR. ARMIN A. LUSTRO FSC
Secretary

Encl.:
As stated

Reference:
None

To be indicated in the Perpetual Index
under the following subjects:

BUREAUS AND OFFICES
ELECTIONS
LEGISLATION
OFFICIALS

Rhea/R-DM Dissemination of COMELEC Resolution No. 10003
0738/November 9, 2015



COMMISSION ON ELECTIONS
ECAD - OFFICE OF THE DIRECTOR

Date : 10/14/15

Time : 2:10 pm

Received by: m/a

Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

RULES AND REGULATIONS ON LOCAL ABSENTEE VOTING IN CONNECTION WITH THE MAY 9, 2016 NATIONAL AND LOCAL ELECTIONS.

BATISTA, J. Andres D.

Chairman

LIM, Christian Robert S.

Commissioner

PARREÑO, Al A.

Commissioner

GUIA, Enie Tito F.

Commissioner

LIM, Arthur D.

Commissioner

GUANZON, Ma. Rowena Amelia V.

Commissioner

ABAS, Sheriff M.

Commissioner

PROMULGATED: October 14, 2015

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RESOLUTION NO. 10003

The Commission on Elections, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, Executive Order No. 157, Republic Act No. 7166, Republic Act No. 10380, and other pertinent election laws, **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following rules and regulations on local absentee voting:

SECTION 1. Definition of terms. -- the following terms are hereby defined as follows:

- a) **Local absentee voting** -- refers to a system of voting whereby government officials and employees, including members of the Armed Forces of the Philippines (AFP), and the Philippine National Police (PNP) as well as members of the media, media practitioners including their technical and support staff (media voters) who are duly registered voters, are allowed to vote for national positions; i.e., President, Vice-President, Senators and Party-List Representatives, in places where they are not registered voters but where they are temporarily assigned to perform election duties on election day, or in case of media voters, they will not be able to vote due to the performance of their functions in covering and reporting on the elections;
- b) **Media** -- refers to those who are engaged in news reporting on a nationwide or local scale, including correspondents of national, regional, provincial, city, or municipal publications or broadcast entities, or those engaged in other forms of journalism and their technical and support staff.

SEC. 2. Who are entitled to avail of local absentee voting. - Local absentee voting may be availed of by the following:

- a) government officials and employees;
- b) members of the PNP;
- c) members of the AFP; and
- d) members of the media, media practitioners including their technical and support staff who are actively engaged in the pursuit of information gathering and reporting or distribution, in any manner or form, including, but not limited to the following:
 - 1. Print Journalists;
 - 2. Television Journalists;
 - 3. Photo Journalists;
 - 4. Online Journalists;
 - 5. Radio Journalists;
 - 6. Documentary makers;
 - 7. Television/Radio Production;

provided that a) they are duly registered voters and whose registration records are not deactivated, and b) on election day, **in case of government officials, members of the PNP and AFP**, they are assigned temporarily to perform election duties in places where they are not registered voters; or **in case of media voters**, they will not be able to vote due to the performance of their functions in covering and reporting on the conduct of elections.

Government officials and employees who will be posted abroad to perform election duties on election day may also avail of local absentee voting, provided, that they are registered voters under Republic Act No. 8189, otherwise known as "The Voter's Registration Act of 1996" and that they are not registered overseas absentee voters under Republic Act No. 9189, otherwise known as "The Overseas Absentee Voting Act of 2003".

SEC. 3. Where and when to file the application forms to avail of the local absentee voting. - Applicants who will avail of the local absentee voting shall file their duly accomplished Application Forms (*LAV Form No. 01*) at and on the following:

APPLICANT/S	WHEN TO FILE	WHERE TO FILE
For government officials and employees, members of the AFP, and members of the PNP	Not later than March 07, 2016	Before their heads of offices/supervisors/commanders/officers next-in-rank
For media voters	Not later than March 07, 2016	a) Office of the Regional Election Director (ORED) of the National Capital Region (NCR) in case of highly urbanized cities in the NCR including Pateros b) Office of the City Election Officer (OCEO) in case of highly urbanized or independent cities outside the NCR

c) Offices of the Provincial Election Supervisor (OPES) for areas not mentioned above.

* The application form for media voters must be accompanied by a certification accomplished by the heads of media entities to whom the applicants belong attesting that they are *bona fide* members of the media and that they may not be able to vote due to the performance of their functions in covering and reporting the conduct of elections. (LAV Form No. 02)

