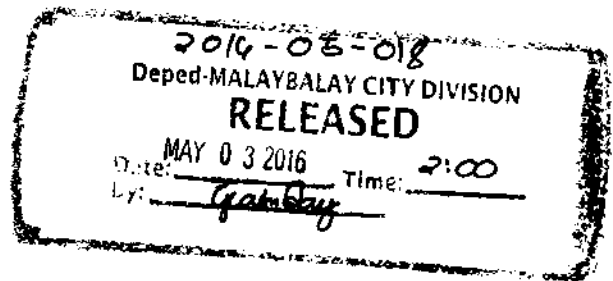




**DIVISION ADVISORY**

**TO:** Chief Education Supervisor & Staff, Curriculum Implementation Division  
Chief Education Supervisor & Staff, Schools Governance & Operations Division  
Public Schools District Supervisors/District OIC's  
Elementary and Secondary School Heads  
Section/Unit Heads and Staff  
All Others Concerned

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



**DATE:** April 21, 2016

**SUBJECT:** **Dissemination of DepEd Memorandum No. 64, s. 2016 "COMELEC RESOLUTION NOS. 10030, 10077, and 10083"**

1. For the information and guidance of all concerned, this Office hereby disseminates the herein DepEd Memorandum No. 64, s. 2016 issued on April 20, 2016 by the Commission on Elections regarding the following COMELEC Resolutions:
  - a) **COMELEC Resolution No. 10030** entitled In the Matter of the Enforcement of the Prohibition Against Appointment or Hiring of New Employees; Creation or Filling Up of New Positions; Giving Salary Increases; Transfer or Detail of Civil Service Employees; and Suspension of Elective Local Officials in Connection with the May 9, 2016 National and Local Elections;
  - b) **COMELEC Resolution No. 10077** entitled In the Matter of the Expanded Mandate of the Committee on the Ban on Firearms and Security Personnel Pursuant to Minute Resolution No. 16-0021 Dated January 18, 2016; and
  - c) **COMELEC Resolution No. 10083** entitled General Instructions for the Boards of Canvassers on the Consolidation/Canvass and Transmission of Votes in Connection with the May 9, 2016 National and Local Elections.

content of which is self-explanatory.

2. For widest dissemination.

**Encl:**

As stated

**Copy Furnished:**

Records Unit  
Personnel Unit

**TO BE POSTED ON THE WEBSITE**



Republic of the Philippines  
**Department of Education**

DepEd MEMORANDUM  
No. 64, s. 2016

20 APR 2016

**DISSEMINATION OF COMELEC RESOLUTION NOS. 10030, 10077, AND 10083**

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

1. For the information and guidance of all concerned, enclosed are copies of the following Commission on Elections (COMELEC) Resolutions:

- a. **COMELEC Resolution No. 10030** entitled *In the Matter of the Enforcement of the Prohibition Against Appointment or Hiring of New Employees; Creation or Filling Up of New Positions; Giving Salary Increases; Transfer or Detail of Civil Service Employees; and Suspension of Elective Local Officials in Connection with the May 9, 2016 National and Local Elections;*
- b. **COMELEC Resolution No. 10077** entitled *In the Matter of the Expanded Mandate of the Committee on the Ban on Firearms and Security Personnel Pursuant to Minute Resolution No. 16-0021 Dated January 18, 2016;* and
- c. **COMELEC Resolution No. 10083** entitled *General Instructions for the Boards of Canvassers on the Consolidation/Canvass and Transmission of Votes in Connection with the May 9, 2016 National and Local Elections.*

2. Immediate dissemination of this Memorandum is desired.

  
**BR. ARMIN A. LUISTRO FSC**  
Secretary

Encls.: As stated

Reference: None

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

ELECTIONS  
LEGISLATIONS

OFFICIALS  
STRAND: Legal and Legislative Affairs



Republic of the Philippines  
COMMISSION ON ELECTIONS  
Manila

22-  
12/23/15  
10:30  
A

IN THE MATTER OF THE  
ENFORCEMENT OF THE  
PROHIBITION AGAINST  
APPOINTMENT OR HIRING OF  
NEW EMPLOYEES; CREATION OR  
FILLING UP OF NEW POSITIONS;  
GIVING SALARY INCREASES;  
TRANSFER OR DETAIL OF CIVIL  
SERVICE EMPLOYEES; AND  
SUSPENSION OF ELECTIVE  
LOCAL OFFICIALS IN  
CONNECTION WITH THE MAY 09,  
2016 NATIONAL AND LOCAL  
ELECTIONS

BAUTISTA, J.A.D., Chairman  
LIM, C.R.S., Commissioner  
PARREÑO, A.A., Commissioner  
GUIA, L.T.F., Commissioner  
LIM, A.D., Commissioner  
GUANZON, M.R.A.V., Commissioner  
ABAS, S.M., Commissioner

X-----X

Promulgated on: December 22, 2015  
*[Signature]*

RESOLUTION No. 10030  
*[Signature]*

The Commission on Elections, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, and other election laws, **RESOLVES**, as it hereby **RESOLVED** to promulgate, the following rules to implement the provision of Section 261, subsections (g), (h) and (x) of the Omnibus Election Code:

**RULE I**

**GENERAL PROVISIONS AND DEFINITION OF TERMS**

**SECTION 1. Prohibited Acts.** - Section 261 of the Omnibus Election Code of the Philippines provides:

**SEC. 261. Prohibited Acts** - The following shall be guilty of an election offense:

*[Signature]*

xxx

xxx

xxx

*g) Appointment of new employees, creation of new position, promotion, or giving salary increases.* - During the period of forty five (45) days before a regular election and thirty (30) days before a special election, (1) any head, official or appointing officer of a government office, agency or instrumentality, whether national or local, including government-owned or controlled corporations, who appoints or hires any new employee, whether provisional, temporary or casual, or creates and fills any new position, except upon prior authority of the Commission. The Commission shall not grant the authority sought unless, it is satisfied that the position to be filled is essential to the proper functioning of the office or agency concerned, and that the position shall not be filled in a manner that may influence the election.

As an exception to the foregoing provisions, a new employee may be appointed in case of urgent need: Provided, however, That notice of the appointment shall be given to the Commission within three (3) days from the date of the appointment. Any appointment or hiring in violation of this provision shall be null and void.

(2) Any government official who promotes, or gives any increase of salary or remuneration or privilege to any government official or employee, including those in government-owned or controlled corporations.

*(h) Transfer of officers and employees in the civil service.* - Any public official who makes or causes any transfer or detail whatever of any officer or employee in the civil service including public school teachers, within the election period except upon prior approval of the Commission.

xxx

xxx

xxx

*(x) Suspension of elective provincial, city, municipal or barangay officer.* - The provisions of law to the contrary notwithstanding during the election period, any public official who suspends, without prior approval of the Commission, any elective provincial, city, municipal or barangay officer, unless said suspension will be for purposes of applying the Anti-Graft and Corrupt Practices Act in relation to the suspension and

removal of elective officials; in which case the provision of this section shall be inapplicable.

**SECTION 2. Definition of Terms.** – As used in this Resolution:

- a. **"Appointment"** may be defined as the selection, by the authority vested with the power, of an individual who is to exercise the functions of a given office. When completed, usually with its confirmation, the appointment results in security of tenure for the person chosen unless he is replaceable at pleasure because of the nature of his office.
- b. **"Designation"** connotes merely the imposition by law of additional duties of an incumbent official. It is considered only an acting or temporary appointment, which does not confer security of tenure on the person named.
- c. **"Detail"** is the movement of an employee from one agency to another without the issuance of an appointment and shall be allowed, only for a limited period in the case of employees occupying professional, technical and scientific positions.
- d. **"Giving of remuneration or privilege"** shall include giving of bonuses, other than the mandated 13<sup>th</sup> month pay and cash gift for government employees, incentives, Representation and Transportation Allowance (RATA) or other form of allowances regularly received, on top of their usual benefits and privileges.
- e. **"Increase of salary"** shall include adjustments in salaries as a result of increase in pay levels or upgrading of positions which do not involve a change in qualification requirements and do not require the issuance of a new appointment.
- f. **"Promotion"** shall mean the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by increase in salary. Promotion may be from one department or agency to another or from one organizational unit to another within the same department or agency.
- g. **"Suspension"** is the temporary forced removal from the exercise of the office. It shall include both suspension as a penalty and preventive suspension.

- h. "Transfer"* shall be construed as any movement of personnel from one station to another, whether or not in the same office or agency when made or caused during the election period, with or without the issuance of an appointment.

## **RULE II**

### **APPOINTMENT OF NEW EMPLOYEES, CREATION OF NEW POSITION, PROMOTION, OR GIVING SALARY INCREASES**

**SECTION 1. *Prohibited Acts and Period of Prohibition.*** - From March 25, 2016 until May 08, 2016:

A. No head or appointing officer of any national or local government office, agency or instrumentality, including government-owned or controlled corporations, shall, except upon prior authority of the Commission:

- i. Appoint or hire any new employee, whether permanent, provisional, temporary, substitute or casual. The appointment referred herein shall not include designation.
- ii. Create and fill any new position.

B. No government official shall promote or give any increase of salary or remuneration or privilege to any government official or employee, including those in government-owned or controlled corporations.

**SECTION 2. *Request for Authority of the Commission to Appoint Or Hire New Employees; Where and How to File.*** -

A. Requests for authority to appoint or hire new employees shall be:

- i. in writing;
- ii. stating all information pertinent to the appointment or hiring (*i.e. name of appointee, position, salary grade, etc.*) and the reasons for the same;
- iii. in two (2) original copies; and
- iv. accompanied with soft copy of the request in MS WORD format saved in USB or CD.

*W*

*B. Said request shall be filed with:*

- i. *The Law Department*- Requests for authority to appoint or hire new employees of the central or main offices of national government agencies and government-owned and controlled corporations.
- ii. *The Office of the Regional Election Director*- Requests for authority to appoint or hire new employees in the field or local offices of government agencies and government-owned and controlled corporations in the region where the vacancy exists.

A sample copy of the application for request for exemption from the ban on appointment is hereto attached as *Annex "A"*.

***SECTION 3. Request for Authority of the Commission to Create and Fill New Positions: Where and How to File.***

- A. Requests for authority to create and fill new positions shall be submitted in writing to the Law Department of the Commission.
- B. The Commission shall not grant the authority unless it is satisfied that the position to be filled is essential to the proper functioning of the office or agency concerned and that the filling up of such position shall not in any manner influence the results of the election.

A sample copy of the application for request for exemption from the ban on creation or filling of new positions is hereto attached as *Annex "B"*.

***SECTION 4. When Request for Authority is Not Necessary.*** - Renewal of appointments of temporary, casual, substitute and contractual personnel are not covered by this prohibition and will no longer need prior authority of the Commission.

