



Republic of the Philippines
Department of Education

27 FEB 2013

DepEd MEMORANDUM
No. **43**, s. 2013

DISSEMINATION OF COMELEC RESOLUTION NO. 9640

(General Instruction for the Board of Election Inspectors (BEI) on the Testing and Sealing; Voting, Counting, and Transmission of Results in Connection with the May 13, 2013 National and Local Elections)

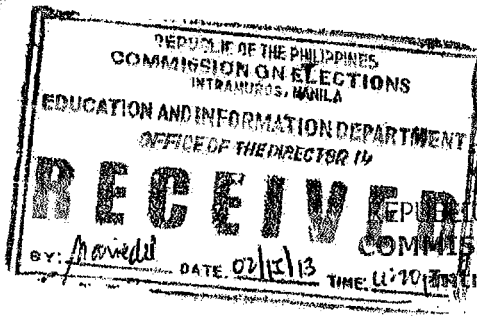
To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Heads, Public and Private Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of the Commission on Elections (COMELEC) Resolution No. 9640 dated February 15, 2013 entitled **General Instruction for the Board of Election Inspectors (BEI) on the Testing and Sealing; Voting, Counting, and Transmission of Results in Connection with the May 13, 2013 National and Local Elections** which is self explanatory.
2. Immediate dissemination of this Memorandum is desired.


BR. ARMIN A. LUISTRO FSC
Secretary

Encl.:
As stated
Reference:
None
To be indicated in the Perpetual Index
under the following subjects:

ELECTION
LEGISLATION
OFFICIALS



REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
EDUCATION AND INFORMATION DEPARTMENT
RECEIVED
BY: *[Signature]*
DATE: *2/15/13* TIME: *5:35*

GENERAL INSTRUCTIONS FOR THE BOARD OF ELECTION INSPECTORS (BEI) ON THE TESTING AND SEALING; VOTING, COUNTING, AND TRANSMISSION OF RESULTS IN CONNECTION WITH THE MAY 13, 2013 NATIONAL AND LOCAL ELECTIONS.

BRILLANTES, Sixto, Jr. S. Chairman
TAGLE, Lucenito N. Commissioner
YUSOPH, Elias R. Commissioner
LIM, Christian Robert S. Commissioner
PADACA, Maria Gracia Cielo M. Commissioner

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Promulgated : February 15, 2013

RESOLUTION NO. 9640
affiliated

WHEREAS, in connection with the May 13, 2013 National and Local Elections, the Commission will adopt a paper-based automated election system by using Precinct Count Optical Scan (PCOS) Machines, which shall be deployed in all polling places nationwide;

WHEREAS, there is a need to provide rules and regulations on the process of testing and sealing, voting, counting and transmission of election results.

NOW THEREFORE, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act No. 9369, and other election laws, the Commission **RESOLVED**, as it hereby **RESOLVES** to promulgate the following rules and regulations on the process of testing and sealing, voting, counting and transmission of election results.

**ARTICLE I
BOARD OF ELECTION INSPECTORS**

SEC. 1. Board of Election Inspectors (BEIs); Constitution and appointment. - The Commission, through its Election Officer (EO), shall constitute not later than January 15, 2013, the BEI for each precinct/clustered precinct from the list of

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all public school teachers submitted by the Department of Education's (DepEd) highest official within the city/municipality/school district.

The BEI shall be composed of a Chairman and two (2) members, one of whom shall be designated as poll clerk, and all of whom shall be public school teachers, giving preference to those with permanent appointment and those who served in the immediately preceding National and Local Elections.

In all cases, the EO shall ensure that at least one (1) member of the BEI shall be an information technology-capable person trained for the purpose, and as certified by the Department of Science and Technology (DOST).

In case there are not enough public school teachers, teachers in private schools, employees in the civil service, or citizens of known probity and competence who are registered voters of the city or municipality may be appointed as members of the BEI; provided, that the chairman shall be a public school teacher.

SEC. 2. Qualifications of members of the BEI. - No person shall be appointed as chairman or member of the BEI, whether regular, substitute or temporary, unless he:

- a) Is of good moral character and irreproachable reputation;
- b) Is a registered voter of the city or municipality;
- c) Has never been convicted of any election offense or of any other crime punishable by more than six (6) months of imprisonment;
- d) Has no pending case against him filed with the COMELEC or court for any election offense; and
- e) Is able to speak, read and write English or the local dialect.

SEC. 3. Disqualification. - No person shall serve as chairman or member of the BEI if he or his spouse is related within the fourth civil degree of consanguinity or affinity to any member of the same BEI, or to any candidate to be voted for, or to the latter's spouse. Violation of this provision shall constitute an election offense as provided in Section 261 (bb), sub-par (3) of the Omnibus Election Code.

SEC. 4. Notice of disqualification. - Any chairman or member of the BEI who is disqualified for any reason shall immediately notify the EO of such fact in writing, who shall in turn appoint a substitute.

SEC. 5. Temporary vacancies in the BEI. - If, at the time of the meeting of the BEI, any member is absent or a vacancy exists, the members present shall call upon a substitute from the list of public school teachers submitted by the DepEd to perform the duties of the absent member. If none is available, the members present shall appoint any qualified non-partisan registered voter of the precinct to temporarily fill said vacancy until the absent member appears. In case there are two members present, they shall act jointly.

SEC. 6. Arrest of absent members. - The member or members of the BEI present may order the arrest of any member who, in his or their judgment, has absented himself with the intention of obstructing the performance of the duties of the BEI.

SEC. 7. Appointment and oath of members of the BEI. - The EO shall accomplish the form for the Appointment of the Chairman and Members of the BEI (CEF No. A5) in three (3) copies, and require the chairman and members of the BEI to affix before him their signatures and imprints of their right thumbs on the Oath of Office (CEF No. A5-A) before assumption of office.

Copies of the Appointment and Oath (CEF No. A5 & CEF No. A5-A) shall be distributed, as follows:

- a) The first and second copies shall be retained by the EO. One copy shall be for his file and the other shall be attached to the payroll for payment of honorarium of the BEI; and
- b) The third copy shall be issued to the chairman and members of the BEI concerned.

SEC. 8. Minutes of Testing and Sealing; Voting and Counting (Minutes).

- The BEI shall enter in the Minutes (CEF No. A11), the act or data therein required as they occur or become available during the testing and sealing, voting, counting, and transmission of results. Copies thereof shall be sealed in separate envelopes, to be distributed as follows:

- a) First copy, to the EO, who shall transmit it to the Election Records and Statistics Department (ERSD), COMELEC, Manila; and
- b) Second copy, to be deposited inside the ballot box.

SEC. 9. Support Staff. - There shall be in addition to the regular members of the BEI depending on the number of precincts clustered, a maximum of three (3) support staff, who are registered voters in the precinct/clustered precinct where they are assigned. They shall be appointed/designated by the EO, subject to the qualifications and conditions provided under Sections 2, 3 and 7 hereof, in such ratio as indicated below:

NO. OF PRECINCTS IN A CLUSTER	NO. OF SUPPORT STAFF
1 to 2	0
3	1
4	2
5 or more	3

They can neither participate in any deliberation of the BEI nor vote on any issue or question that may arise during the proceedings.

In case of absence of all or any of the support staff on the day of the election, the BEI, by majority vote, may designate any registered voter in the precinct/clustered precinct as substitute, subject to the provisions of Sections 2, 3 & 7 hereof. Such fact shall be recorded in the Minutes.

SEC. 10. Powers and functions of the BEI. - The BEI shall have the following powers and functions:

- a) Conduct the voting in the polling place and administer the electronic counting of votes, including the testing and sealing of the PCOS machine;

- b) Print the election returns and transmit electronically the election results, through the use of the PCOS machine, to the:
 - i. City/Municipal Board of Canvassers;
 - ii. Central Server; and
 - iii. Transparency Server (Dominant Majority Party/Dominant Minority Party/Accredited Citizens' Arm/KBP server).
- c) Act as deputies of the Commission in the conduct of the elections;
- d) Maintain order within the polling place and its premises; keep access thereto open and unobstructed; enforce obedience to its lawful orders and prohibit the use of cellular phones and camera by the voters. If any person refuses to obey the lawful orders of the BEI, or conducts himself in a disorderly manner in its presence or within its hearing and thereby interrupts or disturbs its proceedings, the BEI may issue an order in writing directing any peace officer to take said person into custody until the adjournment of the meeting, but such order shall not be executed as to prevent said person from voting. A copy of such written order shall be attached to the Minutes;
- e) Furnish watchers Certificate of Votes (CEF No. A13) upon request; and
- f) Perform such other functions prescribed by law or by the rules and regulations promulgated by the Commission.

SEC. 11. Proceedings of the BEI. - The meeting of the BEI shall be public and shall be held in the polling place designated by the Commission.

The BEI shall act through its chairman and shall decide by majority vote, without delay, all questions, which may arise in the performance of its duties.

SEC. 12. Voting Privilege of the Members of BEI. - Members of the BEI who are registered voters in precincts other than where they are assigned, may avail of the Local Absentee Voting, or on the day of the elections, vote in the precincts where they are registered, provided that they do so when the voting in their respective places of assignments is light, and their absence shall not be for more than twenty (20) minutes. For this purpose, they shall schedule their voting so that only one member of the BEI shall leave at any one time.

SEC. 13. Prohibition against political activity. - No member of the BEI or its support staff shall engage in any partisan political activity, or take part in the election except to discharge his duties as such and to vote.

SEC. 14. DepEd Supervisors and their Support Staff; Composition and Functions. - There shall be at least one (1) DepEd Supervisor Official with one (1) support staff for every voting center. In case of polling centers with more than ten (10) clustered precincts, an additional DepEd supervisor official with one (1) support staff shall be constituted, as follows:

No. of clustered precincts	No. of DepEd Supervisor Official	No. of support staff
1-10		
11-20	1	1
21-30	2	2
and so forth using the same ratio	3	3

The DepEd Supervisors, in coordination with the EO, shall, among other things:

- a) Plan, organize and supervise the setting-up of a voters' assistance center at the voting center to assist voters in locating their polling places/precinct assignments;
- b) Plan, organize and supervise the crowd management at the entrance areas of polling places;
- c) Maintain a list of technical personnel as well as PNP and AFP personnel in the voting centers for efficient coordination in case of need; and
- d) Serve as the contact and point person of the EO in the voting center.