Highly Urbanized Cities in NCR (with RED-NCR)	Highly Urbanized Cities outside NCR (with City EO)	Independent Cities (with City EO)
<ol style="list-style-type: none"> 1. Caloocan City 2. Las Piñas City 3. Makati City 4. Malabon City 5. Mandaluyong City 6. Manila City 7. Marikina City 8. Muntinlupa City 9. Navotas City 10. Paranaque City 11. Pasay City 12. Pasig City 13. Quezon City 14. San Juan City 15. Taguig City 16. Valenzuela City 17. Including Pateros 	<ol style="list-style-type: none"> 1. Angeles City 2. Bacolod City 3. Baguio City 4. Butuan City 5. Cagayan de Oro City 6. Cebu City 7. Davao City 8. Gen. Santos City 9. Iligan City 10. Iloilo City 11. Lapu-Lapu City 12. Lucena City 13. Mandaue City 14. Olongapo City 15. Puerto Princesa City 16. Tacloban City 17. Zamboanga City 	<ol style="list-style-type: none"> 1. Cotabato City 2. Naga City 3. Ormoc City 4. Santiago City

In cities outside NCR where there are more than one (1) Offices of City Election Officers (OCEO), the Regional Election Director (RED) shall immediately designate not later than **January 18, 2016** the OCEO which shall receive the applications to avail of the local absentee voting. For this purpose, the RED concerned shall submit to the Committee on Local Absentee Voting (CLAV), through the Acting Director IV, Electoral Contests Adjudication Department (ECAD), the list of designated OCEO/s.

Sec. 4. Date and Place of Voting. – Local absentee voters shall vote on any day from **April 27, 28 and 29, 2016** from **8:00 o'clock in the morning until 5:00 o'clock in the afternoon.**

In case of voting of government officials and employees, members of the AFP and PNP, the heads of offices/supervisors/commanders or officers next-in-rank shall, **not later than April 12, 2016**, designate the place of voting where the voters shall converge to vote, with written notice upon the Municipal/City/District Election Officer

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who or whose representative will supervise the conduct of voting thereat. Copy of said written notice shall be furnished the CLAV.

In case of media voters, voting shall be at the COMELEC Office where they filed their applications to avail of the local absentee voting under the supervision of the City Election Officer (CEO), Provincial Election Supervisor (PES) or Regional Election Director (RED) as the case may be.

SEC. 5. Positions to be voted for. – For the May 9, 2016 National and Local Elections, only the positions of President, Vice-President, Senators and Party-List Representative shall be voted for under the local absentee voting.

SEC. 6. Committee on Local Absentee Voting. – There shall be created a Committee on Local Absentee Voting (“CLAV”) composed of the following;

- Chairperson - **Hon. Maria Rowena Amelia V. Guanzon**
Commissioner, Commission on Elections
- Vice-Chairperson - **Atty. Allen Francis B. Abaya**
Electoral Contests Adjudication Department (ECAD)
- Members
- Atty. Consuelo B. Diola**
Electoral Contests Adjudication Department (ECAD)
- Ms. Carmelita C. Ayson**
Education and Information Department (EID)
- Mr. Manuel M. Cruz**
Information Technology Department (ITD)
- Secretariat - **Mr. Edgar C. Apanay**
Ms. Ma. Theresa A. Torralba
Ms. Lowelyme F. Elardo
Ms. Merlita H. Montanano
Ms. Charlyn S. Jugarap
Electoral Contests Adjudication Department (ECAD)

To effectively carry out the mandate of the CLAV, Local Absentee Voting Groups (LAV Groups), are hereby constituted as additional members of CLAV to be composed of the following:

LAV Group	Region/Unit covered	Officer/Personnel	Office/Designation
I	Media and NCR	Atty. Manuel T. Lucero Ms. Amy O. Sibayan	Group Head Assistant Group Head
II	CAR, Regions 1,2	Dr. Saga D. Mahaning Mr. Kristoffer Giovanni B. Llacuna	Group Head Assistant Group Head
III	3, 4A, 4B, 5	Atty. Fritzie Claire C. Caigoy Mr. Buenafe R. Valido, Jr.	Group Head Assistant Group Head
IV	6, 7, 8	Atty. Michael L. Garcia Atty. Jenny Vi M. Razon	Group Head Assistant Group Head
V	9, 10, 11 including Isabela City	Atty. Magellan P. Ferrer Mr. Arnold M. Dizon	Group Head Assistant Group Head
VI	12, CARAGA, ARMM including Cotabato City	Atty. John Gerald B. Dela Cruz Ms. Charina V. Aquino	Group Head Assistant Group Head

The EID shall cause the widest dissemination of education and information materials relative to the conduct of the local absentee voting system to all government officials, the AFP and PNP as well as to the media.

The ITD shall provide the CLAV with the updated National List of Registered Voters (NLRV) and other technical assistance in the verification of registered voters.

