



Republic of the Philippines
Department of Education
REGION VII – CENTRAL VISAYAS
SCHOOLS DIVISION OF NEGROS ORIENTAL

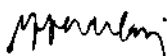
**Office of the Schools
Division Superintendent**

DIVISION MEMORANDUM
No. 947, s. 2021

**Dissemination RM No. 1045, S. 2021 titled “COMELEC RESOLUTION NO. 107207 OR
THE GENERAL INSTRUCTIONS IN CONNECTION WITH THE 09 MAY 2022
NATIONAL AND LOCAL ELECTIONS”**

To: Assistant Schools Division Superintendent
Chief, CID and SGOD
Division Education Program Supervisors/Education Program Specialist
Public Schools District Supervisors/District In-Charge
Public Elementary & Secondary School Heads
All Others Concerned

-
1. This office disseminates RM NO. 1045, s. 2021 titled “Comelec Resolution No. 107207 or The General Instructions In Connection with the 09 May 2022 National and Local Election.
 2. For further details, please refer to the attached memorandum.
 3. Immediate and wide dissemination of this memorandum is desired.


SENEN PRISCILLO P. PAULIN, CESO V
Schools Division Superintendent
11/18/2021

SFP/ MKP-JMA-NLR/OASDS-A / JMA/sibt
November 18, 2021



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Republic of the Philippines
Department of Education
REGION VII - CENTRAL VISAYAS

Office of the Regional Director

REGIONAL MEMORANDUM
No. _____, s. 2021

COMELEC RESOLUTION NO. 10727 OR THE GENERAL INSTRUCTIONS IN CONNECTION WITH THE 09 MAY 2022 NATIONAL AND LOCAL ELECTIONS

To: Schools Division Superintendents
Principals and School Heads
All Concerned

1. For the information and guidance of all concerned, attached herewith the OUA MEMO 00-1121-0142 dated November 15, 2021 relative to the COMELEC Resolution No. 10727, promulgated last 10 November 2021, entitled "*General Instructions for the Constitution, Composition and Appointment of Electoral Boards: The Process of Final Testing and Sealing of the Vote Counting Machines; and the Voting, Counting and Transmission of Election Results in Connection with the 09 May 2022 National and Local Elections.*"
1. For more information, please see attached said memorandum
2. Immediate and widest dissemination of this Memorandum is desired.

SALUSTIANO T. JIMENEZ JD, EdD, CESO V
Director IV
Regional Director

RD-STJ/CAE
JPP



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Republika ng Pilipinas
Kagawaran ng Edukasyon
Tanggapan ng Pangalawang Kalihim

OUA MEMO 00-1121-0142
MEMORANDUM
15 November 2021

For: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Regional Directors and BARMM Education Minister
Schools Division Superintendents
Principals and School Heads
All Others Concerned

Subject: COMELEC RESOLUTION NO. 10727 OR THE
GENERAL INSTRUCTIONS IN CONNECTION WITH
THE 09 MAY 2022 NATIONAL & LOCAL ELECTIONS

For the information and guidance of all concerned, attached herewith is COMELEC Resolution No. 10727, promulgated last 10 November 2021, entitled "General Instructions for the Constitution, Composition and Appointment of Electoral Boards; The Process of Final Testing and Sealing of the Vote Counting Machines; and the Voting, Counting and Transmission of Election Results in Connection with the 09 May 2022 National and Local Elections."

Please note that Section 33 of the resolution enumerates the new rates of honoraria and other allowances for the members of the Electoral Boards and other poll workers who will render their services in the 2022 National and Local Elections (NLE), as approved. As shown in the attached matrix, the rates are not the same that have been previously proposed and submitted to the Commission by the Department of Education. The amounts were given based on the budget cuts made by Congress during their budget deliberations. Nevertheless, DepEd appreciates the adjusted rates and will coordinate with COMELEC for the possible increase of the honoraria and other allowances and benefits.

In addition, all concerned are reminded to immediately submit their duly accomplished applications for the Philippine National Public Key Infrastructure (PNPKI) Digital Signatures which will be used for the 2022 NLE.

For widest dissemination.


ALAIN DELA S. PASCUA
Undersecretary



Office of the Undersecretary for Administration (OUA)

{Administrative Service (AS), Information and Communications Technology Service (ICTS), Disaster Risk Reduction and Management Service (DRRMS), Bureau of Learner Support Services (BLSS), Baguio Teachers Camp (BTC), Central Security & Safety Office (CSSO)}

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**MATRIX OF DEPED PROPOSALS AND COMELEC APPROVALS
FOR 2022 NATIONAL AND LOCAL ELECTIONS**

Honoraria/Allowance	2019 NLE	DepEd Proposal	COMELEC APPROVAL (10 Nov. 2021)
Electoral Board Chairman	P 6,000.00	P 9,000.00	P 7,000.00
Electoral Board Members (Poll Clerk and Third Member)	P 5,000.00	P 8,000.00	P 6,000.00
Department of Education Supervising Official (DESO)	P 4,000.00	P 7,000.00	P 5,000.00
Support Staff	P 2,000.00	P 5,000.00	P 3,000.00
Transportation Allowance	P 1,000.00	P 2,000.00	P 2,000.00
DESO/DESO Technical Support Staff Communication Allowance	P 500.00	P 500.00	P 1,500.00
Anti-COVID 19 Allowance	none	At least P 500.00	P 500.00



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REPUBLIC OF THE PHILIPPINES
 COMMISSION ON ELECTIONS
 Intramuros, Manila

GENERAL INSTRUCTIONS
 FOR THE CONSTITUTION,
 COMPOSITION AND
 APPOINTMENT OF
 ELECTORAL BOARDS; THE
 PROCESS OF FINAL
 TESTING AND SEALING
 OF THE VOTE COUNTING
 MACHINES; AND THE
 VOTING, COUNTING AND
 TRANSMISSION OF
 ELECTION RESULTS IN
 CONNECTION WITH THE
 09 MAY 2022 NATIONAL
 AND LOCAL ELECTIONS.

ABAS, Sheriff M.	Chairman
GUANZON, Ma. Rowena Amelia V.	Commissioner
INTING, Socorro B.	Commissioner
CASQUEJO, Marlon S.	Commissioner
KHO, Antonio T. Jr.	Commissioner
FEROLINO, Aimee P.	Commissioner

X-----X

PROMULGATED: November 10, 2021

RESOLUTION NO. 10727

WHEREAS, the Commission on Elections adopts a paper-based automated election system using the Vote Counting Machines for the 09 May 2022 National and Local Elections;

WHEREAS, there is a need to provide rules and general instructions for the constitution, composition and appointment of Electoral Boards, DESO, Support Staff and Medical Personnel; The process of Final Testing and Sealing and Voting, Counting and Transmission of Election Results;

WHEREAS, considering the outbreak of the COVID-19 pandemic, there is a need to set forth herein health and safety standards and protocols to mitigate, if not prevent, the transmission of the infectious disease during the conduct of the elections;

NOW THEREFORE, pursuant to its authority under the Constitution, the Omnibus Election Code, Republic Act No. 9369, Republic Act No. 10756 and other election laws, the Commission on Elections **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following General Instructions on the constitution, composition and appointment of the Electoral Board; the process of Final Testing and Sealing of the Vote Counting Machines; and the voting, counting and transmission of election results.