The Support Staff of the DepEd Supervisor shall assist the latter in undertaking the abovementioned functions.

SEC. 15. Honoraria of the BEI and their support staff; DepEd Supervisor and their support staff. - The chairman and members of the BEI shall each receive an honorarium of three thousand pesos (P3,000.00). In addition, each shall receive P500.00 for the Testing and Sealing of Machines; P500.00 for one-time transportation allowance, and service credits for three days of service (day before the elections, election day and day after elections).

The BEI Support Staff shall receive an honorarium of P1,500.00 each and, if applicable, service credits, for three (3) days of service (day before the elections, election day and day after elections).

DepEd Supervisors shall receive an honorarium of P3,000.00, and service credits for three (3) days of service (day before the elections, election day, and day after elections); while their support staff shall receive an honorarium of P1,500.00, and service credits for three (3) days of service (day before the elections, election day, and day after elections).

SEC. 16. Insurance of DepEd and Non-DepEd Personnel. - The Commission shall allocate the amount of Thirty Million Pesos (P30,000,000.00) for election-related death or injuries that may be sustained by DepEd and non-DepEd personnel in the performance of election duties; Provided, that, in case of death while in the performance of election duties, the heirs of the deceased official/employee shall be given the amount of Two Hundred Thousand Pesos (P200,000.00).

ARTICLE II WATCHERS

SEC. 17. Official watchers of candidates, political parties and other groups. - Each candidate and registered political party or coalition of political parties duly registered with the Commission and fielding candidates in the election, as well as duly accredited citizens' arms may appoint two watchers, to serve alternately, in every polling place. However, candidates for Senator, candidates for Member, Sangguniang Panlalawigan or Sangguniang Panlungsod, or Sangguniang Bayan, or ARMM Regional Legislative Assembly belonging to the same party or coalition, shall collectively be entitled to one watcher;

Duly accredited citizens' arms of the Commission shall be entitled to appoint a watcher in every polling place. Other civil, professional, business, service, youth, and any other similar organizations shall, with prior authority of the Commission, be entitled collectively to appoint one watcher in every polling place.

If, because of limited space, all watchers cannot be accommodated in the polling place, preference shall be given to the watchers of the dominant majority and dominant minority parties as determined by the Commission, and the watcher of the citizens' arm, the Parish Pastoral Council for Responsible Voting (PPCRV), with the latter given preferential position closest to the BEI.

SEC. 18. Qualifications of watchers. - No person shall be appointed watcher unless he:

- a) Is a registered voter of the city or municipality where he is assigned;
- b) Is of good reputation;
- c) Has not have been convicted by final judgment of any election offense or of any other crime;
- d) Knows how to read and write Filipino, English or the prevailing local dialect; and
- e) Is not related within the fourth civil degree of consanguinity or affinity to the chairman, or to any other member of the BEI in the polling place where he seeks appointment as a watcher.

SEC. 19. Rights and duties of watchers. - Upon entering the polling place, the watchers shall present to the chairman of the BEI their appointments as watchers, and their names shall forthwith be recorded in the Minutes with a notation under their signatures that they are not disqualified to serve as such under the immediately preceding Section.

The appointments of the watchers shall bear the signature of the candidate or duly authorized representative of the party, organization or coalition of parties that appointed them. For this purpose, at least fifteen (15) days before election day, independent candidates, registered parties, organizations, or coalitions authorized by the Commission to appoint watchers shall provide the EOs concerned with the names

and signatures of their representatives authorized to appoint watchers in the city or municipality.

The watchers shall have the right to:

- a) Stay in the space reserved for them inside the polling place;
- b) Witness and inform themselves of the proceedings of the BEI;
- c) Take note of what they may see or hear;
- d) Take photographs of the proceedings and incidents, if any, during the testing and sealing, voting, counting of votes, as well as of the printed election returns and of the ballot box, provided the secrecy of the ballot shall be maintained at all time;
- e) File a protest against any irregularity or violation of law which they believe may have been committed by the BEI or by any of its members or by any person;
- f) Obtain from the BEI a certificate as to the filing of such protest and/or the resolution thereof; and
- g) Position themselves behind the chairman of the BEI in such a way that they can read the election returns while the chairman of the BEI is publicly announcing the precinct results.

Watchers shall not speak to any member of the BEI, or to any voter or among themselves, in such a manner as would distract the proceedings of the BEI.

The watchers representing the dominant majority and dominant minority parties and the watcher of the PPCRV shall, if available, affix their signatures and thumbmarks in the election returns.

ARTICLE III

FINAL TESTING AND SEALING

SEC. 20. Period for testing and sealing of PCOS machines. At least seven (7) days before May 13, 2013 National and Local Elections, the BEIs shall convene in their assigned polling places to test and seal the PCOS machines.

SEC. 21. Notice of convening of the BEI for the testing and sealing of the PCOS machines. At least ten (10) days before the testing and sealing of the PCOS machines, the EO shall notify in writing, the BEI concerned of the date, time and place of the testing and sealing.

In case of candidates, registered political parties, coalition of political parties, associations or organizations participating in the party-list system representation in the city or municipality, accredited citizens' arm in the city or municipality, the EO shall notify them by posting a notice of the date, time and place of testing and sealing for each clustered precinct, not later than **May 1, 2013**, in the bulletin boards of his office and of the city or municipal hall, and in at least three (3) conspicuous places in city or municipality.

SEC. 22. Procedures for the testing and sealing of the PCOS machines.

During the testing and sealing, the BEI shall observe the following procedures:

- a) Explain to those present, the purpose of, and the procedures for, the testing and sealing;
- b) Randomly choose from among those present, ten (10) voters who will accomplish the test ballots. If there are less than ten (10) voters, any of the ten (10) voters may accomplish more than one (1) test ballot to complete the ten (10) test ballots needed;
- c) Seal the ballot box with the packing tape, and show to the public that the PCOS box is sealed;
- d) Remove the sticker seal of the PCOS box;
- e) Open the PCOS box;
- f) Check whether the following are inside the PCOS box:
 1. Checklist of contents of the box;
 2. PCOS machine;
 3. Power cord of the PCOS machine;
 4. Ten (10) test ballots;
 5. One (1) envelope containing spare iButton;
 6. Twelve (12) rolls of paper;

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7. One envelope containing the back-up memory;
8. Three (3) labeled PINs of the BEI;
9. One (1) labeled PIN for re-zeroing;
10. Modem or bridge for BGAN, if any.

The twelve (12) rolls of paper and the modem or bridge for BGAN shall not be used during the testing and sealing, and shall remain inside the PCOS box.

- g) Retrieve the PIN of each member of the BEI and distribute the same among themselves. The PIN for re-zeroing shall likewise be retrieved, and shall be in the custody of the Chairman;
- h) Retrieve the test ballots from the PCOS box.
- i) Retrieve the PCOS from its box;
- j) Show to the public that the PCOS slot labeled "POLL WORKER" where the main memory card is stored is sealed. It shall remain sealed throughout the testing and sealing procedure;
- k) Place the PCOS properly on top of the ballot box;
- l) Break the plastic fixed length seal of the printer cover of the PCOS;
- m) Open the printer cover, after which the Chairman shall take out the iButton security key;
- n) Ensure that the roll of official thermal paper is already properly installed;
- o) Close the printer cover;
- p) Connect the power adaptor to the PCOS AC power port (20 VAC) and plug the other end to the electrical outlet;
- q) Connect the battery to the PCOS DC power port (12 VDC). If there is no power, press with a ballpoint pen the RESET button located at the back of the PCOS above the AC power port;
- r) Wait until the PCOS displays the message "BEI AUTHENTICATION PLEASE INSERT SECURITY KEY FOR AUTHENTICATION";
- s) The Chairman shall:

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1. Place the iButton security key on top of the iButton security key receptacle and apply slight pressure thereon. A message "PLEASE ENTER SECURITY PIN" will be displayed in the screen.
2. Enter the security "PIN". A message "PIN ACCEPTED" appears on the screen.
3. Wait until the message "BEI SECURITY KEY VERIFIED" appears on the PCOS screen. A message "IS THIS THE CORRECT TIME?", with "YES/NO" options appearing on the screen.
4. Select "YES" if the date and time is correct, and enter such fact in the minutes.
5. Select "NO" if the date and time is incorrect. The screen will ask the BEI to set the correct date and time, and ask for the correct:
 - a. YEAR. If year is correct, press "DONE". If not,
 - i. If YEAR is before 2013, press +++ button, until the year displayed is 2013.
 - ii. If YEAR is after 2013, press --- button, until the year displayed is 2013.
 - b. MONTH. If month is correct, press DONE. If not,
 - i. If MONTH is before the current month, press +++ button, until the month displayed is the current month.
 - ii. If MONTH is after the current month, press --- button, until the month displayed is the current month.
 - c. If DAY is correct, press DONE. If not,
 - i. If DAY is before the current day, press +++ button, until the day displayed is the current day.
 - ii. If DAY is after before the current day, press --- button, until the day displayed is the current day.
 - d. If HOUR is correct, press DONE. If not -
 - i. If HOUR is before the current hour, press +++ button, until the hour displayed is the current hour.

- ii. If HOUR is after the current hour, press --- button, until the until the hour displayed is the current hour.
- e. If MINUTE is correct, press DONE. If not -
 - i. If MINUTE is before the current minute, press +++ button, until the minute displayed is the current hour.
 - ii. If MINUTE is after the current minute, press --- button, until the minute displayed is the current minute.
- f. After correction of the date and time has been effected, Press "DONE", and enter such fact in the Minutes.

6. Wait until the MAIN MENU is displayed;

The iButton shall be in custody of the Chairman until the closing of testing and sealing procedure.

