



Republic of the Philippines  
**Department of Education**

26 FEB 2019

DepEd MEMORANDUM  
No. **022**, s. 2019

**DISSEMINATION OF COMELEC RESOLUTION NOS. 10475 AND 10488**

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

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

No.	Title	Date Promulgated
<b>10475</b>	In the Matter of the Enforcement of the Prohibition Against Appointment or Hiring of New Employees; Creation or Filling Up of New Positions; Giving Salary Increases; Transfer or Detail of Civil Service Employees; Suspension of Elective Local Officials; and Filing of Leave of Absences of Local Treasurers in Connection with the May 13, 2019 National and Local Elections	January 7, 2019
<b>10488</b>	Rules and Regulations Implementing Republic Act No. 9006 Otherwise Known as the Fair Elections Act in Connection with the May 13, 2019 National and Local Elections	January 30, 2019

2. Immediate dissemination of this Memorandum is desired.

  
**LEONOR MAGTOLIS BRIONES**  
Secretary

Encls.:  
As stated

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

CAMPAIGN  
ELECTIONS

LEGISLATIONS  
OFFICIALS

PROHIBITIONS

DJP, DM Dissemination of COMELEC Resolution Nos. 10475 and 10488  
0137 Feb. 20, 2019



COMMISSION ON ELECTIONS  
EDUCATION AND DISTRICT SCHOOL DEPARTMENT  
**RECEIVED**  
BY: *M. V. Garcia*  
DATE: *1/7/19* TIME: *7:16 a.m.*

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

IN THE MATTER OF THE ENFORCEMENT OF THE PROHIBITION AGAINST APPOINTMENT OR HIRING OF NEW EMPLOYEES; CREATION OR FILLING UP OF NEW POSITIONS; GIVING SALARY INCREASES; TRANSFER OR DETAIL OF CIVIL SERVICE EMPLOYEES; SUSPENSION OF ELECTIVE LOCAL OFFICIALS; AND FILING OF LEAVE OF ABSENCES OF LOCAL TREASURERS IN CONNECTION WITH THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS

- ABAS, S.M., *Chairman*
- PARREÑO, A.A., *Commissioner*
- GUIA, L.T.F., *Commissioner*
- GUANZON, M.R.A.V., *Commissioner*
- INTING, S. B., *Commissioner*
- CASQUEJO, M. S., *Commissioner*
- KHO, A., Jr. T., *Commissioner*

X-----X

Promulgated on: January 7, 2019 *[Signature]*

RESOLUTION No. 10475 *[Signature]*

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

**GENERAL PROVISIONS AND DEFINITION OF TERMS**

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

**SEC. 261. Prohibited Acts** - The following shall be guilty

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

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

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

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

xxx

xxx

xxx

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

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

- a. **Appointment** is the selection, by the authority vested with the power, of an individual who is to exercise the functions of a given office. When completed, usually with its confirmation, the appointment results in security of tenure for the person chosen unless he is replaceable at pleasure because of the nature of his office.
- b. **Designation** connotes merely the imposition by law of additional duties of an incumbent official. It is considered only an acting or temporary appointment, which does not confer security of tenure on the person named.
- c. **Detail** is the movement of an employee from one department or agency which is temporary in nature, which does not involve a reduction in rank, status or salary and does not require the issuance of another appointment. It shall be allowed only for a limited period in the case of employees occupying professional, technical and scientific position.
- d. **Giving of remuneration or privilege** shall include giving of bonuses, other than the mandated 13<sup>th</sup> month pay and cash gift for government employees, incentives, Representation and Transportation Allowance (RATA) or other form of allowances regularly received, on top of their usual benefits and privileges.
- e. **Increase of salary** shall include adjustments in salaries as a result of increase in pay levels or upgrading of positions which do not involve a change in qualification requirements and do not require the issuance of a new appointment.
- f. **Promotion** is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. Promotion may be from one department or agency to another or from one organizational unit to another in the same agency.
- g. **Reassignment** is the movement of an employee from one organizational unit to another in the same department or agency which does not involve a reduction in rank, status or salary and does not require the issuance of an appointment.

*h. Suspension* is the temporary forced removal from the exercise of the office. It shall include both suspension as a penalty and preventive suspension.

*i. Transfer* is a movement from one position to another which is of equivalent rank, level or salary without break in service involving the issuance of an appointment. The transfer may be from one department or agency to another or from one organizational unit to another in the same department or agency.

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

**SECTION 3. *Prohibited Acts and Period of Prohibition.*** - From March 29, 2019, Friday until May 12, 2019, Sunday:

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

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

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

**SECTION 4. *Designation not included.*** The appointment referred herein shall not include designation as defined in Section 2 (b) hereof. Thus, designation of an incumbent official or employee in a committee or office which involves merely the imposition of additional duties is not included in the prohibition.

**SECTION 5. *Request for Authority to Appoint or Hire New Employees; Where and How to File.*** -

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

- i. in writing; **1**

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

b. Said request shall be filed with:

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

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

***SECTION 6. Request for Authority to Create and Fill New Positions; Where and How to File. -***

a. Requests for authority to create and fill new positions shall be submitted in writing to the Law Department of the Commission.

b. The Commission shall not grant the authority unless it is satisfied that the position to be created and filled is essential to the proper functioning of the office or agency concerned and that the filling up of such position shall not in any manner influence the results of the election.

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

***SECTION. 7. When Request for Authority is Not Necessary. -*** Renewal of appointments of temporary, casual, substitute and contractual personnel are not covered by this prohibition and will no longer need prior authority of the Commission.

However, the appointing authority shall furnish the Commission, through the Law Department for positions in the central or main offices,

positions in the field offices, a complete list of employees whose appointments were renewed, indicating their positions, item numbers, salary grade and station.

*SECTION 8. Urgent Need to Appoint or Hire New Employees. -*

a. Where there is urgent need to appoint or hire new employees and such employees have already been appointed or hired without prior authority of the Commission, the requesting office or agency shall notify the Commission in writing, within three (3) days from the date of the appointment or hiring, stating therein the:

- i. the exact date when the position became vacant;
- ii. the cause for vacancy;
- iii. the reason for the urgency of appointment or hiring; and
- iv. all the necessary data or information regarding the same.

b. Notice shall be made through the Law Department in case the position is in the central or main office, or through the Office of the Regional Election Director concerned in case of positions in the field offices.

c. The appointment or hiring of new employees shall be valid, unless the same is found by the Commission:

- i. to have been made to influence, in any manner, the results of the election;
- ii. to have been issued without the required notice; or
- iii. that there is no urgent need for the appointment or hiring.

d. The need to fill up a vacant position with a new employee may be considered "**urgent**" if:

- i. the position is essential to the proper functioning of the office or agency concerned;
- ii. the position has been vacated by death, retirement, resignation, promotion or transfer of the regular incumbent;
- iii. the appointment is issued within sixty (60) days from the occurrence of the vacancy;
- iv. the vacancy cannot be filled by promotion or transfer of insiders within the same period; and
- v. the position shall not be filled in any manner that may influence the election.

e. Appointment to a position which has been vacant for more than sixty

written authority from the Commission, through the Law Department or the Office of the Regional Election Director concerned.

**SECTION. 9. Total Ban on Promotion, Salary Increases, Grant of Privileges.** - The promotion or giving of increase of salary or remuneration or privilege to any government official or employee including those in government-owned or -controlled corporations, shall be strictly prohibited from March 29, 2019, Friday to May 12, 2019, Sunday.

**SECTION 10. Injunction.** - The Civil Service Commission (CSC), including all its field offices is hereby enjoined not to approve the appointment of new employees where no prior written authority of the Commission or its regional offices is presented by the appointing authority concerned or proof that the required notice within the 3-day reglementary period as provided in Section 8 (A) hereof has been complied with.

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

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

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

**SECTION 11. Prohibited Act and Period of Prohibition.** - From January 13, 2019, Sunday to June 12, 2019, Wednesday, no public official shall, except upon prior written approval of the Commission, make or cause any transfer or detail whatsoever of any officer or employee in the civil service, including public school teachers.

The phrase "transfer or detail" shall be construed in general terms. Any movement of personnel from one station to another, whether or not in the same office or agency, during the election is covered by the prohibition.

Transfer incidental to promotion, as well as that incidental to appointment is within the purview of the prohibition against transfer



**SECTION 12. Request for Approval of the Commission on Transfer or Detail; Where and How to File.** – Requests for approval to make or cause any transfer or detail shall be:

- a. in writing;
- b. indicating the (1) office and place to which the officer or employee is proposed to be transferred or detailed or otherwise moved;
- c. stating the reasons therefor;
- d. in two (2) original copies; and
- e. accompanied with the soft copy of the request in MS Word format and saved in USB or CD form.