ARTICLE I
DEFINITION OF TERMS

SECTION 1. Definition of Terms. - As used in this General Instructions the following terms shall mean:

- a) **Accessible Polling Place (APP)** shall refer to the venue where the Electoral Board (EB) conducts election-related proceedings and where Persons with Disability (PWD), Senior Citizens (SCs) and Indigenous People (IP) voters cast their votes. The APP shall be located at the ground floor, preferably near the entrance of the building, and is free of any physical barriers, and provided with necessary services including assistive devices.
- b) **Beneficiaries** shall refer to the qualified compulsory heirs of the deceased person rendering election service. Qualified compulsory heirs shall refer to persons defined under the Civil Code of the Philippines and other pertinent laws.
- c) **Clustered Precinct** shall refer to the group of established precincts located within the same barangay and voting center.
- d) **CEMAC** shall refer to the COMELEC Election Monitoring Action Center.
- e) **Commission** shall refer to the Commission on Elections.
- f) **Compensation** shall refer to per diem, honoraria, or allowances granted to the Members of the Electoral Board (EB), Department of Education and Ministry of Basic, Higher and Technical Education of the Bangsamoro Autonomous Region in Muslim Mindanao Supervisor Official, and support staff.
- g) **DepEd** shall refer to the Department of Education.
- h) **DESO** shall refer to the Department of Education and Ministry of Basic, Higher and Technical Education of the Bangsamoro Autonomous Region in Muslim Mindanao Supervisor Official designated to manage a voting center.

- i) **DESO Safety Protocol Officer Support Staff** shall refer to the person charged with ensuring that minimum public health standards are observed within the voting centers.
- j) **DESO Technical Support Staff** shall refer to persons appointed to provide VCM technical support.
- k) **Election Day Computerized Voters' List (EDCVL)** shall refer to the computerized list of registered voters with voting records in the Polling Place.
- l) **Electoral Boards (EB)** shall refer to the Board of Election Inspectors (BEI) and Special Board of Election Inspectors (SBEI) who will conduct the Final Testing and Sealing of Vote Counting Machine, voting and counting and transmission of election results.
- m) **Emergency Accessible Polling Place (EAPPs)** shall refer to rooms or makeshift/temporary polling place established at the ground floor of a voting center or outside of it but in close proximity thereto, where Persons with Disabilities (PWDs), Senior Citizens (SCs) and heavily pregnant women voters may vote on election day, specifically:
 1. PWD/SC who did not avail of APPs;
 2. PWDs who failed to update their registration record;
 3. Persons who become disabled/incapacitated temporarily or permanently after the continuing registration of voters ended; and
 4. Heavily pregnant voters, who are six (6) months on the family way.
- n) **Election-related risk** shall refer to any death or injury sustained by reason of or on the occasion of the performance of election service or duties.
- o) **IATF-MEID** shall refer to the Inter-agency Task Force for the Management of Emerging Infectious Diseases created by virtue of Executive Order No. 168, s. 2014.
- p) **Isolation Polling Place** shall refer to rooms or makeshift tents established in every voting center where voters evaluated by the Medical Personnel to be suffering from a fever of 37.5 degrees Celsius or higher, or any of the COVID-19 symptoms, may cast their vote.
- q) **Medical Personnel** shall refer to those health care workers tasked to check voters with temperatures of 37.5 degrees Celsius, or exhibiting any symptoms of COVID-19 virus.
- r) **MBHTE** shall refer to Ministry of Basic, Higher, and Technical Education of the Bangsamoro Autonomous Region in Muslim Mindanao.

- s) **Minutes** shall refer to the Minutes of the Final Testing and Sealing of VCM, Voting, Counting, and Transmission of Election Results (C.E. Form No. A11).
- t) **National Government Agencies** shall refer to the government agencies, other than the DepEd and MBHTE, which have endorsed to the Commission, the list of their respective personnel who are qualified, willing, and available to render election-related service.
- u) **National Government Employee** shall refer to any person in the service of the entire machinery of the central government, its agencies, divisions, subdivisions or instrumentalities as distinguished from the different forms of local governments, through which the functions of the government are exercised throughout the Philippines.
- v) **Other Benefits** shall refer to death and/or hospitalization benefits granted to persons rendering election service or to their beneficiaries under Republic Act No. 10756, including the provision of legal assistance and legal indemnification.
- w) **Persons rendering election service** shall refer to persons appointed by the Commission to render election-related service as Chairperson or Members of the Electoral Boards, DESO, and their respective support staff.
- x) **Polling Place** shall refer to the place where the Electoral Board conducts its proceeding and where the voters cast their votes.
- y) **Posted Computerized Voters' List (PCVL)** shall refer to the computerized list of voters posted outside each polling place.
- z) **PPCRV** shall refer to the Parish Pastoral Council for Responsible Voting.
- aa) **Public School Teacher** shall refer to all persons engaged in classroom teaching, in any level of instruction, on full-time basis, including guidance counselors, school librarians, industrial arts or vocational instructors, and all other persons performing supervisory and/or administrative functions in all schools, colleges and universities operated by the government or its political subdivisions; but shall not include school nurses, school physicians, school dentists, and other school employees.
- bb) **Registered Voter** shall refer to a voter whose name is included in the Election Day Computerized Voters' List (EDCVL) and Posted Computerized Voters' List (PCVL).
- cc) **Support Staff** shall refer to persons appointed to assist the Members of the Electoral Boards and the DESO in the performance of their duties.

- dd) **VCM** shall refer to Vote Counting Machine.
- ee) **VAD** shall refer to Voters' Assistance Desk.
- ff) **Voting Center** shall refer to the building or place where the polling place is located.
- gg) **VVPAT** shall refer to Voter Verifiable Paper Audit Trail.

**ARTICLE II
CONSTITUTION, COMPOSITION, AND APPOINTMENT OF
ELECTORAL BOARDS, DESO, AND SUPPORT STAFF**

SEC. 2. Scope. - This Article shall apply to the constitution, composition, and appointment of the EBs, DESO, and Support Staff.

Local absentee voting and overseas voting shall be governed by separate Resolutions.

SEC. 3. Electoral Board (EB). - There shall be an EB for every clustered precinct.

SEC. 4. Authority to Constitute and Appoint the Members of the Electoral Board. - The Commission, through the Election Officers, shall constitute and appoint, **from January 17 to 31, 2022**, the EB for every clustered precinct in the district, city, or municipality using the prescribed form (*CEF No. A5 and A5-A - copies of Appointment and Oath*).

Copies of CEF No. A5 and A5-A shall be distributed as follows:

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

SEC. 5. Composition of the Electoral Board. - The EB shall be composed of a chairperson, poll clerk, and third member.

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

As far as practicable, women EB members may not be assigned in areas with security concerns, far flung barangays, or areas likely to cause gender-based violence or to result in physical, sexual, or psychological harm.

SEC. 6. Right of Preference. - In the appointment of the members of the EB, the EO shall give preference to public school teachers who are qualified, willing, and available to render election service.

For this purpose, the highest DepEd/MBHTE official, as the case may be, in the district, city, or municipality shall submit to the EO a certified list of public-school teachers and substitutes who are qualified, willing, and available to render election-related service within five (5) days upon request, based on the Project of Precincts (POP). The EO shall give preference to those with permanent appointments and those who served in previous elections based on the prescribed form (see Annexes "A" and "A-1"). The request shall be accompanied by a copy of the POP.

The number of substitutes shall be 20% of the total number of members of the EB to be appointed (i.e. 20 clustered precincts x 3 = 60 x 20% = 12, hence, 12 substitutes).

In the preparation of such list, the DepEd or MBHTE official shall exercise due diligence to ensure that the persons appearing in the said list are indeed public-school teachers, who are qualified, willing, and available to serve as members of the EB. Further, the list is *for recommendatory purposes only*.

