



Republic of the Philippines
Department of Education

27 FEB 2013

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DISSEMINATION OF COMELEC RESOLUTION NO. 9637

(Rules and Regulations on Local Absentee Voting in Connection with the May 13, 2013 Synchronized National, Local, and ARMM Regional Elections, and Subsequent National and Local Elections Thereafter)

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Secretary ARMM
Regional Directors
Schools Division/City Superintendents
Heads, Public and Private Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of the Commission on Elections (COMELEC) Resolution No. 9637 dated February 13, 2013 entitled **Rules and Regulations on Local Absentee Voting in Connection with the May 13, 2013 Synchronized National, Local, and ARMM Regional Elections, and Subsequent National and Local Elections Thereafter** which is self explanatory.

2. Immediate dissemination of this Memorandum is desired.


BR. ARMIN A. LUISTRO FSC
Secretary

Encl.:

As stated

Reference:

N o n e

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

ELECTION
LEGISLATION
OFFICIALS

ETD



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
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Chairman
Commissioner
Commissioner
Commissioner

RULES AND REGULATIONS ON LOCAL ABSENTEE VOTING IN CONNECTION WITH THE MAY 13, 2013 SYNCHRONIZED NATIONAL, LOCAL, AND ARMM REGIONAL ELECTIONS, AND SUBSEQUENT NATIONAL AND LOCAL ELECTIONS THEREAFTER.

**BRILLANTES, SIXTO JR. S.,
TAGLE, LUCENITO N.,
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LIM, CHRISTIAN ROBERT S.,
PADACA, MARIA GRACIA CIELO M.**

PROMULGATED: February 13, 2013

RESOLUTION NO. 9637
[Signature]

The Commission on Elections, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act No. 6646, Republic Act No. 7166, Executive Order No. 157, and other pertinent election laws, as well as the Comelec En Banc Resolution in E.M. No. 12-042 promulgated on October 9, 2012, granting the Petition To Allow Early Voting For Members of the Mass Media in the May 2013 Elections, **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following rules and regulations on local absentee voting:

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

- a) **Local absentee voting** – refers to a system of voting whereby government officials and employees, including members of the Armed Forces of the Philippines (AFP), and the Philippine National Police (PNP) as well as members of the media, media practitioners including their technical and support staff (media voters) pursuant to the aforementioned Comelec En Banc Resolution who are duly registered voters, are allowed to vote for the national positions, i.e. President, Vice-President, Senators and Party-List Representatives in places where they are not registered voters but where they are temporarily assigned to perform election duties on election day as provided for under Executive Order No. 157 and Republic Act No. 7166;
- b) **Media** – refers to those who are engaged in news reporting on a nationwide or local scale, including correspondents of national, regional, provincial, city, or municipal publications or broadcast entities, or those engaged in other forms of journalism and the like.

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

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

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

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

APPLICANT/S	WHEN TO FILE	WHERE TO FILE
For government officials and employees, members of the AFP, and members of the PNP	Not later than March 15, 2013	Before their heads of offices/supervisors/commanders
For members of media, media practitioners including their technical and support staff	Not later than March 31, 2013	a) Offices of the Provincial Election Supervisor (OPES) b) Office of the Regional Election Director (ORED) of the National Capital Region (NCR) c) Office of the City Election Officer (OCEO) in case of highly urbanized or independent cities except cities in the NCR.

Highly Urbanized Cities are those cities with a minimum population of two hundred thousand (200,000) inhabitants as certified by the National Statistics Office, and within the latest annual income of at least Fifty Million Pesos (P50,000,000.00) based on 1991 constant prices, as certified by the city treasurer; and their qualified voters are excluded from voting for elective provincial officials.

Independent cities are those component cities which charters prohibit their voters from voting for elective provincial positions; and are independent of the province.

Highly Urbanized Cities	Independent Cities
1. Baguio City	1. Santiago City
2. Angeles City	2. Naga City
3. Olongapo City	3. Ormoc City
4. Lucena City	4. Cotabato City
5. Puerto Princesa City	
6. Iloilo City	
7. Bacolod City	
8. Cebu City	
9. Mandaue City	
10. Lapu-Lapu City	
11. Tacloban City	
12. Zamboanga City	
13. Iligan City	
14. Cagayan de Oro City	
15. Davao City	
16. Gen. Santos City	
17. Butuan City	

In cities where there are more than one (1) Offices of City Election Officers (OCEO), the Regional Election Director (RED) shall immediately designate not later than **February 18, 2013** the OCEO which shall receive the applications to avail of the local absentee voting. For this purpose, the RED concerned shall submit to the Committee on Local Absentee Voting (CLAV), through the Director IV, Electoral Contests and Adjudication Department (ECAD), the list of designated OCEO/s.