**SECTION 13. Filing of Requests with the Law Department.** – Requests for approval to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Law Department, when:

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

**SECTION 14. Filing of Requests with the Office of the Regional Election Director.** – Requests for approval to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Office of the Regional Election Director where the employee/s sought to be transferred or detailed is stationed, when:

- a. It involves government officers or employees with official stations in the field offices including the National Capital Region;
- b. All other officers and employees not indicated in Section 8 hereof.

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

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

**SECTION 15. DEFINITION OF TERMS.** – For purposes of this Chapter, the following definitions shall apply:

notwithstanding, no public official shall, except upon prior written approval of the Commission, suspend any elective provincial, city, municipal or barangay officer.

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

**SECTION 16. Request for Authority of the Commission to Suspend any Elective Provincial, City, Municipal or Barangay Officer, unless Suspension will be for Purposes of Applying the Anti-Graft and Corrupt Practices Act: Where and How to file.** - Requests for authority to suspend an elective provincial, city, municipal or barangay officer shall be submitted to the Law Department of the Commission, supported by:

- a. a certified true copy of the formal complaint executed under oath and containing the specific charges or in the absence thereof, a Certification from the requesting agency or local government unit stating that the agency or local government unit that promulgated the decision or resolution did not furnish them a copy of the said formal complaint; and
- b. a certified true copy of the Decision or Resolution suspending the concerned elective local official.

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

**SECTION 17. When Request for Authority is Not Necessary.** - Request for authority to suspend elective local officials shall not be necessary:

- a. if the offense involved is punishable under the *Anti-Graft and Corrupt Practices Act*<sup>1</sup>; and
- b. those that were already implemented before the start of the election period but is continuously served during or even after the expiration of the election period.

**SECTION 18. Effect of the Onset of the Election Period.** - The onset of the election period will not have the effect of lifting any suspension that is already being served. *f*

*SECTION 19. Dismissal from the service, not included in the prohibition.* - Dismissal from the service, recall and removal of elective local officials is not included in the prohibition under paragraph (x), Section 261 of the Omnibus Election Code.

#### LEAVE OF ABSENCE OF PROVINCIAL, CITY OR MUNICIPAL TREASURER

*SECTION 20. Leave of Absence of Provincial, City or Municipal Treasurer.* - In view of the important role of provincial, city and municipal treasurers, the Department of Finance (DOF) is deputized to ensure that all provincial, city, and municipal treasurers remain in their present assignments and neither transferred/detailed, reassigned, whether temporarily or permanently, to another province, city or municipality, except upon prior written authority of the Commission, nor allowed to go on leave of absence from office during the period starting two weeks before and two weeks after Election Day, except upon prior written approval of the Commission. The DOF shall also ensure that no temporary or casual employee is designated as Officer-in-Charge of the Office of the Treasurer.

*SECTION 21. Request for Approval of Leave of Absence of Provincial, City or Municipal Treasurer.* - Requests for approval of leaves of absence of provincial, city or municipal treasurers within the period 2 weeks before and 2 weeks after Election Day shall be coursed through the appropriate Regional Office of the Bureau of Local Government Finance (BLGF) of the DOF, having supervision and control over local offices of treasurers, stating the purpose of the leave.

The Regional BLGF Office shall then request for a prior written approval by the Commission for the leave of absence of the requesting treasurer.

*SECTION 22. Where to file.* - The Regional BLGF shall file the request for approval of leave of absence with the appropriate Office of the Regional Election Director of the Commission. The Regional Election Director shall approve or disapprove the same, subject to the following conditions:

- a. that a personnel in an acting capacity is designated in the office of the treasurer whose leave of absence is being requested for

- approval during the period of absence so as not to disrupt or impede the proper functioning of the office;
- b. that an approval is prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel action/movements; and
  - c. that the leave of absence of the treasurer and the designation of an acting treasurer are not made to influence the election.

The Office of Regional Election Director concerned shall make a **weekly report** to the Law Department on actions taken on all applications for approval of leave of absence received.

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

**SECTION 23. Authority of the Chairman to Approve/ Disapprove Recommendations from the Law Department.** - The Chairman of the Commission is authorized to approve/disapprove recommendations of the Law Department on requests for exemption from the coverage of the ban involved in this Resolution, except those the Regional Election Directors are authorized to act upon, subject to reportorial requirements.

**SECTION 24. Requests for Authority Submitted to the Law Department.** - The Law Department shall prepare its recommendation on all requests received by it and submit to the Chairman for approval or disapproval.

**SECTION 25. Requests for Authority Submitted to the Office of the Regional Election Director.** - The Offices of the Regional Election Director shall approve or disapprove all requests received by them and submit a report containing a list of all the requests acted upon to the Law Department, at the end of every week, by the fastest available means of communication. It may be sent in PDF format via electronic mail to [comelec.law@gmail.com](mailto:comelec.law@gmail.com).

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

**SECTION 26. Report of the Law Department on All Actions on**

election period, the Law Department shall make a Report of all the actions taken on the requests for exemption from the coverage of the ban involved in this Resolution, including actions of the Offices of the Regional Election Director.

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

#### **GRANT OF CONTINUING AUTHORITY**

**SECTION 27. Grant of Continuing Authority.** -The grant of continuing authority to appoint and transfer personnel during the election period may be granted to government agencies, upon the submission to the Law Department of a written request justifying the reasons therefor.

**SECTION 28. Continuing Authority to Transfer Government Employees Granted to Certain Government Agencies.** -For purposes of the May 13, 2019 National and Local Elections, the Commission hereby grants continuing authority to the following government agencies to appoint or hire new employees from **March 29, 2019, Friday until May 12, 2019, Sunday**, and to transfer or detail their officers or employees from **January 13, 2019, Sunday to June 12, 2019, Wednesday** in view of the nature of their functions:

- a. The President of the Philippines
- b. Supreme Court of the Philippines, Court of Appeals, Sandiganbayan, Court of Tax Appeals and the lower courts, including the Senate and Presidential Electoral Tribunal.

**SECTION 29. Conditions for the Grant of Continuing Authority.** - The grant of continuing authority to government agencies to appoint or transfer officers or employees during the said period shall, however, be subject to the following conditions:

- a. that it is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 13, 2019 National and Local Elections;
- b. that it shall not involve promotion or giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the May 13 2019 Elections which is strictly

**SECTION 32. Effectivity.** - This resolution shall take effect on the seventh day after its publication in two (2) daily newspapers of general circulation in the Philippines.

**SECTION 33. Dissemination.** - The Education and Information Department shall cause the publication of this resolution in two (2) daily newspapers of general circulation, give this resolution the widest dissemination and furnish copies thereof to all concerned.

SO ORDERED.

  
SHERIEF M. ABAS  
Chairman

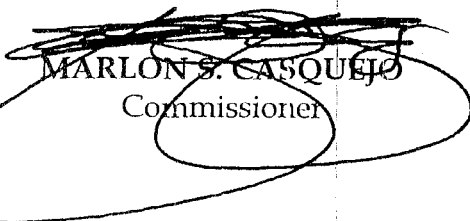
  
AL A. PARRENO  
Commissioner

On Leave

LUIE TITO F. GUIA  
Commissioner

  
MA. ROWENA AMELIA V. GUANZON  
Commissioner

  
SOCORRO B. INTING  
Commissioner

  
MARLON S. CASQUEJO  
Commissioner

  
ANTONIO T. KHO, JR.  
Commissioner

Instructions:

Anne

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

**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON APPOINTMENT  
(For the May 13, 2019 National and Local Elections)**

Name of Personnel	Position and Salary Grade	Date of Appointment	Cause of Vacancy, if applicable	Name of Requesting Author Position and Name of Ager

**CERTIFICATION**

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

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 13, 2019 National Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period 13, 2019 National and Local Elections which is strictly prohibited without any exception whatsoever; and
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations actions/movements.

Prepared and Submitted by: \_\_\_\_\_

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

11/07/18

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

Annex

**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON CREATION OR FILLING OF NEW POSITIONS  
(For the May 13, 2019 National and Local Elections)**

Name of Personnel	Position and Salary Grade	Date of Appointment	Cause of Vacancy, if applicable	Name of Requesting Author Position and Name of Ager

**CERTIFICATION**

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

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 13, 2019 National Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period of 13, 2019 National and Local Elections which is strictly prohibited without any exception whatsoever; and
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations actions/movements.