However, the appointing authority shall furnish the Commission, through the Law Department for main office positions, and through the Office of the Regional Election Director concerned for field positions, a complete list of employees whose appointments were renewed, indicating their position, item number, salary grade and station.

**SECTION 5. Urgent Need to Appoint or Hire New Employees. -**

- A. Where there is urgent need to appoint or hire new employees and such employee has already been appointed or hired without prior authority of the Commission, the requesting office/agency shall notify the Commission in writing, within three (3) days from the date of the appointment or hiring, stating therein the:
- i. exact date when the position sought to be filled became vacant;
  - ii. the cause of vacancy;
  - iii. the reason for said appointment or hiring; and
  - iv. all the necessary data or information regarding the same.
- B. Notification shall be made through the Law Department in case of central or main office positions, or through the respective offices of the Regional Election Directors in case of field positions.
- C. The appointment or hiring of new employees shall be valid, unless the same is found by the Commission:
- i. to have been made to influence in any manner the results of the election;
  - ii. to have been issued without the required notice; or
  - iii. that there is no urgent need for the appointment.
- D. The need to fill up a vacant position by a new employee may be considered "**urgent**" if:
- i. the position to be filled is essential to the proper functioning of the office or agency concerned;
  - ii. the position has been vacated either by death, retirement, resignation, promotion or transfer of the regular incumbent;
  - iii. the appointment is issued within sixty (60) days from occurrence of the vacancy;
  - iv. the vacancy cannot be filled by promotion or transfer of insiders within the same period; and
  - v. the position shall not be filled in any manner that may influence the election.
- E. Appointment to a position which has been vacant for more than sixty (60) days shall not be considered urgent and must, therefore, require prior written authority from the Commission or the Regional Election Directors concerned.



**SECTION 6. Total Ban on Promotion, Salary Increases, Grant of Privileges.** - The promotion or giving of increase of salary or remuneration or privilege to any government official or employee including those in government-owned and controlled corporations, shall be strictly prohibited from March 25, 2016 to May 8, 2016.

**SECTION 7. Injunction.** - The Civil Service Commission (CSC), including all its field offices is hereby enjoined not to approve the appointment of new employees where no prior written authority of the Commission or its regional offices is presented by the appointing authority concerned or proof that the required notice within the 3-day reglementary period as provided in Section 5 Rule II hereof has been complied with.

The Department of Budget and Management (DBM) and the Commission on Audit (COA), including all their field offices, shall not release or authorize the release of any appropriation, or pass in audit, payments or expenditures of public funds that may be directly used in violation of the foregoing prohibitions.

All field offices of the CSC are directed to submit immediately to the Commission through the Law Department a written report on any violation of said provisions of the Omnibus Election Code.

### **RULE III**

#### **TRANSFER OF OFFICERS AND EMPLOYEES IN THE CIVIL SERVICE**

**SECTION 1. Prohibited Act and Period of Prohibition.** - From January 10, 2016 to June 08, 2016, no public official shall, except upon prior written authority of the Commission, make or cause any transfer or detail whatsoever of any officer or employee in the civil service, including public school teachers.

**SECTION 2. Request for Authority of the Commission on Transfer or Detail; Where and How to File.** - Requests for authority to make or cause any transfer or detail shall be:

- i. in writing;

- ii. indicating the (1) office and place to which the officer or employee is proposed to be transferred or detailed or otherwise moved;
- iii. stating the reasons therefor;
- iv. in two (2) original copies; and
- v. accompanied with the soft copy of the request in MS WORD format and saved in USB or CD form.

**SECTION 3. *Filing of Requests with the Law Department.*** – Requests for authority to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Law Department, when:

- A. The official station is in the central/main offices of national agencies and government-owned or controlled corporations;
- B. The requests for transfer or detail involve Provincial, City/Municipal Treasurers and Schools Division Superintendents and Assistant Superintendents;
- C. The transfer or detail is inter-regional.

**SECTION 4. *Filing of Requests with the Office of the Regional Election Director.*** – Requests for authority to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Office of the Regional Election Director where the employee/s sought to be transferred or detailed is stationed, when:

- A. It involves government officers or employees with official stations in the field offices including the National Capital Region;
- B. All other officers and employees not indicated in Section 3 Rule III hereof.

A sample copy of the application for request for exemption from the ban on transfer is hereto attached as *Annex "C"*.

#### **RULE IV**

#### **SUSPENSION OF ELECTIVE PROVINCIAL, CITY, MUNICIPAL OR BARANGAY OFFICER**

**SECTION 1. *Prohibited Acts.*** - From January 10, 2016 to June 08, 2016, the provisions of law to the contrary notwithstanding, no public official shall, except upon prior written approval of the Commission, suspend any elective provincial, city, municipal or barangay officer.

No prior approval is required if the suspension will be for purposes of applying the "Anti-Graft and Corrupt Practices Act" in relation to the suspension and removal of elective officials.

**SECTION 2. *Request for Authority of the Commission to Suspend any Elective Provincial, City, Municipal or Barangay Officer, unless Suspension will be for Purposes of Applying the Anti-Graft and Corrupt Practices Act: Where and How to file.*** - Requests for authority to suspend an elective provincial, city, municipal or barangay officer shall be submitted to the Law Department of the Commission, supported by a certified true copy of a formal complaint executed under oath and containing the specific charges therefor, and a certified true copy of the Decision or Resolution suspending the concerned elective local official.

A sample copy of the application for request for exemption from the ban on suspension is hereto attached as *Annex "D"*.

**SECTION 3. *When Request for Authority is Not Necessary.*** - Request for authority to suspend elective local officials shall not be necessary:

- A. if the offense involved is punishable under the "Anti-Graft and Corrupt Practices Act"; and
- B. those that were already implemented before the start of the election period but is continuously served during or even after the expiration of the election period.

**SECTION 4. *Effect of the Onset of the Election Period.*** - The onset of the election period will not have the effect of lifting any suspension that is already being served.

## **RULE V**

### **AUTHORITY OF THE CHAIRMAN TO APPROVE/DISAPPROVE REQUESTS AND THE PROCEDURE ON THE REQUEST**

**SECTION 1. Authority of the Chairman to Approve/ Disapprove Recommendations from the Law Department.** - The Chairman of the Commission is authorized to approve/disapprove recommendations of the Law Department on requests for exemption from the coverage of the ban involved in this Resolution. Such action by the Chairman shall take effect immediately, subject, however, to confirmation by the Commission *En Banc*.

**SECTION 2. Requests for Authority Submitted to the Law Department.** - The Law Department shall prepare its recommendation on all requests received by it and submit to the Chairman for approval or disapproval.

**SECTION 3. Requests for Authority Submitted to the Office of the Regional Election Director.** - The Regional Election Director shall approve or disapprove all requests received by him and submit a report containing a list of all the requests acted upon to the Law Department, at the end of every week, by the fastest available means of communication. It may be sent in PDF format via electronic mail to [comelec.law@gmail.com](mailto:comelec.law@gmail.com).

A sample copy of the Regional Report is hereto attached as *Annex "E"*.

The Law Department shall submit the actions taken by the Regional Election Directors to the Chairman for consideration.

All actions of the Regional Election Directors granting the requests for exemptions from the coverage of the ban herein involved are subject to review by the Commission and shall remain valid and effective, unless otherwise reversed or set aside by the Commission.

## **RULE VI**

### **GRANT OF AUTHORITY TO CERTAIN GOVERNMENT AGENCIES**

**SECTION 1. Continuing Authority to Hire and Transfer Government Employees.** - For purposes of the May 9, 2016 National and Local Elections, the Commission hereby grants continuing authority to the following government agencies to appoint or hire new employees from March 25,

2015 to May 8, 2015, and to transfer their officers or employees from January 10, 2015 to June 8, 2015 in view of the nature of their functions:

- A. The President of the Philippines;
- B. Supreme Court of the Philippines, Court of Appeals, Sandiganbayan, Court of Tax Appeals and the lower courts, including the Senate and Presidential Electoral Tribunal;
- C. Philippine National Police (PNP)
- D. Armed Forces of the Philippines (AFP)

**SECTION 2. Conditions for the Grant of Continuing Authority.** -The grant of continuing authority to the above-enumerated government agencies to appoint or hire new employees and to transfer officers or employees during the election period shall, however, be subject to the following conditions:

- A. that it is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 9, 2016 National and Local Elections;
- B. that it shall not involve promotion or giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the May 9, 2016 Elections which is strictly prohibited without any exception whatsoever;
- C. that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements; and
- D. that they shall notify in writing the Commission, through the Law Department, as follows:
  - a. **In cases of appointments** - within three (3) days from the date of appointment, stating therein:
    - i. Name of the officer or employee to be appointed or hired;
    - ii. Position of said officer or employee to be appointed or hired;
    - iii. The exact date when the position to be filled became vacant;
    - iv. Cause of the vacancy; and
    - v. All necessary data or information regarding the same.
  - b. **In cases of transfers/details** - within three (3) days from the

date of transfer/detail, stating therein:

- i. The office and place where the officer or employee came from and the office/place to which said officer or employee is transferred, detailed or otherwise moved;
- ii. Justifications or reasons for said transfer or designation; and
- iii. All necessary data or information regarding the same.

## **RULE VII**

### **GRANT OF AUTHORITY TO OTHER AGENCIES**

**SECTION 1. *Grant of Continuing Authority to Other Agencies.*** -The grant of continuing authority to hire and to transfer its personnel during the election period may be granted to other government agencies not mentioned herein, upon the submission of a written request justifying the reasons therefor, and subject to the approval of the Commission *En Banc*.

**SECTION 2. *Authority of the Commission to Enter into Memoranda of Agreements with Other Agencies.*** - The Commission may enter into Memoranda of Agreements with other government agencies which may be exempted under this Resolution.

## **RULE VIII**

### **AUTHORITY OF THE COMMISSION ON ELECTIONS TO APPOINT, FILL-UP POSITIONS AND TRANSFER OR REASSIGN ITS PERSONNEL**

**SECTION 1. *Basis of Authority.*** - There is an essential need to appoint, assign, reassign or transfer personnel of the Commission on Elections in order that it can effectively and efficiently carry out its constitutional mandate to conduct free, orderly, honest, peaceful and credible elections.

**SECTION 2. *Exemption.*** - the Commission on Elections is hereby exempted from the prohibition to appoint, hire new employees or fill new positions from March 25, 2016 until May 8, 2016 and transfer or assign or reassign its personnel from January 10, 2016 until June 8, 2016.

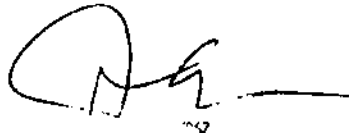
## RULE IX

### COMMON PROVISIONS

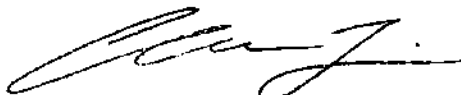
**SECTION 1. Effectivity.** - This resolution shall take effect on the seventh day after its publication in two (2) daily newspapers of general circulation in the Philippines.