Sec. 4. Date and Place of Voting. – Local absentee voters shall vote any day from **April 28, 29 and 30, 2013** from **8:00 o'clock in the morning until 5:00 o'clock in the afternoon** under the direct supervision and presence of the Municipal/City/District EO or his representative; or the PES or his representative; or the Regional Election Director (RED)-NCR or his representative.

In case of voting of government officials and employees, members of the AFP and PNP, the head of office/supervisor/commander shall **not later than April 15, 2013**, designate, the place of voting where the voters shall converge to vote, with written notice upon the Municipal/City/District EO copy furnished the CLAV.

In case of media voters, voting shall be at the COMELEC Office where they filed their applications to avail of the local absentee voting.

For purposes of subsequent elections, local absentee voters shall vote not earlier than fifteen (15) days before the elections nor later than twelve days (12) before elections.

SEC. 5. Positions to be voted for. – For the May 13, 2013 Synchronized National, Local and ARMM Regional Elections, only the positions of Senators and Party-List Representative shall be voted for under the local absentee voting.

For subsequent elections, the positions with national constituencies shall be voted for under the local absentee voting.

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

- Chairman - **Hon. Sixto S. Brillantes, Jr.**
Chairman, Commission on Elections
- Vice-Chairman - **Atty. Betty B. Pizaña**
Director IV, Electoral Contests
Adjudication Department (ECAD)
- Members - **Dir. James Arthur B. Jimenez**
Director IV, Education and Information Department
- Dir. Jeannie T. Flororita or representative**
Acting Director IV, Information Technology Department
- Atty. Maria Juana S. Valeza**
Acting Director III, ECAD
- Secretariat - **Edgar C. Apanay**
Legal Assistant I, ECAD
- Ma. Theresa A. Torralba**
Secretary, ECAD
- Lowelynne F. Elardo**
Clerk III, ECAD

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

LAV Group	Region/Unit covered	Officer/Personnel	Office/Designation
I	Media	Atty. Roseller B. Abad	Group Head
		Kristoffer Giovanni B. Llacuna	Assistant Group Head
II	NCR, CAR, Regions 1,2	Saga D. Mabaning	Group Head
		Atty. Michael L. Garcia	Assistant Group Head
III	3, 4A, 4B, 5, 6	Atty. Manuel T. Lucero	Group Head
		Atty. Fritzie Claire C. Caigoy	Assistant Group Head
IV	7, 8, 9, 10	Atty. Atty. Magellan P. Ferrer	Group Head
		Mr. Arnold Dizon	Assistant Group Head
V	11, 12, CARAGA, ARMM	Atty. Abigail Justine Cuaresma-Lilagan	Group Head
		Buenafe Valido, Jr.	Assistant Group Head

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

- a. Distribute copies of application forms (**LAV Form No. 01**) to all government agencies, media entities, corporations or members of the media concerned;
- b. Receive accomplished application forms for local absentee voting not later than **March 18, 2013** in case of government officials and employees, members of the

AFP, and members of the PNP, or not later than **April 2, 2013** in case of members of media, media practitioners including their technical and support staff.

For subsequent elections, all accomplished application forms must be received by the CLAV not later than sixty (60) days before the elections.

- c. Verify whether the applicants are eligible for local absentee voting not later than **April 15, 2013**.

For subsequent elections, all accomplished application forms must be verified by the CLAV not later than thirty (30) days before the elections.

- d. Prepare the lists of all approved applicants for local absentee voting per office/unit/battalion/ OPES/ORED-NCR/CEOs;

- e. Transmit the following to all concerned heads of office/supervisors/commanders/PES/RED-NCR/CEOs, not later than **April 24, 2013**;

- (i) List of approved applications for local absentee voting; and
- (ii) The exact number of local absentee ballots, inner and outer envelopes and paper seals corresponding to the number of approved applications.

For subsequent elections, transmittal of the above-mentioned election forms and documents must be done not later than eighteen (18) days before the elections.