Prepared and Submitted by: \_\_\_\_\_

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

11/07/18



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

Annex

**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON TRANSFER  
(For the May 13, 2019 National and Local Elections)**

Name of Personnel	Present Station	Transferred Station	Date of Effectivity of Transfer	Justification of Transfer	Name of Requestin Authority, Position a Name of Agency

**CERTIFICATION**

- I, \_\_\_\_\_ of \_\_\_\_\_ hereby CERTIFY as follows:
- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 13, 2019 National and Local Elections;
  - 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period of 13, 2019 Elections which is strictly prohibited without any exception whatsoever; and
  - 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations actions/movements.

Prepared and Submitted by: \_\_\_\_\_

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

11/07/18

Instructions:

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

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**APPLICATION FOR REQUEST FOR EXEMPTION  
FROM THE BAN ON SUSPENSION  
(For the May 13, 2019 National and Local Elections)**

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

**CERTIFICATION**

- I, \_\_\_\_\_ of \_\_\_\_\_ hereby CERTIFY as follows:
- 1) that the request shall not in any manner influence the conduct of the May 13, 2019 National and Local Elections;
  - 2) the case does not involve a violation of the Anti-Graft and Corrupt Practices Act.

Prepared and Submitted by: \_\_\_\_\_

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

11/07/18

Instructions:

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

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**REGIONAL REPORTS ON APPROVED/DISAPPROVED REQUESTS FOR EXEMPTIONS  
FROM THE BAN ON APPOINTMENT AND TRANSFER  
(For the May 13, 2019 National and Local Elections)**

**A. APPOINTMENT**

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

**B. TRANSFER**

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

Prepared and Submitted by:

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

11/07/18

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

**RECEIVED**

DATE: 1/30/19 TIME: 8:44

**RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 9006, OTHERWISE KNOWN AS THE "FAIR ELECTIONS ACT", IN CONNECTION WITH THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS.**

ABAS, Sheriff M.	Chairman
PARREÑO, Al A.	Commissioner
GUIA, Luie Tito F.	Commissioner
GUANZON, Maria Rowena Amelia V.	Commissioner
INTING, Socorro B.	Commissioner
CASQUEJO, Marlon S.	Commissioner
KHO, Antonio T. Jr.	Commissioner

x ----- x

Promulgated: January 30, 2019

*Handwritten signature*

RESOLUTION NO. 10488

WHEREAS, Republic Act No. 9006, otherwise known as the "Fair Elections Act" provides for the holding of free, orderly, honest, peaceful and credible elections through fair election practices;

WHEREAS, the said Act allows the publication or broadcast of political advertisements or propaganda for or against any candidate or political party;

WHEREAS, Section 3 of the said Act provides that election propaganda, whether on television, cable television, radio, newspapers or any other medium shall be subject to the supervision and regulation of the Commission on Elections (hereafter, "COMELEC");

WHEREAS, Section 6.4 of the said Act directs the COMELEC, to supervise in all instances the use and employment of press, radio and television broadcasting facilities insofar as the placement of political advertisements is concerned so as to give candidates equal opportunity under equal circumstances to make known their qualifications and stand on public issues within the limits set forth in the Omnibus Election Code and Republic Act No. 7166<sup>1</sup>;

WHEREAS, Section 13 of the same Act requires the COMELEC to promulgate the necessary rules and regulations for the implementation thereof; and

NOW, THEREFORE, the COMELEC, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code, the Fair Elections Act, Republic Act Nos.

<sup>1</sup> An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes promulgated on November 26, 1991

6646<sup>2</sup>, 7166<sup>3</sup> and other related laws has RESOLVED, as it hereby RESOLVES, to promulgate the following Rules and Regulations.

**SECTION 1. Definitions** - As used in this Resolution:

1. "**Blog**" and "**collective blog**" refer to websites on which an individual or group of users, respectively, record news, opinions, and information, in varying degrees of regularity. A "**micro-blog**" refers to a blogging format which allows users to exchange small elements of content – referred to variously as posts, entries or status updates – such as short sentences, individual images, or links to video material uploaded to the Internet.
2. "**Candidate**" refers to any person seeking an elective public office, who has filed his or her certificate of candidacy, and who has not died, withdrawn his or her certificate of candidacy, had his or her certificate of candidacy denied due course or cancelled, or has been otherwise disqualified before the start of the campaign period for which he or she filed his certificate of candidacy. *Provided*, that, unlawful acts or omissions applicable to a candidate shall take effect only upon the start of the aforesaid campaign period.

It also refers to any registered national, regional, or sectoral party, organization or coalition thereof that has filed a manifestation of intent to participate under the party-list system, which has not withdrawn the said manifestation, or which has not been disqualified before the start of the campaign period.

3. "**Contractors**" and "**business firms**" refer to any person, natural or juridical, or firm to whom any electoral expenditure is made in accordance with Section 112 of the Omnibus Election Code. "**Social media associates**" refer to contractors whose primary duty is to promote the election or defeat of any candidate through social media interactions and engagement.
4. "**Election campaign**" or "**partisan political activity**" refers to an act designed to promote the election or defeat of a particular candidate or candidates to a public office, and shall include any of the following:
  - a. Forming organizations, associations, clubs, committees or other groups of persons for the purpose of soliciting votes and/or undertaking any campaign for or against a candidate;
  - b. Creating on any social media platform, user groups or community pages, for the purpose of conducting campaigns or related partisan political activity;
  - c. Holding political caucuses, conferences, meetings, rallies, parades or other similar assemblies for the purpose of soliciting votes and/or undertaking any campaign or propaganda for or against a candidate;
  - d. Making speeches, announcements or commentaries, or holding interviews for or against the election of any candidate for public office;
  - e. Publishing, displaying or distributing campaign literature or materials designed to support or oppose the election of any candidate; or
  - f. Directly or indirectly soliciting votes, pledges or support for or against any candidate.

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<sup>1</sup> An Act Introducing Additional Reforms In the Electoral System and for other Purposes  
<sup>3</sup> Supra at Note 1

Personal opinions, views, and preferences for candidates, contained in blogs and micro-blogs shall not be considered as acts of election campaigning or partisan political activity unless expressed by government officials in the Executive Department, the Legislative Department, the Judiciary, the Constitutional Commissions, and members of the Civil Service.

5. "**Election survey**" refers to the measurement of opinions and perceptions of the voters as regards a candidate's popularity, qualifications, platforms or matters of public discussion in relation to the election, including voters' preference for candidates or publicly discussed issues during the campaign period.
6. "**Exit polls**" refers to a species of election survey conducted by a qualified individual or a group of individuals for the purpose of determining the probable result of an election by confidentially asking randomly selected voters for the names of candidates they have voted for, immediately after they have officially cast their ballots.
7. "**Mass Media**" refers to diversified technologies, operating on various platforms, that have for their primary purpose the transmission of information and communication to a large audience. These platforms include broadcast, internet and mobile, print, and outdoor. "**Mass Media Entities**" refer to individuals and organizations that exercise control over these technologies and determine, whether directly or indirectly, the content being distributed using these technologies. "**Social media**" is a form of mass media.
8. "**Media practitioner**" refers to a person who is not employed by a media entity but performs similar functions or has control over what is printed or broadcast such as a talent or a block timer.

Persons who create online content for personal or collective blogs and micro-blogs shall be considered media practitioners for purposes of these Rules.

9. A "**meme**" refers to an image or video, often of unknown or uncertain origin, that is spread by internet users on various social media networks.
10. "**Party**" refers to either a political party, whether national or sectoral party, or a coalition of parties, and party-list organizations duly registered/accredited with the COMELEC.
11. "**Political advertisement**," or "**election propaganda**" refers to any matter broadcasted, published, printed, displayed or exhibited, in any medium, which contains the name, image, logo, brand, insignia, color motif, initials, and other symbol or graphic representation that is capable of being associated with a candidate, and is exclusively intended to draw the attention of the public or a segment thereof to promote or oppose, directly or indirectly, the election of the said candidate or candidates to a public office. In broadcast media, political advertisements may take the form of spots, appearances on television shows and radio programs, live or taped announcements, teasers, and other forms of advertising messages or announcements used by commercial advertisers.

Political advertising includes endorsements, statements, declarations, or information graphics, appearing on any internet website, social network, blogging site, and micro-blogging site, which – when taken as a whole – has for its principal object the endorsement of a candidate only, or which were posted in return for consideration or are otherwise capable of pecuniary estimation.