SEC. 7. Powers and Functions of the CLAV. – The CLAV, through the LAV Groups, shall supervise the implementation of the local absentee voting, and shall have the following powers and functions;

- a. Distribute copies of Application Forms (*LAV Form No. 01*) to all government agencies, AFP, PNP, media entities, corporations or members of the media concerned;
- b. Receive accomplished Application Forms (*LAV Form No. 01*) together with Certified Lists of Applicants (*LAV Form No. 02*) for local absentee voting not later than **March 10, 2016**;
- c. Verify whether the applicants are eligible for local absentee voting not later than **April 15, 2016**;
- d. Prepare the List of Approved Applicants for Local Absentee Voting with Minutes of Voting (*LAV Form No. 04*) per office/unit/battalion/OCEOs/OPES/ORED-NCR;
- e. Send Notices (*LAV Form No. 08*) to all Municipal/City/District EOs concerned before elections not later than April 20, 2016, copy furnished the PES, of the names of voters who are registered in their respective Municipality/City/District and who will avail of local absentee voting, as soon as the aforementioned list is prepared for said EOs to annotate in the Election Day Computerized Voters List (EDCVL) that said voters are voting through the Local Absentee Voting System ;

For this purpose, the concerned Municipal/City/District EOs shall submit within five (5) days from receipt of the above notice a report to the CLAV of their compliance thereto.

- f. Transmit the following to all concerned heads of offices/supervisors/commanders or officers next-in-rank/CEOs/PES/RED-NCR, not later than **April 21, 2016**:
 - (i) List of Approved Applicants for Local Absentee Voting with Minutes of Voting (*LAV Form No. 04*); and
 - (ii) The exact number of local absentee ballots, inner and outer envelopes and paper seals corresponding to the number of approved applications.
- g. Receive under proper receipt and take custody through the Reception and Custody Unit (RCU), the envelopes containing the accomplished local absentee ballots and other related documents from the heads of offices/supervisors/commanders or officers next-in-rank, the CEOs, PES, or the RED-NCR, as the case may be, on or before 7:00 o'clock in the evening of **May 9, 2016**;

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- b. Verify whether the number of envelopes containing the accomplished ballots is equal to the number of signatures affixed in the list submitted by the heads of offices/supervisors/commanders or officers next-in-rank /the CEO/PES concerned or the RED-NCR, as the case may be.

If there are more envelopes containing the accomplished ballot than the signatures affixed on the list, set aside the envelope of the voter whose signature does not appear in the list and place the same in a separate ballot box intended for the purpose. Such fact shall be indicated in a report to be prepared by the LAV Group concerned which shall be submitted to the CLAV. Said ballots shall not be counted;

If there are more signatures affixed in the list than the number of envelopes received, such fact shall likewise be indicated in the report to be prepared by the LAV Group which shall be submitted to the CLAV. The report shall indicate the names of the voters whose signatures appear in the list, but without corresponding envelopes. In this case, the CLAV, through the Head of the LAV Group concerned, shall direct the heads of offices/supervisors/commanders or officers next-in-rank, the CEO/PES concerned or the RED-NCR, as the case may be, to transmit the envelopes of said voters;

After receipt and verification thereof, turn-over the same including other election documents to the RCU;

- i. Supervise the counting of ballots and canvassing of votes;
- j. Receive for safekeeping all ballot boxes containing the counted ballots and related election documents from the SBEIs and Special Board of Canvassers (SBOC) for local absentee voting;
- k. Send Notices (*LAV Form No. 08-A*) to all Municipal/City/District EOs concerned after elections but not later than June 30, 2016 of the names of voters who actually voted under the local absentee voting for updating of their voting records;

For this purpose, the concerned Municipal/City/District EOs shall submit within five (5) days from receipt of the above notice a report to the CLAV of their compliance thereto; and

- l. Perform and exercise such other functions and powers as may be necessary for the proper implementation of the local absentee voting law.

SEC. 8. Procedures for filing of applications to avail of local absentee voting. -

- a. All persons who may avail of the local absentee voting as provided under Sec. 2 hereof shall file their duly accomplished Application Forms (*LAV Form No. 01*) as provided for under Sec. 3 hereof.

All application forms shall be under oath. For this purpose, the heads of offices/supervisors/commanders or officers next-in-rank may administer oaths free of charge for government officials and

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employees/members of AFP/PNP, pursuant to Executive Order No. 292 (Administrative Code of 1987).

For media, their application forms shall be sworn to before:

- i) any notary public; or
- ii) the Regional Election Director-NCR for highly urbanized cities of NCR including Pateros; or
- iii) the City Election Officer concerned for highly urbanized cities outside NCR; or
- iv) the Provincial Election Supervisor for areas other than those mentioned above.

The application forms may be reproduced or downloaded from the official COMELEC website at www.comelec.gov.ph.

- b. The heads of offices/supervisors/commanders or officers next in-rank, shall receive all accomplished and subscribed application forms from their respective personnel.