**SECTION 2. Dissemination.** - The Education and Information Department shall cause the publication of this resolution in two (2) daily newspapers of general circulation, give this resolution the widest dissemination and furnish copies thereof to all concerned.

SO ORDERED.



**J. ANDRES D. BAUTISTA**  
Chairman



**CHRISTIAN ROBERT S. LIM**  
Commissioner



**LUE TITO F. GUIA**  
Commissioner



**AL A. PARRENO**  
Commissioner



**ARTHUR D. LIM**  
Commissioner



**MA. ROWENA AMELIA V. GUANZON**  
Commissioner



**SHERIFF M. ABAS**  
Commissioner

4

**Instructions:**

**Annex "E"**

1. Please fill in the following details and submit the same to the Law Department.
2. There is no need to attach herein the individual reports submitted by the requesting Agency.
3. Additional Sheets may be used.



**REGIONAL REPORTS ON APPROVED/DISAPPROVED REQUESTS FOR EXEMPTIONS  
FROM THE BAN ON APOINTMENT AND TRANSFER  
(For the May 9, 2016 National and Local Elections)**

**A. APPOINTMENT**

Name of Personnel	Position and Salary Grade	Date of Appointment	Name of Requesting Authority, Position and Name of Agency	Date of Application for Exemption	Date of Approval/Disapproval of Request for Exemption



**Instructions:**

Annex "E"

1. Please fill in the following details and submit the same to the Law Department.
2. There is no need to attach herein the individual reports submitted by the requesting Agency.
3. Additional Sheets may be used.

**B. TRANSFER**

Name of Personnel	Present Station	Transferred Station	Name of Requesting Authority, Position and Name of Agency	Date of Application for Exemption	Date of Approval/Disapproval of Request for Exemption

Prepared and Submitted by:

Regional Election Director, Region \_\_\_\_\_

12/21/15

**Instructions:**

Annex "A"

1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned.
2. Additional Sheets may be used.



**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON APPOINTMENT  
(For the May 9, 2016 National and Local Elections)**

Name of Personnel	Position and Salary Grade	Date of Appointment	Cause of Vacancy, if applicable	Name of Requesting Authority, Position and Name of Agency

**Instructions:**

1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned.
2. Additional Sheets may be used.

Annex "A"

**CERTIFICATION**

I, \_\_\_\_\_ of \_\_\_\_\_ hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 9, 2016 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the May 9, 2016 elections which is strictly prohibited without any exception whatsoever; and
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Prepared and Submitted by:

\_\_\_\_\_  
Position & Name of Agency \_\_\_\_\_  
Date: \_\_\_\_\_

**Instructions:**

Annex "B"

1. Please fill in the following details and submit the same to the Law Department.
2. Additional Sheets may be used



**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON CREATION OR FILLING OF NEW POSITIONS  
(For the May 9, 2016 National and Local Elections)**

<b>Name of Personnel</b>	<b>Position and Salary Grade</b>	<b>Date of Appointment</b>	<b>Cause of Vacancy, if applicable</b>	<b>Name of Requesting Authority, Position and Name of Agency</b>

Instructions:

Annex "B"

1. Please fill in the following details and submit the same to the Law Department.
2. Additional Sheets may be used.

**CERTIFICATION**

I, \_\_\_\_\_ of \_\_\_\_\_ hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 9, 2016 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the May 9, 2016 elections which is strictly prohibited without any exception whatsoever; and
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Prepared and Submitted by:

\_\_\_\_\_  
Position & Name of Agency \_\_\_\_\_  
Date: \_\_\_\_\_

12/21/15

Instructions:

Annex "C"

- 1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned
- 2. Additional Sheets may be used.



**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON TRANSFER  
(For the May 9, 2016 National and Local Elections)**

Name of Personnel	Present Station	Transferred Station	Date of Effectivity of Transfer	Justification of Transfer	Name of Requesting Authority, Position and Name of Agency

Instructions:

Annex "C"

1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned
2. Additional Sheets may be used.

## CERTIFICATION

I, \_\_\_\_\_ of \_\_\_\_\_, hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 9, 2016 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the May 9, 2016 elections which is strictly prohibited without any exception whatsoever; and
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Prepared and Submitted by:

Position & Name of Agency \_\_\_\_\_  
Date: \_\_\_\_\_

**Instructions:**

Annex "D"

1. Please fill in the following details and submit the same to the Law Department.
2. Attach herein the following:
  - a. Certified True Copy of the Formal Complaint executed under oath.
  - b. Certified True Copy of the Decision or Resolution suspending the concerned elective local official.
3. Additional Sheets may be used.



**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON SUSPENSION  
(For the May 9, 2016 National and Local Elections)**

Name of Personnel	Position	Nature of Suspension (Preventive or as a Penalty)	Duration of Suspension	Name of Requesting Authority, Position and Name of Agency



**Instructions:**

1. Please fill in the following details and submit the same to the Law Department.
2. Attach herein the following:
  - a. Certified True Copy of the Formal Complaint executed under oath.
  - b. Certified True Copy of the Decision or Resolution suspending the concerned elective local official.
3. Additional Sheets may be used.

**CERTIFICATION**

I, \_\_\_\_\_ of \_\_\_\_\_, hereby CERTIFY as follows:

- 1) that the request shall not in any manner influence the conduct of the May 9, 2016 National and Local Elections;
- 2) the case does not involve a violation of the Anti-Graft and Corrupt Practices Act.

**Prepared and Submitted by:**

\_\_\_\_\_  
Position & Name of Agency \_\_\_\_\_  
Date: \_\_\_\_\_



Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Intramuros, Manila



EN BANC

**IN THE MATTER OF THE  
EXPANDED MANDATE OF  
THE COMMITTEE ON THE  
BAN ON FIREARMS AND  
SECURITY PERSONNEL  
PURSUANT TO MINUTE  
RESOLUTION NO. 16-0021  
DATED JANUARY 18, 2016**

Chairman J. ANDRES D. BAUTISTA  
Commissioner CHRISTIAN ROBERT S. LIM  
Commissioner AL A. PARREÑO  
Commissioner LUIE TITO F. GUIA  
Commissioner ARTHUR D. LIM  
Commissioner MA. ROWENA AMELIA V. GUANZON  
Commissioner SHERIFF M. ABAS

Promulgated: March 10, 2016

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**RESOLUTION NO. 10077**

**WHEREAS**, Minute Resolution No. 16-0021 dated January 18, 2016 has expanded the mandate of the Committee on the Ban on Firearms and Security Personnel (CBFSP) to include security issues/ concerns affecting the preparation and conduct of the May 9, 2016 National and Local Elections.

**WHEREAS**, pursuant to the expanded mandate of the CBFSP, it was determined and agreed upon that the components of the CBFSP would be Gun Ban Operations, Checkpoints, Country Analysis and Security Concerns relative to the preparation and conduct of the May 9, 2016 National and Local Elections;

**WHEREAS**, in the First Security Briefing held on 25 January 2016, several security plans particularly for communications grid, energy and power supply and voting centers were discussed;

**WHEREAS**, on 18 February 2016, initial discussions on the peace and order situation, NGCP tower bombing incidents and contingency planning for the 2016 National and Local Elections were conducted;

**WHEREAS**, on 24 February 2016, common vulnerability areas and security concerns were identified;

**WHEREAS**, in a meeting held on 26 February 2016, the CBFSP Technical Working Group (TWG) composed of the COMELEC, Armed Forces of the Philippines, Philippine National Police, Department of Education, Department of Energy, Department of National Defense, set and agreed on the terminologies and parameters to be used in identifying Elections Watchlist of Areas, structure, scope, the establishment of Security Centers, and other related security concerns;

**A**

NOW, THEREFORE, after due deliberation, the Commission RESOLVED, as it hereby RESOLVES, to APPROVE as follows:

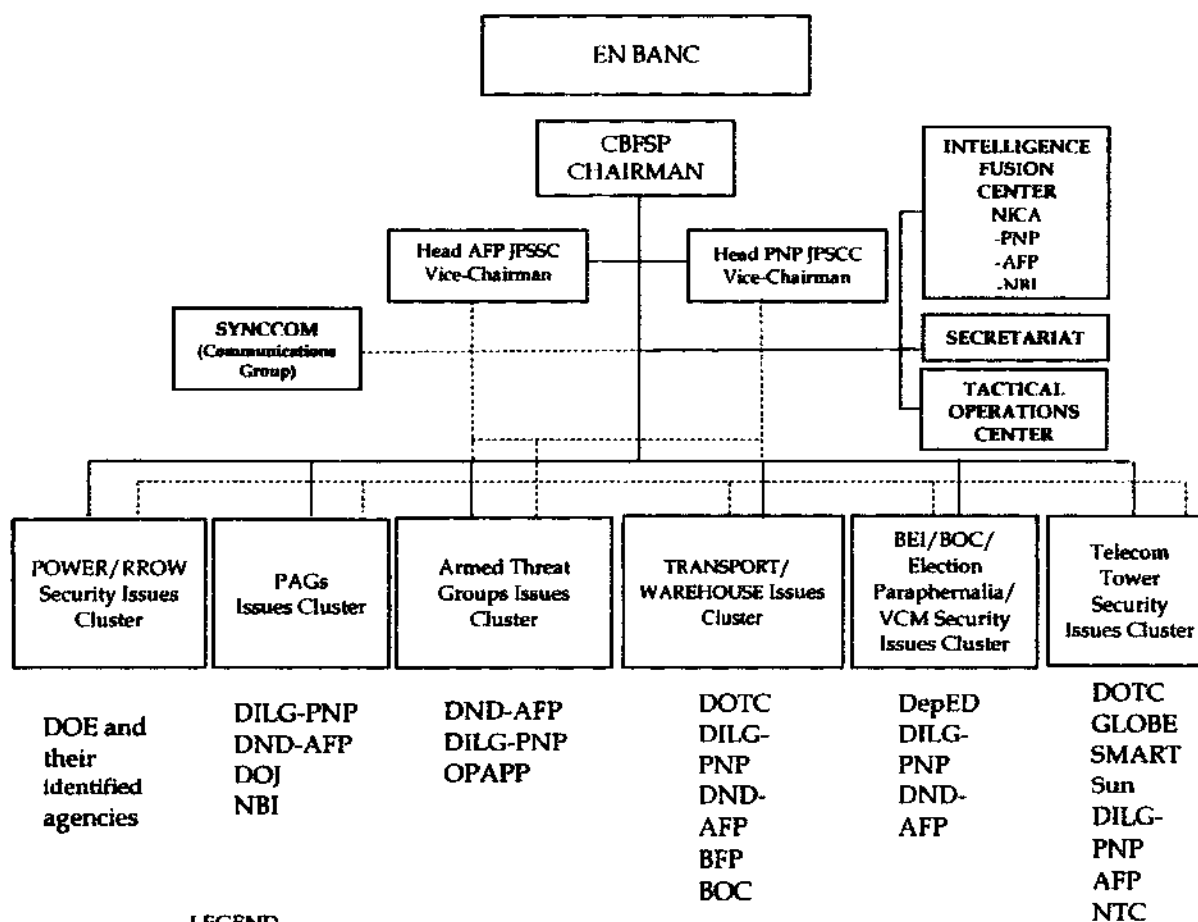
**Section I. Creation of the Sub-committee on Security Concerns**

**A. Scope**

The Sub-committee on Security Concerns shall conduct risk analysis, ascertain risk factors and vulnerabilities related to security issues/concerns affecting the conduct of the May 9, 2016 National and Local Elections, to be used in identifying Election Watchlist of Areas, and submit to the CBFSP its recommendations.