- t) In the "MAIN MENU", the certified IT-capable member of the BEI shall perform the following PCOS diagnostics procedure:
 - a) Select "UTILITIES" option.
 - b) Select "RUN DIAGNOSTICS" option. The PCOS will run the diagnostics on the main memory then displays the message "COMPLETE DIAGNOSTICS. MEMORY PASSED" if the memory is working; otherwise, it will display the error message "COMPLETE DIAGNOSTICS. MEMORY FAILED".
 - c) The PCOS will run the diagnostics on the backup memory. Wait until the screen displays "BACKUP MEMORY CARD NOT DETECTED". Select "YES" option. Then the PCOS will display the message "COMPLETE DIAGNOSTICS. COMPACT FLASH PASSED".
 - d) The PCOS shall then test the "EEPROM", and thereafter displays the message "COMPLETE DIAGNOSTICS. EEPROM PASSED" if the "EEPROM" is operational; otherwise, it shall display the error message "COMPLETE DIAGNOSTICS. EEPROM FAILED".
 - e) The PCOS then runs diagnostics on the thermal printer by automatically printing a sample output on the thermal paper. The sample printout will be "**** DIAGNOSTICS PRINTER TEST. ****".

- f) The PCOS shall display "CAN YOU READ THE TEXT PRINTED ON THE PAPER?" with "YES and NO" options.
- g) Select the appropriate option. If "YES" is selected, the PCOS will display "COMPLETE DIAGNOSTICS. THERMAL PRINTER PASSED". If "NO", the PCOS will display "COMPLETE DIAGNOSTICS. THERMAL PRINTER FAILED".
- h) The PCOS shall then display a set of numbered buttons to test the LCD screen. Test all buttons by pressing them one at a time. If a button works properly, the following message will appear "BUTTON 1 PRESSED, BUTTON 2 PRESSED..." depending on the number of the buttons pressed. If the button pressed is not working, the PCOS will not display any message. Continue pressing the other buttons. When finished, select "DONE". The PCOS shall then display the message "DOES THE LCD WORK PROPERLY?" with "YES and NO" options. Select the appropriate option. If NO is selected, the PCOS will display "COMPLETE DIAGNOSTICS. LCD FAILED". Then the PCOS will automatically perform No. 12 hereof.
- i) If "YES" is selected, the PCOS shall display the message "PLEASE PRESS THE GREEN CAST BUTTON TO CONFIRM THAT IT IS WORKING PROPERLY". The BEI member shall then press the green "CAST" button.
- j) The PCOS shall display the message "PLEASE PRESS THE RED RETURN BUTTON TO CONFIRM THAT IT IS WORKING PROPERLY". Press the red "RETURN" button.
- k) The PCOS will display "COMPLETE DIAGNOSTICS. LCD PASSED".
- l) The PCOS shall automatically test the clock component and display the message "COMPLETE DIAGNOSTICS. CLOCK PASSED" if the clock is operational; otherwise, it will display the error message "COMPLETE DIAGNOSTICS. CLOCK FAILED".
- m) The PCOS shall automatically test the power component and display the message "COMPLETE DIAGNOSTICS. POWER PASSED" if the power component is operational; otherwise, it will display the error message "COMPLETE DIAGNOSTICS. POWER FAILED".
- n) The PCOS shall automatically test the modem device and display the message "TESTING MODEM DEVICE. DETECTING MODEM" followed by "COMPLETE

DIAGNOSTIC. MODEM FAILED". Ignore this message during the FTS since the modem is not connected to the PCOS.

- o) The PCOS shall display the message "PLEASE INSERT ONE BALLOT TO RUN SCANNER DIAGNOSTICS". The operator shall get one (1) blank test ballot from among the ten (10) test ballots, and feed it in the PCOS ballot entry slot;
- p) The PCOS shall validate the ballot and display the message "SCAN COMPLETE". Press "NEXT" button. The PCOS shall display the contents of the ballot with a message "VALID BALLOT SENATOR: BLANK CONTEST. ." Select "NEXT" to continue the display of the contents. Then select "NEXT" to complete the display. Press the "RETURN" button. PCOS shall display the message "RETURNING BALLOT" and the test ballot is returned through the ballot entry slot. The certified IT-capable member of the BEI shall include the test ballot used with the rest of the test ballots;
- q) After this, the PCOS shall display the message "IS THE SCANNER WORKING PROPERLY AND ARE THE SCANNED BALLOT RESULTS CORRECT?", with "YES" and "NO" options. Select the appropriate option. If the ballot scanner is functional, select "YES"; otherwise, select "NO". If "YES" is selected, the PCOS will display "COMPLETE DIAGNOSTICS. SCANNER PASSED". If "NO" is selected, the PCOS will display "COMPLETE DIAGNOSTICS. SCANNER FAILED";
- r) The PCOS shall display the "PRINT, DISPLAY, and PREVIOUS SCREEN" options;
- s) Select "DISPLAY" option. The PCOS shall display the Diagnostics Report, with "DONE" and "NEXT" options;
- t) Select "NEXT" option to display the second screen of the Diagnostics Report;
- u) The PCOS shall display the "PREV, DONE, and PRINT" options;
- v) Select "PRINT" to print the Diagnostic Report.

The report should contain the message "MACHINE IS READY FOR USE" that is printed at the bottom of the Diagnostic Report. If it does not contain such message, identify from the report which component failed, and call the technical support for assistance.

In the PCOS where modem failed due to the absence of modem, the report will contain message "MODEM FAILED" and "MACHINE IS NOT READY FOR USE".

Ignore this message during the FTS since the modem is not connected to the PCOS.

- w) After printing the Diagnostic Report, the PCOS will display a message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT?" with "YES and NO" options. Press NO option;
- x) The Utilities Menu will be displayed with the following options: "TABULATOR INFO, RUN DIAGNOSTICS, RE-ZERO and PREVIOUS SCREEN". Select "PREVIOUS SCREEN" to return to the Main Menu;
- y) Detach the printed Diagnostic Report, and place it inside the envelope (A17-TS) provided for the purpose;
- z) Select "OPEN VOTING" from the Main Menu.

The PCOS shall then:

- i. Request for the PIN of the poll clerk who will then enter his PIN, and press ENTER;
 - ii. Request for the second PIN from the third member who will then enter his PIN, and press ENTER;
 - iii. Validate the PIN, and display a message "PIN ACCEPTED";
 - iv. Display two (2) options: "INITIALIZE VOTE COUNTERS and PREVIOUS SCREEN".
- aa) Press the "INITIALIZE VOTE COUNTERS" option of the PCOS. The PCOS shall then:
- i. Display the message "INITIALIZING VOTE COUNTERS (ENSURING THAT VOTE COUNTERS ARE ZERO) PLEASE WAIT ...";
 - ii. Display "RESULTS HAVE BEEN ZEROED";
 - iii. Automatically print the Initialization Report showing Zero (0) vote for each candidate including the geographic information (province, city/municipality, barangay, voting center and individual precinct in the cluster);
 - iv. After printing the Initialization Report, the PCOS will display the message, "WOULD YOU LIKE TO PRINT MORE COPIES OF THE ZERO TAPE?" with "YES

and NO" options. Press "NO". The PCOS will display the message "PLEASE INSERT BALLOT". Now, the PCOS is ready to accept ballots.

- bb) Detach the Initialization Report, affix their signatures thereon including those of the representatives of the political parties, candidates or citizens arms present;
- cc) Place the Initialization Report inside the envelope (A17-TS) containing the Diagnostic Report for submission to the EO;
- dd) The Chairman of the BEI shall issue the 10 test ballots.

Only two (2) voters can accomplish the test ballot at the same time. For this purpose, the Chairman shall give each of the test voters a ballot inside a ballot secrecy folder and a marking pen;

The test voter shall, using the marking pen, accomplish his ballot by fully shading the ovals opposite the names of the candidates of his choice, including that of the party, organization or coalition participating in the party-list system of representation. Thereafter, he shall return his accomplished ballot inside the ballot secrecy folder, and proceed to the BEI;

ee) The Chairman of the BEI shall:

1. Examine the accomplished ballots and determine whether the ovals opposite the names of the candidates/political parties participating in the party-list system chosen have been fully shaded, and the security features (timing marks and bar codes) have not been damaged;
2. Return the accomplished ballot inside the ballot secrecy folder and give the same to the voter who shall personally feed the accomplished ballot into the PCOS ballot entry slot.

ff) Close the voting after the ten (10) voters have voted by performing the following:

1. The Chairman shall place the iButton security key on top of the iButton security key receptacle, apply slight pressure thereto, and remove the iButton security key from its receptacle, after which the PCOS will display the Main Menu;
2. Press the "CLOSE VOTING" option in the Main Menu;
3. The screen will display a message "ARE YOU SURE YOU WANT TO CLOSE VOTING? NO MORE BALLOTS WILL BE ACCEPTED AFTER THIS". Select "YES" option;

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4. The PCOS will request for the "PIN" of the poll clerk who will then enter his "PIN", and press "ENTER". The PCOS will validate the "PIN". The PCOS will request for the second "PIN" from the third member who will then enter his "PIN", and press "ENTER". The PCOS will validate the "PIN" and display a message "PIN ACCEPTED";
5. The screen will display a message "POLL IS BEING CLOSED PLEASE WAIT", followed by another message "VOTING HAS BEEN CLOSED NO MORE BALLOTS WILL BE ACCEPTED BY THIS PCOS";
- gg) Thereafter, the PCOS shall automatically count the votes and immediately display a message "WOULD YOU LIKE TO DIGITALLY SIGN THE TRANSMISSION FILES WITH A BEI SIGNATURE KEY?", with a "YES or NO" option;
- hh) Press the "NO" option. The PCOS will display "ARE YOU SURE YOU DO NOT WANT TO APPLY ANY DIGITAL SIGNATURE?", with a "YES or NO" option;
- ii) Press the YES option. A message shall be displayed "PREPARING ELECTION REPORTS. PLEASE WAIT ..." followed by a message "PRINTING 8 COPIES OF NATIONAL RETURNS PLEASE WAIT";
- jj) A message shall be displayed "WOULD YOU LIKE TO PRINT MORE COPIES OF THE NATIONAL RETURNS", with "YES and NO" options. Press "NO" option.
- kk) Thereafter, the PCOS will display "PRINTING 8 COPIES OF LOCAL RETURNS. PLEASE WAIT", and the PCOS automatically prints the 8 copies;
- ll) A message shall be displayed "WOULD YOU LIKE TO PRINT MORE COPIES OF THE LOCAL RETURNS", with "YES and NO" options. Press "NO" option.
- mm) Detach the Election Returns and place it inside the envelope provided for the purpose;
- nn) A message shall be displayed "READY TO TRANSMIT. PLEASE PLUG IN TRANSMISSION CABLE TO ELECTRONICALLY TRANSMIT ELECTION RESULTS AND PRESS OK TO CONTINUE", with "OK and SKIP" options;
Do not plug transmission cable. Press "SKIP" option;
- oo) A message "ARE YOU SURE YOU WISH TO SKIP CONNECTING TO THE MODEM?", with "YES and NO" options. Press "YES" option;
- pp) The PCOS will display a message "FAILED TO TRANSMIT RESULTS. TRANSMISSION PROCESS FAILED. PLEASE DISCONNECT TRANSMISSION CABLE".
- qq) This shall be followed by "PRINTING TRANSMISSION REPORT. PLEASE WAIT".
- rr) The PCOS will automatically print the Transmission Report and thereafter display a message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT", with "YES and NO" options. Press "NO" option.