In case of media voters, the CEO or PES concerned, or the RED-NCR, shall receive all accomplished and subscribed application forms together with Certified List of Applicants (*LAV Form No. 02*) accomplished by the heads of the media entities to whom the applicants belong;

- c. The heads of offices/supervisors/commanders or officers next-in-rank shall prepare a Certified List of Applicants (*LAV Form No. 02*) under their supervision or command who submitted their accomplished application forms for local absentee voting indicating therein the Municipality/City/District, barangay and precinct number where they are registered and the place of their assignment on election day, with a certification that the applicants will be re-assigned on election day to perform election-related duties; or in case of media voters, that they may not be able to vote due to the performance of their functions of covering and reporting the conduct of elections;
- d. Not later than **March 10, 2016**, the heads of offices/supervisors/commanders/officers next in-rank, the CEO or PES concerned or RED-NCR, as the case may be, shall submit directly to the CLAV either by personal service or private courier, the following:

- (i) A Certified List of Applicants (*LAV Form No. 02*) under their supervision or command who submitted their accomplished application forms for local absentee voting indicating therein the Municipality/City/District, barangay and precinct number where they are registered and the place of their assignment on election day, with a certification that the applicant/s will be re-assigned on election day to perform election-related duties; or in case of media voters, that they may not be able to vote due to the performance of their functions of covering and reporting the conduct of elections.
- (ii) The accomplished Application Forms (*LAV Form No. 01*) for local absentee voting.

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The foregoing documents shall be transmitted directly to the CLAV, c/o The Electoral Contests Adjudication Department (ECAD), 8th Floor, Palacio Del Gobernador Building, Intramuros, Manila, immediately upon receipt thereof but not later than March 10, 2016. The date of mailing shall be considered as the date of filing.

Any queries on the foregoing may be made at telephone numbers: 527-2986, 529-2212 and 536-0419 or thru fax no. 527-0830 and email address at ecad@comelec.gov.ph.

SEC. 9. Verification of registrations of applicants for local absentee voting. Upon receipt of the Certified List of Applicants (*LAV Form No. 01*) and the accomplished Application Forms (*LAV Form No. 01*), the CLAV shall verify from the National List of Registered Voters (NLRV) provided by the Information and Technology Department (ITD), COMELEC whether the applicants are registered voters, and generate a Report thereon (*LAV Form No. 03*).

Only the applications of individuals whose names are in the NLRV shall be approved by the CLAV.

The CLAV shall prepare a List of Approved Applicants for Local Absentee Voting with Minutes of Voting (*LAV Form No. 04*).

Once approved, applicants should ensure that they will vote on any day from April 27, 28 and 29, 2016 as they are already included in the certified list of local absentee voters and that in the Election Day Computerized Voters List (EDCVL), they are indicated as voting through local absentee voting system.

In case of double or multiple voting, the applicant shall be charged with an election offense as defined under paragraph 2, subparagraph 2 of Sec. 261 of the Omnibus Election Code and shall be recommended to be administratively charged, if applicable.

SEC. 10. Disapproval of the application to avail of local absentee voting. - The application to avail of local absentee voting shall be disapproved on the grounds that:

- a. the names of the applicants are not found in the NLRV;
- b. the application was filed out of time;
- c. the application is not under oath;
- d. the application is only a photocopy/facsimile copy; or
- e. the Certification portion of the certified list is not duly accomplished.

For this purpose, the CLAV shall notify the heads of offices/supervisors/commanders or officers next-in-rank, the CEO or PES or the RED-NCR who shall in turn notify the concerned applicants on the disapproval of their application to avail of the local absentee voting (*LAV Form No. 05*) provided however, that for items c, d and e above, the application forms of those found to be registered voters may be completed/complied with and submitted back to CLAV on or before the deadline of preparation of the list of qualified local absentee voters on April 15, 2016.

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SEC. 11. Transmittal of list of qualified local absentee voters, local absentee ballots and other election paraphernalia from the CLAV. The CLAV, through its members, shall personally transmit to the heads of offices/supervisors/commanders, CEO, PES or RED-NCR, the List of Approved Applicants for Local Absentee Voting with Minutes of Voting (*LAV Form No. 04*), the exact number of local absentee ballots, inner and outer envelopes and paper seals corresponding to the number of approved applications and thumbprint takers (*LAV Form No. 06*) not later than **Thursday, April 21, 2016** to ensure that the above-mentioned election forms and paraphernalia will be received by the heads of offices/supervisors/commanders, CEO, PES or RED NCR before the voting period

SEC. 12. Security envelopes for local absentee ballots. – There shall be two (2) security envelopes for each local absentee ballot, namely; an outer envelope and an inner envelope.

The inner envelope shall contain the accomplished official ballot and shall not bear any other mark except an indication that it is a special envelope for a local absentee ballot.

The outer envelope shall bear a serial number and a space for the name of the voter. The detached coupon and the inner envelope shall be placed inside the outer envelope.