Within three (3) days from receipt of the list, the EO shall immediately conduct verification on the qualifications of the persons appearing in the said list based on the qualifications set forth in the immediately succeeding section.

Public-school Teachers not included in the list, who are qualified, willing and available, may apply directly to the EO.

SEC. 7. Qualifications of Members of the Electoral Board. - No person shall be appointed as a Member of the EB, whether regular, temporary, or as a substitute, unless such person is:

- a) A registered voter in the city or municipality;
- b) Of good moral character and irreproachable reputation;
- c) Of known integrity and competence;
- d) Has never been convicted of any election offense or of any crime punishable by more than six (6) months of imprisonment, or has no pending information for any election offense; and
- e) Able to speak and write Filipino, English, or the local dialect.

Preference shall be given to individuals who are fully-vaccinated, without comorbidities, and below sixty (60) years old.

Members of the EB are required to have their respective digital certificates issued by the Philippine National Public Key Infrastructure (PNPKI) of the Department of Information and Communications Technology (DICT).

SEC. 8. Disqualification of Members of the Electoral Board. - No person shall be appointed as a member of the EB if said person is related, within the fourth (4th) civil degree of consanguinity or affinity, to

any member of the same EB, to any candidate to be voted for in the polling place of assignment, or to the said candidate's spouse.

SEC. 9. Notice of Disqualification. - The chairperson or any member of the EB who is disqualified to serve for any reason shall immediately notify, in writing, the EO concerned.

SEC. 10. Posting of the List of the Constituted Members of the Electoral Boards. - A day after the constitution of the EB, the list of the constituted members and substitutes shall be posted for five (5) days on the bulletin boards in the Office of the EO (OEO) and in the city or municipal hall.

SEC. 11. Opposition to the Designated Members of the Electoral Boards. - Within three (3) days from the posting of the list of appointed members of the EB or the posting of the final list of candidates, any interested party may file a written opposition under oath against any appointed members of the EB at the OEO.

In case an opposition is filed, the EO shall observe the following procedures:

- a) Receive the written opposition. No opposition shall be acted upon by the EO, unless there is proof that a copy of the opposition has been furnished to the contested member;
- b) Issue a notice to the contested member to answer the opposition. The answer shall be filed within two (2) days from receipt of such notice. No answer shall be considered by the EO, unless there is proof that a copy of said answer has been sent to the opposing party;
- c) With or without an answer, issue a notice stating the date, time, and place of the evaluation of the opposition. The notice shall be personally delivered to the known addresses of the parties;
- d) Within a period of seven (7) days from receipt of the opposition, the EO shall resolve the opposition in writing stating the reason/s for the decision. The decision shall be final and non-appealable; and
- e) Copies of the decision shall be furnished to the parties and the concerned DepEd/MBITE official.

Non-appearance of the parties shall not be a ground for the dismissal of the opposition or disqualification of the contested member, nor shall effectively bar the EO from conducting further investigation on the qualifications of the contested member.

SEC. 12. Appointment of Public-school Teachers as Substitutes. - In case of disqualification of a member of the EB, the EO shall appoint a substitute who is qualified, willing, and available.

In the appointment of substitutes, the EO shall observe the procedures in Sections 10 and 11 of this Resolution.

If the designation of public-school teachers as substitutes is no longer feasible, other qualified substitutes as enumerated in the succeeding rule may be appointed.

SEC. 13. Grounds for the Appointment of Qualified Substitutes.

-In case there are not enough public-school teachers, who are qualified, willing, and available, other qualified substitutes may be appointed by the Commission, through the EO, in either of the following cases:

- a) There is a lack of public-school teachers to be constituted as members of the EB based on the certified list submitted by the DepEd/MBHTE official to the EO *vis-à-vis* the number of clustered precincts in the district, city, or municipality; or
- b) One or more of the public-school teachers in the certified list has or have been disqualified by the EO and there are no other public-school teachers in the locality who are qualified, willing, and available to be appointed as substitute/s.

Substitutes shall be on-call on election day. The EO shall cause the deployment of a substitute in case any member of the EB fails to report in their designated polling place. Except in the following instances when there is a need to fill in a temporary vacancy, the members of the EB who are present, may appoint a qualified non-partisan registered voter, who shall serve until the regular or substitute member appears:

- a) There is considerable distance between the residence of the substitute and the location of the polling place;
- b) Lack or difficulty of means of transportation; or
- c) Inability of the EB to inform the EO of the non-appearance of any of the member.

SEC. 14. Order of Preference. - In case any of the circumstances mentioned in the preceding section exist, the EO may appoint the following persons based on their order of preference, who shall likewise be qualified, willing, and available to render election related service, to wit:

- a) Private school teachers, giving preference to:
 - a.1. Those employed in private schools being utilized by the Commission as voting centers. If the voting center is a public building, private school teachers whose place of employment is within the vicinity may be appointed as members of the EB in that particular area.
 - a.2. Those teaching in high school or college level, holding regular positions who have previously served as member of the EB.

For this purpose, the highest private school official shall submit to the EO, within five (5) days upon request, a certified list of private school teachers who are qualified, willing, and available to render election-related service (see Annex "B").

- b) National government employees;
 - b.1. DepEd/MBHTE non-teaching personnel;
 - b.2. Other national government officials and employees holding regular or permanent positions, excluding uniformed personnel of the Department of National Defense (DND), all its attached agencies, and the Philippine National Police (PNP), except in cases provided in Sec. 32 of this Resolution;
- c) Members of the Commission-accredited citizens' arms of nther Civil Society Organizations (CSOs) and Non-government Organizations (NGOs) duly accredited by the Commission; and
- d) Any registered voter of the city or municipality of known integrity and competence who is not connected with any candidate or political party;
 - d.1. Connection with any candidate shall mean:
 - d.1.1. relationship within the fourth (4th) civil degree of consanguinity and affinity, including the spouse of the candidate;
 - d.1.2. supporter;
 - d.1.3. contributor, donor; or
 - d.1.4. other analogous cases.
 - d.2. Connection with any political party shall mean:
 - d.2.1. members of officials of the political party and their spouses and members of the family within the fourth (4th) civil degree of consanguinity and affinity;
 - d.2.2. contributor, donor;
 - d.2.3. supporter; or
 - d.2.4. other analogous cases.

For this purpose, the following persons shall endorse a certified list of their respective personnel, who are qualified, willing, and available to render election-related service, based on the POP to the EO within five (5) days upon request, to wit:

1. The highest official of the private school in the district, city or municipality, in case of letter (a) above. In case there are two or more private schools in the district, city or municipality, the EO shall send a request simultanenusly (see Annex "C");
2. The DepEd or MBHTE official mentioned in the 2nd paragraph of Section 6 hereof, in case of letter b.1. above (see Annex "D");

3. The highest official of other national government agencies in the district, city, or municipality in case of letter b.2. above, if any; or
4. The highest officer or authorized representative of the local chapter of Commission-accredited citizens' arms or other CSOs and NGOs duly accredited by the Commission in the district, city, or municipality, in case of letter c above. In case there are two or more organizations in the district, city, or municipality, the EO shall send the request simultaneously (see Annex "E");

In cases of numbers 1 and 4, the EO shall observe the policy on first-come first-served basis.

The endorsement of the heads of the agencies shall serve as an authority for their respective employees who shall render election-related service to be on official business for purposes of attending trainings or seminars relative to their appointments as members of the EB.

In the preparation of the list, the aforementioned officials shall exercise due diligence to ensure that the persons appearing therein are indeed qualified, willing, and available to render election-related service.