**B. Structure**

The Sub-committee on Security Concerns shall be composed of the following departments/agencies, to wit:



LEGEND  
 — Direct  
 -.- Coordinative

The aforementioned clusters shall have the following functions, viz:

- a. **Intelligence Fusion Center** - to recommend areas for risk analysis and/or to be included in the Election Watchlist of Areas;
- b. **Tactical Operations Center** - in charge of deployment and mobilization of AFP/PNP personnel to Election Watchlist of Areas upon the directive of CBFSP;
- c. **Synchronized Communications (Synccom)** - to act as the communications arm of the CBFSP;
- d. **POWER/Road Right of Way (RRO) Security Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to Power or RROW security issues, and recommend the same to the CBFSP;
- e. **Private Armed Groups (PAGs) Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to election-related incidents by PAGs, and recommend the same to the CBFSP;
- f. **Armed Threat Groups Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to election-related incidents by Armed Threat Groups, and recommend the same to the CBFSP;
- g. **Transport/ Warehouse Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to Transport/Warehouse/Deployment issues and recommend the same to the CBFSP;
- h. **Board of Election Inspectors (BEI)/ Board of Canvassers (BOC)/ Election Paraphernalia/ Vote Counting Machine (VCM) Security Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to BEI/BOC/VCM security issues, and recommend the same to the CBFSP;
- i. **Telecom Tower Security Issues Cluster** - to conduct risk analysis, ascertain risk factors and vulnerabilities related to Telecom Tower/ Infrastructure and Transmission lines security issues, and recommend the same to the CBFSP;

For the purpose of giving effect to the foregoing organizational structure, and in addition to previously deputized agencies<sup>1</sup>, the Office of the Presidential Advisor on Peace Process (OPAPP), the National Intelligence Coordinating Agency (NICA) and such other agencies as may be further identified are hereby DEPUTIZED to perform functions related to security issues and concerns.

## **Section II. Identifying Election Watchlist of Areas**

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<sup>1</sup> COMELEC Resolution Nos. 10020-10024.

The Sub-committee on Security Concerns shall use the following terminologies and parameters, viz:

<b>Election Watchlist of Areas</b>	
<b>Category</b>	<b>Parameters</b>
<b><u>Category I: Election Areas of Concern</u></b>	<ul style="list-style-type: none"> <li>• History of/or current intense rivalry among the contending parties. Such rivalries could motivate people to engage in violent acts.</li> <li>• Violence maybe facilitated by the employment of Private Armed Groups (PAGs).</li> <li>• Abetted by loose firearms in the hands of unqualified individuals.</li> </ul>
<b><u>Category II: Election Areas of Immediate Concern</u></b>	<ul style="list-style-type: none"> <li>• Serious armed threats posed by the New People's Army (NPA), Bangsamoro Islamic Freedom Fighters (BIFF), Abu Sayyaf Group (ASG) and rogue elements of the Moro National Liberation Front (MNLF), and other analogous groups.</li> </ul>
<b><u>Category III: Election Areas of Grave Concern</u></b>	<ul style="list-style-type: none"> <li>• Factors described under Category I and II are present.</li> </ul>
<b><u>Category IV: COMELEC Controlled Areas</u></b>	<ul style="list-style-type: none"> <li>• For this purpose, a COMELEC Resolution relative to placing some areas in the country under COMELEC control in connection with the May 9, 2016 National and Local Elections shall be adopted.</li> </ul>

The Commission *En Banc* shall be empowered to modify the foregoing categories as may be warranted by supervening events/ developments/ prevailing circumstances.

### **Section III. Utilization of PNP as members, Special Board of Election Inspectors (SBEI).**

In the exigency of service and in the event that the regular Board of Election Inspectors (BEI) cannot perform their functions due to security-related issues/ concerns, the CBFSP shall recommend for approval to deputize members of the PNP to act as members of the SBEI.

### **Section IV. Establishment of a Security Center in Manila and Davao**

Two (2) Security Centers, namely one in Manila, located in 8<sup>th</sup> Floor of Palacio Del Gobernador, Gen. Luna St. Intramuros, Manila, as the Main Office and one in Davao as a satellite office are hereby ESTABLISHED.

The Administrative Services Department (ASD) shall provide the necessary equipment and supplies for the setting up and for the efficient operations of the abovementioned offices.

**Section V. Appropriation**

A revolving fund in the amount of fifty thousand pesos (Php 50,000.00) is hereby **APPROPRIATED** to the CBFSP Secretariat, subject to relevant Commission on Audit (COA) rules and regulations.

Let the Committee on the Ban on Firearms and Security Personnel (CBFSP) implement this Resolution.

The Education and Information Department of the Commission is directed to cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines, and to furnish with copies thereof the Regional Election Directors, Provincial Election Supervisors, and Election Officers of the Commission, the PNP, the AFP and all pertinent agencies.

SO ORDERED.



**J. ANDRES D. BAUTISTA**  
*Chairman*



**CHRISTIAN ROBERT S. LIM**  
*Commissioner*



**AL A. PARRENO**  
*Commissioner*



**LUE TITO F. GUIA**  
*Commissioner*



**ARTHUR D. LIM**  
*Commissioner*

On Official Business

**MA. ROWENA AMELIA V. GUANZON**  
*Commissioner*



**SHERIFF M. ABAS**  
*Commissioner*



REPUBLIC OF THE PHILIPPINES  
COMMISSION ON ELECTIONS  
Intramuros, Manila

**GENERAL INSTRUCTIONS  
FOR THE BOARDS OF  
CANVASSERS ON THE  
CONSOLIDATION/CANVASS  
AND TRANSMISSION OF  
VOTES IN CONNECTION  
WITH THE MAY 9, 2016  
NATIONAL AND LOCAL  
ELECTIONS.**

X-----X

BAUTISTA, J. Andres D.	Chairman
LIM, Christian Robert S.	Commissioner
PARREÑO, Al A.	Commissioner
GUIA, Luie Tito F.	Commissioner
LIM, Arthur D.	Commissioner
GUANZON, Ma. Rowena Amelia V.	Commissioner
ABAS, Sheriff M.	Commissioner

Promulgated : March 15, 2016

RESOLUTION NO. 10083

The Commission on Elections, hereinafter referred to as the Comelec, by virtue of the power vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code, Republic Act No. 9369 and other election laws, **RESOLVED** to promulgate as it hereby **RESOLVES** to promulgate, the following General Instructions Governing the Consolidation/Canvass, and Transmission of Votes in connection with the May 9, 2016 National and Local Elections:

**ARTICLE I  
COMMON PROVISIONS**

**Section 1. Board of Canvassers.** The Board of Canvassers constituted by virtue of Resolution No. 10050 dated February 03, 2016 shall consolidate/canvass and transmit the votes in connection with the May 9, 2016 National and Local Elections.

**Sec. 2. Convening of the Boards.** The Boards shall convene at 3 o'clock p.m. of May 9, 2016 at the designated place to initialize the CCS and to receive and canvass the electronically-transmitted Election Returns (ERs) or the Certificates of Canvass (COCs). It shall meet continuously until the canvass is completed, and may adjourn only for the purpose of awaiting the other ERs/COCs.

**Sec. 3. Powers and functions of the Board.** The Board shall have full authority to keep order within the canvassing room or hall including its premises and enforce obedience to its lawful orders. If any person shall refuse to obey any lawful order of the Board or shall conduct himself in such disorderly manner as to disturb or interrupt its proceedings, the Board may order in writing a peace officer/soldier to take such person into custody until adjournment of the meeting. In the absence of any peace officer, any other competent and able person deputized by the Board in writing, may execute such order.

Further, the Boards shall:

- a) Canvass/consolidate the electronically transmitted results;
- b) Generate and print the COC, COCP and SOV;
- c) Electronically transmit the result;
- d) Proclaim the winning candidates; and
- e) Perform such other functions as may be directed by the Comelec.

**Sec. 4. Right to be present and to counsel during the canvass.** Each registered political party, or coalition of political parties fielding candidates, accredited political parties, sectoral party/organization or coalition thereof participating under the party-list system and every candidate has the right to be present and to counsel during the consolidation/canvass of the ERs or COCs: *Provided*, that only one (1) counsel may argue for each party or



candidate. They shall have the right to observe the transmission, consolidation and canvass of the ERs or COCs without touching the CCS, make observations thereon, and file their challenges in accordance with the rules and regulations of the Comelec. The Board shall not allow any dilatory action.

**Sec. 5. Watchers.** Each registered political party, or coalition of political parties fielding candidates, accredited political parties, sectoral party/organization or coalition thereof participating under the party-list system and every candidate, shall be entitled to one watcher in every canvassing center; *Provided*, that the candidates for the Sangguniang Bayan, Sangguniang Panlungsod, or Sangguniang Panlalawigan belonging to the same slate or ticket shall collectively be entitled to only one watcher.

There shall also be recognized six (6) principal watchers, representing the six (6) accredited major political parties, who shall be designated by the Comelec upon nomination of the said parties.

The Parish Pastoral Council for Responsible Voting (PPCRV) and other citizen's arm or organizations, with prior authority of the Comelec, be entitled to two (2) watchers to serve alternately.

A person convicted by final judgment of any election offense or of any other crime or related to any member of a Board within the fourth civil degree of consanguinity or affinity shall not be appointed as watcher.

A watcher must know how to read and write Filipino, English or any of the prevailing local dialects.

Under no circumstance shall *barangay* officials including *barangay tanods* be appointed as watchers. The watchers shall have the right to:

1. Be present at, and take note of, all the proceedings of the Board;
2. Stay behind the Chairman of the Board near enough to be able to observe the consolidation/canvass of the ERs/COCs without touching the CCS; and

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3. File a protest against any irregularity noted in consolidation/canvass of the ERs/COCs and obtain from the Board a resolution thereon in writing.

Watchers shall not be allowed to participate in the deliberation of the Board.