SEC. 13. Distribution of local absentee ballots, envelopes and paper seals. – On any day from **April 27, 28, and 29, 2016** from 8:00 o'clock in the morning until 5:00 o'clock in the afternoon, the heads of offices/supervisors/commanders concerned, under the direct supervision and presence of the Municipal/City/District EOs or their representatives, or in case of media voters, the CEOs/PES or RED-NCR or their representatives, shall distribute the local absentee ballots, inner and outer envelopes, and paper seals to the qualified local absentee voters. During the distribution, they shall:

- a. Require the voters to affix their signatures opposite their names in the List of Approved Applicants for Local Absentee Voting with Minutes of Voting (*LAV Form No. 04*) prepared by the CLAV under Section 9 hereof;
- b. Detach one (1) ballot from the pad of ballots and retain the stubs where the serial number of each ballot appears;
- c. Write the serial numbers of the ballot, outer envelope, and of the two (2) paper seals opposite the names of the voters in the spaces provided in the list;
- d. Give to the voters the ballot, inner and outer envelopes and the two (2) paper seals; and
- e. Instruct the voters to immediately accomplish the ballot in accordance with Section 14 hereof.

SEC. 14. Manner of Voting. – The local absentee voters shall:

- a. Fill up the ballot secretly;
- b. Imprint their thumb marks on the proper space in the detachable

SEQ. NO	LAST NAME	FIRST NAME	MIDDLE NAME	DATE OF BIRTH	PRECINCT #	PLACE OF REGISTRATION			PLACE OF ASSIGNMENT
						BARANGAY	MUNICIPALITY/CITY/DISTRICT	PROVINCE	
1									

CERTIFICATION

This is to certify that herein applicants are bona fide members/employees of _____ with office address at _____ This is to further certify that the above named applicants will be assigned on election day outside the place where they are registered to perform election-related duties or due to the performance of their functions in covering and reporting on the elections.

SUBSCRIBED AND SWORN to before me this _____ day of _____ 2016, at _____ Philippines.

(Signature above printed name)

(Signature above printed name)
Officer Authorized to Administer Oath



Republic of the Philippines
COMMISSION ON ELECTIONS
Committee on Local Absentee Voting

MAY 9, 2016 NATIONAL AND LOCAL ELECTIONS

APPLICATION TO AVAIL OF LOCAL ABSENTEE VOTING

I. PERSONAL DATA: (Please use the same name as appearing in your registration record.)

(a) Name: _____
(Surname) (First name) (Middle name)

(b) Sex: Male Female

(c) Civil Status: Single Married Widow/er

(d) Date of Birth: _____ Place of Birth: _____

(e) Contact Numbers: Mobile: _____ HQ/Office Tel. No.: _____

Email address: _____

2. I AM A REGISTERED VOTER OF: (Note: Please go to www.comelec.gov.ph or Voter Registration Office Registration Unit, Voter Registration Office, Model for information on the following data.)

(f) _____
(Precinct No./Barangay) (City/Municipality) (Province)

(g) Voter's Registration Record Number (VRRN) : _____

(h) Voter's Identification Number (VIN) : _____

3. I WANT TO AVAIL OF LOCAL ABSENTEE VOTING BECAUSE I WILL BE ASSIGNED ON ELECTION DAY TO PERFORM ELECTION DUTIES/COVER AND REPORT ON THE CONDUCT OF ELECTIONS OUTSIDE THE PLACE WHERE I AM A REGISTERED VOTER
Please check the appropriate box:

<input type="checkbox"/> (i) I am a government official/employee Government Office _____ Position _____ Place of Assignment _____ Name of Head of Office/Supervisor _____	<input type="checkbox"/> (jj) I am a member of the AFP Rank _____ Unit _____ Serial Number _____ Place of Assignment _____ Name of Commanding Officer _____
<input type="checkbox"/> (k) I am a member of the PNP Position/Rank _____ Place of Assignment _____ Name of Station Head _____	<input type="checkbox"/> (l) I am a member of the media Position _____ Place of Assignment _____ Name of Head of Company _____

I hereby certify that the above declarations are true and correct.

(Signature of applicant above printed name)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2016 at _____, Philippines.

(Signature above printed name)
Officer Authorized to Administer Oath

Elections are, as far as applicable, hereby adopted, incorporated and made integral parts of this resolution.

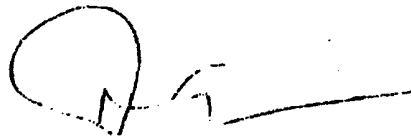
SEC. 31. Repealing Clause. - Comelec Resolution No. 9637, entitled, *Rules and Regulations on Local Absentee Voting in Connection with the May 13, 2013 Synchronized National, Local and ARMM Regional Elections, and Subsequent National and Local Elections Thereafter* dated February 13, 2013 and all other Rules and Regulations inconsistent with the provisions hereof are hereby superseded.

SEC. 32. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

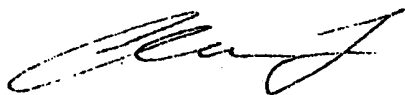
SEC. 33. Publication and Dissemination. - Let the Education and Information Department (EID), this Commission, cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines.