Private school teachers, national government employees, DepEd/MBHTE non-teaching personnel, other national government officials, and employees holding regular or permanent positions, excluding uniformed personnel of the DND and all its attached agencies, and members of the Commission-accredited citizen arms, or other civil society organizations, and non-governmental organizations duly accredited by the Commission, not included in the Lists, who are qualified, willing and available, may apply directly to the EO.

With regard to letter "d" of this Section, the Commission shall provide, free of charge, an application form, which shall be made available at the OEOs for any registered voter who intends to be appointed as a member of the EB. The Information Technology Department (ITD) of the Commission shall ensure that the said form may be downloaded from its official website for easy access thereto.

SEC. 15. Posting of Notice of Date, Time, and Place of Filing of Application of Qualified Substitutes. - The Commission shall set the period within which applications for qualified substitutes falling in Section 14 (d) may be filed. At least three (3) days before the start of the period for the filing of applications, the notice of the date, time, and place of filing shall be posted on the bulletin boards in the OEO and in the city of municipal hall.

SEC. 16. Posting of the List of Applicants and Filing of Opposition. - Upon receipt of the certified lists mentioned in Section 14 above and after the last day of the period for filing of applications, the EO shall observe the procedures mentioned in Sections 10 and 11 of this Resolution.

SEC. 17. Authority to Administer Oath. - The EO shall have the power to administer oath in all cases where said oath is required, *free of charge*.

SEC. 18. Oath of the Chairperson and Members of the Electoral Board. - Before assuming office, the chairperson or members of the EB shall take and sign an oath using CEF No. A5 and A5-A before an officer authorized to administer oath or, in the absence of said officer, before any other member of the EB present, or in case no one is present, before any voter.

SEC. 19. Powers and Functions of the Electoral Board. - In addition to the powers and functions prescribed by law or by the rules and regulations issued by the Commission, the EBs shall:

- a) Conduct the Final Testing and Scaling of the VCM;
- b) Verify the identity of a voter using the EDCVL;
- c) Conduct the voting in the polling place and administer the electronic counting of votes;
- d) Digitally signed and print the election returns and transmit electronically the election results, through the use of the VCM;
- e) Act as deputies of the Commission in the supervision and control of the conduct of elections in the polling place;
- f) Maintain order within the polling place and its premises to keep an open and unobstructed access thereto;
- g) Prohibit the use of cellular phones, cameras, or any recording device by the voters during voting;
- h) Implement minimum public health standards, as provided in Article XIII of this Resolution, and to enforce obedience to its lawful orders.

If any person refuses to obey the lawful orders of the EB or conducts in a disorderly manner in its presence or within its hearing and thereby interrupts or disturbs its proceedings, the EB may issue an order in writing directing any peace officer to take such person into custody until the adjournment of the meeting, but such order shall not be executed as to prevent such person from voting.

In the absence of any peace officer, such order may be executed by any other competent and able person deputized by the EB in

writing. A copy of such written order shall be attached to the Minutes;

- i) Furnish copies of the Certificate of Votes (C.E. Form No. 13) upon request of the watchers; and
- j) Perform such other functions prescribed by law or by the rules and regulations promulgated by the Commission.

SEC. 20. Voting privilege of the members of the Electoral Board - Members of the EB may vote in the polling place where they are assigned on election day, provided that:

- a) They are registered voters of the city within the same legislative district or municipality where they are assigned; and
- b) They shall add their names and precinct numbers and the place where they are actually registered in the EDCVL, and note such fact in the Minutes.

Any member of the EB, who is a registered voter of another legislative/councilor district within the same city or municipality, may vote in the polling place where they are actually registered, provided that:

- a) The voting in their place of assignment is light;
- b) Their absence shall not be for more than thirty (30) minutes;
- c) The members of the EB shall schedule the voting so that only one (1) member shall leave at any given time;
- d) They must be given priority in voting; and
- e) The fact that they exercised their voting privilege shall be noted in the Minutes.

In the alternative, the EB may avail of local absentee voting pursuant to Comelec Resolution No.10725 dated 27 October 2021 entitled "*Rules and Regulations on Local Absentee Voting in Connection with the May 09, 2022 National and Local Elections*".

SEC. 21. Meetings of the Electoral Board. - The meetings of the EB shall be public and held only in the polling place authorized by the Commission.

The EB shall act through its chairperson, and without delay, decide by majority vote, all questions that may arise in the performance of its duties.

The minimum public health standards issued by the IATF-EID, other health protocols, and Article XIII - COVID-19 Preventive Measures, Health and Safety Protocols During the Conduct of Final Testing and Sealing of VCM, Voting, Counting, and Transmission of Election Results of this Resolution, shall be strictly observed during these meetings.

SEC. 22. Prohibition on Political Activity. - No member of the EB shall engage in any partisan political activity or take part in the election, except to vote and discharge his/her duties as such.

SEC. 23. Temporary Vacancies in the Electoral Board. - If at the time of the meeting of the EB, any member is absent or a position in the EB is still vacant, the members present shall call upon the substitute of the absent members to perform the duties of the latter. In case such substitute cannot be found, the members present shall appoint any qualified non-partisan registered voter of the polling place to temporarily fill in said vacancy until the absent member appears or the vacancy is filled. In case there are two (2) or more members present, they shall act jointly.

SEC. 24. Arrest of absent member. - The member or members of the EB present may order the arrest of any member or substitute thereof, who, in the member's or member's judgment, is absent with the intention of obstructing the performance of the duties of the EB.

SEC. 25. Relief and Substitution of the Members of the Electoral Board. - The members of the EB shall not be relieved unless disqualified as provided in this Resolution.

SEC. 26. Support Staff of the Electoral Board. - The EO shall, during the period for the constitution and appointment of the EB, appoint one (1) support staff to assist the EB in the performance of its duties.

The support staff need not be a registered voter of the city or municipality but must possess all the other qualifications and none of the disqualifications for appointment to the EB.

The numbers of additional support staff that may be appointed per EB are as follows:

Number of Established Precincts in the Clustered Precincts	Number of Additional EB Support Staff
1 to 3	0
4	1
5 or more	2

The EB support staff cannot participate in the deliberation of the EB or vote on any issue or question that may arise during the proceedings.

In case of absence of any of the support staff on the day of the election, the EB, by majority vote, may designate a substitute who need not be a registered voter of the city or municipality, but possesses all the

other qualifications and none of the disqualifications for appointment as support staff.

SEC. 27. Department of Education/Ministry of Basic, Higher and Technical Education Supervisor Official and Support Staff; Composition, Qualification and Functions. - The EO shall, within the period for the constitution and appointment of the EB, constitute one (1) DESO and two (2) DESO Support Staff (one will act as Technical Support Staff and the other as Safety Protocol Officer), for every voting center.

DESO and Support Staff need not be registered voters of the city or municipality or district where they are assigned but must possess all the other qualifications and none of the disqualifications for appointment to the EB.