**Sec. 6. Persons not allowed inside the canvassing room.** During the canvass, it shall be unlawful for the following to enter the room where the transmission, consolidation and canvass are being held or to stay within a radius of fifty (50) meters from such room:

1. Any officer or member of the Armed Forces of the Philippines;
2. Any officer or member of the Philippine National Police;
3. Any peace officer or any armed or unarmed persons belonging to an extra-legal police agency, special forces, strike forces, or civilian armed forces geographical units;
4. Any *barangay tanod* or any member of *barangay* self-defense units;
5. Any member of the security or police organizations of government agencies, commissions, councils, bureaus, offices, instrumentalities, or government-owned or controlled corporations or their subsidiaries; or
6. Any member of a privately owned or operated security, investigative, protective or intelligence agency performing identical or similar functions.

However, the Board may, whenever necessary, by majority vote direct in writing for the detail of policemen or peace officers for their protection or for the protection of the machines, election documents and paraphernalia, or for the maintenance of peace and order, in which case said policemen or peace officers, who shall be in proper uniform, shall stay outside the room but near enough to be easily called by the Board at any time.

**Sec. 7. Duties and Responsibilities of the Reception and Custody Group.** The Reception and Custody Group (RCG) constituted in accordance with Resolution No. 10050 shall:

**a) Receive from:**

1. The BEI, the envelope containing the main SD card of the VCM and the envelopes containing the printed copies of the ERs intended for city/municipal Board of Canvassers (C/MBOC); or
2. The MBOC/CBOC, the envelope containing the CD of the municipality/city CCS labelled "TRANSMITTED" or "NOT TRANSMITTED", and the envelope containing the printed copy of the COC intended for the District/Provincial Board of Canvassers (PBOC).

**b) Log the date and time of receipt of the ERs/COCs, including the condition and serial numbers of each envelope and its corresponding paper seal, the precinct number, and the city/municipality/district;**

**c) Mark:**

1. In the project of precincts the corresponding precincts of the envelope containing the VCM main SD card submitted; or
2. In the list of cities/municipalities the corresponding city/municipality which envelope containing the CD of the CCS labelled "NOT TRANSMITTED".

**d) Log the following:**

1. Date and time of receipt;
2. Condition and the serial number of corresponding paper seal of the envelope;
3. The precinct number of the envelope containing the VCM main SD card; or
4. The city/municipality of the envelope containing the CD.

**e) Immediately submit to the Board after recording the necessary data the envelope containing the main SD card or CD with label "NOT TRANSMITTED";**

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- f) Log the date and time of receipt of the ERs/COCs, including the condition and serial numbers of each envelope and its corresponding paper seal, the precinct number, and the city/municipality/district;
- g) Place the envelopes containing the ERs/COCs inside the ballot box, close and lock the same; and
- h) Forward to the Board, the ballot boxes containing the ERs/ COCs and one copy of the list of precincts/ list of cities/municipalities/districts as marked.
- i) Follow steps [b] to [d] of this section for the envelopes containing SD card or CD with label "TRANSMITTED" and thereafter, submit to the Board.

**Sec. 8. Issues that may be raised during the consolidation/ canvass.** Issues affecting the composition or proceedings of the Boards may be initiated by filing a verified petition before the Board or directly with the Comelec.

If the petition is filed directly with the Board, its decision may be appealed to the Comelec within three (3) days from issuance thereof. However, if commenced directly with the Comelec, the verified petition shall be filed immediately when the board begins to act illegally, or at the time of the appointment of the member of the board whose capacity to sit as such is objected to.

There shall be no pre-proclamation cases on issues/controversies relating to the generation/printing, transmission, receipt and custody, and appreciation of ERs or the COCs.

**Sec. 9. Submission of the Minutes of Canvass of the Board.** Within five (5) days from termination of canvass, the members-secretaries of the Board shall, by registered mail, submit to the Law Department of the Comelec in Manila a certified copy of the Minutes of Canvass of the proceedings and shall notify, by the fastest means available, said department of the date and the manner of transmittal of the Minutes of Canvass.

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**ARTICLE II**  
**PROCEDURES FOR CANVASSING/CONSOLIDATION**

**Sec. 10. Preliminaries to Canvassing.** Before the canvassing begins, the BOC shall observe the following procedures:

1. Show to the public and the watchers present that the CCS box is sealed;
2. Remove the plastic seal of the CCS box;
3. Open the CCS box;
4. Check whether the following are inside the CCS box:
  - a. CCS laptop box which contains:
    - i. Laptop;
    - ii. Secure Digital (SD) card (installed in the laptop);
    - iii. Power cable of the laptop;
    - iv. Electrical adaptor of the laptop;
    - v. Three (3) USB Security Tokens with label;
    - vi. USB modem with SIM card installed;
    - vii. USB extension cable;
    - viii. Extra SIM card;
    - ix. CD-R; and
    - x. Reams of paper.

b. Three (3) envelopes with label for each BOC member. Each envelope contains:

- i. One (1) security token;
- ii. One (1) Username;
- iii. Two (2) Passwords:
  - 1. One (1) password to enter the system (8 digits); and
  - 2. One (1) to validate security token (6 digits).

c. Checklist of the contents of the box;

d. Yellow tie wrap to close the CCS box after election day;

e. Extension Cord;

f. Printer box containing:

- i. Printer;
- ii. Toner (installed);
- iii. Power cable of the printer; and
- iv. USB cable to connect the laptop and printer.

g. BGAN (if applicable):

- i. BGAN Antenna;
- ii. Battery;
- iii. SIM Card (installed);

iv. RJ 45 LAN cable;

v. Electrical extension;

vi. Power adapter; and

vii. Power cable.

h. Memory Card Reader; and

i. Security plastic seal.

5. Retrieve the envelopes containing the system's username and password which shall be in the custody of the Chairman of the Board, and the USB tokens for each member of the Board which shall be distributed among themselves; and

6. Retrieve the CCS laptop from its box and place the CCS laptop properly on top of the table.

**Sec. 11. Procedures for canvassing.** Immediately after convening, the Board shall undertake the following canvassing procedures:

**I. INITIALIZATION PROCEDURES.**

The CCS Operator shall:

a) Plug the power cord of the laptop to the extension cord;

b) Plug the extension cord to the electrical outlet or generator, when necessary;

c) Turn on the laptop by pressing the power button;

d) Connect the transmission medium (e.g., USB modem, DSL, Satellite or BGAN) to the laptop;

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- e) Connect the printer cable to the USB port of the laptop and the power cable of the printer to the extension cord;
- f) Turn on the printer by pressing the power button;
- g) Insert sufficient quantity of paper in the printer feeder;
- h) The screen will show the progress window displaying the message, *"Starting CCS. Please wait..."* along with a loading progress bar;
- i) The screen will display the WELCOME page of the CCS. This page contains the log in window to access the system;
- j) Input USERNAME and PASSWORD on the corresponding text fields. Click the "LOG IN" button;
- k) The system will display the screen for start up with the message at the top of the screen *"Upon completion and acceptance, the ELECTION will be activated"*;
- l) The two (2) members of the Board will insert their security tokens to the USB slot of the laptop, one at a time and enter their usernames and security key passwords in the space provided. Thereafter, click "OK";
- m) The system will ask for username and system password of the member of the Board. The Chairman will enter his/her username and click "ACCEPT".
- n) The two (2) members of the Board will insert their security tokens to the USB slot of the laptop, one at a time and enter their usernames and security key passwords in the space provided. Thereafter, click "OK";
- o) Wait for the system to finish the initialization process;



- p) The screen will display the message "*INITIALIZATION REPORT.*" The initialization report shows zero vote for each candidate including the geographical information (Province, City/Municipality, No. of Clustered Precincts Reported, Total No. of Clustered Precincts, No. of Registered Voters, and No. of Voters Actually Voted);
- q) The message "ELECTION ACTIVATED" will be displayed on the top panel above the PDF viewer;
- r) Print the INTILIZATION REPORT by clicking the print icon on the upper right corner of the PRINT PREVIEW page. Wait for the PRINT dialogue box to be displayed. Enter the number "1", in the space provided for number of copies to be printed. Then click "PRINT";
- s) After printing the INITIALIZATION REPORT click "CONTINUE" found on the bottom part of the PDF viewer panel, to proceed to the HOMEPAGE of the CCS;
- t) The members of the Board shall affix their signatures on the certification portion of the INITIALIZATION REPORT;
- u) After signing the certification portion, the Chairman shall show the INITIALIZATION REPORT to the public; and
- v) The Member-Secretary shall place the INTIALIZATION REPORT inside the envelope intended for the purpose.

**II. MONITORING OF RESULTS.** The Board shall monitor which results have already been loaded into the system.

#### **A. MBOC/CBOC**

- 1) Under the MONITORING module, click the "MONITOR TRANSMISSION" icon in the HOME PAGE.

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A list of the barangays of the city/municipality shall be displayed with colored buttons beside the name of the barangay. The color of the button will determine the status of transmission of the specific precinct. The description of the colored buttons is indicated in the window at the lower portion of the screen.

- 2) To monitor the loading of results from a particular polling center under a barangay, click on the "BARANGAY NAME", and the list of polling centers will appear;
- 3) To monitor the loading of results from a particular precinct/clustered precincts under a polling center, click on the "POLLING CENTER NAME" where the precinct/clustered precincts concerned belong, and the list of the clustered precinct/clustered precincts will appear.
- 4) To return to the previous page, click "BACK"; and
- 5) To update the status of loading of results from a barangay from time to time, click "REFRESH".

#### **B. PBOC/DBOC**

- 1) Under the MONITORING module, click the "MONITOR TRANSMISSION" icon in the HOME PAGE.

A list of cities/municipalities in the province/district shall be displayed with colored button beside the name of the city/municipality. The color of the button will determine the status of transmission of the specific city/municipality. The description of the colored buttons is indicated in the window at the lower portion of the screen.

- 2) To monitor the loading of results from a particular city/municipality, click on the "CITY/MUNICIPALITY", and the status of results will be displayed.

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- 3) To update the status of loading of results from a city/municipality from time to time, click "REFRESH".

### **C. RBOC**

- 1) Under the MONITORING module, click the "MONITOR TRANSMISSION" icon in the HOME PAGE.

A list of provinces in the region shall be displayed with colored button beside the name of the province. The color of the button will determine the status of transmission of the specific province. The description of the colored buttons is indicated in the window at the lower portion of the screen.

- 2) To monitor the loading of results from a particular province, click on the "PROVINCE", and the status of the results will be displayed;
- 3) To update the status of loading of results from a province from time to time, click "REFRESH".