The CLAV shall immediately furnish copies hereof to the Department of Foreign Affairs, Department of Education, the Chief of Staff of the Armed Forces of the Philippines, the Director General of the Philippine National Police and all departments and agencies or instrumentalities of the national government, National Press Club (NPC), Kapisanan ng mga Brodkaster ug Pilipinas (KBP) and other media organizations or entities and all Regional Election Directors, Provincial Election Supervisors of the Commission, who shall in turn furnish copies thereof to their respective Election Officers.

SO ORDERED.



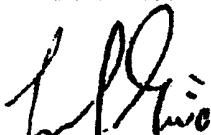
J. ANDRES D. BAUTISTA
Chairman



CHRISTIAN ROBERT S. LIM
Commissioner



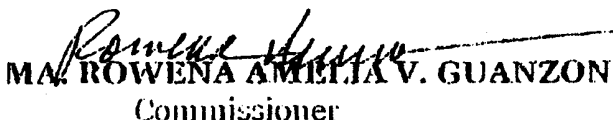
A. A. PARRENO
Commissioner



LUETTO F. GUIA
Commissioner



ARTHUR D. LIM
Commissioner



MA. ROWENA AMELIA V. GUANZON
Commissioner



SHERIFF M. ABAS
Commissioner

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The tabulators shall affix their signatures above their printed names and imprint their thumb marks on the certification portion of the Statement of Votes.

SEC. 27. Convening of SBOC. – The SBOC shall convene at 7:00 o'clock in the evening of May 9, 2016 in a place designated by the Chairman of the CLAV and proceed with the canvass of the elections returns submitted to it by the SBEIs. It shall not adjourn until the canvass is completed.

SEC. 28. Certificate of Canvass of Votes (COCV). – The SBOC shall prepare the Certificate of Canvass of Votes (COCV) in seven (7) copies for distribution as follows:

1. The first copy with attached copy of the Statement of Votes by Precinct (SOVP)/Summary Statement of Votes (SSOV), to the Congress directed to the President of the Senate for use in the canvass of election results for President and Vice-President;
2. The second copy, with attached copy of the SOVP/SSOV to the Commission en banc sitting as the National Board of Canvasses for use in the canvass of election results for Senators and Party-list representatives;
3. The third copy, to be posted on a wall within the premises of the canvassing center;
4. The fourth copy, with attached copy of the SOVP/SSOV to the Chairperson of the Board of Canvassers;
5. The fifth copy, to the accredited citizen's arm; and
6. The sixth and seventh copies, to the representatives of two (2) of the six (6) major political parties in accordance with the voluntary agreement of the parties. If no such agreement is reached, the Commission shall decide which parties shall receive the copies of the Certificate of Canvass on the basis of the criteria provided in Sec. 26 of RA 7166. The parties receiving the certificate shall have the obligation to furnish the other parties with authentic copies thereof with the least possible delay.

The copy of the COCV posted on the wall shall be open for public viewing at any time of the day for forty-eight (48) hours following its posting. Any person may view or capture an image of the COCV. After the prescribed period of posting, the Chairperson of the SBOC shall collect the posted COCV and keep the same in custody to be produced for image or data capturing as may be requested by any voter or for any lawful purpose as may be ordered by competent authority.

SEC. 29. Watchers. – During the counting and canvassing, each national candidate, duly registered political party or coalition of political parties which has nominated national candidates, sectors and organizations participating under the party list system, and accredited citizen's arm, shall be entitled to appoint, in writing, two (2) watchers serving alternately.

Civic, religious, professional, business, youth and any other similar organizations with prior authority from the Commission, shall collectively be entitled to appoint two (2) common watchers serving alternately.

SEC. 30. Applicability of Other Comelec Rules. – Rules and regulations promulgated by the Commission in connection with the May 9, 2016 National and Local

The copy of the election returns posted on the wall shall be open for public viewing at any time of the day for forty-eight (48) hours following its posting. Within the said period of time, any person may view or capture an image of the election returns.

After the prescribed period for posting, the Chairpersons of the SBEI shall collect the posted election returns and keep the same in their custody to be produced for image or data capturing as may be requested by any voter or for any lawful purpose as may be ordered by competent authority.

SEC. 23. Post counting procedures. -- Upon termination of the counting of votes, the members of the SBEI shall:

- a. Place the counted official ballots in the envelope for counted ballots;
- b. Seal the envelope with paper seal and affix their signatures on the said paper seal;
- c. Deposit the envelope properly sealed inside the ballot box compartment for valid ballots;
- d. Place the eighth copy of the election returns inside the ballot box compartment for valid ballots;
- e. Close the inner compartments of the ballot box, lock with one (1) Comelec padlock and seal the same with one (1) fixed length security seal;
- f. Close the ballot box cover, lock with three (3) Comelec padlocks and seal the same with one (1) fixed-length security seal;
- g. Deliver the locked ballot box to the RCU of the CLAV for custody and safekeeping; and
- h. Distribute the election returns in accordance with Section 22 hereof.

SEC. 24. Special Board of Canvassers. -- A Special Board of Canvassers (SBOC) for local absentee voting shall be constituted to be composed of ranking lawyers of ECAD and whose appointment shall be issued by the Chairperson of the CLAV not later than April 30, 2016.