The EO may constitute an additional DESO and support staff/technical support staff in accordance with the following table:

(a) For DESO:

Number of Clustered Precincts	Number of Additional DESO
11-20	1
21-30	2
31-40 and so forth using the same ratio	3

(b) For Safety Protocol Officer Support Staff

Number of Clustered Precincts	Number of Additional (DESO) Safety Protocol Officer Support Staff
6-10	1
11-15	2
16-20 and so forth using the same ratio	3

(c) For DESO Technical Support Staff

Number of Clustered Precincts	Number of Additional DESO Technical Support Staff
6-10	1
11-15	2
16-20 and so forth using the same ratio	3

The DESO, in coordination with the EO, shall:

- a. Serve as COVID Marshal. In case of two or more DESOs appointed in a voting center, the highest-ranking official shall be designated as Head COVID Marshal;
- b. Plan, organize, lay-out, and supervise the setting up of a Voters' Assistance Desk (VAD) at the voting center to assist voters in locating their polling places or precinct assignments, including APPs and EAPPs;
- c. Supervise the strategic posting of the layout of the voting center indicating/showing the location of the polling places of the clustered precincts in the voting center, as well as the posting of other signages, which shall guide the voters in the voting process.
- d. Plan, organize, and supervise the crowd management at the ingress and egress areas of the polling places;
- e. Maintain a list of technical personnel, as well as PNP and AFP personnel, assigned in the voting centers for efficient coordination;
- f. Supervise and maintain the APP and EAPP or makeshift EAPP, as the case may be, in the voting center;
- g. Serve as the contact and point person of the EO in the polling place or voting center;
- h. Supervise the Safety Protocol Officer Support Staff in implementing the minimum public health standards in voting centers;
- i. Supervise the Technical Support Staff in the exercise of their duties and functions as provided in the succeeding section of this Resolution;
- j. Designate each DESO Technical Support Staff to their respective clustered precincts; and
- k. Perform such other functions prescribed by law or by the rules and regulations promulgated by the Commission.

SEC. 28. DESO Technical Support Staff; Additional Qualifications and Functions. - The DESO Technical Support Staff must be an IT-capable person and has undergone the basic training in installation, operation and troubleshooting of the VCM. The duties and functions of the DESO technical support staff are as follows:

- a. Report during the scheduled Final Testing and Sealing and on Election Day in the Voting Center where they are assigned.
- b. Remain in the assigned Voting Center for the entire duration of the Final Testing and Sealing; and on Election Day, until all the activities are concluded.
- c. Report to the CEMAC during the conduct of the Final Testing and Sealing and on Election Day the following:
 - 1. Date and time of arrival at the Voting enter;
 - 2. Date and time of successful installation of the VCM of the clustered precinct/s under his/her jurisdiction;
 - 3. Date and time of the start of voting of the clustered precinct/s under his jurisdiction;
 - 4. Date and time on the date and time of the start close of voting of the clustered precinct/s under his jurisdiction;
 - 5. The status of transmission of the clustered precinct/s on Election Day under his/her jurisdiction;
 - 6. Missing items in the VCM box of the clustered precincts under his/her jurisdiction, if any;
 - 7. Defective SD card for replacement; and
 - 8. All other information or reports that may be required of them.
- d. Assist the EB in the installation of VCM, if so required.
- e. Troubleshoot the VCM in case of technical issues and provide solution. In case the technical issues cannot be resolved, refer to the CEMAC for the proper resolution.

SEC. 29. DESO EAPP Support Staff. - The EO shall appoint support staff in every voting center in accordance with the COMELEC Resolution regarding EAPP, where an EAPP will be set-up as approved by the Commission. The EAPP support staff shall enjoy the same emoluments as other support staff members as provided in this Resolution.

SEC. 30. Medical Personnel. -In every voting center, the EO shall appoint one (1) Medical Personnel from the deputized agencies to be assigned in the IPP.

SEC. 31. Reportorial Requirements. -The EO shall, within three (3) days from the constitution, appointment and designation of the (a) members of EB and their support staff (b) DESO and their support staff,

(c) EAPP DESO Support Staff, and (d) medical personnel, submit to the Office of the Provincial Election Supervisor (OPES), the following:

- a. List containing the names of the appointed members of the EB, their designations and an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by precinct;
- b. List containing the names of the appointed support staff of the EB, an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by precinct;
- c. List containing the names of the appointed DESO and their support staff, an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by polling/voting center; and
- d. List containing the names of the appointed medical personnel.

The Provincial Election Supervisor (PES) shall, within three (3) days from receipt of above enumerated documents, submit the same to the Office of the Regional Election Director (ORED), which shall then submit immediately the lists to the Finance Service Department (FSD) and Election and Barangay Affairs Department (EBAD) through the fastest possible means. Soft copies in PDF format are likewise to be submitted through email at finance@comelec.gov.ph and ebad@comelec.gov.ph.

SEC. 32. Deputation of Members of the Philippine National Police (PNP). - Uniformed personnel of the PNP who have undergone trainings and DOST certification as provided in this Resolution on the Use of Vote Counting Machines; Process of Testing and Sealing; and Voting, Counting, and Transmission of Election Results, may be deputized as a Member of the EB, if the following circumstances are present:

- a. The peace and order situation in the area requires as determined by the Commission; and
- b. There are no other qualified, willing and available persons to render election service in the affected area based on the certification issued by concerned officials mentioned in Section 14 (Order of Preference), hercof.

Where designated EBs fail to report on Election Day or retrieve the election documents from the City/Municipal Treasurer's Office/Office of the Election Officer due to peace and order situation, the EO may designate PNP personnel as substitute EB. For this purpose, the PES shall determine the number of PNP personnel in every province subject to the approval of the RED.

SEC. 33. Entitlement of Honoraria, Allowances, Service Credits and Other Benefits. - Persons rendering election-related service shall be entitled to the following:

- a. **Honoraria.** - The Chairperson and members of the EB, the DESO and their respective Support Staff and Medical Personnel shall be entitled to the corresponding honoraria:

Chairperson of the EB	P7,000.00
Member of the EB	P6,000.00
DESO	P5,000.00
Support Staff	P3,000.00
Medical Personnel	P3,000.00

- b. **Travel Allowance.** - The Chairperson and members of the EB, the DESO and their respective support staff shall be entitled to a travel allowance of Two Thousand Pesos (P2, 000.00) each [One Thousand Pesos (P1,000.00) is for the Final Testing and Sealing and the other One Thousand Pesos (P1,000.00) is for Election Day].

EAPP and IPP support staff, and Medical Personnel shall be entitled to One Thousand Pesos (P1,000.00) only for Election Day.

- c. **Communication Allowance.** - The DESO and DESO Technical Support Staff shall be entitled to a communication allowance of One Thousand Five Hundred Pesos (P1,500.00) each.

- d. **Anti-COVID-19 Allowance.** - The members of the EB, DESO, and their respective Support Staff, Medical Personnel and EAPP support Staff shall be entitled to Anti-COVID-19 Allowance of Five Hundred Pesos (P500.00) each.

- e. **Service Credit.** - A minimum of five (5) days service credit shall accrue to all government officials and employees serving as EB, DESO, Medical Personnel and Support Staff.

SEC. 34. Period of Payment. - The honoraria and allowances mentioned in the immediately preceding section shall be paid within fifteen (15) days from the date of election.

SEC. 35. Delay in the Payment of Honoraria and Allowances; Effect. - Any person who makes or causes delay in the payment of honoraria and allowances due to persons who rendered election-related service beyond fifteen (15) days from the date of election shall be liable for an election offense.

SEC. 36. Other Benefits. - Persons rendering election service shall be entitled to the following:

- a. **Death Benefits** - The amount of Five Hundred Thousand Pesos (P500,000.00) shall be awarded to the beneficiaries of persons who died due to election-related risk.
- b. **Medical Assistance** - An amount not exceeding Two Hundred Thousand Pesos (P200,000.00) shall be awarded to the person

who rendered election-related service and suffered election-related injury or illness.

SEC. 37. Legal Indemnification Package. - An equitable legal indemnification package for persons who rendered election-related service and have been a party in any administrative, civil, or criminal action, suit or proceeding, by reason of or on the occasion of performance of their functions or duties as such is hereby established in the form of:

- a. Legal assistance;
- b. Lawyer's fees;
- c. Indemnification for legal costs and expenses reasonably incurred; and
- d. Other forms of legal protection.