12. **“Social Media”** refers to the collective of online communication channels, including websites and applications, that enable users to create and share content, collaborate, and interact with each other. For purposes of these Rules, video sharing sites which allow users to post comments on individual entries shall be considered as falling within the broad category of “social media.” **“Social Media Account”** refers to a user’s personalized access to a social networking site or application, typically using a username and password combination.” A social media account allows a user to interact with other users on the same social networking site. **“Social Media Post”** refers to any text, audio, or graphic content – or any combination thereof – published online using a social media account.

**SECTION 2. Campaign Period.** - For purposes of the May 13, 2019 National and Local Elections, the campaign periods shall be:

<b>Elective Office</b>	<b>Start</b>	<b>End</b>
Candidates for Senator and Party-List groups participating in the party-list system of representation	February 12, 2019 (Tuesday)	May 11, 2019 (Saturday)
Candidates for Members of the House of Representatives, regional, provincial, city and municipal officials	March 29, 2019 (Friday)	May 11, 2019 (Saturday)

**SECTION 3. Prohibited Campaigning.** - It is unlawful for any person or for any political party, or association of persons to engage in an election campaign or partisan political activity on Maundy Thursday (April 18, 2019), Good Friday (April 19, 2019), the eve of election day (May 12, 2019) and on Election Day ( May 13, 2019).

**SECTION 4. Prohibition against Foreign Intervention.** - It is unlawful for any foreigner, whether a juridical or natural person, to directly or indirectly aid any candidate, or political party, organization or coalition, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity.

**SECTION 5. Authorized Expenses of Candidates and Parties.** - The aggregate amount that a candidate may spend for an election campaign shall be as follows:

- a. For candidates with political party – Three pesos (P3.00) for every voter currently registered in the constituency where the candidate filed his certificate of candidacy;
- b. For other candidates without any political party and without support from any political party – Five pesos (P5.00) for every voter currently registered in the constituency where the candidate filed his certificate of candidacy; and

- c. For political parties and party-list groups – Five pesos (P5.00) for every voter currently registered in the constituency or constituencies where it has official candidates.

**SECTION 6. Lawful Election Propaganda.** - Election propaganda, whether on television or cable television, radio, newspaper, the internet or any other medium, is hereby allowed for all *bona fide* candidates seeking national and local elective positions, subject to the limitation on authorized expenses of candidates and parties, observation of truth in advertising, and to the supervision and regulation by the COMELEC.

Lawful election propaganda shall include:

- a. Pamphlets, leaflets, cards, decals, stickers or other written or printed materials the size of which does not exceed eight and one-half inches (8 ½") in width and fourteen inches (14") in length;
- b. Handwritten or printed letters urging voters to vote for or against any particular political party or candidate for public office;
- c. Posters made of cloth, paper, cardboard or any other material, whether framed or posted, with an area not exceeding two feet (2') by three feet (3');
- d. Streamers not exceeding three feet (3') by eight feet (8') in size displayed at the site and on the occasion of a public meeting or rally. Said streamers may be displayed five (5) days before the date of the meeting or rally and shall be removed within twenty-four (24) hours after said meeting or rally;
- e. Social media posts, whether original or re-posted from some source, which may either be incidental to the poster's advocacies of social issues or which may have, for its primary purpose, the endorsement of a candidate only;
- f. Mobile units, vehicles, motorcades of all types, whether engine or manpower driven or animal drawn, with or without sound systems or loud speakers and with or without lights;
- g. Paid advertisements in broadcast, internet, mobile, print or outdoor media subject to the requirements set forth in Section 9 hereof and the Fair Elections Act;
- h. In the headquarters and residences of candidates, lawful election paraphernalia may be displayed, but banners or streamers referred to in paragraph (d) above shall not be allowed;
- i. All other forms of election propaganda not prohibited by the Omnibus Election Code or these rules.

Parties and candidates are hereby encouraged to use recyclable and environment-friendly materials and avoid those that contain hazardous chemicals and substances in the production of their campaign and election propaganda.

In local government units where local legislation governing the use of plastic and other similar materials exist, parties and candidates shall comply with the same.



Candidates and parties are required to incorporate sign language interpreters and closed captioning in broadcast election propaganda intended for exhibition on television and/or the internet, and are encouraged to ensure the availability of their respective printed campaign materials in Braille.

**SECTION 7. Prohibited Forms of Election Propaganda.** - During the campaign period, it is unlawful:

- a. To print, publish, post or distribute any newspaper, newsletter, newsweekly, gazette or magazine advertising, pamphlet, leaflet, card, decal, bumper sticker, poster, comic book, circular, handbill, streamer, sample list of candidates or any published or printed political matter and to air or broadcast any election propaganda or political advertisement by television or radio for or against a candidate or group of candidates to any public office, unless they bear and be identified by the reasonably legible, or audible words "*political advertisement paid for,*" followed by the true and correct name and address of the candidate or party for whose benefit the election propaganda was printed or aired. It shall likewise be unlawful to publish, print or distribute said campaign materials unless they bear, and are identified by, the reasonably legible, or audible words "*political advertisements paid by,*" followed by the true and correct name and address of the payor.
- b. To print, publish, broadcast, display, or exhibit any such election propaganda donated or given free of charge by any person or publishing firm or broadcast media entity to a candidate or party without the written acceptance of the said candidate or party, and unless they bear and be identified by the words "*printed free of charge,*" or "*airtime for this broadcast was provided free of charge by*", respectively, followed by the true and correct name and address of the said publishing firm or broadcast entity;
- c. To show, display or exhibit publicly in a theater, through a television station, a video sharing site, social media network, or any public forum any movie, cinematography or documentary, including concert or any type of performance portraying the life or biography of a candidate, or in which a character is portrayed by an actor or media personality who is himself or herself a candidate;
- d. For any newspaper or publication, radio, television or cable television station, or other mass media entity, or any person making use of the mass media to sell or give free of charge print or advertising space or airtime for campaign or election propaganda purposes to any candidate or party in excess of the size, duration or frequency authorized by law or these Rules;
- e. For any radio, television, cable television station, announcer or broadcaster to allow the scheduling of any program, or permit any sponsor to manifestly favor or oppose any candidate or party by unduly or repeatedly referring to, or unnecessarily mentioning his name, or including therein said candidate or party;
- f. To post, display or exhibit any election campaign or propaganda material outside of authorized common poster areas, in public places, or in private properties without the consent of the owner thereof; and

- g. To print, publish, post, show, display, distribute any election campaign or propaganda materials that violates gender sensitivity, obscene or offensive, or constitutes violation of Magna Carta of Women.

Public places include any of the following:

1. Publicly-owned electronic announcement boards, such as light-emitting diode (LED) display boards located along highways and streets, liquid crystal display (LCD) monitors posted on walls of public buildings, and other similar devices which are owned by local government units, government-owned and controlled corporations, or any agency or instrumentality of the Government;
2. Motor vehicles used as patrol cars, ambulances, and for other similar purposes that are owned by local government units, government-owned and controlled corporations, and other agencies and instrumentalities of the Government, particularly those bearing government license plates;
3. Public transport vehicles owned and controlled by the government such as the Metro Rail Transit (MRT), Light Rail Transit (LRT), and Philippine National Railway trains and the like.
4. Waiting sheds, sidewalks, street and lamp posts, electric posts and wires, traffic signages and other signboards erected on public property, pedestrian overpasses and underpasses, flyovers and underpasses, bridges, main thoroughfares, center islands of roads and highways;
5. Schools, public shrines, barangay halls, government offices, health centers, public structures and buildings or any edifice thereof; and
6. Within the premises of public transport terminals, owned and controlled by the government, such as bus terminals, airports, seaports, docks, piers, train stations and the like.

The printing press, printer, or publisher who prints, reproduces or publishes said campaign materials, and the broadcaster, station manager, owner of the radio or television station, or owner or administrator of any website who airs or shows the political advertisements, without the required data or in violation of these rules shall be criminally liable with the candidate and, if applicable, further suffer the penalties of suspension or revocation of franchise or permit in accordance with law.

Nothing in these rules shall be construed as limiting the authority of the appropriate agencies and instrumentalities of the government to promulgate their own rules and regulations, regarding the posting of political print advertising on any regulated land, sea and air vehicle, including but not limited to public utility vehicles and tricycles.

**SECTION 8. *Petition for Authority to Use Other Election Propaganda.*** - Any person seeking authority to use other forms of election propaganda not covered by those enumerated in Sec. 6 hereof and not prohibited by law may file with the COMELEC,

through the Clerk of the Commission, a verified petition in two (2) legible copies, describing the election propaganda sought to be authorized with samples thereof.