- f. Before elections, notify all Municipal/City/District EOs concerned of the names of voters who are registered in their respective Municipal/City/District and who will avail of local absentee voting;
- g. Receive and take custody, under proper receipt, the envelopes containing the accomplished local absentee ballots and other related documents from the head of office/supervisor/commander, the PES, CEO or the RED-NCR, as the case may be, before **7:00 o'clock in the evening of the day of the election**.
- h. Verify whether the number of envelopes containing the accomplished ballots is equal to the number of signatures affixed in the list submitted by the head of office/supervisor/commander/PES/CEO concerned or the RED-NCR, as the case may be.

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

If there are more signatures affixed in the list than the number of envelopes received, such fact shall likewise be indicated in the report to be prepared by the LAV Group which shall be submitted to the CLAV. The report shall indicate the names of the voters whose signatures appear in the list, but without corresponding envelopes. In this case, the CLAV, through the Head of the LAV Group concerned, shall direct the head of office/supervisor/commander/

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PES/CEO concerned or the RED-NCR, as the case may be, to transmit the envelopes of said voters;

After receipt and verification thereof, turn-over the custody of the envelopes containing the accomplished local absentee ballots and other elections documents to the Reception and Verification Unit (RVU);

- i. Supervise the counting of ballots and canvassing of votes;
- j. Receive for safekeeping all ballot boxes containing the counted ballots and related election documents from the SBEIs and Special Board of Canvassers (SBOC) for local absentee voting;
- k. After elections, notify all Municipal/City/District EOs concerned of the names of voters who actually voted under the system of local absentee voting; and
- l. Perform and exercise such other functions and power as may be necessary for the proper implementation of the local absentee voting.

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

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

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

The a) PNP, AFP, DepEd and other government entities and instrumentalities concerned shall certify that the applicant is a bona fide member/employee of the agency and on election day the applicant is assigned outside the place where he is a registered voter; or b) the media entity or corporation to which the applicant is employed shall certify that the applicant is a bona fide employee and may not be able to vote due to the performance of his functions in covering and reporting the conduct of elections .

- b. The head of office/supervisor/commander or officer next in rank, shall receive all accomplished and subscribed application forms from their respective personnel; or the PES or CEO concerned, or the RED-NCR, shall receive all accomplished and subscribed application forms from media voters.
- c. Not later than **March 18, 2013**, the head of office/ supervisor/ commander or not later than **April 2, 2013**, in case of PES or CEO concerned or RED-NCR, as the case may be, shall submit directly to the CLAV by personal service, private courier or through any fastest means available, the following:
 - (i) A sworn list of registered voters (**LAV Form No. 02**) under his supervision or command who submitted their accomplished application forms for local absentee voting indicating therein the Municipal/City/District, barangay and precinct number where they are registered and the place of their assignment on election day, with a certification that the applicant'/s will be re-assigned on election day to perform election-related duties; or in case of media voters, that they may not be able to vote due to the performance of their functions of covering and reporting the conduct of elections.

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- (ii) The accomplished application forms for local absentee voting.

The foregoing documents shall be transmitted directly to the **CLAV, c/o The Electoral Contests Adjudication Department (ECAD), 8th Floor, Palacio Del Gobernador Building, Intramuros, Manila**, immediately upon receipt thereof but not later than **March 18, 2013** in case of government officials and employees, members of the AFP, and members of the PNP or **not later than April 2, 2013** in case of members of media; media practitioners including their technical and support staff. The date of mailing shall be considered as the date of filing.

For subsequent elections; all accomplished application forms and sworn lists of registered voters must be received by the CLAV not later than sixty (60) days before the elections.

SEC. 9. Verification of registrations of applicants for local absentee voting. – Upon receipt of the list of registered voters applying for local absentee voting and the accomplished application forms, the CLAV shall verify whether the applicants are registered voters from the National List of Registered Voters (NLRV) provided by the Information and Technology Department (ITD), COMELEC (**LAV Form No. 03**).

Only the applications of individuals, whose names are in the NLRV, shall be approved by the CLAV. A list of applicants with approved application to vote under the system of local absentee voting shall be prepared by the CLAV (**LAV Form No. 04**).

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

- a. That the applicant is not a registered voter or his registration records have been deactivated
- b. That it was filed out of time;
- c. That it was not sworn to or otherwise not under oath by any person authorized to administer oath;
- d. That it is only a photocopy/facsimile copy; or
- e. The Certification portion of the application form is not duly accomplished.