- ss) Detach the Transmission Report and place it inside the envelope (A17-TS).
- tt) The PCOS will display the Main Menu;
- uu) RE-ZERO the machine counters by pressing the "UTILITIES" in the Main Menu, and select the "RE-ZERO" option in the next menu.

The PCOS will:

1. Request for the "PIN" of the Poll Clerk who will then enter his "PIN", and press "ENTER";
2. Request for the second "PIN" from the Third Member who will then enter his "PIN", and press "ENTER";
3. Validate the "PIN" and display a message "PIN ACCEPTED".

- vv) The Chairman shall enter the "RE-ZERO PIN", then press "ENTER";

The PCOS will:

1. Display "RESULTS HAVE BEEN ZEROED"; and
2. Automatically return to the Main Menu.

SEC. 23. Manual verification of results. - The BEI shall retrieve the accomplished valid test ballots from the ballot box, manually count the votes therein, and accomplish the Election Returns (ER) provided for the purpose. The following rules shall be observed in the manual counting of votes:

- a) The Chairman shall verify the ballots to determine whether there is over-voting. If there is an over-vote in a position, no vote shall be counted in favor of any candidate for the said position;
- b) The Chairman shall take the ballot one by one, and read the names of candidates voted for and the offices for which they were voted in the order in which they appear thereon;
- c) The Poll Clerk shall record on the ER the vote as the names voted for each office are 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;
- d) After finishing the ten (10) test ballots, the Poll Clerk shall determine the total number of votes obtained by each candidate;
- e) The BEI shall compare the results of the manually-prepared ER with that of the machine-generated ER.

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6. If the results of both ERs are the same, the certification portion of both ERs shall be signed by the BEI and the representatives of the political parties, candidates or citizens arms present;
7. If the results of both ERs are not the same, the BEI shall review/re-appreciate the ballots to determine the cause of the discrepancy. If after re-appreciation, there is still discrepancy, the BEI shall call on the assigned technical support personnel.
 - i. The BEI shall immediately submit a report of the testing to the EO concerned; and
 - ii. The EO shall submit a report to the Commission, through the Field Operations Group of the Project Management Office.

Sec. 24. Post testing procedure; Shutting down the PCOS machines.

The certified IT-capable BEI member shall turn off the PCOS by performing the following:

- a) Press the SHUT DOWN option in the Main Menu. The PCOS will display the message ARE YOU CERTAIN YOU WANT TO SHUT DOWN THIS PCOS?;
- b) Select YES option. Wait until the light of the screen turns off;
- c) Disconnect the battery from the PCOS machine;
- d) Disconnect the battery cable from the battery;
- e) Disconnect the power cable of the PCOS machine from the electrical outlet;
- f) Disconnect the power cable from the PCOS machine;
- g) Place the counted ballots, machine-generated ER together with the manually-accomplished ER and all reports in an envelope (A17-TS) for submission to the EO for safekeeping, after the testing and sealing;
- h) The BEI shall:
 1. Retrieve the envelope containing the back-up memory card from the PCOS box;

2. Open the ADMINISTRATOR slot, insert the back-up memory card in the memory card slot of the PCOS, and seal the slot with plastic security seal (A12);
3. Place the PCOS iButton inside the printer compartment of the PCOS, cover the printer and seal with plastic security seal (A12);
4. Record in the Minutes the serial numbers of the plastic security seals used;
5. Place the battery and its peripherals inside the battery box;
6. Place inside the PCOS box the following:
 - i. The PCOS and its power cord;
 - ii. PINs for the BEI;
 - iii. PIN for re-zeroing; and
 - iv. Two (2) copies of the Minutes in their envelopes

Ensure that the three rolls of paper, envelope for the spare iButton and the modem, if any, are still inside the PCOS box.

7. Seal the PCOS box with the paper seal provided for the purpose; and
8. Allow the watchers of the PPCRV to place their own seal.

Interested parties may, with prior authority from the Election Officer, watch over the polling center where the PCOS are kept.

SEC. 25. Disposition of forms/supplies. After the testing and sealing, the BEI shall:

- a) Submit to the EO the envelope containing the following:
 1. Diagnostic Report;
 2. Initialization Report;
 3. Eight copies of ER;
 4. Manual ER;
 5. Transmission Report; and
 6. Counted ballots.

The EO shall keep the above documents in his custody until further instructions from the Commission.

- b) Leave inside the polling place, properly secured, the PCOS contained in the sealed box, the battery inside its box, and the locked ballot box.

SEC. 26. PCOS machines to be opened on May 13, 2013. – The PCOS machines shall be opened only on May 13, 2013, before the voting starts, and in the presence of watchers, if any.

**ARTICLE IV
FORMS, DOCUMENTS AND SUPPLIES**

SEC. 27. Election forms, documents and supplies. – A. Final testing and sealing – In the morning of the day scheduled for the testing and sealing of the PCOS, the BEI shall get from the Office of the EO the following forms, documents and supplies to be used for such testing and sealing:

<u>SUPPLIES AND MATERIALS FOR TESTING AND SEALING</u>			
<u>ELECTION FORMS</u>			
A6-TS	Test Ballots	10	Pieces
A9-TS	Manual Election Returns	1	Piece
A11	Minutes of Testing and Sealing; Voting and Counting	2	Pieces
A12-C	Paper Seal for PCOS Box	1	Piece
<u>ENVELOPES</u>			
A17-TS	For Counted Test Ballots, ERs and other reports	1	Piece
	Envelope for Minutes of Testing and Sealing; Voting and Counting	2	Pieces
<u>SUPPLIES</u>			
	Marking pen	2	Pieces

	Ballot Secrecy Folder	2	Pieces
	Plastic Security Seal for printer & back-up memory card of PCOS	2	Pieces
	Ballpen	2	Pieces

B. Election Day – Except when authorized to do so earlier by the Commission, the BEI shall get the forms, documents and supplies early in the morning of Election Day, as follows:

FROM THE CITY/MUNICIPAL TREASURER

CEF NO.	DESCRIPTION	RATE OF DISTRIBUTION PER CLUSTERED PRECINCT	
ELECTION FORMS			
A3	Poster Indicating the Clustered Precincts Numbers	1	Piece
A6	Official Ballots	1	Piece per voter
A12	Paper Seal	75	Pieces
A14	Certificate of Receipt of Official Ballots, Other Forms and Supplies by BEI	3	Pieces
A27	Official Receipt of Election Returns	30	Pieces
ENVELOPES FOR VOTING AND COUNTING			
A15	For Rejected ballots, Half of Torn Unused Official Ballots and Other Half of Torn Unused Official Ballots	3	Pieces
A17	For Election Returns	30	Pieces
OTHER ENVELOPES			

A18-A	For Main Memory Card, I-button Security Key, PINs, Initialization Report, Audit Log, and Precinct Statistical Report	6	Pieces
OTHER FORMS			
A30/A31	Temporary Appointment of Chairman/Poll Clerk/Third Member/Support Staff	10	Pieces
A35	Certificate of Challenge or Protest and Decision of the BEI	10	Pieces
A39	Oath of Voter Challenge for Illegal Acts	10	Pieces
A40	Oath of Identification of Challenged Voter	10	Pieces
SUPPLIES			
	Bond Paper (long)	20	Pieces
	Ballot Secrecy Folder	12	Pieces
	Thumbprint Taker	1	Piece
	Plastic Seal for the Ballot Box	5	Pieces
	Indelible Stain Ink	5	Bottles
	Ballpens	4	Pieces

FROM THE ELECTION OFFICER:

- a) Two (2) copies of the Precinct Computerized Voters List (PCVL):
 - i. One copy for posting outside the polling place
 - ii. The other copy for use by the BEI during the voting
- b) The Election Day Computerized Voters List (EDCVL); and
- c) Copies of Appointment and Oath of Office of the BEI and Support Staff (CEF No. A5 & CEF No. A5-A).

The PCVL and EDCVL should all be duly certified by the Election Registration Board.

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The BEI shall carefully check the different election forms, documents and supplies and the quantity actually received. The BEI shall sign a Certificate of Receipt (CEF No. A14) in three (3) copies, the original of which shall be delivered to the City/Municipal Treasurer, who shall transmit the same to the ERSD, COMELEC, Manila, immediately after election day. The second copy shall be given to the City/Municipal Treasurer who shall keep the same for his file, and the third copy shall be retained by the BEI.

SEC. 28. Forms to be reproduced when needed. - The following forms may be reproduced when needed:

- a) Temporary Appointment of Chairman/Poll Clerk/Member (Annex "A");
- b) Certificate of Challenge or Protest and Decision of the BEI (Annex B);
- c) Oath of Voter Challenged for Illegal Acts (Annex "C"); and
- d) Oath To Identify A Challenged Voter (Annex "D").

ARTICLE V

DATE, TIME AND PLACE OF VOTING

SEC. 29. Date of election. - The election shall be held on May 13, 2013.