Upon receipt of the petition, the Clerk of the Commission shall set it for hearing and shall send notice thereof to the petitioner. On the day following the receipt of the notice of hearing, the petitioner shall cause the publication of the petition, together with the notice of hearing, in two (2) newspapers of general circulation, and shall notify the COMELEC of such action.

If the COMELEC authorizes the use of the requested election propaganda, the authorization shall be published in two (2) newspapers of general circulation within one (1) week after the authorization has been granted.

**SECTION 9. Requirements and/or Limitations on the Use of Election Propaganda through Mass Media.**- All bona fide candidates shall have equal access to mass media time and space for their election propaganda during the campaign period subject to the following requirements and/or limitations:

a. Broadcast Election Propaganda

The duration of air time that a candidate or party may use for their broadcast advertisements or election propaganda shall be, as follows:

For Candidates/Registered Political Parties for a National Elective Position	Not more than a total of one hundred twenty (120) minutes of television advertising, on a per station basis, whether appearing on national, regional, or local, free or cable television, and one hundred eighty (180) minutes of radio advertising, on a per station basis, whether airing on national, regional, or local radio, whether by purchase or donation.
For Candidates for a Local Elective Position	Not more than a total of sixty (60) minutes of television advertising, on a per station basis, whether appearing on national, regional, or local, free or cable television, and ninety (90) minutes of radio advertising, on a per station basis, whether airing on national, regional, or local radio, whether by purchase or donation.

In cases where two or more candidates whose names, initials, images, brands, logos, insignias, color motifs, symbols, or forms of graphical representations are displayed, exhibited, used, or mentioned together in the broadcast election propaganda or advertisements, the length of time during which they appear or are being mentioned or promoted will be counted against the airtime limits allotted for the said candidates or parties.

In like manner, the cost of the length of time during which individual candidates, groups of candidates, or parties appear or are being mentioned or promoted, shall be computed as a fraction of the total cost of the advertisement, and such fraction shall be considered their respective expenditures, to be deducted from the total cost of the advertisement.

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The balance shall be counted against the expenditure limits of whoever paid for the advertisements or to whom the said advertisements were donated.

Appearance or guesting by a candidate on any bona fide newscast, bona fide news interview, bona fide news documentary, if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary, or on-the-spot coverage of bona fide news events, including but not limited to events sanctioned by the COMELEC, political conventions, and similar activities, shall not be deemed to be broadcast election propaganda within the meaning of this provision. For purposes of monitoring by the COMELEC and ensuring that parties and candidates were afforded equal opportunities to promote their candidacy, the broadcast media entities shall give prior notice to the COMELEC, through the appropriate Regional Election Director (RED), or in the case of the National Capital Region (NCR), the Education and Information Department (EID). If such prior notice is not feasible or practicable, the notice shall be sent within twenty-four (24) hours from the first broadcast or publication. Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under Section 11 and 14 of these Rules.

b. Printed or Published Election Propaganda

The maximum size of print advertisements for each candidate, whether for a national or local elective positions, or party shall be, as follows:

In broadsheets	One fourth (1/4) page
In tabloids	One half (1/2) page

Two or more candidates, political parties, or party-list organizations may cause the publication of coordinated print advertisements, featuring more than one candidate, political party, or party-list organization provided that the size and frequency limitations provided for in this paragraph shall apply to each candidate, political party, or party-list organization appearing, mentioned or promoted in such a coordinated advertisement.

The cost of coordinated print advertisements shall be pro-rated among each candidate, political party, or party-list organization appearing in each advertisement, and shall be reported by them accordingly.

Print advertisements, whether procured by purchase or given free of charge, shall not be published more than three (3) times a week per newspaper, magazine or other publication during the campaign period.

c. Internet, mobile, and social media propaganda

Each registered political party and candidate shall register with Education and Information Department of the COMELEC, the website name and web address of the official Blog and/or social media page of such political party or candidate.

Any other blog or social media page which, when taken as a whole, has for its primary purpose the endorsement of a candidate, whether or not directly maintained or administered by the candidate or their official campaign

representatives, shall be considered additional official blogs or social media pages of the said candidate.

d. Common requirements and/or limitations:

Any printed or published, and broadcast election propaganda for or against a candidate or group of candidates to any public office shall bear and be identified by the reasonably legible or audible words "*political advertisement paid for,*" followed by the true and correct name and address of the candidate or party for whose benefit the election propaganda was printed or aired. It shall also bear, and be identified by, the reasonably legible, or audible words "*political advertisement paid by,*" followed by the true and correct name and address of the payor. This rule shall also apply to online advertisements.

The notices required in the immediately preceding paragraph shall be considered reasonably legible on printed materials, if it complies with the following:

(i) The notice must be of sufficient type size to be clearly readable by the reader of the information.

A notice in twelve (12)-point type size satisfies the size requirement of this paragraph when it is used for signs, posters, flyers, newspapers, magazines, or other printed material that measure no more than two (2) feet by three (3) feet.

(ii) The notice must be contained in a printed box, set apart from the other contents of the sign, poster, flyer, or newspaper advertisement.

(iii) The notice must be printed with a reasonable degree of color contrast between the background and the printed statement. A notice satisfies the color contrast requirement of this paragraph if it is printed in black text on a white background or if the degree of color contrast between the background and the text of the notice is no less than the color contrast between the background and the largest text used in the communication.

The notices required in the immediately preceding paragraph shall be considered reasonably legible on television, if it complies with the following:

(i) The notice must appear in letters equal to or greater than four (4) percent of the vertical picture height;

(ii) The notice must be visible for the duration of the broadcast advertisement; and

(iii) The notice must appear with a reasonable degree of color contrast from the background. A notice satisfies the color contrast requirement of this paragraph if it is displayed in black text on a white background or if the degree of color contrast between the background and the text of the notice is no less than the color contrast between the background and the largest type size used in the communication.

If the space for printed or published election propaganda is donated by the publishing firm, or the airtime for broadcast election propaganda is given free of

charge by the radio, or television station or cable television, they shall bear and be identified by the reasonably legible or audible words "printed free of charge," or "airtime for this broadcast was provided free of charge by," respectively, followed by the true and correct name and address of the said publishing firm or broadcast entity. This rule shall also apply to online advertisements.

For the immediately preceding purpose, each broadcast entity and website owner or administrator shall submit to the COMELEC, certified true copies of broadcast logs, certificates of performance, affidavits of publication or other analogous records that can only be generated after broadcast or publication, for review and verification of the frequency, date, time and duration of advertisements aired for any candidate or party through:

For Broadcast Entities in the NCR - The Campaign Finance Office of the COMELEC.

For Broadcast Entities outside of the NCR - The City/Municipal Election Officer concerned, who in turn, shall furnish copies thereof to the Campaign Finance Office of the COMELEC within five (5) days from the receipt thereof.

For website owners or administrators - The City/Municipal Election Officer concerned, who in turn, shall furnish copies thereof to the Campaign Finance Office of the COMELEC within five (5) days from the receipt thereof.

All broadcast and digital mass media entities shall preserve their broadcast logs or analogous records for a period of five (5) years from the date of broadcast for submission to the COMELEC whenever required.

Certified true copies of broadcast logs, certificates of performance, and certificates of acceptance, or other analogous record shall be submitted, as follows:

Candidates for National Positions	1 <sup>st</sup> Report	3 weeks after start of campaign period	March 5, 2019
	2 <sup>nd</sup> Report	3 weeks after 1 <sup>st</sup> filing week	March 26, 2019
	3 <sup>rd</sup> Report	1 week before election day	May 6, 2019
	Last Report	Election week	May 17, 2019
Candidates for Local Positions	1 <sup>st</sup> Report	1 week after the start of campaign period	April 5, 2019
	2 <sup>nd</sup> Report	1 week after 1 <sup>st</sup> filing week	April 12, 2019
	3 <sup>rd</sup> Report	Election week	May 17, 2019
	Last Report	1 week after election day	May 20, 2019

For subsequent elections, the schedule for the submission of reports shall be prescribed by the COMELEC.

**SECTION 10. Written Acceptance of Election Propaganda and/or Political Advertisements.** - Election propaganda materials donated or contributed by any person to a candidate shall not be printed, published or broadcasted, or exhibited, unless they are accompanied by the written acceptance by said candidate or party, through the party treasurer.