For this purpose, the CLAV shall notify the head of office/supervisor/commander or officer next in rank, the PES, CEO or the RED-NCR who shall in turn notify the concerned applicant on the disapproval of his application to avail of the local absentee voting (**LAV Form No. 05**.)

SEC. 11. Transmittal of list of qualified local absentee voters, local absentee ballots and other election paraphernalia from the CLAV. – The CLAV shall transmit to the head of office/supervisor/commander, PES, CEO, or RED-NCR, the list of qualified local absentee voters, the exact number of local absentee ballots, inner and outer envelopes and paper seals corresponding to the number of approved applications and thumbprint takers not later than Wednesday, **April 24, 2013** (**LAV Form No. 06**).

For subsequent elections, transmittal of the above-mentioned election forms and documents must be done not later than eighteen (18) days before the elections.

SEC. 12. Security envelopes for local absentee ballots. – There shall be two (2) security envelopes for each local absentee ballot, namely; an outer envelope which shall contain a serial number and an inner envelope. The outer envelope, where the detached coupons and the inner envelope shall be placed, shall contain a space for the name of the voter and his signature.

The inner envelope where the accomplished ballot shall be placed shall contain no other mark except an indication that it is a special envelope for a local absentee ballot.

SEC. 13. Distribution of local absentee ballots, envelopes and paper seals. – On any day from April 28, 29, 30, 2013 from 8:00 o'clock in the morning until 5:00 o'clock in the afternoon, the head of office/supervisor/commander concerned, under the direct supervision and presence of the Municipal/City/District EO or his representatives, or in case of media voters, the PES/CEO or RED-NCR or his representatives, shall distribute the local absentee ballots, inner and outer envelopes, and paper seals to the qualified local absentee voters. During the distribution, he shall:

- a. Require each voter to affix his signature opposite his name in the list of qualified voters prepared by the CLAV under Section 11 hereof;
- b. Detach one (1) ballot from the pad of ballots and retain the stubs where the serial number of each ballot appears;
- c. Write the serial numbers of the ballot, outer envelope, and of the two (2) paper seals opposite the name of the voter in the list;
- d. Give to the voter the ballot, inner and outer envelopes and the two (2) paper seals; and
- e. Instruct the voter to immediately accomplish the ballot in accordance with Section 14 hereof.

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

- a. Fill up the ballot secretly;
- b. Imprint his thumbmark on the proper space in the detachable coupon of the ballot;
- c. Detach the coupon from the ballot and place the same inside the outer envelope;
- d. Place the accomplished ballot inside the inner envelope and close and seal the envelope with a paper seal;
- e. Place the sealed inner envelope inside the outer envelope, which shall likewise be sealed with a paper seal;
- f. Write his name and signature on the space provided for in the outer envelope; and
- g. Submit the sealed envelope to the head of office/supervisor/commander, PES concerned or RED-NCR, as the case may be *up*

All applicants, whose applications to avail of the local absentee voting have been approved but failed to vote on the scheduled voting for local absentee on **April 28, 29, 30, 2013**, may cast their votes in their respective polling places on election day.

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

SEC. 15. Transmittal of local absentee ballots and other election documents to the CLAV. The head of office/supervisor/commander, PES or CEO concerned or the RED-NCR, as the case may be, shall:

1. Gather all the sealed envelopes containing the ballot submitted to him by the local absentee voters;
2. Prepare, in two (2) copies, a transmittal letter with a certification on the number of accomplished ballots collected by him. He shall submit one (1) copy thereof to the CLAV and retain the other copy for his file;
3. Transmit the sealed envelopes, together with a) the list of qualified voters with signatures referred to in Section 13 (a); and b) unused official ballots torn in half, to the CLAV by the fastest means available c/o the Electoral Contests Adjudication Department, COMELEC, 8th Floor, Palacio del Gobernador Building, Intramuros, Manila, ensuring that the ballots are received by the Commission not later than **7:00 o'clock in the evening on the day of the election (LAV Form No. 07).**

On or after the elections, the CLAV, through the LAV Group, shall send to all Municipal/City/District EOs concerned a written notice as to who were the voters who actually voted under the system of local absentee voting with a directive to indicate in the list of voters with voting records, and on the space opposite the names of the absentee voters, the following annotation: "**voted thru local absentee voting,**" to prevent the deactivation of their registration records (**LAV Form No. 08**).