SEC. 30. Voting hours. - The casting of votes shall start at seven o'clock in the morning and shall end at seven o'clock in the evening of Election Day.

If at seven o'clock in the evening there are still voters within thirty (30) meters in front of the polling place who have not yet cast their votes, voting shall continue but only to allow said voters to cast their votes without interruption. The poll clerk shall, without delay, prepare a complete list, in two (2) copies, containing the names of said voters consecutively numbered. The voters listed shall be called to vote by the poll clerk by announcing near the door of the polling place, in a tone loud enough to be heard throughout the polling place, each name three (3) times in the order in which they are listed. Any voter in the list who is not present when called shall not be allowed to vote at any later time. The said list shall be attached to the Minutes.

SEC. 31. Place of voting. - Voters shall cast their votes in the polling place designated by the Commission. The poster indicating the clustered precinct number (CEF No. A3) shall be prominently posted near or on the door of the polling place.

ARTICLE VI VOTING

SEC. 32. Who may vote. - All registered voters whose names appear in the EDCVL may vote in the election, unless their names are manually crossed out from the EDCVL with the following annotations, duly signed by the Election Officer:

- a. The voter has transferred to another district/city/municipality; or
- b. The voter has died.

SEC. 33. Challenge against illegal voters. - Any voter or watcher may challenge any person offering to vote for:

- a) Not being registered;
- b) Using the name of another; or
- c) Suffering from an existing disqualification.

In such case, the BEI shall satisfy itself as to whether or not the ground for the challenge is true by requiring proof of registration, identity or qualification. The BEI shall identify the voter through his photograph, fingerprint, or specimen signatures in the EDCVL. In the absence of any of the above-mentioned proof of identity, any member of the BEI may identify under oath a voter, and such act shall be reflected in the Minutes.

SEC. 34. Challenge based on certain illegal acts. - Any voter or watcher may challenge any voter offering to vote on the ground that he:

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- a) Received or expects to receive, paid, offered or promised to pay, contributed, offered or promised to contribute money or anything of value as consideration for his vote or for the vote of another; or
- b) Made or received a promise to influence the giving or withholding of any such vote; or
- c) Made a bet or is interested directly or indirectly in a bet that depends upon the results of the election.

In such cases, the challenged voter shall take an oath before the BEI that he has not committed any of the acts alleged in the challenge. Upon taking such oath, the challenge shall be dismissed and the voter shall be allowed to vote. In case the voter refuses to take such oath, the challenge shall be sustained and the voter shall not be allowed to vote.

SEC. 35. Record of challenges and oaths. - The BEI shall record in the Minutes all challenges and oaths taken, and its decision in each case.

SEC. 36. Rules to be observed during the voting. - During the voting, the BEI shall see to it that:

- a. Voters shall vote in the order of their arrival in the polling place;
- b. No watcher shall enter the place reserved for the voters and the BEI, nor mingle and talk with the voters;
- c. No person carrying any firearm or any other deadly weapon, except jail/prison escorts and those expressly authorized by the Commission, shall enter the polling place. The jail/prison escorts may bring firearms inside the polling place to secure the detainee voter who will vote in the polling precinct as provided for in Rule 7 Sec. 3 of Resolution No. 9371, promulgated on March 6, 2012. Said escorts and detainees shall immediately leave the polling place once the latter have finished voting;
- d. There shall be no crowding of voters and disorderly behavior inside the polling place; and
- e. The ballot box shall remain locked during the voting. However, if it should become necessary to make room for more ballots, the BEIs with the

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assistance of the Technical support personnel assigned in the voting center, and in the presence of the watchers and the public, shall:

1. Remove the PCOS machine from the top of the ballot box, and shake the ballot box to wobble the contents therein, and make room for the ballots;
2. If it is still difficult for the ballot to get inside the ballot box, the Chairman of the BEI shall place his hand inside the ballot box by passing through the sliding cover of the ballot box, and press down with his hands the ballots contained therein;
3. If still the ballot cannot go through the ballot box, the ballot box may be opened. The chairman shall press down with his hands the ballots contained therein without removing any of them, after which the BEI shall close the box by sealing it with the packaging tape, and require all the members of the BEI and watchers present to affix their signatures thereon.

Such fact shall be recorded in the Minutes.

SEC. 37. Persons allowed inside the polling place. - Only the following persons shall be allowed inside the polling place:

- a) Members of the BEI and support staff, if any;
- b) Watchers who shall stay only in the space reserved for them;
- c) Representatives of the Commission;
- d) Technical support personnel assigned in the voting center duly designated by the Commission who may be summoned by the BEI in order to address technical problems;
- e) Voters casting their votes;
- f) Voters waiting for their turn to cast their vote;
- g) Jail/Prison Escorts escorting detainee voters as provided for in Section 3, Rule 7 of COMELEC Resolution No. 9371 dated March 6, 2012;

- h) Support staff of the SBEI-PWD, Monitoring Groups, Representatives of the Commission on Human Rights as authorized pursuant to Section 5, Rule III of COMELEC Resolution No. 9485 dated June 29, 2012 and;
- i) Other persons who may be specifically authorized by the Commission.

SEC. 38. Persons not allowed to enter the polling place. - Unless specifically authorized by the Commission, it is unlawful for the following to enter any polling place, or to stay within a radius of fifty (50) meters thereof, except to vote, subject to the provision of Section 36 (c) hereof:

- a) Any officer or member of the Armed Forces of the Philippines or the Philippine National Police;
- b) Any peace officer or any armed person belonging to any extra-legal police agency, special forces, reaction forces, strike forces, Civilian Armed Force Geographical Units, *barangay tanods* or other similar forces or para-military forces, including special forces, security guards, special policemen;
- c) All other kinds of armed or unarmed extra-legal police forces; and
- d) Any *barangay* official, whether elected or appointed.

However, the BEI may, by a majority vote, if it deems necessary, order in writing the detail of a policeman or any peace officer for its protection or for the protection of the election documents and paraphernalia. Such order shall be entered in the Minutes. Said policeman or peace officer shall stay outside the polling place near enough to be easily called by the BEI at anytime. In no case shall the said policeman or peace officer hold any conversation with any voter or disturb or prevent or in any manner obstruct the free access of the voters to the polling place.

SEC. 39. Prohibition on voting. - It shall be unlawful for a voter to:

- a) Bring the ballot, ballot secrecy folder or marking pen outside of the polling place;
- b) Speak with anyone other than as herein provided while inside the polling place;

- c) Prepare his ballot without using the ballot secrecy folder or exhibit its contents;
- d) Fill his ballot accompanied by another, except in the case of an illiterate or person with disability;
- e) Erase any printing from the ballot, or put any distinguishing mark on the ballot;
- f) Use of carbon paper, paraffin paper or other means of making a copy of the contents of the ballot, or otherwise make use of any other scheme to identify his vote, including the use of communication devices i.e. digital cameras, cellular phones with camera or similar gadgets while voting;
- g) Intentionally tear or deface the ballot; and
- h) Disrupt or attempt to disrupt the normal operation of the PCOS.

SEC. 40. Preparation of ballots for illiterate and person with disability (PWD). - No voter shall be allowed to vote as illiterate or person with disability (PWD) unless such fact is indicated in the EDCVL. If so, he may be assisted in the preparation of his ballot, by any:

- a. Relative within the fourth civil degree of consanguinity and affinity; or
- b. Any person of his confidence who belongs to the same household; or
- c. Any member of the BEI.

A person who is physically impaired may also be assisted in feeding his ballot into the PCOS by the Third Member/Support Staff, who shall ensure that the contents of the ballot are not displayed during the feeding of the same into the PCOS.

All assistants must be of voting age.

No person, except the members of the BEI, may assist an illiterate or person with disability more than three (3) times.

In all cases, the poll clerk shall first verify from the illiterate or person with disability whether the latter had authorized the assistant to help him to cast his vote.

The assistor shall, in the presence of the illiterate or person with disability, prepare the ballot using a ballot secrecy folder.

The assistor shall bind himself in writing and under oath to fill the ballot strictly in accordance with the instructions of the voter and not to reveal the contents thereof, by affixing his signature in the appropriate space in the Minutes.

SEC. 41. Accessibility of polling place to persons with disability (PWD).

- All polling places of precincts where there are PWDs shall be located at the ground floor of the voting centers. For this purpose, the EOs shall coordinate with the proper school or building officials.

SEC. 42. Express lane for PWDs, senior citizens and escorted detainee voters. - PWDs, senior citizens and detainee voters voting in their respective polling places shall be afforded their right to an express lane and made to vote as soon as they arrive. There should be a sign inside the polling place indicating the location of express lane and who could avail of it (*i.e.* PWDs, senior citizens, heavily pregnant women, escorted detainee).

SEC. 43. Prohibition against premature announcement of voting. - During the voting, no member of the BEI shall make any announcement as to whether a certain registered voter has already voted or not; as to how many have already voted or how many so far have failed to vote; or as to any other fact tending to show or showing the state of the polls; neither shall he make any statement at any time, except as witness before a court or body as to how many persons voted.