**III-A. IMPORTING OF PRECINCT RESULTS FROM VCM.** The Board shall receive from the RCG an envelope containing the VCM main SD cards for the precinct. The Board shall open the said envelope, retrieve the VCM main SD cards and give the same to the CCS Operator who shall:

### **A. MBOC/CBOC**

- 1) Attach the memory card reader to the laptop;
- 2) Insert the VCM main SD card in the memory card reader;
- 3) Click on the blue triangle icon found at the bottom right portion of the HOMEPAGE screen. The hidden side panel will be displayed, showing the import option. Click "IMPORT" at the upper right portion of the screen;

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- 4) The screen will display the import dialogue box with the following message "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE;" "TRANSMISSION FILE;" and "IMPORT";
- 5) Click on "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE";
- 6) The CCS will display the "OPEN FILES" Menu;
- 7) Click "DATA" at the left pane of the dialogue box;
- 8) Click the "SAES" folder from the list of files in the dialogue box and click on "OPEN" button;
- 9) Click on the "TRANSMISSION PACKAGES" folder from the list of folder files and click on "OPEN" button;
- 10) Click "TRANSMISSION-PACKAGE.XML" and click "OPEN" button;
- 11) The screen returns to the IMPORT dialogue box. Click "IMPORT" button;
- 12) Wait until the processing is finished. Click the down arrow on the "GENERAL INFORMATION" header box. The message "THE IMPORT PROCESS WAS FINISHED SUCCESSFULLY" will be displayed on the screen;
- 13) If unsuccessful, the message "TABULATION SERVER NOT FOUND" will appear on the screen, in which case, follow steps [2] to [12] of this section;
- 14) Remove the VCM main SD card from the memory card reader, return it to its original envelope and label it "UPLOADED";
- 15) Follow the procedures laid down in steps [2] to [11] for the next VCM SD cards until all VCM SD cards are imported;

- 16) Disconnect the memory card reader from the laptop; and
- 17) Click anywhere in the screen outside the "IMPORT DIALOGUE box".  
The screen will return to HOMEPAGE.
- 18) To check if all the VCM sd cards are successfully imported, follow the procedures for MONITOR TRANSMISSION.

All VCM main SD cards shall be imported to the CCS and after processing, it shall be placed in the same envelope and returned to the RCG for submission to the Election Officer.

In case the VCM main SD card is not available or is found to be defective, the Board shall retrieve from the VCM the back-up SD card and give the same to the operator who shall perform the same procedures enumerated above.

### **III-B. IMPORTING OF CITY/MUNICIPAL RESULTS TO DBOC/PBOC.**

The D/PBOC shall receive from the RCG an envelope containing the CD labelled "NOT TRANSMITTED" for the city/municipality. The Board shall open the said envelope, retrieve the CD labelled "NOT TRANSMITTED" the same to the CCS Operator who shall:

#### **A. DBOC/PBOC**

The CCS Operator shall:

- 1) Insert the CD of a MBOC/CBOC, as the case may be, in the CD-ROM drive;
- 2) Click on the blue triangle icon found at the bottom right portion of the HOMEPAGE screen. The hidden side panel will be displayed, showing the import option. Click "IMPORT" at the upper right portion of the screen;

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- 3) The screen will display the import dialogue box with the following message "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE;" "TRANSMISSION FILE;" and "IMPORT";
- 4) Click on "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE";
- 5) The CCS will display the "OPEN FILES" Menu;
- 6) Click "DATA" at the left pane of the dialogue box;
- 7) Click the "SAES" folder from the list of files in the dialogue box and click on "OPEN" button;
- 8) Click on the "TRANSMISSION PACKAGES" folder from the list of folder files and click on "OPEN" button;
- 9) Click "TRANSMISSION-PACKAGE.XML" and click "OPEN" button;
- 10) The screen returns to the IMPORT dialogue box. Click "IMPORT" button;
- 11) Wait until the processing is finished. Click the down arrow on the "GENERAL INFORMATION" header box. The message "THE IMPORT PROCESS WAS FINISHED SUCCESSFULLY" will be displayed on the screen;
- 12) If unsuccessful, the message "TABULATION SERVER NOT FOUND" will appear on the screen, in which case, follow steps [2] to [11] of this section;
- 13) Remove the CD, return it to its original envelope and label it "UPLOADED";
- 14) Follow the procedures laid down in steps [1] to [11] for the next CDs until all CDs are imported;

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- 15) Click anywhere in the screen outside the "IMPORT DIALOGUE box".  
The screen will return to HOMEPAGE.
- 16) To check if all the CDs are successfully imported, follow the procedures for MONITOR TRANSMISSION.
- 17) Wait until the processing is finished;
- 18) Remove the CD; and
- 19) Repeat steps 2 to 13 until all the CDs are processed.

#### **IV. GENERATION AND PRINTING OF REPORTS.**

Before the Certificate of Canvass (COC) can be generated and printed, the CCS operator must first generate and print the Canvass Report. For this purpose, the CCS operator shall:

##### **A. Generate and Print the Canvass Report**

- 1) Under the CANVASSING module, click the "CANVASSING MANAGEMENT" icon in the HOMEPAGE;
- 2) The list of available reports shall be displayed on the left panel of the screen. The contents of the canvass report are automatically displayed on the screen;
- 3) Click the checkbox beside the title "CONTEST NAME" to generate the CANVASS REPORT for all positions. Click the checkbox beside the CONTEST/POSITION to generate the CANVASS REPORT for the selected position only. After clicking any checkbox, click "ISSUE";
- 4) Wait while the system is loading the report. Thereafter, the CCS shall generate and display the CANVASS REPORT. Scroll down to view the report;

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- 5) Once the CANVASS REPORT is generated, under the "STATUS" header, the button "PARTIAL" becomes BLUE. This means the said report has been generated. Notice that the next report available will be in color GREEN meaning that the report may be generated. This event is available to all Canvassing Reports.
- 6) Print the CANVASS REPORT by clicking on the printer icon, then type the number of copies in the space provided. Click "PRINT"; and
- 7) Click "BACK" found at the lower right portion of the page to go back to the previous page.

This Canvass Report can be generated from time to time.

#### **B. Generate and Print the Certificate of Canvass (COC)**

- 1) If all expected clustered precincts (for MBOC/CBOC) or city/municipal results (for PBOC/DBOC) have been received, the Board shall generate the COC. For this purpose, the CCS operator shall:
  - a. Under the Canvassing module, click the "CANVASSING MANAGEMENT" icon in the HOME PAGE;
  - b. Click on the "CERTIFICATE OF CANVASS (COC)" option found on the left panel. The list of positions will be displayed on the right panel;
  - c. Click the checkbox beside the title "CONTEST NAME" to generate the CERTIFICATE OF CANVASS for all positions. Click the checkbox beside the CONTEST/POSITION to generate the CERTIFICATE OF CANVASS for the selected position only. After clicking any checkbox, click "ISSUE";
  - d. The system shall require user authentication. The two (2) members shall, one at a time, insert their USB security token, enter their corresponding username and 6-digit security key password and click "OK";
  - e. The CCS shall generate the CERTIFICATE OF CANVASS (COC) and display the same on the screen;

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f. Print the CERTIFICATE OF CANVASS (COC) by clicking on the printer icon, then type "30" on the space provided for number of copies. Click "PRINT"; and

g. Click "BACK" found at the lower right portion of the page to go back to the previous page.

- 2) If not all of the expected results are received, the C/MBOC shall verify from the BEI concerned the reason for the non-transmittal of the results. Likewise, the D/PBOC shall verify from the MBOC/CBOC concerned the reason for the incomplete or non-transmittal of the municipal/city results.

Even if not all of the expected results have been received but said results will no longer affect the result of the election in a particular position, the Board shall perform the following procedures:

- a. A majority of the members of the Board of Canvassers should accede to lower the threshold to proclaim a candidate and should seek approval thereof from the appropriate authority but in no circumstance can it be lowered further than ninety percent (90%) of all results.
- b. The members of the Board of Canvassers should be required to accomplish a form in duplicate. For such purpose, a form containing the following should be provided:
  - i. the position involved;
  - ii. the margin between the top two (2) candidates in a single seat office or the lead of the last candidate assured of a seat from the next candidate in multi-office, based on the received results; and
  - iii. the precincts whose results are lacking and total number of registered voters in these precincts.
- c. One copy of the above described form should be submitted to the appropriate authority which approved the lowering of the threshold while the other should form part of the records of the Board of Canvassers.

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- d. Any violation of the foregoing conditions should constitute precipitate canvassing and those responsible thereof should be made administratively accountable, without prejudice to any criminal action that may be instituted thereafter.

Thereafter, to generate and print the Certificate of Canvass (COC) for that particular position, the CCS operator shall:

- a. Under the Canvassing category, click "CANVASSING MANAGEMENT" icon in the HOME PAGE;
- b. Click on the "CERTIFICATE OF CANVASS (COC)" option found on the left panel. The list of positions will be displayed on the right panel;
- c. Select the position/positions to generate COC by clicking on the checkbox beside the position title under the Contest Name header. To select ALL positions, click the checkbox beside the "CONTEST NAME" header. Once any checkbox is clicked, this will enable the "ISSUE" button;
- d. Click "ISSUE" located at the bottom of the screen;
- e. The system shall require user authentication. The two (2) members, one at a time, will insert their USB security token, enter their corresponding username and security key password and click "OK";
- f. The CCS shall generate and display the COC. Scroll down to view the COC;
- g. Print the COC by clicking on the printer icon, then type "30" in space provided for the number of copies to be printed. Then click "OK";
- h. Click "BACK" located at the bottom portion of the screen and the screen will return to the previous page; and
- i. To generate the COC for the next position, repeat procedures [c] to [h].

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### **C. Generate and Print the Statement of Votes (SOV)**

- 1) Under the Canvassing module, click the "CANVASSING MANAGEMENT" icon in the HOME PAGE;
- 2) From the left panel, scroll down and click the "STATEMENT OF VOTES (SOV)". The list of positions will be displayed on the right panel;
- 3) Select the position/positions to generate SOV by clicking on the checkbox beside the position title under the Contest Name header. To select ALL positions, click the checkbox beside the "CONTEST NAME" header. Once any checkbox is clicked, this will enable the "ISSUE" button;
- 4) Click on "ISSUE" button located at the bottom portion of the screen;
- 5) Wait until the print preview of the SOV is displayed. Click on the printer icon, then type "4" in the space provided for the number of copies. Then click "PRINT" button; and
- 6) Click "BACK" button to return to the previous page.