SEC. 16. Reception and Verification Unit (RVU), duties and functions.
– The CLAV shall constitute a Reception and Verification Unit, which shall:

- a. Receive the envelopes containing the accomplished absentee ballots and the list of local absentee voters with their signatures from LAV Groups 1 to 5;
- b. Place the envelopes containing the accomplished ballots inside the ballot boxes at the rate of four hundred (400) envelopes per ballot box; and
- c. Deliver the ballot box immediately after the close of voting on the day of the election to the Special Board of Election Inspectors (SBEIs) for counting;

In all instances, the ballot boxes, prior to the distribution to the SBEIs, shall be stored in a safe and secured place.

At **7:00 o'clock in the evening of election day**, the CLAV, through the RVU, shall distribute one (1) ballot box each to the SBEI for counting. Should there be a ballot box containing less than four hundred (400) envelopes, the RVU shall equitably distribute said envelopes to the SBEIs.

SEC. 17. Special Board of Election Inspectors (SBEIs). – The CLAV may constitute as many SBEIs for local absentee voting, as may be deemed necessary, to count the local absentee ballots. The members thereof shall be chosen from among the

personnel of the Commission in the Main Office, Manila, and appointed by the Chairman of the CLAV not later than **April 24, 2013 (LAV Form No. 09)**.

To determine the number of SBEIs to be constituted, the CLAV shall initially constitute the number of SBEIs on the basis of eighty per cent (80%) voter-turn-out of the total number of approved applications to avail of the local absentee voting, at a rate of four hundred (400) ballots per SBEI. The order of numbering of SBEI shall be determined through a raffle. In case the CLAV, constituted more SBEIs than what is required, the SBEI last in the order of number may be deactivated.

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

For subsequent elections, constitution of SBEIs must be done not later than eighteen (18) days before the elections.

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

SEC. 19. Proceedings of the SBEI. – The SBEI shall meet at the place designated by the CLAV at **7:00 o'clock in the evening of election day** to count the votes cast by the local absentee voters and shall not adjourn until the counting is completed. All proceedings of the SBEI shall be done in public. It shall act through its chairman and all questions presented before it shall be decided without delay by a majority vote of the members. During its meetings, not more than one (1) member shall be absent at the same time, and in no case shall such absence be for more than twenty (20) minutes.

SEC. 20. Manner of counting local absentee ballots. – Upon receipt of the envelopes containing the local absentee ballots, the SBEI shall proceed with the counting as follows:

Before the counting:

- a. Retrieve the special envelopes from the ballot box;
- b. Open all the outer envelopes, retrieve the inner envelopes and the detached coupons;
- c. Place the coupons in the ballot box compartment for spoiled ballots;
- d. After all the outer envelopes are opened, open the inner envelopes and retrieve the ballots found therein;
- e. Pile the ballots in bundles of one hundred (100) each;
- f. The Chairman of the SBEI shall take the ballots of the first pile one by one and read the names of the candidates voted for and the offices for which they were voted, as well as the name of the party, organization or coalition voted for under the party-list system, in the order in which they appear thereon.

During the counting:

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

After all the ballots have been read:

- l. Record, in words and in figures, the total number of votes obtained by each candidate and by each party, organization or coalition participating under the party-list system, both in the election returns and in the tally board;
- m. Ensure that the entries on the first copy of the election returns are clearly impressed on the other copies; and
- n. Close the entries by affixing their initials immediately after the last vote recorded or immediately after the name of the candidate and party-list candidates who did not receive any vote;
- o. The Poll Clerk and the Third Member shall record in the election returns and in the tally board, respectively, the total number of votes obtained by each candidate and party-list candidate, in words and figures;
- p. Accomplish the certification portion of the election returns and tally board;
- q. Require the watchers, if any, to affix their signatures and imprint their thumb marks on the right hand portion of the election returns and the tally board;
- r. Deposit the tally board in the ballot box compartment for valid ballots. The tally board, as accomplished and certified by the SBEI, shall not be changed or destroyed.

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

- a. The first copy, to the Election Records and Statistics Department (ERSD); and

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- b. The second copy, to be deposited inside the ballot box compartment for valid ballots.