Such written acceptance of the donated election propaganda materials must be personal to the candidate or party treasurer, and cannot be delegated to their duly authorized representatives designated to receive donations or contributions. *L*

**SECTION 11. Reporting Requirements to be Submitted by Mass Media Entities, Contractors and Business Firms.**- The following shall be submitted to the COMELEC:

a. *For Mass Media Entities:* All copies of advertising contracts must be accompanied by a Summary Report of Advertising Contracts, which will serve as a cover report for all the advertising contracts submitted by the mass media entity on that day.

The copy of advertising contracts attached to the Summary Report of Advertising Contracts must be clear and legible and must contain the following information:

- i. the period when the political advertisement is scheduled to be published, broadcasted, or exhibited;
- ii. the date when the contract was entered into;
- iii. the name and signature of the person who placed the advertisement, regardless of whether said person is a contributor or donor, or the duly authorized representative of the candidate or party;
- iv. the name and signature of the candidate or party who will benefit from the advertisement as a sign of acceptance;
- v. the particulars of the political advertisement (e.g. the size of the advertisement as published on periodicals, duration of the advertisement as published on periodicals, duration of the advertisement in terms of airtime, frequency, number of spots, and program or timeslot, etc.);
- vi. the serial number of the official receipt issued to the candidate by the mass media entity; and
- vii. the amount or consideration paid for the advertisement contract.

It must likewise be supported by a copy of the official receipt issued to the contributor or donor, candidate, who paid for the advertising contract.

Agencies producing and placing on-line political advertisements shall also submit a similar report and copies of their advertising contracts.

Mass media entities with offices within the National Capital Region (NCR) must make their submissions directly to the Campaign Finance Office (CFO) of the COMELEC. For mass media entities located outside of the NCR, they must furnish a copy of the advertising contracts in accordance with the formal requirements stated in the COMELEC Rules and Regulation Governing Campaign Finance and Disclosure in connection with the May 13, 2019 National and Local Elections to the nearest COMELEC Field Office. The COMELEC Field Officer concerned shall then be responsible for sending the soft copy of said submissions via electronic mail to the CFO within twenty four (24) hours upon receipt.

It shall be the duty of the Campaign Finance Office in case of national candidates and parties, and the concerned COMELEC Field Officer for local candidates and parties, to formally notify mass media entities that the latter's failure to comply with the mandatory provisions of this Section shall be considered an election offense punishable pursuant to Section 13 of the Fair Elections Act.

b. *For Contractors and Business Firms:* Within thirty (30) days after the conduct of the election, every person or firm to whom any electoral expenditure has been made shall file a written Report of Contractors and Business Firms using the

prescribed form which shall contain the following information and accompanied with the official receipt issued to the person with whom the contractor or business firm had transacted:

- i. The full name of the candidate who incurred such expenditures;
- ii. The nature or purpose of each expenditure;
- iii. The description of the goods or services provided by the contractor or business firm;
- iv. The date when the expenses were incurred;
- v. The amount or cost thereof;
- vi. The serial number of the official receipt, cash invoice, or other BIR-approved document issued.

For contractors and business firms with offices or places of business in Metro Manila, they should submit their report to the CFO. For those with offices or places of business outside the NCR, they must submit the same to the nearest COMELEC field office.

The form and required contents for filing of the Report of Contractors and Business Firms shall be those provided in the COMELEC Rules and Regulations Governing Campaign Finance and Disclosure in connection with the May 13, 2019 National and Local Elections.

c. *For companies providing internet-related services:* Within thirty (30) days after the conduct of the election, internet companies shall provide the COMELEC through the EID validated information on advertising agencies or candidates who placed on-line political advertisements.

**SECTION 12. Fair and Accurate Reporting.** - All members of the news media, television, radio, print, or online, shall scrupulously report the news, taking care not to suppress essential facts or distort the truth by omission or improper emphasis. They shall recognize the duty to air the other side and the duty to correct substantive errors promptly and without prejudice to the right of said broadcast entities to air accounts of significant news or newsworthy events and views on matters of public interest.

**SECTION 13. No Suspension of Franchise.** - No franchise or permit to operate a radio or television station shall be granted or issued, suspended or cancelled during the election period, except by the COMELEC.

**SECTION 14. COMELEC Space and Time for Announcement of Candidates.** - The COMELEC shall procure print space and airtime as follows:

a. Print Space

The COMELEC shall, through the EID, procure print space in at least three (3) national newspapers of general circulation, wherein candidates for national office can announce their candidacies. Such space shall be allocated free of charge equally and impartially to all candidates for national office on three different calendar days, as follows:



1 <sup>st</sup> day	Within the first week of the campaign period
2 <sup>nd</sup> day	Within the fifth week of the campaign period
3 <sup>rd</sup> day	Within the tenth week of the campaign period

b. Airtime

The COMELEC shall, through the EID, also procure free airtime from at least three (3) national television networks and three (3) national radio networks wherein candidates for national office can announce their candidacies.

Airtime shall be allocated free of charge equally and impartially to all candidates for national office on three (3) different calendar days, as follows:

1 <sup>st</sup> day	Within the first week of the campaign period
2 <sup>nd</sup> day	Within the fifth week of the campaign period
3 <sup>rd</sup> day	Within the tenth week of the campaign period

Each advertisement shall be for a maximum duration of thirty (30) seconds, or in the form of interviews or campaign speeches at time limits to be set by the COMELEC in consultation with the said candidates or the parties.

Costs of production for political advertisements shall be borne by the candidate or political party, but the speeches or interviews shall be free of charge and the moderator shall be a COMELEC Official, or one designated by the COMELEC for the purpose.

**SECTION 15. Space and Time for COMELEC Information Dissemination.** – The COMELEC shall furthermore procure print space and air time as follows:

a. Print Space

The COMELEC shall, through the RED, or in the case of the NCR, the EID, upon payment of just compensation, procure print space in at least one (1) newspaper of general circulation in the province or city which shall be known as “COMELEC Space” to be utilized exclusively for public information dissemination on election-related concerns. In the absence of said newspaper of general circulation, publication shall be done in any other magazine or periodical in the province or city.

b. Airtime

The COMELEC shall, through the RED, or in the case of the NCR, the EID, also procure airtime free of charge in at least one (1) major broadcasting station or entity in every province or city which shall be known as “COMELEC Time” to be utilized exclusively for public information dissemination on election-related concerns. In the absence of a major station or entity, broadcasting shall be done in any radio or television station in the province or city.

Each radio, television or broadcasting station chosen by the RED or the EID Director, as the case may be, shall provide airtime including primetime at least sixty (60) minutes daily.

**SECTION 16. *Right to Reply*** - All registered parties and candidates shall have the right to reply to charges published or aired against them. The reply shall be given publicity by the newspaper, television, and/or radio station which first printed or aired the charges with the same prominence or in the same page or section, or in the same time slot as the first statement.

Registered parties and candidates may invoke the right to reply by submitting within a non-extendible period of thirty-six (36) hours from first broadcast or publication, a formal verified claim against the mass media entity to the COMELEC, through the appropriate RED, or in the case of the NCR, the EID. The claim shall include a detailed enumeration of the circumstances and occurrences which warrant the invocation of the right of reply and must be accompanied by supporting evidence, such as a copy of the publication or recording of the television or radio broadcast, as the case may be. The claimant must likewise furnish a copy of the verified claim and its attachments to the mass media entity concerned prior to the filing of the claim with the COMELEC.

The COMELEC, through the appropriate RED or the EID, shall review the formal verified claim within thirty-six (36) hours from receipt thereof, and if circumstances warrant, endorse the same to the mass media entity involved, which shall, within twenty-four (24) hours, submit its report to the RED or EID, as the case may be, explaining the action it has taken to address the claim. The mass media entity must likewise furnish a copy of the said report to the claimant invoking the right to reply. Should the claimant insist that his/her right to reply was not addressed, he/she may file the appropriate petition and/or complaint before the Office of the Clerk of the Commission.

**SECTION 17. *Rates for Political Propaganda***. - During the election period, media outlets shall charge candidates a discounted rate for their election propaganda over the average rates charged during the first three (3) quarters of the calendar year preceding the elections, as follows:

- a. For television - Thirty percent (30%);
- b. For radio - Twenty percent (20%);
- c. For print - Ten percent (10%)

For this purpose, media entities shall submit a certification to the COMELEC, through the Campaign Finance Office, that the above discounted rates were applied in charging the candidates on their election propaganda.

Media entities are likewise required to submit the average rates charged during the first three quarters of the calendar year preceding the elections at least five (5) days before the start of the election period.