### **D. Generation of Certificate of Canvass and Proclamation (COCP)**

The CCS operator shall:

- 1) Under the CANVASSING module, click "CANVASSING MANAGEMENT" icon in the HOME PAGE;
- 2) From the left panel, scroll down and click the "CERTIFICATE OF CANVASS AND PROCLAMATION (COCP)". The list of positions will be displayed on the right panel;
- 3) Select the position/positions to generate COCP by clicking on the checkbox beside the position title under the Contest Name header. To select ALL positions, click the checkbox beside the "CONTEST NAME" header. Once any checkbox was clicked, this will enable the "ISSUE" button;
- 4) Click on "ISSUE" button located at the bottom portion of the screen;

5) The system shall require user authentication. The two (2) members, one at a time, will insert their USB security tokens, enter their corresponding username and security key password and click "OK";

i. In case there are no candidates receiving the same number of votes for a position. The screen will display the CCS shall generate COCP. Click on the printer icon, then type the number of copies to be printed in the space provided. Then click "PRINT" button;

ii. In case of a tie, the screen will display:

a. The "RESOLUTION OF TIE VOTES" window shall appear on the screen with the list of names of candidates for said position arranged in the order depending on the votes garnered from highest to lowest;

b. There is an arrow beside the name of the candidate. This denotes if the candidate is placed on ascending or descending order;

c. A checkbox with label "AGREE" is at the rightmost column of the same row with the header. A "RESET" button is found beneath this checkbox; and

d. The "PRINT", "SKIP" and "SAVE" buttons are found below the "RESOLUTION OF TIE VOTES" window.

Before ticking the "AGREE" checkbox and clicking "SAVE" button, the Board shall first decide who the winners are for the particular position. For this purpose, the Board shall, after recording in its Minutes the fact of having candidates receiving the same number of votes for the position, immediately notify the said candidates to appear before the Board for the drawing of lots to break the tie. The drawing of lots should be conducted within one (1) hour after issuance of notice by the Board to the candidates concerned.

For this purpose, the candidates or their representatives for municipal/city or Member, House of Representative positions, in the case of MBOC/CBCOC/DBOC, or the candidates or their representatives for provincial positions and Member, House of Representatives, in the case of PBOC, are hereby required to be present at all stages of the canvass. After the Board has determined

the winner/s, the Board shall arrange in the CCS the order of the names of the winning candidate/s.

6) To arrange the order of the name of the candidate in the list, the Operator shall:

- i. Click and hold the row corresponding to the candidate's name;
- ii. Drag and drop the row according to the order;
- iii. Notice the arrow beside the candidate's name will be colored green if the position is moved upwards and red if downwards;
- iv. After completing the arrangement of winners with a tie votes, tick on the check box with "AGREE" label;
- v. If multiple positions/contests have tie votes, make sure these were already arranged in order and their corresponding "AGREE" checkbox were ticked. Otherwise, the SAVE button will not be enabled;
- vi. Click "SAVE".
- vii. The system shall require for user authentication. Insert the USB token, enter the corresponding username and security key password and click "OK". Repeat this process one at a time, until the required number for user authentication is reached; and
- viii. The CCS shall generate the COCP.

7) Click "PRINT" found at the bottom of the screen. The print preview of the COCP will be displayed. Repeat procedures [2] to [7] until all COCP for all positions are generated;

8) Click "BACK" to return to the previous page; and

9) The CCS will return to the CANVASSING MANAGEMENT screen.

#### **E. Transmission of Results**

After generating the canvassing reports, the CCS operator shall;

- 1) Under the CANVASSING module, click "TRANSMIT RESULT" icon in the HOME PAGE;
- 2) The CCS shall display the list of positions/contests with corresponding checkbox. Also the "Contest Name" header has a checkbox;
- 3) To select per position, tick the checkbox individually. To select ALL, tick the checkbox beside the "Contest Name" header;
- 4) The STATUS for all positions should indicate "CERTIFIED", otherwise generate the required reports before transmitting results;
- 5) Click "TRANSMIT";
- 6) The TRANSMIT window shall be displayed. This contains the status of transmission and the transmission process; and
- 7) Once the transmission is completed, the CCS will display the message "TRANSMISSION RESULTS PROCESS WAS FINISHED". After transmission, press "CLOSE" to return to the TRANSMIT RESULT screen.

#### **F. Printing of Audit Log**

The CCS operator shall:

- 1) From the HOME PAGE, click the "CONTROL PANEL" icon;
- 2) Under the EVENTS tab, the screen will display the logs of the CCS;
- 3) Click "PRINT" at the bottom of the screen;
- 4) The preview of the audit log shall be displayed. Then click the PRINTER icon;

- 5) Enter the number of copies "1" in the space provided and click "PRINT".
- 6) Click "CONTINUE" to return to the CONTROL PANEL screen;
- 7) Click the "HOME PAGE" icon.

#### **G. Post Printing Activities**

Immediately after printing copies of the COCs, SOVs and COCP, the Board shall:

- 1) Affix their signatures and thumb marks on the printed COCs, SOVs and COCP;
- 2) Ask the watchers present to affix their signatures and thumb marks on the printed COCs, SOV and COCP;
- 3) The Chairman of the Board shall publicly announce the total number of votes received by each candidate, stating their corresponding offices;
- 4) The Member-Secretaries shall announce the posting of the COCs on the wall within the premises of the canvassing area; and
- 5) The Member-Secretaries shall place in the corresponding envelopes with paper seals all reports.

#### **H. Post Election Report**

- 1) In case when the COC has been generated already and succeeding transmitted results are received in the CCS, from the left pane, under OTHER OPTIONS, select "POST ELECTION";
- 2) Check CONTEST NAME to select all POSITIONS, then click "ISSUE" and wait until the POST ELECTION Report will display;

- 3) From the right upper portion of the report, click PRINTER icon then click PRINT button to print the report;
- 4) Click BACK button from the LOWER RIGHT of the screen;
- 5) From the upper left portion, select blue-arrow then select Home to return to Home Page;
- 6) The members of the Board shall affix their signature in the space provided for the purpose; and
- 7) Submit one copy of the post election report to ERSD, Comelec and one copy shall be kept by the Chairman of the Board.

#### **I. Back-Up**

After all the results have been successfully transmitted, the CCS Operator shall:

- 1) Insert a blank disc in the CD drive;
- 2) Under the Data Handler category, click the "EXPORT DATA" in the HOME PAGE;
- 3) Click the green icon corresponding to the "BACKUP RESULTS";
- 4) Wait until the back-up process is finished and the message "*The backup of results process was finished successfully*";
- 5) Remove the CD from the CD drive and:
  - i. Place inside an envelope provided for the purpose and seal the same;
  - ii. Label the envelope with "TRANSMITTED" or "NOT TRANSMITTED" to show whether the results are transmitted or not;
  - iii. Indicate in the envelope the city/municipality and province; and



- iv. Sign the envelope; (Note: The CD shall be used by the Boards in case of failure of transmission).
- 6) Repeat steps [1] to [4] to back-up the files in two (2) additional discs;
- 7) Turn-Over the CD to the Chairman; and
- 8) Submit to the Reception and Custody Group of the Provincial Board of Canvasser (for MBOC/CBOC)/National Board of Canvassers (for PBOC).

The two (2) discs used to back-up the city/municipal or provincial results, duly sealed shall be submitted to the PBOC or CONGRESS, as the case may be and the Comelec. One copy of the CD shall be retained by the Chairman of the Board.

#### **J. Shutting Down of the CCS**

After printing of all the reports and transmission of the municipal/city/district/provincial results to all intended recipients, the following shall be undertaken:

- 1) Click on the blue triangular icon found at the top leftmost portion of the screen, to display the hidden side panel;
- 2) Click "END SESSION" option from the menu. A confirmation message displays on the screen, click "OK";
- 3) Click the power button and wait for the laptop to shut down completely; and
- 4) Turn-over CCS laptop to the CCS Operator.

#### **K. Proclamation of the Winning Candidates**

A candidate who obtained the highest number of votes shall be proclaimed by the Board, except the following:

- a. In case the certificate of candidacy of the candidate who obtains the highest number of votes has been cancelled or denied due course or disqualified by a final and executory Decision or Resolution before the elections, the votes cast for such candidate shall be considered stray, hence, the Board shall proceed to proclaim the candidate who obtains the second highest number of votes, provided, the latter's certificate of candidacy has not likewise been cancelled by a final and executory Decision or Resolution before the elections;
- b. In case a candidate has been declared a nuisance candidate by final and executory Decision or Resolution, the votes cast for the nuisance candidate shall be added to the candidate who shares the same surname as the nuisance candidate and thereafter, the candidate who garnered the highest number of votes shall be proclaimed;

In case of two or more candidates having the same surnames as the nuisance candidate shall be considered as stray votes and shall not be credited to any candidate;

In case the nuisance candidate does not have the same surname as any candidate for the same position, the votes cast for the nuisance candidate shall be considered as stray votes; and

- c. In case the certificate of candidacy of the candidate who obtains the highest number of votes has been cancelled or denied due course or disqualified by a final and executory Decision or Resolution after the elections and he/she obtains the highest number of votes cast for a particular position, the Board shall not proclaim the candidate and the rule of succession, if allowed by law, shall be observed. In case the position does not allow the rule of succession under Republic Act No. 7160, the position shall be deemed vacant.

In all cases, a Decision or Resolution is deemed final and executory if, in case of a Division ruling, no motion for reconsideration is filed within the reglementary period, or in cases of the ruling of the Comelec En Banc, no restraining order was issued by the Supreme Court within five (5) days from receipt of the Decision or Resolution.

In cases where a Petition to Deny Due Course or cancel a Certificate of Candidacy, Declare a Nuisance Candidate, or for Disqualification remains pending with the Comelec on the day of canvassing and no order of suspension of proclamation is issued by the Comelec En Banc or Division where said Petition is pending, the Board shall proceed to proclaim the winner.

In cases where the generated/printed COCP does not reflect the true winner for a particular position by reason of the circumstances stated above, the Board is authorized to effect the necessary correction on the entry for said position, to reflect the true winner as determined in accordance with the foregoing rules, provided all the members of the Board countersign such entry. Such fact shall be entered in the Minutes.

### **ARTICLE III DISTRIBUTION OF THE COCs, COCPs and SOVs**

**Sec. 12. Distribution of COCs.** Upon completion of the canvass, the Boards shall distribute the COCs as follows:

**A. In case of MBOC/CBOC/DBOC.**

1. The first copy shall be delivered to the PBOC for use in the canvass of election results for president, vice-president, senators, members of the House of Representatives, parties, organizations or coalitions participating under the party-list system, and elective provincial officials;
2. The second copy shall be sent to the Comelec;
3. The third copy shall be kept by the chairman of the board;
4. The fourth copy shall be given to the PPCRV designated by the Comelec to conduct an unofficial count. It shall be the duty of the PPCRV to furnish independent candidates copies of the COC at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of the Senate;

6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies shall be given to the dominant majority and minority parties;
8. The ninth to eighteenth copies shall be given to the ten (10) accredited major national parties, excluding the dominant majority and minority parties, in accordance with a voluntary agreement among them.

If no such agreement is reached, the Comelec shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166 and Resolution No. 9984;

9. The nineteenth and twentieth copies shall be given to the two accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Comelec shall decide which parties shall receive the copies on the basis of criteria analogous to that provided in Section 26 of Republic Act No. 7166 and Resolution No. 9984;
10. The twenty-first to the twenty-fifth copies, to national broadcast or print media entities as may be equitably determined by the Comelec in view of propagating the copies to the widest extent possible;
11. The twenty-sixth and twenty-seventh copies, to local broadcast or print media entities as may be equitably determined by the Comelec in view of propagating the copies to the widest extent possible; and
12. The twenty-eighth to the thirtieth copies, to the major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Comelec pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arms, groups and organizations may use the three certified copies of ERs for the conduct of citizens' quick counts at the local or national levels.