ARTICLE VI

**PROCEDURES OF VOTING, COUNTING OF VOTES
AND TRANSMISSION OF PRECINCT RESULTS**

SEC. 44. Preliminaries to the voting. – The BEI shall:

- a) Meet at the polling place at six o'clock in the morning of Election Day;
- b) Ensure that the PCOS box and the ballot box are inside the polling place;

- c) Set-up or arrange the polling place in accordance with, whenever practicable, the Lay-out of Polling Place provided in Annex "E";
- d) Post one (1) copy of the PCVL of each precinct in the cluster, near or at the door of the polling place, preferably the pages/sheets are spread out to give free access to voters who are checking their names in the list, if there is space;
- e) For precinct/clustered precinct with persons with disability (PWD) whose polling place is not on the ground floor but have been provided with an accessible polling place in accordance with Resolution No. 9485, promulgated on June 24, 2012, and detainee voters (DV), the BEI of the said regular polling places shall, using the EDCVL-PWD and/or EDCVL-DV:
 - 1) Annotate the PWDs'/DVs' names in the EDCVL with "PWD/DV";
 - 2) Affix his initial beside the annotation;
 - 3) Enter in the Minutes the number of PWD/DV and the fact that their names were annotated with "PWD/DV";
 - 4) In the presence of the SBEI-PWD/DV support staff, segregate the ballots allocated for the PWD/DV, and insert the same in a folder;
 - 5) Place the folder inside an envelope, close the envelope and seal the envelope using a paper seal. The envelope and paper seal shall be provided by the SBEI-PWD/SBEI-DV support staff;
 - 6) Affix their initials on the paper seal; and
 - 7) Turn over the envelope containing the PWD/DV ballots to the SBEI-PWD/SBEI-DV support staff, as the case may be.
- f) Show to the watchers and the public present that the:
 - 1) PCOS box is sealed;
 - 2) Ballot box is empty and thereafter, lock with four (4) plastic seals;
 - 3) Package of official ballots is duly sealed, and thereafter, break the seal.
- g) Remove the paper seal of the PCOS box;

- i) Check whether the following are inside the PCOS box:
 - 1) Checklist of the contents of the box;
 - 2) PCOS machine;
 - 3) Power cord of the PCOS;
 - 4) One (1) envelope containing spare IButton;
 - 5) Thirteen (13) rolls of official thermal paper;
 - 6) Three (3) security PINs of the BEI;
 - 7) One (1) PIN for re-zeroing which shall remain in the PCOS box;
 - 8) Modem/BGAN, if any; and
 - 9) Two (2) copies of the Minutes.

There shall be at least one (1) Modem in every polling center, or one (1) BGAN in every polling center without local telecommunication signal.

- i) Retrieve the Minutes from the PCOS box, and:
 - 1) Check if the serial number of the paper seal used in the PCOS box is the same as the serial number recorded in the Minutes;
 - 2) Enter in the Minutes the number of ballots as indicated in the package of the ballots; and the fact that the PCOS box, and the package of ballots were shown to the public with the seals intact.
- j) Retrieve the security PIN from the PCOS box and distribute the same among themselves. The RE-ZERO Pin shall be retained inside the PCOS box. If there is a need to use the RE-ZERO Pin on Election Day, inform the Technical Support Personnel, the reason for the need, and enter such fact in the Minutes;
- k) Retrieve the PCOS from its box;
- l) Show to the public that the printer cover of the PCOS and the slots labelled POLL WORKER and ADMINISTRATOR containing the main memory card and back-up memory card, respectively, are sealed;
- m) Place the PCOS properly on top of the ballot box;

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- n) Break the plastic fixed length seal of the printer cover of the PCOS;
- o) Open the printer cover and the Chairman shall take out the iButton security key;
- p) Ensure that the roll of official thermal paper is properly installed;
- q) Close the printer cover;
- r) Connect the power adaptor to the PCOS AC power port (20VAC) and plug the other end to the electrical outlet. There shall be no passage way between PCOS and its power outlet. A perimeter must be maintained on the sides and at the back of the PCOS, if space permits/is available;
- s) Connect the battery to the PCOS DC power port (12 VDC). If there is no power, press with a ballpoint pen the RESET button located at the top of the PCOS AC power port;
- t) Wait until the PCOS displays the message "BEI AUTHENTICATION PLEASE INSERT SECURITY KEY FOR AUTHENTICATION". The Chairman shall:
 - 1) Place the iButton security key on top of the iButton security key receptacle and apply slight pressure thereon. A message "PLEASE ENTER SECURITY PIN" will be displayed in the screen;
 - 2) Enter the security PIN;
 - 3) Wait until the message "BEI SECURITY KEY VERIFIED" appears on the PCOS screen. A message "IS THIS THE CORRECT TIME?", with "YES/NO" options appearing on the screen.
 - 4) Select "YES" if the date and time is correct, and enter such fact in the Minutes.
 - 5) Select "NO" if the date and time is incorrect. The screen will display "SET YEAR". Press "+++" if the year displayed is less than 2013 or press "---" if year is more than 2013, then press enter. The PCOS will then display the "SET MONTH" then "SET DAY" then "SET DAY, HOUR AND MINUTE". Just press either "+++" to increase or "---" to decrease the month, day, hour and minute then press "ENTER". After correction of the date and time has been effected, enter such fact in the Minutes.
 - 6) Wait until the MAIN MENU is displayed.

- u) The certified IT-capable member of the BEI shall perform the following procedures:
- 1) Select "OPEN VOTING" from the Main Menu. The PCOS shall then:
 - i. Ask for the PIN of the poll clerk who will then enter his PIN, and press ENTER;
 - ii. Ask for the second PIN from the third member who will then enter his PIN, and press ENTER;
 - iii. Display a message "PIN ACCEPTED";
 - iv. Display two (2) options: "INITIALIZE VOTE COUNTERS" and "PREVIOUS SCREEN".
- v) Press the "INITIALIZE VOTE COUNTERS" option of the PCOS. The PCOS shall:
- 1) Display the message "INITIALIZING VOTE COUNTERS (ENSURING THAT VOTE COUNTERS ARE ZERO) PLEASE WAIT ...";
 - 2) Display the message "RESULTS HAVE BEEN ZEROED";
 - 3) Automatically print the Initialization Report showing zero (0) vote for each candidate including the geographic information (province, city/municipality, barangay, voting center and individual precinct in the cluster);
 - 4) After printing the Initialization Report, the PCOS will display the message, "WOULD YOU LIKE TO PRINT MORE COPIES OF THE ZERO TAPE?", with "YES and NO" options. Press "NO". The PCOS will display the message "PLEASE INSERT BALLOT". Now, the PCOS is ready to accept ballots.
- w) Detach the Initialization Report, affix their signatures thereon including those of the representatives of the political parties, candidates or citizens arms present; and
- x) The chairman shall then place the Report inside the envelope (CEF No. A18-A) for submission to the EO after the voting.

SEC. 45. Holding Area. – The BEI, in coordination with the DepEd Supervisor, shall designate a room to be used as holding area, when necessary. The holding area

will be used by the voters waiting for their turn to vote. The voters shall sit/arrange themselves on a first come first serve basis such that they will vote according to how they are seated. Giving numbers to the voters to determine their sequence of voting is strictly prohibited.

SEC. 46. Manner of Obtaining Ballots. – a) The voter shall:

1. Look for his name in the PCVL posted near the door of the polling place, and determine his precinct number and sequence number.
2. Approach any member of the BEI or its Support Staff, if any, and state his name, precinct number and sequence number.

b) The BEI or the Support Staff shall:

1. Verify if the name of the voter is in the EDCVL. If the voter's name is not in the EDCVL, the voter shall not be allowed to vote, and shall be requested to leave the polling place.
2. If his name is found, his fingernails shall be checked for any indelible ink stain. If stained, it shall be a conclusive presumption that he has already cast his vote. As such, the voter shall be directed to leave the polling place after informing him the reason thereof. This fact, including the name and the precinct of the voter, shall be recorded by the Poll Clerk in the Minutes;
3. If the fingernail is not stained, establish the identity of the voter through the following:
 - i. His photograph or specimen signature in the EDCVL or in any other authentic identification document, except *barangay* certificate or community tax certificate; or
 - ii. In the absence of any of the above-mentioned proof of identity, any member of the BEI or any registered voter of the precinct/clustered precinct may identify under oath a voter, and such fact shall be reflected in the Minutes.
- 4) If satisfied with his identity, the name of the voter shall be distinctly announced in a tone loud enough to be heard throughout the polling

place. If not satisfied with his identity, the voter shall be directed to leave the polling place after informing him of the reason therefor.

5) If the voter is not challenged or having been challenged, the question has been decided in his favor, require the voter to sign in the EDCVL. In case of illiterate voters or PWDs who cannot sign, require said voters to affix their thumbmarks in the EDCVL;

6) Thereafter, the voter shall be directed to the Chairman who shall:

i. Authenticate the ballot by affixing his signature at the designated space of the front of the ballot;

Failure to authenticate the ballot shall not invalidate the ballot but shall constitute an election offense.

ii. Show to the voter that the ballot being given is not torn or smudged, and has not yet been filled up;

iii. Place such ballot inside the ballot secrecy folder;

iv. Give the ballot secrecy folder and the marking pen to the voter with the instruction that the ballot shall be **kept clean and free from unnecessary markings** (i.e., smudge/stain from thumbprint-taker, food stains, and the like);

v. Instruct the voter how to fill-up the ballot properly; and

vi. Direct the voter to fill-up the ballot in the designated voting area.

Only the chairman shall issue the official ballots, and not more than one ballot shall be issued at one time.

SEC. 47. Manner of Voting.- a) The voter shall:

i. Using a ballot secrecy folder and the marking pen provided by the Commission, fill his ballot by **fully shading the ovals** beside the names of the candidates and the party, organization or coalition

participating in the party-list system of representation, of his choice; and

- ii. After accomplishing his ballot, approach the PCOS, insert his ballot in the ballot entry slot, and wait until the message **"CONGRATULATIONS. YOUR VOTE HAS BEEN REGISTERED"** appears on the screen.
- b) The Third Member/Support Staff shall:
1. Monitor the PCOS screen to make sure that the ballot was successfully accepted. Thereafter, apply indelible ink to the voter's right forefinger nail or any other nail if there be no forefinger nail; and
 2. Instruct the voter to return the ballot secrecy folder and marking pen to the Third Member/Support Staff, and then leave the polling place.

SEC 48. Scanning of PWD/detainee voters' ballots. – The BEI shall:

- a) Receive the accomplished ballots by the PWD/detainee voters before the close of voting hours on election day;
- b) Upon receipt of the sealed envelope containing the accomplished ballots as submitted by the SBEI-PWD/SBEI-DV support staff, enter such fact in the Minutes;
- c) Announce to the public that the accomplished ballots of PWDs/DVs and torn unused ballots, if there are any, have been received;
- d) Open the envelopes only when all the voters in the clustered precincts have finished voting;
- e) Feed the ballots to the PCOS machine;
- f) One half of the torn unused ballots shall be placed inside the envelope for the purpose (CEF No. A15) for submission to the Election Officer, and the other half of the torn unused ballots inside the other envelope (CEF No. A15) which will be deposited inside the ballot box; and
- g) Enter such fact in the Minutes.