SEC. 21. Election Returns. – The election returns shall be prepared in seven (7) copies to be distributed as follows:

- a. The first copy, to be submitted to the Special Board of Canvassers for local absentee voting;
- b. The second copy, to be posted on a wall within the premises of the counting center;
- c. The third copy, to the ERSD;
- d. The fourth copy, to the Parish Pastoral Council for Responsible Voting (PPCRV), as the accredited citizens' arm of the Commission;
- e. The fifth copy, to the dominant majority party as determined by the Commission;
- f. The sixth copy, to the dominant minority party as determined by the Commission; and
- g. The seventh copy, to be deposited inside the ballot box compartment for valid ballots.

The copy of the election returns posted on the wall shall be open for public viewing at any time of the day for forty-eight (48) hours following its posting. Within the said period of time, any person may view or capture an image of the election returns by means of any data capturing device such as, but not limited to, cameras.

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

SEC. 22. Post counting procedures. – Upon termination of the counting of votes, the members of the SBEI shall:

- a. Place the counted official absentee ballots in the envelope for counted ballots;
- b. Seal the envelope with paper seal and affix their signatures on the said paper seal;
- c. Deposit the envelope properly sealed inside the ballot box compartment for valid ballots;
- d. Bundle the emptied outer and inner envelopes and deposit the same inside the ballot box compartment for valid ballots;
- e. Place the seventh copy of the election returns inside the ballot box compartment for valid ballots;
- f. Close the inner compartments of the ballot box, and lock and seal the same with one (1) fixed-length security seal;

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- g. Close the ballot box cover, and lock and seal the same with one (1) fixed length security seal;
- h. Deliver the locked ballot box to the RVU of the CLAV for custody and safekeeping; and
- i. Distribute the election returns in accordance with Section 21 hereof.

SEC. 23. Special Board of Canvassers. – There is hereby constituted a Special Board of Canvassers (SBOC) for local absentee voting to be composed of ranking lawyers of the Commission, to be designated by the Chairman of the CLAV not later than **April 30, 2013.**

SEC. 24. Notice of Canvass. – For the May 13, 2013 Synchronized National, Local and ARMM Regional Elections, the Chairman of the SBOC shall give notice to its members, senatorial candidates and party-lists groups of the date, time and place of canvass, at least five (5) days before the day of the election.

For subsequent elections, the Chairman of the SBOC shall give notice to its members, national candidates and party-lists groups of the date, time and place of canvass, at least five (5) days before the day of the elections.

SEC. 25. Tabulation Group. – The SBOC shall constitute a Tabulation Group, composed of two (2) members, which shall be under its direct supervision and control.

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

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

SEC. 26. Convening of SBOC. – The SBOC shall convene not later than **7:00 o'clock in the evening of the day of the election** in a place designated by the Chairman of the CLAV and proceed with the canvass of the elections returns submitted to it by the SBEIs. It shall not adjourn until the canvass is completed.

SEC. 27. Certificate of Canvass of Votes (COCV). – The SBOC shall prepare the Certificate of Canvass of Votes (COCV) in six (6) copies for distribution as follows:

1. The first copy, to Commission sitting as the National Board of Canvassers for use in the canvass of results for Senators and Party-List representatives;
2. The second copy, to be posted on a wall within the premises of the canvassing center;
3. The third copy, to the Chairman of the Special Board of Canvassers;
4. The fourth copy, to the PPCRV, as the citizens' arm designated by the Commission to conduct a media-based unofficial count;
5. The fifth copy to the dominant majority party;
6. The sixth copy to the dominant minority party.

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

SEC. 28. Watchers. – In every meeting of the SBEI and the SBOC, each national candidate, each duly registered political party or coalition of political parties which has nominated national candidates, sectors and organizations participating under the party list system, and PPCRV, shall be entitled to appoint, in writing, two (2) watchers serving alternately.

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

SEC. 29. Applicability of Other Comelec Rules. – Rules and regulations promulgated by the Commission in connection with the May 13, 2013 Synchronized National, Local and ARMM Regional Elections are hereby adopted, incorporated and made integral parts of this resolution, insofar as they are applicable and not inconsistent with the provisions hereof.

SEC. 30. Effectivity. – This Resolution shall take effect seven (7) days after its publication in two (2) daily newspapers of general circulation in the Philippines.

SEC. 31. Publication and Dissemination. – Let the Education and Information Department, this Commission, cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines.

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

SO ORDERED.


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SIXTO S. BRILLANTES, JR.
Chairman


LUCENITO N. TAGLE
Commissioner


ELIAS R. YUSOPH
Commissioner


CHRISTIAN ROBERT S. LIM
Commissioner


MARIA GRACIA CIELO M. PADACA
Commissioner