**SECTION 18. *Regulation of Election Propaganda through Mass Media***. - In all instances, the COMELEC shall supervise the use and employment of press, radio, online, and television facilities insofar as the placement of political advertisements is concerned to ensure that candidates are given equal opportunity under equal circumstances to make known their qualifications and their stand on public issues

within the limits set forth in the Omnibus Election Code, the Fair Election Act, and these Rules.

**SECTION 19. *Posting of Campaign Materials.*** – Parties and candidates may post lawful campaign material in:

- a. Authorized common poster areas in public places, subject to the requirements and/or limitations set forth in the next following section; and
- b. Private property, provided that the posting has the consent of the owner thereof and that the applicable provisions of Section 6 herein are complied with.

The posting of campaign materials in public places outside of the designated common poster areas, on private property without the consent of the owner, or in violation of Section 6 hereof, and in those places enumerated under Section 7 (f) of these Rules and the like, is prohibited. Persons posting the same shall be liable together with the candidates and other persons who caused the posting. It will be presumed that the candidates and parties caused the posting of campaign materials outside the common poster areas if they do not remove the same within three (3) days from notice issued by the Election Officer of the city or municipality where the election propaganda is posted or displayed. (Annex "D" of COMELEC Resolution 9616, series of 2013)

Members of the PNP and other law enforcement agencies called upon by the Election Officer or other COMELEC officials may file the appropriate charges against the violators of this Section.

**SECTION 20. *Common Poster Areas.*** – Parties and independent candidates may, upon authority of the COMELEC, through the City or Municipal Election Officer concerned, construct common poster areas, at their expense, wherein they can post, display, or exhibit their election propaganda to announce or further their candidacy subject to the following requirements and/or limitations:

- a. A common poster area does not refer to a post, a tree, the wall of a building or an existing public structure that is in active use, but a structure, the location and number of which are specified below, that is temporarily set up by the candidates for the exclusive purpose of displaying their campaign posters;
- b. In no instance shall an Election Officer designate as common poster areas, any trees, plants, shrubs located along public roads, in plazas, parks, school premises or in any other public grounds. In cases where parties and candidates still persist in displaying, posting, or exhibiting their campaign or election propaganda on trees and plants, they shall be prosecuted for violation of these Rules, without prejudice to the institution of a criminal complaint for the violation of Republic Act No. 3571<sup>4</sup>;

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<sup>4</sup> An Act to Prohibit the Cutting, Destroying or Injuring of Planted or Growing Trees, Flowering Plants and Shrubs or Plants of Scenic Value Along Public Roads, in Plazas, Parks, School Premises or in Any Other Public Pleasure Ground promulgated on June 21, 1963

- e. Each party and independent candidate, with prior consent from the COMELEC, may put up common poster areas in every barangay, subject to the following limitations:

5,000 registered voters or less	1 common poster area
For every increment of 5,000 registered voters, or a fraction thereof, thereafter	1 additional common poster area

- d. Such common poster areas shall be allowed by the Election Officer only in selected public places such as plazas, markets, barangay centers and the like, where posters may be readily seen or read, and with the heaviest pedestrian and/or vehicular traffic in the city or municipality;
- e. The Election Officer shall make, and post in his office, a list of the common poster areas in each city or legislative district in said city or municipality, indicating therein their exact locations, and furnish each political party or candidate copies of said list at the latter's expense, and also the Provincial Election Supervisor and the EID Director;
- f. The Election Officer shall comply with his obligations in the immediately preceding paragraph not later than five (5) days before the start of the campaign period and failure to do so shall make him liable for gross neglect of duty;
- g. The size of each common poster area for candidates shall not exceed the following dimensions:
1. *For political parties and party-list groups* - twelve (12) by sixteen (16) feet, or its equivalent but not exceeding a total area of 192 square feet; and
  2. *For independent candidates* - four (4) by six (6) feet or its equivalent but not exceeding a total area of twenty four (24) square feet.
- h. The sizes of individual posters that may be posted in each common poster area shall not exceed two (2) by three (3) feet. However, in case of space limitations, posters of candidates of political parties may be reduced to a uniform size to accommodate all candidates. This regulation is also violated by making single letters of names having the maximum size or lesser and then putting them together to form a size exceeding two (2) by three (3) feet;
- i. The common poster areas allocated to parties and independent candidates shall not be used by other parties and independent candidates even with the consent of the former;
- j. The common poster areas put up for party-list groups, organizations and/or coalitions thereof shall be allocated at the ratio of one (1) common poster area for every thirty-two (32) party-list groups, organizations and/or coalitions thereof;
- k. In case there are less than thirty-two (32) party-list groups, organizations and/or coalitions, applying to put up common poster areas, the Election Officer concerned shall reduce the size of the common poster area depending on the total number of applicants thereof, provided that each group is entitled to post one two (2) feet by three (3) feet poster;

- l. In case there are more than thirty-two (32) party-list groups, organizations and/or coalitions applying to put up the common poster areas, the Election Officer concerned shall determine the appropriate number and size of common poster areas to equitably accommodate the total number of applicants, subject to the provisions of the immediately two (2) preceding paragraphs;
- m. Parties and independent candidates shall file their applications to construct common poster areas with the Office of the City/Municipal Election Officer concerned within five (5) days from the effectivity of this Resolution; otherwise they must accept the listing prepared by the Election Officer;
- n. Within five (5) days after the elections and without need of notice, the parties and candidates who applied for the putting up of common poster areas shall tear down the same at their own expense and restore the site into its original condition. Non-performance of this obligation shall be deemed a violation of the law and regulation on the observance of common poster areas for which the candidate or party concerned shall be liable;
- o. No lawful election propaganda materials shall be allowed outside the common poster areas except on private property with the consent of the owner or in such other places mentioned in these Rules. Any violation hereof shall be punishable as an election offense;
- p. In all cases, the parties shall agree among themselves how their individual posters in the common poster areas shall be placed. In case no agreement is reached, the Election Officer concerned shall determine said placement by drawing of lots.
- q. The Election Officer shall act on all applications for common poster areas within three (3) days from receipt thereof. For this purpose, he shall determine whether the proposed common poster area sites are public places with heavy pedestrian or vehicular traffic, or business or commercial centers, or densely populated areas, and equitably and impartially allocate the sites to ensure maximum exposure of the lawful propaganda materials of all parties and independent candidates.
- r. Any party or independent candidate aggrieved by the action of the Election Officer may appeal the same within two (2) days from receipt of the order of said Election Officer to:
  1. The Provincial Election Supervisors (PES); or
  2. The Regional Election Director (RED), in the case of the National Capital Region (NCR).
- s. The Provincial Election Supervisor (PES) or Regional Election Director (RED) concerned shall decide the appeal within two (2) days from receipt thereof, furnishing copies of the decision to the parties concerned and to the Law Department of the COMELEC. The decision shall be final and executory.

**SECTION 21. Establishment of Headquarters.** – Every registered political party, sectoral organization or coalition participating in the party-list system or candidate may be allowed to establish a limited number of headquarters subject to the following limitations:

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- a. A registered party with national constituency and a national candidate may establish one (1) headquarters in each province or highly urbanized city;
- b. A registered political party with regional constituency may establish one (1) headquarters in each province or highly urbanized city in the region;
- c. A registered political party with provincial constituency and a provincial candidate may be allowed to establish one (1) headquarters in each municipality;
- d. Congressional candidates may be allowed to establish one (1) headquarters in the legislative district they seek to represent. Should their legislative district be composed of several municipalities, they may be allowed to establish one (1) headquarters per municipality;
- e. City candidates may be allowed to establish one (1) headquarters per councilor district;
- f. Municipal candidates may be allowed to establish one (1) headquarters for the entire municipality.
- g. Lawful election propoganda may be displayed at headquarters subject to the limitations provided in Sec. 6 (g) hereof.

**SECTION 22. *Submission of List of Location of Headquarters.*** - All parties and candidates shall submit within five (5) days from their establishment, the list showing the specific locations and addresses of all their headquarters, to the following offices:

- a. National parties and candidates - Law Department
- b. Provincial parties and candidates - Provincial Election Supervisor
- c. City and Municipal parties and candidates - Election Officer
- d. Parties and Candidates in the NCR - Regional Election Director

The Official of the COMELEC to whom the list of headquarters is submitted shall furnish copies thereof to the Law Department and the EID, within five (5) days from the receipt of the list.