SEC. 49. Rejected ballots; Procedure. - Ballots may be rejected by the PCOS during the scanning. There will be three (3) different types of messages when the PCOS rejects a ballot. For each message, the BEI shall observe the following procedures:

- a) **AMBIGUOUS MARK** - Let the voter review his ballot and ensure that the ovals opposite the names of candidates/party voted for are fully shaded. The voter is allowed to re-feed his ballot four (4) times.
- b) **MISREAD BALLOT** - Let the voter re-feed his ballot in four (4) different orientations.
- c) **INVALID BALLOT** – i) Verify if the ballot belongs to the precinct. If the ballot belongs to another precinct, the voter shall return the ballot to the chairman who shall proceed to Steps (d) and (e) hereof; and ii) If the ballot belongs to the precinct, let the voter re-feed the ballot in four (4) different orientations.
- d) In all cases, if the PCOS rejects a ballot, the voter shall return the ballot to the chairman who shall:
 - 1) Distinctly mark the back thereof as REJECTED;
 - 2) Require all members of the BEI to sign at the back thereof; and
 - 3) Place the rejected ballot inside the Envelope for Rejected Ballots (A15).
- e) No replacement ballot shall be issued to a voter whose ballot is rejected by the PCOS;
- f) Any party objecting to the rejection of the ballot shall reduce his objection in writing, which the BEI shall attach to and note in the Minutes.

SEC. 50. Disposition of unused ballots.- After the voting, the BEI chairman, in the presence of the BEI, shall:

- a) Record in the Minutes the quantity of unused ballots;
- b) Tear the unused ballots in half lengthwise;
- c) Place one half of the torn ballots in the Envelope For Rejected ballots, Half of Torn Unused Official Ballots and Other Half of Torn Unused Official Ballots (CEF No. A15), and submit said envelope to the EO for safekeeping; and

- d) Place the other half in another envelope (CEF No. A15), and then deposit the same inside the ballot box. Such fact shall be entered in the Minutes.

SEC. 51. Closing of Polls; Counting of ballots and transmission of results; Procedure.

- a) The Chairman shall place the iButton security key on top of the iButton security key receptacle and apply slight pressure thereon. Remove the iButton security key from its receptacle, after which the PCOS will display the Main Menu;
- b) Press the "CLOSE VOTING" option in the Main Menu;
- c) The screen will display a message "ARE YOU SURE YOU WANT TO CLOSE VOTING? NO MORE BALLOTS WILL BE ACCEPTED AFTER THIS" with "YES or NO" options. Select "YES" option;
- d) The PCOS will request for the PIN of the poll clerk who will then enter his PIN, and press "ENTER". The PCOS will validate the PIN. The PCOS will request for the second PIN from the third member who will then enter his PIN, and press "ENTER". The PCOS will validate the PIN and display a message "PIN ACCEPTED";
- e) The screen will display a message "POLL IS BEING CLOSED PLEASE WAIT", followed by another message "VOTING HAS BEEN CLOSED NO MORE BALLOTS WILL BE ACCEPTED BY THIS PCOS";
- f) Thereafter, the PCOS shall automatically count the votes and immediately display a message "WOULD YOU LIKE TO DIGITALLY SIGN THE TRANSMISSION FILES WITH A BEI SIGNATURE KEY?", with "YES or NO" options;
- g) Press the "NO" option. The PCOS will display "ARE YOU SURE YOU DO NOT WANT TO APPLY ANY DIGITAL SIGNATURE?", with "YES or NO" options;
- h) Press the "YES" option. A message shall be displayed "PREPARING ELECTION REPORTS. PLEASE WAIT" ... followed by a message "GENERATING TRANSMISSION FILES. . . PLS WAIT" then by a message "PRINTING 8 COPIES OF NATIONAL RETURNS PLEASE WAIT" and the PCOS automatically prints the 8 copies;

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- i) After printing eight (8) copies of the national returns, a message shall be displayed "WOULD YOU LIKE TO PRINT MORE COPIES OF THE NATIONAL RETURNS" with "YES" or "NO" options. Press "NO" option.
- j) Thereafter, the PCOS will display "PRINTING 8 COPIES OF LOCAL RETURNS. PLEASE WAIT", and the PCOS automatically prints the 8 copies;
- k) After printing eight (8) copies of the local returns, a message shall be displayed "WOULD YOU LIKE TO PRINT MORE COPIES OF THE LOCAL RETURNS" with "YES" or "NO" options. Press "NO" option.
- l) Detach the election returns (ERs). After which, members of the BEI shall affix their signatures and thumb marks thereon;
- m) The BEI shall ask the watchers present to affix their signatures on the printed ER;
- n) Place each copy of ER in its corresponding envelope, and seal with a paper seal;
- o) The chairman of the BEI shall publicly announce the total number of votes received by each candidate, stating their corresponding offices;
- p) The poll clerk shall announce the posting of a copy of the ER both for national and local positions on a wall within the premises of the polling place/counting center which must be sufficiently lighted and accessible to the public, and proceed to post such copies. Failure to post the copy of ER shall constitute an election offense in accordance with Section 33 of Republic Act No. 9369;
- q) After forty-eight (48) hours following the posting, the chairman of the BEI shall detach the posted printed copy on the wall and keep the same in his custody to be produced as may be requested by any voter for image or data capturing or for any lawful purpose as may be ordered by competent authority;
- r) A message shall be displayed "READY TO TRANSMIT. PLEASE PLUG IN TRANSMISSION CABLE TO ELECTRONICALLY TRANSMIT ELECTION RESULTS AND PRESS OK TO CONTINUE", with "OK" or "SKIP" options;
- s) Connect the transmission medium to the PCOS, and press the "OK" button;
- t) The PCOS will display a message "DETECTING MODEM";

u) If the modem is properly connected, the PCOS will display the message "MODEM DETECTED", followed by "ESTABLISHING CONNECTION" then "CONNECTION ESTABLISHED".

v) If checking of modem fails, the PCOS will display the message "MODEM NOT DETECTED", followed by the message "TRANSMISSION CABLE NOT CONNECTED. RETRY?" with "YES" or "NO" options. Check the connection of the transmission medium to the PCOS and if it is properly set up, press the "YES" button;

If after three (3) attempts, the transmission medium still fails, call the Technical support personnel.

In case the PCOS fails to transmit the precinct results to any of the three (3) target servers (C/MBOC or Central server or Transparency server), record such fact in the Minutes.

w) The PCOS will display the following messages in succession;

i. IDENTIFYING TARGET SERVER < target server >

ii. SERVER IDENTIFIED

iii. CONTACTING SERVER < target server > RETRIES < no. of tries/3 >;

iv. SERVER CONTACTED

v. TRANSMITTING FILE [1/1] TO < target server > with percentage of completion

x) Wait until the message ELECTION RESULTS SUCCESSFULLY TRANSMITTED TO < target server > is displayed;

y) The same message will appear in transmitting to central server and Transparency server (KBP/Parties/Citizens' Arm server).

z) After successful transmission to C/MBOC, Central and Transparency servers the PCOS will display a message "ALL ELECTION REPORTS HAVE BEEN SUCCESSFULLY TRANSMITTED TO 3/3 LOCATIONS. PLEASE DISCONNECT TRANSMISSION CABLE";

aa) Disconnect the transmission medium. The PCOS will display a message "PRINTING TRANSMISSION REPORT. PLEASE WAIT". Followed by a message

- "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT", with "YES" or "NO" options. Press "NO" option;
- bb)The PCOS will display a message "READY TO PRINT FINAL 22 COPIES OF ELECTION RETURNS. PLEASE REPLACE THERMAL PRINTER PAPER ROLL. PRESS OK WHEN READY", with "OK" button;
- cc) Replace thermal printer paper roll, and press "OK" button;
- dd)The PCOS shall display the message "PRINTING 22 COPIES OF NATIONAL RETURNS. PLEASE WAIT", followed by the message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT?" with "YES" or "NO" options. Press "NO" option;
- ee)The PCOS display the message "PRINTING 22 COPIES OF LOCAL RETURNS. PLEASE WAIT", followed by the message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT?" with "YES" or "NO" options. Detach the printed 22 copies of Local Returns, and press "NO" option;
- ff) The PCOS shall display the message "PRINTING STATISTICAL REPORT PLEASE WAIT", followed by the message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT?" with "YES" or "NO" options. Detach the printed Statistical Report, and press "NO" option;
- gg)The PCOS shall display the message "PRINTING AUDIT LOG REPORT PLEASE WAIT", followed by the message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT?" with "YES" or "NO" options. Detach the printed Audit Log Report, and press "NO" option;
- The Statistical Report, Transmission Report and Audit Log report shall be placed in the envelope For Main Memory Card, i-button Security Key, PINs, Initialization Report, Audit Log, and Precinct Statistical Report (CEF No. A18-A);
- hh)The PCOS shall automatically create back-up of files;
- ii) After printing the remaining 22 copies of ER, the members of the BEI shall affix their signatures and thumb marks on the 22 copies of printed ERs, and require the watchers present to affix their signatures on the printed election returns;

- jj) If failure of transmission occurs in any of the target servers (City/Municipal; central or transparency server), the PCOS will print Transmission Report;
- kk) The PCOS will display a message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT" with "YES" or "NO" options. Press "NO" option;
- ll) The PCOS will display the Main Menu;
- mm) The certified IT-capable member of the BEI shall re-transmit the results to the target server by doing the following:
- i. Press "RE-TRANSMIT RESULTS" option from the Main Menu. List of target servers will be displayed;
 - ii. Press the target server to transmit;
 - iii. Wait until the transmission is successful. If after three (3) attempts, the transmission medium still fails, call the Technical support personnel;
 - iv. Repeat Steps i to iii, if there are more than one (1) target servers, where there are transmission failure.
- nn) Print the remaining 22 copies of ER and other reports by doing the following:
- i. Select "PRINT REPORTS" from the Main Menu;
 - ii. The PCOS will display a message "PLEASE SELECT WHICH REPORT YOU WOULD LIKE TO PRINT";
 - iii. List of reports will be displayed. Press the report that you would like to print;
 - iv. The PCOS will display "PLEASE ENTER THE NUMBER OF COPIES TO PRINT", with a numeric keypad;
 - v. Press the desired number of copies (For ERs, press 22, for statistics report and audit log, press 1);
 - vi. Press ENTER button. The PCOS will automatically print the number of copies desired for the report selected;
 - vii. The PCOS will display a message "WOULD YOU LIKE TO PRINT MORE COPIES OF THIS REPORT", with "YES" or "NO" options. Press "NO" option. The PCOS will display the main menu; and