SEC. 25. Notice of Canvass. -- For the May 9, 2016 National and Local Elections, the Chairperson of the SBOC shall give notice to its members, all presidential, vice-presidential, senatorial candidates, duly registered political party or coalition of political parties which has nominated national candidates, sectors and organizations participating under the party list system, and accredited citizen's arm of the date, time and place of canvass, at least five (5) days before the day of the election.

SEC. 26. Tabulation Group. -- The SBOC shall constitute a Tabulation Group, composed of two (2) members, which shall be under its direct supervision and control.

The Tabulation Group shall compute the sub-total of the Statement of Votes prepared by the SBOC. The name of each tabulator and the serial number of the Statement of Votes assigned to them for tabulation shall be properly recorded in the minutes of the proceedings.

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- p. (lost) The entries by affixing their initials immediately after the last vote recorded or immediately after the name of the candidate and party list candidates who did not receive any vote;
- q. The Poll Clerk and the Third Member shall record in the election returns and in the tally board, respectively, the total number of votes obtained by each candidate and party-list candidate, in words and figures;
- r. Accomplish the certification portion of the election returns and tally board;
- s. Require the watchers, if any, to affix their signatures and imprint their thumb marks on the right hand portion of the election returns and the tally board;
- t. Deposit the tally board in the ballot box compartment for valid ballots. The tally board, as accomplished and certified by the SBEI, shall not be changed or destroyed.

The proceedings of the SBEI shall be recorded in the Minutes of Counting of Votes (*LAV Form No. 11*) to be accomplished in two (2) copies which shall be placed in separate sealed envelopes to be distributed as follows:

- a. The first copy, to the Election Records and Statistics Department (ERSD), this Commission; and
- b. The second copy, to be deposited inside the ballot box compartment for valid ballots.

SEC. 22. Election Returns. -- The election returns shall be prepared in eight (8) copies to be distributed as follows:

- a. The first copy, to be delivered to the Special Board of Canvassers for local absentee voting;
- b. The second copy, to the Congress directed to the President of the Senate;
- c. The third copy, to the Commission through the Election Records and Statistics Department (ERSD);
- d. The fourth copy, to the dominant majority party as determined by the Commission;
- e. The fifth copy, to the dominant minority party as determined by the Commission;
- f. The sixth copy, to the accredited citizen's arm;
- g. The seventh copy, to be posted on a wall within the premises of the polling place;
- h. The eighth copy, to be deposited inside the ballot box compartment for valid ballots.

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- b. Open all the outer envelopes, retrieve the inner envelopes and the detached coupons;
- c. Place the coupons in the ballot box compartment for spoiled ballots;
- d. Bundle the emptied outer envelopes and deposit the same inside the ballot box compartment for valid ballots;
- e. Open the inner envelopes and retrieve the ballots found therein;
- f. Bundle the emptied inner envelopes and deposit the same inside the ballot box compartment for valid ballots;
- g. Pile the ballots in bundles of one hundred (100) each;
- h. The Chairperson of the SBEI shall take the ballots of the first pile one by one and read the names of the candidates voted for and the offices for which they were voted, as well as the name of the party, organization or coalition voted for under the party-list system, in the order in which they appear thereon.

During the counting:

- i. The Chairperson, the Poll Clerk and the Third Member shall position themselves in such a way as to give the watchers and the public an unimpeded view of the ballot being read by the Chairperson, as well as of the election returns and tally board being simultaneously accomplished by the Poll Clerk and the Third Member, respectively;
- j. The watchers and the public shall not touch any of the said election documents. The table shall be cleared of all unnecessary writing paraphernalia. Any violation hereof shall constitute an election offense;
- k. The Poll Clerk and the Third Member shall record simultaneously in the election returns and in the tally board, respectively, each vote as it is read. Each vote shall be recorded by a vertical line, except every fifth vote which shall be recorded by a diagonal line crossing the previous four vertical lines;
- l. The same procedure shall be followed with the succeeding piles of ballots; and
- m. The sub-total of votes in figures obtained by each candidate and party list candidate shall be recorded in the election returns and tally board after each pile of one hundred (100) ballots is read.

After all the ballots have been read:

- n. Record, in words and in figures, the total number of votes obtained by each candidate and by each party, organization or coalition participating under the party-list system, both in the election returns and in the tally board;
- o. Ensure that the entries on the first copy of the election returns are clearly impressed on the other copies; and

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- c. Place the verified envelopes containing the accomplished ballots inside the ballot boxes at the rate of four hundred (400) envelopes per ballot box;

The ballot boxes, prior to the distribution to the SBEIs, shall be stored in a safe and secured place; and

- d. Deliver the ballot box immediately at 7:00 o'clock in the evening of May 9, 2016 to the Special Boards of Election Inspectors (SBEIs) for counting;

Should there be a ballot box containing less than four hundred (400) envelopes, the RCU shall equitably distribute said envelopes to the SBEIs.