**SECTION 23. *Headquarters Signboard.*** - Before the start of the campaign period, only one (1) signboard, not exceeding three (3) feet by eight (8) feet in size, identifying the place as the headquarters of the party or candidates is allowed to be displayed. Parties may put up the signboard announcing their headquarters not earlier than five (5) days before the start of the campaign period. Individual candidates may put up the signboard announcing their headquarters not earlier than the start of the campaign period. Only lawful election propoganda material may be displayed or posted therein and only during the campaign period.

**SECTION 24. *Prohibition on the Removal, Destruction or Defacement of Lawful Election Propaganda.*** - During the campaign period, it is unlawful for any person to remove, destroy, take down or, in any manner, deface or tamper with, or prevent the distribution of any lawful election propoganda enumerated in Section 6 hereof.

**SECTION 25. Removal, Confiscation, or Destruction of Prohibited Propaganda Materials.** - Any prohibited form of election propaganda shall be summarily stopped, confiscated, removed, destroyed, or torn down by COMELEC representatives, at the expense of the candidate or political party for whose apparent benefit the prohibited election propaganda materials have been produced, displayed, and disseminated.

The Election Officer shall immediately prepare a notice to candidate or party of their violation on this section. Failure to remove the same within seventy-two (72) hours from notice, such candidate or party is presumed to be the owner or the person who caused such violation.

Any person, party, association, government agency may file with the COMELEC, through its field office, a petition to confiscate, remove, destroy and/or stop the distribution of any propaganda material on the ground that the same is offensive to public morals, libelous, illegal, or subversive.

The COMELEC, after summary hearing, shall resolve the petition within three (3) days from the time it is submitted for decision. Where the parties concerned cannot be contacted or are unknown or refuse to appear at the hearing, the COMELEC may decide the petition *ex parte*.

The COMELEC may, *motu proprio*, immediately order the removal, destruction and/or confiscation of any prohibited propaganda material, or those materials which contain statements or representations that are illegal, libelous, offensive to public morals, subversive or which tend to incite sedition or rebellion.

**SECTION 26. Creation of Task Force to Tear Down and Remove Unlawful Election Materials.** - There is hereby created a task force in each city and municipality, to tear down and remove all unlawful election materials composed of the Election Officer as Chairman, the Station Commander of the Philippine National Police as Vice Chairman, and a representative from the Department of Public Works and Highways as Member.

The Task Force shall have the following duties and functions:

- a. To tear down and remove campaign propaganda materials posted in public places outside the common poster areas;
- b. To tear down and remove all prohibited forms of campaign materials wherever posted or displayed;
- c. To monitor and watch out for persons posting or distributing said unlawful election paraphernalia; and
- d. To make a report of said activities done by them.

Subject to the approval of the COMELEC, the members of the Task Force may establish rules and regulations for the implementation of their tasks and for ensuring compliance thereof, including requiring the candidates, political parties or party-lists groups to provide the contact numbers of the person in charge of the propaganda material and establishment of proper method to identify the propaganda materials to be removed.

**SECTION 27. Removal of Prohibited Propaganda Materials Before the Start of the Campaign Period.** - All prohibited forms of election propaganda as described in Section

7 of these Rules shall be immediately removed, or caused to be removed, by said candidate or party at least seventy-two (72) hours before the start of the campaign period; otherwise, the said candidate or party shall be presumed to have committed the pertinent election offense during said campaign period for national candidates or for local candidates, as the case may be.

The prohibited forms of propaganda contemplated in this Section include any names, images, logos, brands, insignias, color motifs, initials, and other forms of identifiable graphical representations placed by incumbent officials on any public structures or places as enumerated in Section 7 (f) of these Rules.

**SECTION 28. *Election Surveys.*** - During the election period, any person, whether natural or juridical, candidate or organization may conduct an election survey. Should they decide to publish the said survey for public consumption, they must likewise publish the following information:

- a. The name of the person, candidate, party or organization that commissioned, paid for, or subscribed to the survey;
- b. The name of the person, polling firm or survey organization who conducted the survey;
- c. The period during which the survey was conducted, the methodology used, including the number of individual respondents and the areas from which they were selected, and the specific questions asked;
- d. The margin of error of the survey;
- e. For each question where the margin of error is greater than that reported under paragraph d, the margin of error for that question; and
- f. A mailing address and telephone number at which the sponsor can be contacted to obtain a written report regarding the survey in accordance with the next succeeding paragraph.

The survey together with the raw data gathered to support its conclusions shall be available for inspection, copying and verification by the COMELEC. Any violation of this Section shall constitute an election offense.

**SECTION 29. *Exit Polls.*** - Exit polls may only be taken subject to the following requirements:

- a. Pollster shall not conduct their surveys within fifty (50) meters from the polling place;
- b. Pollsters shall wear distinctive clothing and prominently wear their identification cards issued by the organization they represent;
- c. Pollsters shall inform the voters that they may refuse to answer; and
- d. The results of the exit polls may be announced after the closing of the polls on election day, and must identify the total number of respondents, and the places where they were taken. Said announcement shall state that the same is unofficial and does not represent a trend.

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**SECTION 30. Rallies, Meetings and Other Political Activities.** - Subject to the requirements of local ordinances on the issuance of permits, any political party or any candidate, individually or jointly with other aspirants, may hold peaceful political meetings, rallies or other similar activities during the campaign period.

Any party or candidate shall notify the election officer concerned of any public rally to be held in the city or municipality. The notice must be submitted three (3) working days prior to the date thereof, and must include the venue and exact address, and within seven (7) working days thereafter submit to the election officer a Statement of Expenses incurred in connection therewith. The prescribed forms for Notice of Public Rally and Statement of Expenses are provided in COMELEC Rules and Regulation Governing Campaign Finance and Disclosure in connection with the May 13, 2019 National and Local Elections.

Parties and candidates are hereby encouraged to ensure the accessibility of their campaign activities and events to persons with disabilities, senior citizens, and heavily pregnant women, by providing accessibility features such as access ramps, reserved seating areas, and the like.

**SECTION 31. Application for Permit to Hold Public Meetings, Rallies or Other Political Activities.** - All applications for permits to hold public meetings, rallies and other similar political activities shall be filed with the authorized city or municipal official who shall acknowledge receipt thereof in writing. Immediately after its filing, the application shall be posted in a conspicuous place in the city hall or municipal building.

The official before whom the application is filed shall submit to the Election Officer concerned on the first working day of each week the list of applications, if any, filed during the previous week and the action taken thereon.

**SECTION 32. Action on Application for Permit.** - Within three (3) days after the filing of an application for permit to hold public meetings, rallies or other political activities, the local authority concerned shall act in writing on said application. Any application not acted upon within three (3) days from the date of its filing shall be deemed approved.

In acting on the application, the approving official shall give all candidates and parties equal and fair opportunity as to date, time and place, to hold public political meetings or rallies. In the last week of the campaign period, all independent candidates and parties shall be entitled to hold at least one public meeting or rally, in the public plaza or place where public political meetings or rallies are usually held.

An application for permit shall be denied only on the ground that a prior written application by another candidate or party has been approved. Denial of any application may be appealed to the Provincial Election Supervisor or to the Regional Election Director, for cases in the National Capital Region, who shall decide the same within forty-eight (48) hours after the filing of the appeal, and shall give notice of the decision to the parties. The decision shall be final and executory.

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**SECTION 38. Effectivity.** - This Resolution shall take effect on the seventh (7<sup>th</sup>) day after its publication in two (2) daily newspapers of general circulation. This Resolution supersedes all previous resolutions inconsistent herewith.

**SECTION 39. Publication and Dissemination.** - The Education and Information Department shall cause the publication of this Resolution in at least two (2) newspapers of general circulation, and furnish copies thereof to all field offices of the COMELEC, and to the presidents or secretary-generals of all parties, candidates, mass media entities, and deputized offices.

**SO ORDERED.**

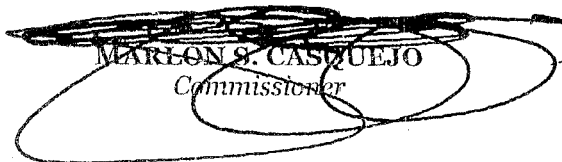
  
SHERIFF M. ABAS  
Chairman

  
ALA. PARREÑO  
Commissioner

  
LUE TITO F. GUIA  
Commissioner

  
MA. ROWENA AMELIA V. GUANZON  
Commissioner

**On Leave**  
SOCORRO B. INTING  
Commissioner

  
MARLON S. CASTUEJO  
Commissioner

  
ANTONIO T. KHO, JR.  
Commissioner