- viii. Print 22 copies of ER for local, Statistical Report and Audit Log Report by selecting the report you would like to print in accordance with steps (ni) (i) and (ii);
- oo) Create backup of files by following the steps below:
- i. From the Main Menu, press "BACK-UP AND PROTECT" option;
 - ii. The PCOS will display a message "ARE YOU SURE YOU WANT TO BACK-UP DATA AND WRITE PROTECT BACK-UP CARD", with "YES" or "NO" options. Select "YES" option;
 - iii. The PCOS will display a message "BACKING UP ELECTION DATA. PLEASE WAIT". Wait until the message "BACKUP SUCCESSFUL" is displayed;
 - iv. The PCOS will display a message "WRITE PROTECTING RESULTS PLEASE WAIT". Wait until the message "WRITE PROTECT SUCCESSFUL". The PCOS will automatically return to Main Menu.
- pp) Unless otherwise ordered by the Commission, the BEI shall not stop or postpone the counting until it has been completed;
- qq) In case a PCOS fails to count the vote or transmit/print the results, the certified IT-capable member of the BEI shall announce the error and undertake the necessary corrective measures. Should the IT-capable member of the BEI be unable to correct the error, he shall call on the Technical Support personnel assigned to the Voting center for assistance. Such fact shall be noted in the Minutes.

For polling places where BGAN is deployed, the certified IT-capable member of the BEI shall:

- a) Install the BGAN SIM card in the BGAN SIM card slot;
- b) Install the BGAN battery;
- c) Connect the power adaptor to the BGAN;
- d) Connect the BGAN to the MTD modem of the PCOS using the network cable;
- e) Place the BGAN to an outdoor location with a clear sight facing the sky;
- f) Align the BGAN accordingly;
- g) Turn on the BGAN by pressing the power "ON" button;

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- h) Ensure that the BGAN is connected to the satellite provider; and
- i) Follow the instructions as stated above in "r" to "aa" of this Section.

SEC. 52. Disposition of Election Returns - After the printing and the posting of the election returns, the BEI shall individually fold the first seven (7) copies of election returns, seal each of them with serially numbered paper seals, place each copy in its proper envelope (CEF No. A17), and seal the envelopes. The election returns shall be distributed to the following:

- a) In the election of senators and party-list system of representation:
 - i. City or Municipal Board of Canvassers;
 - ii. Commission;
 - iii. The Citizens' Arm PPCRV;
 - iv. Dominant majority party, as determined by the Commission in accordance with law;
 - v. Dominant minority party, as determined by the Commission in accordance with law;
 - vi. Ballot box;
 - vii. Provincial Board of Canvassers;
 - viii. One (1) to be posted conspicuously on a wall within the premises of the polling place or counting center.
 - ix. 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 Commission shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166;
 - x. Two (2) accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission 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;

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- xi. Four (4) national broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
 - xii. Two (2) local broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
 - xiii. Four (4) major citizens' arms, PPCRV, NAMFREL, ONE VOTE and C-CARE, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arms, groups and organizations may use the four (4) certified copies of election returns for the conduct of citizens' quick counts at the local or national levels; and
- b) In the election of local officials and members of the House of Representatives:
- i. City or Municipal Board of Canvassers;
 - ii. Commission;
 - iii. Provincial Board of Canvassers;
 - iv. Regional Board of Canvassers in the case of ARMM;
 - v. The Citizens' Arm PPCRV;
 - vi. Dominant majority party as determined by the Commission in accordance with law;
 - vii. Dominant minority party as determined by the Commission in accordance with law;
 - viii. One (1) to be posted conspicuously on a wall within the premises of the polling place or counting center;
 - ix. Ballot box;
 - x. 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 Commission shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166;

- xi. Two (2) accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission 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;
- xii. Five (5) national broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
- xiii. Two (2) local broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible; and
- xiv. Three (3) major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arms, groups and organizations may use the three (3) certified copies of election returns for the conduct of citizens' quick counts at the local or national levels.

SEC. 53. Shutting Down of the PCOS. - After the printing of all reports and transmission of precinct results to all destinations, the PCOS shall automatically display the main menu. The operator shall then press the "SHUTDOWN" option, and the PCOS shall automatically shutdown.

SEC. 54. Disposition of PCOS, ballot boxes, keys, Election Returns and other documents. - Upon the termination of the counting of votes and the announcement of the results of the election in the precinct, the BEI shall:

- a) Place inside the ballot box the sealed envelopes containing the following:
 - 1) Copy of printed ER Intended for the ballot box;
 - 2) Copy of the Minutes intended for the ballot box;
 - 3) Half of torn unused ballots; and
 - 4) Rejected Ballots.

- b) Seal the sliding cover of the ballot box with a plastic seal. Seal the cover of the ballot box with packaging tape by wrapping around the cover and extending it to the upper part of the ballot box, then affix their signatures therein and require the watchers present to also affix their signatures.
- c) Remove the main memory card from the POLL WORKER slot of the PCOS, place the card inside the envelope provided for the purpose, and seal the envelope. Label the envelope with TRANSMITTED or NOT TRANSMITTED to show whether the results are transmitted or not. Indicate in the envelope the clustered precinct number, barangay and city/municipality/province. The said envelope shall be submitted to the Reception and Custody Group of the City/Municipal Board of Canvassers. The back-up memory card shall not be taken from the PCOS and the ADMINISTRATOR slot shall remain locked;
- d) Turn-over the box containing the PCOS and its peripherals to the logistics provider. In the absence of the logistics provider, the BEI shall turn-over the PCOS box to the Election Officer. For this purpose, the Election Officer concerned shall coordinate with the City/Municipal Treasurer to allocate the appropriate space for the PCOS box until retrieval by the logistics provider;
- e) Deliver the ballot box, accompanied by watchers, to the city or municipal treasurer, except the ballot box of the polling place that will be subjected to Random Manual Audit, as provided for in Article VII of this Resolution. For this purpose, the city/municipal treasurer shall provide at the voting center the necessary personnel and facilities for said delivery at the expense of the city/municipality.

In case the ballot box delivered by the BEI is not sealed, the treasurer shall seal the ballot box, and include such fact, including the serial number of the plastic seal used, in his report to the Commission.

- f) Deliver to the EO the following:
 - 1) EDCVL;
 - 2) PCVL;
 - 3) Envelope containing the copy of the Minutes intended for the Commission (CEF No. A11);
 - 4) Envelope containing the other half of torn unused official ballots (CEF No. A15);

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- 5) Envelope containing Initialization Report, Precinct Audit Log Report and Precinct Statistics Report;
- 6) The envelopes containing copies of the election returns intended for the Provincial Board of Canvassers, Regional Board of Canvassers in the case of ARMM, and the Commission on Elections;
- 7) The envelope containing the main memory card for use by the C/MOCB in case of failure of transmission; and
- 8) Other pertinent papers and documents.

After the counting of votes, the Provincial Election Supervisor (PES), EO or the Treasurer, shall require the BEI which failed to deliver the election documents or paraphernalia mentioned herein to deliver the same immediately.

ARTICLE VII RANDOM MANUAL AUDIT

SEC. 55. Selected precincts to be audited. – There shall be one (1) clustered precinct per legislative district randomly selected that will be subjected to random manual audit (RMA). In such a case, the members of the Random Manual Audit Team (RMAT) shall inform the BEI that his precinct/clustered precinct shall be subjected to RMA. The RMAT shall witness the closing of the ballot box. Thereafter, the BEI shall endorse the ballot box to the RMAT. However, in the event that the counting machine fails to transmit the result, the RMAT shall follow the BEI and the aforementioned ballot box until the BEI transmits the results. The RMAT shall be the one to turn-over the ballot box to the City/Municipal Treasurer for safekeeping.

ARTICLE VIII COMMON PROVISIONS

SEC. 56. Preservation of the list of voters. - The EO shall keep the EDCVL and PCVL in a safe place until such time that the Commission gives instructions on their disposition.

SEC. 57. Omission or erroneous inclusion of documents in ballot box. - If after sealing the ballot box, the BEI discovers that some documents or articles required to be placed in the ballot box were not placed therein, the BEI, instead of

opening it to place therein said documents or articles, shall deliver the same to the EO. The EO shall take appropriate measures to preserve the integrity of the documents.

In no instance shall the ballot box be reopened to place therein or to take out therefrom any document or article except in proper cases and *with prior written authority of the Commission thru the Chairman of the Board of Canvassers concerned* to retrieve copies of the election returns or main memory card which will be needed in any canvass. In such instance, the members of the BEI, the treasurer and the watchers shall be notified of the time and place of the opening of said ballot box.

SEC. 58. Special procedures. - The express provisions of this Resolution notwithstanding, the Commission may, in exceptional cases, adopt special procedures in the voting, counting, consolidation, transmission, storage, custody, distribution and retrieval of accountable forms and paraphernalia to fulfill its Constitutional mandate to ensure free, orderly, honest, peaceful and credible elections.

SEC. 59. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

SEC. 60. 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 and furnish copies thereof to all Regional Election Directors, Provincial Election Supervisors and Election Officers.

SO ORDERED.


SIXTO S. BRILLANTES, JR.
Chairman


LUCENITO N. TAGLE
Commissioner


ELIAS R. YUSOPH
Commissioner


CHRISTIAN ROBERT S. LIM
Commissioner


MARIA GRACIA CIELO M. PADACA
Commissioner