**B. In case of PBOC or CBOC of cities comprising one or more legislative districts, and DBOC.**

1. The first copy shall be sent to Congress, directed to the President of the Senate for use in the canvass election results for President and Vice-President;
2. The second copy shall be sent to the Comelec for use in the canvass of the election results for senators;
3. The third copy shall be kept by the chairman of the board;
4. The fourth copy shall be given to the PPCRV designated by the Comelec to conduct an unofficial count. It shall be the duty of the citizens' arm to furnish independent candidates copies of the COC at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of the Senate;
6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies to the dominant majority and minority parties;
8. The ninth and tenth copies to two accredited major national parties representing the majority and the minority, excluding the dominant majority and minority parties, to be determined by the Comelec on the basis of the criteria provided in Section 26 of Republic Act No. 7166 and Resolution No. 9984;
9. The eleventh to thirteenth copies to national broadcast media entities as may be equitably determined by the Comelec in view of propagating the copies to the widest extent possible;
10. The fourteenth copy to another citizens' arm or in the absence thereof, to a non-partisan group or organization enlisted by the Comelec pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arm or non-partisan group or organization may use the copy of election return for the conduct of citizens' quick count;

11. The board shall also print three (3) copies of the Statement of Votes by City/Municipality, and each copy shall be attached to the COCs intended for the Congress, Comelec, and the PBOC;
12. The COC and Statement of Votes shall be signed and thumb marked by the chairman and members of the PBOC, and the watchers, if available. Thereafter, all copies, with their respective supporting documents, shall each be sealed with a serially numbered paper seal (CEF No.12) and placed inside their corresponding envelopes. Each envelope shall likewise be sealed with a serially numbered paper seal; and
13. The three (3) discs used to back-up the municipal/city consolidated results shall also be placed individually inside an envelope, duly sealed, and submitted to the Congress, Comelec, and one copy to be retained by the Chairman of the Board of Canvassers.

**Sec. 13. Distribution of COCPs and SOVs.** The Board shall generate and print sufficient copies of the COCP and two (2) copies of SOV to be distributed as follows:

**A. MBOC/CBOC.**

1. Election Records and Statistics Department (ERSD of the Comelec);
2. For posting;
3. Chairman, MBOC/CBOC;
4. Secretary, Sangguniang Bayan/Panlungsod;
5. Municipal Treasurer;
6. Winning Candidate for Mayor; Winning Candidate for Vice-Mayor; and
7. Winning Candidates for members of the Sangguniang Bayan/Panlungsod;

The copies of the COCP for 1 and 3 shall be supported by a Statement of Votes by precinct containing the total number of votes obtained by each candidate in each precinct and the grand total they obtained in the entire

municipality/city/district. Said documents shall be signed and thumb marked by the chairman and members of the MBOC/CBOC.

Copies 1, 3, 4 and 5 shall be individually folded from top to bottom, sealed with serially numbered paper seals (CEF No. 12) and placed inside their corresponding envelopes, which shall likewise be sealed with serially numbered paper seals.

The CD used to back-up the election return/precinct consolidated results will be placed inside an envelope, duly sealed, and submitted to the PBOC.

**B. FOR CBOC IN CITIES COMPROMISING ONE OR MORE LEGISLATIVE DISTRICTS/ HIGHLY URBANIZED CITIES.**

1. For winning candidate for Congressman/Member of House of Representatives:
  - i. To ERSD, Comelec in Manila;
  - ii. For posting on the bulletin board of the city hall;
  - iii. To kept by the Chairman of the Board;
  - iv. To the Regional Election Director;
  - v. To the Secretary-General of the House of Representatives;  
and
  - vi. To the winning candidates.

A copy of the Statement of Votes shall be attached to the copies for the Chairman of the BOC, and the ERSD, Comelec.

The second copy shall be posted on the bulletin board of the city hall.

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**2. For Winning Candidates for City Offices:**

- i. Secretary of the Sangguniang Panlungsod;
- ii. Chairman, CBOC;
- iii. ERSD, Comelec;
- iv. City Treasurer;
- v. Regional Election Director;
- vi. Each of the winning candidates proclaimed; and
- vii. One copy for posting on the bulletin board of the city hall.

The first five (5) copies shall be separately folded and placed in their corresponding envelopes.

A copy of the Statement of Votes by precinct shall be attached to the copies for the Chairman of the CBOC, and the Comelec.

**3. PBOC.**

- i. To the ERSD, Comelec;
- ii. To the Chairman of the PBOC;
- iii. To the Secretary of the Sangguniang Panlalawigan;
- iv. To the Regional Election Director; and
- v. To each of the winning candidates.

The Certificate of Canvass and Proclamation (COCP) shall be signed and thumbmarked by the chairman and members of the PBOC, and the watchers, if available.



The PBOC shall also print three (3) copies of the supporting Statement of Votes by City/Municipal, and shall be attached to copies (1) and (2) of the Certificate of Canvass and Proclamation. Copies (1), (2), (3) and (4) shall then be individually folded from top to bottom, sealed with paper seals such that the certificates cannot be opened without breaking the seal, and placed inside their respective envelopes which shall likewise be sealed with paper seals.

#### **ARTICLE IV POST CANVASSING PROCEDURES**

**Sec. 14. Delivery of the Certificate of Canvass.** The Chairman of the Boards shall personally deliver by fastest means the hard copies of COCs and SOVs including the back-up CDs to the following:

**A. In case of MBOC/CBOC:**

To the PBOC, a copy of the Certificate of Canvass for President and Vice-President, Senator, Party-List, Member, House of Representatives, Governor, Vice-Governor and Sangguniang Panlalawigan;

**B. In case of PBOC, CBOC in cities comprising two or more legislative districts, and DBOC:**

1. To Congress sitting as the National Board of Canvassers a copy of the Certificate of Canvass for the President and Vice-President; and
2. To the Comelec sitting as the National Board of Canvassers for Senator and Party-List.

**Sec. 15. Safekeeping of hard copies of ERs or COCs, back-up CDs and CCS.** The Boards shall place the ERs/COCs in ballot boxes that shall be locked with three padlocks and one serially numbered self-locking seal. The members of the Board shall each keep a key to the three (3) padlocks. The serial number of every seal used shall be entered in the minutes.

The said ballot boxes shall be kept in a safe and secured room before, during and after the canvass. The door to the room shall be locked with three padlocks with the keys thereof kept by each member of the Board.

The watchers shall have the right to guard the room.

## **ARTICLE V ELECTION OFFENSES; ELECTORAL SABOTAGE**

**Sec. 16. Election Offenses; Electoral Sabotage.** In addition to the prohibited acts and election offenses mentioned herein and those enumerated in Sections 261 and 262 of Batas Pambansa Blg. 881, as amended, the following shall be guilty of an election offense or a special election offense to be known as electoral sabotage:

- a) Any person who removes the COC posted on the wall, whether within or after the prescribed forty-eight (48) hours of posting, or defaces the same in any manner;
- b) Any person who simulates an actual COC or statement of votes, or a print or digital copy thereof;
- c) Any person who simulates the certification of a COC or statement of votes;
- d) The Chairman or any member of the Board of canvassers who, during the prescribed period of posting, removes the COC or its supporting statement of votes from the wall on which they have been posted other than for the purpose of immediately transferring them to a more suitable place;
- e) The Chairman or any member of the Board of canvassers who signs or authenticates a print of the COC or its supporting statement of votes outside of the polling place;
- f) The Chairman or any member of the Board of canvassers who signs or authenticates a print which bears an image different from the COC or statement of votes produced after counting and posted on the wall; and

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- g) Any person or member of the Board of election inspectors or Board of canvassers who tampers, increases or decreases the votes received by a candidate in any election or any member of the Board who refuses, after proper verification and hearing, to credit the correct votes or deduct such tampered votes: Provided, however, That when the tampering, increase or decrease of votes or the refusal to credit the correct votes and/or to deduct tampered votes are perpetrated on a large scale or in substantial numbers, the same shall be considered, not as an ordinary election offense under Section 261 and/or 262 of the Omnibus Election Code, but a special election offense to be known as electoral sabotage and the penalty to be imposed shall be life imprisonment.

The act or offense committed shall fall under the category of electoral sabotage in any of the following instances:

- a) When the tampering, increase and/or decrease of votes perpetrated or the refusal to credit the correct votes or to deduct tampered votes, is/are committed in the election of a national elective office which is voted upon nationwide and the tampering, increase and/or decrease votes, refusal to credit the correct votes or to deduct tampered votes, shall adversely affect the results of the election to the said national office to the extent that losing candidate/s is/are made to appear the winner/s;
- b) Regardless of the elective office involved, when the tampering, increase and/or decrease of votes committed or the refusal to credit the correct votes or to deduct tampered votes perpetrated, is accomplished in a single election document or in the transposition of the figures/results from one election document to another and involved in the said tampering increase and/or decrease or refusal to credit correct votes or deduct tampered votes exceed five thousand (5,000) votes, and that the same adversely affects the true results of the election; and
- c) Any and all other forms or tampering increase/s and/or decrease/s of votes perpetuated or in cases of refusal to credit the correct votes or deduct the tampered votes, where the total votes involved exceed ten thousand (10,000) votes.

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Any and all other persons or individuals determined to be in conspiracy or in connivance with the members of the BEIs or BOCs involved, shall be meted the same penalty of life imprisonment.

## ARTICLE VI EFFECTIVITY AND DISSEMINATION

**Sec. 17. Publication and Effectivity.** This Resolution shall take effect on the seventh (7th) day following its publication in two (2) daily newspapers of general circulation in the Philippines.

**Sec. 18. Dissemination.** The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and to furnish the Department of Justice, Department of Education, the Department of Finance, all Regional Election Directors, Provincial Election Supervisors and Election Officers, and City/Provincial/Division and City Superintendent of Schools and the City/Municipal Treasurers with copies of the Resolution. This Resolution shall likewise be posted in the COMELEC website.

**SO ORDERED.**



**J. ANDRÉS D. BAUTISTA**

*Chairman*



**CHRISTIAN ROBERT S. LIM**

*Commissioner*

On Official Business  
at the time of signing of Resolution

**AL A. PARREÑO**

*Commissioner*



**LUIS TITO F. GUIA**

*Commissioner*



**ARTHUR D. LIM**

*Commissioner*

On Official Business at the time  
of signing of this Resolution

**MA. ROWENA AMELIA V.**

**GUANZON**

*Commissioner*



**SHERIFF M. ABAS**

*Commissioner*