The Legal indemnification shall not cover any action or suit initiated by the claimant in the latter's personal capacity or on behalf of the Commission, unless such action, proceeding or claim was authorized by the Commission.

Sec. 38. Funds for Legal Indemnification Package. - The amount of Fifty Thousand Pesos (P50,000.00) as legal indemnification package shall be made available to each claimant.

Sec. 39. Committee on Claims and Assessment. - Claims for other benefits and legal indemnification package shall be filed with the Committee on Claims and Assessment (CCA) through the EO. The CCA shall be composed mainly of the Office of the Deputy Executive Director for Operations, Law Department, Personnel Department and FSD.

Sec. 40. Legal Assistance. - A person who rendered election-related service is hereby authorized to engage the services of a government or private lawyer immediately upon receipt of a notice that a civil or criminal action, suit or administrative proceeding relating to any election service has been filed against said person.

Sec. 41. Lawyer's Fees. - In the engagement of the services of a government lawyer, no claims for lawyer's fees shall be awarded.

Should the claimant prefer to engage the services of a private lawyer, the Commission, upon the recommendation of the CCA of the concerned national government agency shall bear the reasonable lawyer's fees of the counsel of choice, which, in no case, shall exceed the maximum limit of the legal indemnification package herein provided, otherwise, the former shall bear the excess.

In the event that private lawyers accept the case "pro bono", no claims for lawyer's fees shall be awarded.

Sec. 42. Legal Costs and Other Reasonable Expenses. - Legal costs shall constitute the expenses directly incurred by reason of the case, such as but not limited to:

- a. Filing fees, if applicable;
- b. Mailing;
- c. Notarial fees; and
- d. Gathering of and photocopy of evidence.

A reasonable amount from the legal indemnification package shall be allocated by the Commission for the payment of the actual expenses incurred for legal costs and other reasonable expenses.

Sec. 43. Other Forms of Legal Protection. - The claimant may avail of any legal protection and remedies available under existing laws by filing a request for legal protection with the CCA.

If, upon evaluation, the CCA finds the request to be meritorious due to existing or imminent threat, violence, harassment or intimidation against the claimant or any immediate member of claimant's family, it shall recommend to the Commission *En Banc*, the deputation of law enforcement agencies to provide security to the claimant and/or claimant's immediate family member within a specified period of time or until such time that the condition for the protection no longer exists.

Sec. 44. Entitlement to Legal Indemnification Package. - The Claimant shall be allowed reimbursement for reasonable legal expenses incurred if found not guilty of an election offense or exonerated from civil, criminal or administrative case filed against him, in relation to election-related service, subject to usual accounting and auditing rules and regulations of the COA.

ARTICLE III WATCHERS

SEC. 45. Official Watchers of Candidates, Political Parties and Other Groups. - Each candidate, duly registered political party or coalition of political parties, associations or organizations participating in the Party-List System, and duly accredited citizens' arms, may appoint in every polling place two (2) watchers who shall serve alternately. However, candidates for Senator, Member of the *Sangguniang Panlalawigan*, *Sangguniang Panlungsod*, and *Sangguniang Bayan* belonging to the same party or coalition, shall collectively be entitled to one (1) watcher.

Other civic, religious, professional, business, service, youth, and any other similar organizations, with prior authority of the Commission, shall be entitled collectively to appoint one (1) watcher in every polling place.

If the space in a polling place reserved for watchers is insufficient, preference shall be given to the watchers of the dominant majority and dominant minority parties, as determined by the Commission. Watchers of the citizens' arm shall be given preferential position closest to the EB.

SEC. 46. Qualifications of watchers. - No person shall be appointed as a watcher unless said person:

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

SEC. 47. Rights and duties of watchers.- Upon entering the polling place, the watchers shall present to the chairperson of the EB their appointments as watchers and proof that he/she is a registered voter of the city or municipality where he/she is assigned. Their names shall be recorded in the Minutes with a notation under their signatures that they are not disqualified to serve as such under the immediately preceding Section.

The appointments of the watchers shall bear the signature of the candidate or duly authorized representative of the party, organization or coalition of parties, associations or organizations participating in the Party-List System that appointed them. At least fifteen (15) days before Election Day, independent candidates, and duly registered parties, organizations, or coalitions, coalition of parties, associations or organizations participating in the Party-List System shall provide the EO concerned with the names and signatures of their representatives authorized to appoint watchers in the city or municipality of the polling place.

The watchers shall have the right to:

- a. Stay in the space reserved for them inside the polling place, except under the last paragraph of Section 45 of this Resolution;
- b. Witness and inform themselves of the proceedings of the EB;
- c. Take note of what they may see or hear;
- d. Take picture, image, photo, or video of the proceedings and incidents, if any, during Final Testing and Scaling, counting of votes, transmission and printing of election returns provided the secrecy of the ballot shall be maintained at all times. *In no case shall taking of pictures, images, photos, or videos while the voter is shading the ballot and feeding the same in the VCM be allowed. Violation of this paragraph shall constitute an Election Offense.*

- e. File a protest against any irregularity or violation of law which they believe may have been committed by the EB or by any person present;
- f. Obtain from the EB a certificate as to the filing of such protest and/or the Resolution thereof; and
- g. Position themselves near the chairperson of the EB, observing the one-meter physical distancing requirement, while the chairperson is publicly announcing the precinct results.

Watchers are not allowed to speak to any member of the EB or to any voter, or among themselves, in a manner that would disrupt the proceedings of the EB.

The watchers representing the dominant majority and dominant minority parties, and the citizen's arm shall, if available, affix their signatures and thumbmarks in the election returns.

ARTICLE IV GENERAL PROVISIONS

SEC. 48. Election Day. - The election shall be held on May 9, 2022.

SEC. 49. Voting Hours. - The casting of votes shall be from six (6) o'clock in the morning up to seven (7) o'clock in the evening of Election Day.

Voters who have not yet cast their votes but are within thirty (30) meters in front of the polling place by seven (7) o'clock in the evening of the Election Day shall still be allowed to cast their votes. The poll clerk shall promptly prepare a complete list in duplicate containing the names of said voters numbered consecutively. The voters so listed shall be called to vote by the poll clerk by announcing near the door of the polling place, in a tone loud enough to be heard throughout the polling place, each name three (3) times in the order in which they are listed. Any voter in the list who is not present or does not respond when called shall no longer be allowed to vote. The said list shall be attached to the Minutes.

SEC. 50. Place of voting. - Voters shall cast their votes in the polling place designated by the Commission. The poster indicating the clustered precinct number (CEP No. A3) shall be prominently posted near or on the door of the polling place. In no case shall there be a closed-circuit television (CCTV) inside the polling place.

SEC. 51. Voters' Assistance Desk (VAD). - To avoid gathering, crowding and huddling around the PCVL, there shall be in each voting center, a Voters' Assistance Desk (VAD), manned by the PPCRV or in its absence, any accredited citizen's arm under the supervision and control of the DESO. The VAD shall assist voters in ascertaining their precinct number, sequence number and direction to their polling place.

In the event that there is no available accredited citizen's arm to man the VAD, the EO may enter into a MOA with a non-partisan NGO, CSO, or other organizations available in their respective areas of responsibility to man the VAD.

**ARTICLE V
FINAL TESTING AND SEALING**

SEC. 52. Period for Final Testing and Sealing (FTS) of VCMs; Notice. – On any scheduled day from 02 to 07 May 2022, the EB shall convene in its assigned polling place to test and seal the VCM assigned to its clustered precinct in the Voting Center designated by the Commission.