SEC. 17. Special Boards of Election Inspectors (SBEIs). – The CLAV may constitute as many SBEIs for local absentee voting as may be deemed necessary, to count the local absentee ballots. The members thereof shall be chosen from among the personnel of the Electoral Contests Adjudication Department (ECAD). In case of lack of ECAD personnel, the CLAV shall constitute additional SBEIs from among the personnel of other departments/offices in the Main Office, Manila, not later than **April 21, 2016 (LAV Form No. 09)**.

To determine the number of SBEIs to be constituted, the CLAV shall use as basis the total number of approved applications at a ratio of four hundred (400) ballots per SBEI. The order of numbering of SBEI shall be determined through a raffle. In case the CLAV constituted more SBEIs than what is required, the SBEIs last in the order of numbering may be deactivated.

For every ten (10) SBEIs, the chairperson of the CLAV shall designate one (1) supervisor who shall supervise the counting, tabulation, preparation of Election Returns (ER) and other documents.

SEC. 18. Oath of Members of SBEI. – Before assuming their office, the chairperson and members of the SBEI shall take and sign an Oath (**LAV Form No. 10**) before any officer authorized to administer oaths. Copies of the oath shall immediately be submitted to the CLAV.

SEC. 19. Notice of Counting. – For the May 9, 2016 National and Local Elections, the CLAV shall give notice to all presidential, vice-presidential, senatorial candidates, duly registered political parties or coalition of political parties which has nominated national candidates, sectors and organizations participating under the party list system, and accredited citizen's arm of the date, time and place of counting, at least five (5) days before the day of the election.

SEC. 20. Proceedings of the SBEI. – The SBEI shall meet at the place designated by the CLAV at 7:00 o'clock in the evening of **May 9, 2016** to count the votes cast by the local absentee voters and shall not adjourn until the counting is completed. All proceedings of the SBEI shall be done in public. It shall act through its chairperson and all questions presented before it shall be decided without delay by a majority vote of the members. During its meetings, not more than one (1) member shall be absent at the same time, and in no case shall such absence be for more than twenty (20) minutes.

SEC. 21. Manner of counting local absentee ballots. – Upon receipt of the ballot box containing the security envelopes for local absentee ballots, the SBEI shall proceed with the counting as follows:

Before the counting:

- a. Retrieve the security envelopes from the ballot box;

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- c. Detach the coupon from the ballot and place the same inside the outer envelope;
- d. Place the accomplished ballot inside the inner envelope and close and seal the envelope with a paper seal;
- e. Place the sealed inner envelope inside the outer envelope, which shall likewise be sealed with a paper seal;
- f. Write their names on the space provided for in the outer envelope; and
- g. Submit the sealed envelope to the heads of offices/supervisors/commanders or officers next-in-rank, Municipal/City/District EOs, the PES concerned or RED-NCR, as the case may be.

The heads of offices/supervisors/commanders or officers next-in-rank, Municipal/City/District EOs, the PES concerned or RED-NCR, shall ensure that the sanctity of the voting process is preserved.

SEC. 15. Transmittal of local absentee ballots and other election documents to the CLAV. After the voting, the heads of offices/supervisors/commanders or officers next-in-rank, the CEO or PES concerned or the RED-NCR, as the case may be, shall:

1. Gather all the sealed envelopes containing the ballots submitted to them by the local absentee voters;
2. Prepare, in two (2) copies, a **Transmittal Letter (LAV Form No. 07)** with a certification on the number of accomplished ballots collected by them. They shall submit one (1) copy thereof to the CLAV and retain the other copy for their file;
3. Transmit the sealed envelopes, together with a) List of Approved Applicants for Local Absentee Voting with Minutes of Voting (**LAV Form No. 04**) with signatures referred to in Section 13 (a); and b) unused official ballots torn in half, to the CLAV by the fastest means available c/o the Electoral Contests Adjudication Department (ECAD), COMELEC, 8th Floor, Palacio del Gobernador Building, Intramuros, Manila, ensuring that the ballots are received by the CLAV not later than **7:00 o'clock in the evening of May 9, 2016.**

After the local absentee voting period, the CLAV, through the LAV Groups, shall send to all Municipal/City/District EOs concerned a written Notice as to who were the voters who actually voted (**LAV Form No. 08-A**) under the system of local absentee voting with a directive to indicate in the list of voters with voting records on the space opposite the names of the absentee voters, the following annotation: **"voted through local absentee voting,"** to prevent the deactivation of their registration records

SEC. 16. Reception and Custody Unit (RCU), duties and functions. -- The CLAV shall constitute an RCU, which shall:

- a. Receive the security envelopes containing the accomplished ballots and the List of Approved Applicants for Local Absentee Voting with Minutes of Voting (**LAV Form No. 04**) with their signatures;
- b. Forward the same to the LAV group concerned for verification;