In case the Final Testing and Sealing of the VCMs cannot be done at the assigned polling place due to security and/or other practical reasons, the EO may conduct the Final Testing and Sealing in the nearest voting center subject to the approval of the PES or RED concerned. The EO shall notify, in accordance with the procedure in the succeeding paragraphs, the members of the EB, candidates, political parties, accredited citizens' arm, and other stakeholders of the place where the testing and sealing shall be conducted.

The EO shall notify the EB in writing of the date, time and place of the Final Testing and Sealing of the VCMs not later than three (3) days before the schedule of FTS.

The EO shall likewise notify the candidates, registered political parties, coalition of political parties, associations or organizations participating in the party-list system representation in the city or municipality, or accredited citizens' arm, by posting a notice of the date, time and place of the Final Testing and Sealing for each clustered precinct in the bulletin boards of the OEO and of the city or municipal hall, and in at least three (3) conspicuous places in the city or municipality, not later than three (3) days before the schedule of Final Testing and Sealing.

The DESO and their support staff are likewise required to be present during the conduct of the Final Testing and Sealing.

SEC. 53. Procedures for the Final Testing and Sealing of the VCMs. – The procedures for the Final Testing and Sealing of the VCM are as follows:

- a. Perform Final Testing and Sealing following the procedures in the VCM technical manual;
- b. Explain to those present the purpose of and the procedures for the Final Testing and Sealing; and
- c. Randomly choose ten (10) persons from among those present, who will accomplish the ballots to be used for Final Testing and Sealing. If there are less than ten persons present, any of them

may accomplish more than one ballot to complete the ten (10) ballots.

In accomplishing the ballots, only two (2) persons can simultaneously accomplish the same. For this purpose, the Chairperson shall give each person a ballot inside the ballot secrecy folder and marking pen. Using the marking pen, they shall accomplish the ballot by fully shading the oval opposite the names of the candidates, including that of the party, organization or coalition participating in the party-list system of representation. Thereafter, they shall return the accomplished ballots inside the ballot secrecy folder and marking pen to the Chairperson.

The Chairperson shall:

- a. Examine the accomplished ballots and determine whether the oval opposite the names of the candidates/political parties participating in the party-list system have been fully shaded; and the security features (timing marks, harcodes, and QR codes) have not been damaged;
- b. Return the accomplished ballot inside the ballot secrecy folder and give the same to the person who shall personally feed the accomplished ballot into the VCM;
- c. Instruct the persons to verify the votes as appearing on the VVPAT and place the same in the Envelope for Counted Ballots;
- d. Perform the same procedures in "a", "b", and "c" until all ten (10) ballots are fed; and
- e. After all the ten (10) ballots have been fed, follow the instruction on the closing of polls, printing of election returns, re-zero, and shutting down the VCM following the procedures in the VCM technical manual. ***In no case shall there be transmission of votes done during the Final Testing and Sealing of VCM.***

SEC. 54. Manual Verification of Results. - The EB shall retrieve the accomplished ballots from the ballot box, manually count the votes therein, and accomplish the manual Election Returns (ERs) provided for the purpose. The following rules shall be observed in the manual counting of votes:

- a. The Chairperson shall verify the ballots to determine whether there is over-voting (when the number of votes for a position has been exceeded). If there is an over-vote in a position, no vote shall be counted in favor of any candidate for the said position;
- b. The Chairperson shall take the ballots one by one, and read the names of candidates voted for and the offices for which they were voted in the order in which they appear thereon;

- c. The Poll Clerk shall record on the manual ER the vote as the names voted for each office are read. Each vote shall be recorded by a vertical line, except every fifth vote which shall be recorded by a diagonal line crossing the previous four vertical lines;
- d. After finishing the ten (10) ballots, the Poll Clerk shall determine the total number of votes obtained by each candidate; and
- e. The EB shall sign the certification portion of both ERs and compare the results of the manually-prepared ER with that of the machine-generated ER. If the results of both ERs are not the same, the EB shall review/re-appreciate the ballots to determine the discrepancy. If still there is a discrepancy, the EB shall call on the assigned DESO technical support staff who shall provide technical assistance. The DESO technical support shall report such incident to the NTSC and the EO concerned.

SEC. 55. Minutes of Final Testing and Sealing of VCM, Voting, Counting and Transmission of Votes. – The EB shall record in the Minutes (CEF No. A11) all the acts or data required to be entered under this Resolution as soon as they occur or become available.

SEC. 56. Disposition of Forms/Supplies. After the Final Testing and Sealing, the EB shall:

- a. Ensure that the VCM is properly sealed and secured inside the VCM box. Thereafter, leave the VCM box, ballot box, and external battery inside the polling place or any secured room in the Voting Centre.
- b. Submit to the EO the envelope the Envelope for Counted FTS Ballots, FTS Election Returns and Other Reports (A17-FTS) containing the following and seal the same with a paper seal (CEF No. A12):
 1. Diagnostic Report;
 2. Initialization Report;
 3. Eight (8) copies of National and Local returns;
 4. Manual ER;
 5. Counted ballots; and
 6. Vote Receipt.

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

SEC. 57. VCM Box to be opened on 09 May 2022. –After Final Testing and Sealing, the VCM box shall be opened again only on 09 May 2022 not earlier than five o'clock in the morning, and in the presence of watchers, if any.

**ARTICLE VI
VOTING**

SEC. 58. Who may Vote. - All registered voters whose names appear in the EDCVL may vote in the 2022 NLE, unless their names are manually crossed out from the same list with the following annotations, duly signed by the EO:

- a) The voter has transferred residence to another district, city or municipality;
- b) The voter has died;
- c) The voter's registration record was deleted based on Automated Fingerprint Identification System's (AFIS) result, as approved by Election Registration Board (ERB); or
- d) The voter has availed of the Local Absentee Voting.

SEC. 59. Challenge against Illegal Voters. - Any voter or watcher may challenge any person offering to vote for:

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

In such cases, the EB shall determine the truthfulness of the ground for the challenge by requiring proof of registration, identity or qualification. In case the identity of the voter is challenged, the EB shall identify the voter's specimen signature and photo in the EDCVL. In the absence of any of the above-mentioned proof of identity, any member of the EB may identify under oath a voter personally known to the former, which act of identification shall be recorded in the Minutes.

SEC. 60. Challenge Based on Certain Illegal Acts. - Any voter or watcher may challenge any person offering to vote on the ground that the voter:

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

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

oath, the challenge shall be sustained, and the voter shall not be allowed to vote.

SEC. 61. Record of Challenges and Oaths. - The EB shall record in the Minutes all challenges and oaths taken, and its decision in each case.

SEC. 62. Rules to be Observed during the Voting. - During the voting, the EB shall see to it that:

- a) Voters shall vote in the order of their arrival in the polling place. Giving numbers to the voters to determine their sequence of voting is strictly prohibited;
- b) No watcher shall enter the place reserved for the voters and the EB, or mingle and talk with the voters;
- c) No person carrying any firearm or any other deadly weapon, except jail/prison escorts and those expressly authorized by the Commission, shall enter the polling place. The jail/prison escorts may bring firearms inside the polling place to secure the person deprived of liberty (PDL) voter who will vote in the polling place to secure the PDL who will vote as may be authorized by the Commission. Said escorts and PDLs shall immediately leave the polling place once the latter have finished voting;
- d) There shall be no crowding of voters and disorderly behavior inside the polling place;
- e) The ballot box shall remain locked during the voting. However, if it should become necessary to make room for more ballots, the EB shall, in the presence of the watchers:
 1. Remove the VCM from the top of the ballot box, and shake the ballot box to wobble the contents therein, and make room for the ballots;
 2. If still the ballot cannot go through the ballot box, the ballot box may be opened. The Chairperson shall press down the ballots contained therein without removing any of them, after which the EB shall close the box by sealing it.

Such fact shall be recorded in the Minutes.

SEC.63. Persons Allowed Inside the Polling Place. - Only the following persons shall be allowed inside the polling place:

- a) Members of the EB and support staff, if any;
- b) Watchers who shall stay only in the space reserved for them;
- c) Representatives of the Commission;

- d) DESO Technical Support Staff assigned in the voting center;
- e) EAPP Support Staff;
- f) Voters casting their votes and their assistants, if any;
- g) Voters waiting for their turn to cast their vote;
- h) Jail/Prison Escorts escorting PDL voters; or
- i) Other persons who may be specifically authorized by the Commission.

SEC. 64. Persons Not Allowed to Enter the Polling Place. -

Unless specifically authorized by the Commission, it is unlawful for the following persons to enter the polling place, or to stay within a radius of fifty (50) meters from the polling place, except to vote:

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

However, the EB may, by a majority vote if it deems necessary, order in writing the detail of policemen or peace officers for its protection or for the protection of the election documents and paraphernalia. In which case, the said policemen or peace officers shall stay outside the polling place within a radius of thirty (30) meters near enough to be easily called by the EB at any time, but never at the door, and in no case shall the said policemen or peace officer hold any conversation with any voter or disturb or prevent or in any manner obstruct the free access of the voters to the polling place. Such order shall be recorded in the Minutes.

SEC. 65. Holding Area. - The EB, whenever necessary, in coordination with the DESO, may designate an adjacent room - with ample space and accessible to wheelchair users, if available, to be used as holding area. The holding area shall be used by the voters waiting for their turn to vote. The voters shall sit and arrange themselves on a first-come, first-served basis, such that they will vote according to the sequence of their arrival.

Giving numbers to the voters to determine their sequence of voting is strictly prohibited. Voters in the holding area shall be assisted by EB support staff.

SEC. 66. Prohibitions on Voting. - It shall be unlawful for a voter to:

- a) Bring the ballot, ballot secrecy folder or marking pen outside of the polling place except in the case under Article IX of this Resolution;
- b) Speak with anyone other than persons provided in this Resolution while inside the polling place;
- c) Prepare the voter's ballot without using the ballot secrecy folder, or to exhibit its contents;
- d) Fill out the voter's ballot accompanied by another, except in the case of voting by assistor pursuant to Section 65 of this Resolution;
- e) Erase any printing from the ballot, or put any distinguishing mark on the ballot;
- f) Use of capturing devices such as but not limited to digital cameras, cellular phones with camera, or other means to copy the contents of the ballot, or otherwise make use of any other scheme to identify his vote;
- g) Intentionally tear or deface the ballot; or
- h) Disrupt or attempt to disrupt the normal operations of the VCM.

SEC. 67. Preparation of Ballots for Illiterate, Persons with Disabilities (PWD) and Senior Citizens (SC) by an Assistor. - No voter shall be allowed to vote as an illiterate, PWD or SC unless such fact is indicated in the EDCVL, or although not indicated as PWD in the EDCVL, when the disability is readily apparent. If so, such voter may be assisted in the preparation of the ballot, in the following order:

- a) Relative within the 4th civil degree of consanguinity or affinity;
- b) Person of his confidence who belongs to the same household as that of the voter. For this purpose, the person who usually assists the PWD or SC, such as personal assistant, caregiver, or a nurse shall be considered as a member of the voter's household; or
- c) Any member of the EB.

A voter with physical impairment maybe assisted in feeding the ballot into the VCM by the EB member. The EB member shall ensure that the contents of the ballot are not displayed during its feeding into the VCM. In which case, this fact must be recorded in the Minutes.

All persons assisting must be of voting age.

No person, except the members of the EB, may assist an illiterate, PWD or SC more than three (3) times.

In all cases, the poll clerk shall first verify from the illiterates, PWDs or SCs whether said voters have authorized a person to help them cast their vote. If the voter denies the authority of the assistor, any member of the EB may assist such illiterates, PWDs or SCs. The same shall be recorded in the Minutes.

The person assisting the illiterates, PWDs or SCs shall:

- a. Prepare in their presence, the ballot using a ballot secrecy folder; and
- b. Bind themselves in writing and under oath to fill out the ballot strictly in accordance with the instructions of the voter and not to reveal its contents, by indicating the appropriate data and affixing their signatures, thumbmark, or any available fingerprint if without a thumb, in the corresponding space in the Minutes.

SEC. 68. Accessibility of Polling Place to PWDs and SCs.- All clustered precincts with accessible precincts created pursuant to Republic Act No. 10366 shall be located at the ground floor of the voting centers, preferably near the entrance of the building, and is free of any physical barriers and provided with necessary services, including assistive devices. The minimum standard of accessibility, as stated in *Batas Pambansa Bilang 344*, otherwise known as the Accessibility Law, shall be implemented.

The EB shall set up a separate area in said polling place for the exclusive use of PWDs and SCs. Accordingly, the EOs shall coordinate with the proper school or building officials.

SEC. 69. Express Lane for Persons with Disability, Senior Citizens, Heavily Pregnant Women, Escorted PDL Voters, and Indigenous People. - PWDs, senior citizens, heavily pregnant women, escorted PD Land IP voters shall be afforded an express lane and be allowed to vote as soon as they arrive. There shall be a sign inside the polling place indicating the location of the express lane, and who can avail of it.

SEC. 70. Prohibition Against Premature Announcement of Voting.- The members of the EB are prohibited from announcing the following matters during the voting period:

- a) Whether a certain registered voter has already voted or not;
- b) Number of registered voters who have already voted or failed to vote thus far; or

- e) Any other fact tending to show or showing the state of the polls; neither member of the EB shall make any statement at any time, except as a witness before a court or body as to how many persons voted.

**ARTICLE VII
FORMS, DOCUMENTS, AND SUPPLIES**

SEC. 71. Election Forms, Documents and Supplies.-

A. **Final Testing and Sealing.**-The duly designated member of the EB shall obtain from the Office of the Election Officer the following forms, documents and supplies in the morning of the day scheduled for the Final Testing and Sealing of the VCM, unless the City/Municipal Election Officer provides an earlier period:

SUPPLIES AND MATERIALS FOR TESTING AND SEALING			
ELECTION FORMS			
A9-TS	Manual Election Returns	1	Piece
A11	Minutes of Final Testing and Sealing of VCM, Voting, Counting, and Transmission of Votes	2	Pieces
ENVELOPES			
A17-TS	For Counted Test Ballots, ERs and other reports	1	Piece
18 & 18-A	Envelope for Minutes of Final Testing and Sealing of VCM, Voting, Counting, and Transmission of Votes	2	Pieces
SUPPLIES			
	Ballot Secrecy Folder	2	Pieces
	Ballpen	2	Pieces

B. **Verification of forms, documents and supplies before the treasurer.** - Before the election day, the treasurer shall notify the EBs that the forms, documents and supplies have been delivered to the Municipal Treasurer's Office and is ready for verification for completeness. For this purpose, a duly designated member of the EB shall verify the forms, documents and supplies assigned to their polling place.

C. **Election Day.**-The duly designated member of the EB shall obtain the following forms, documents and supplies early in the morning of Election Day, unless an earlier date is provided by the Commission:

1. FROM THE CITY/MUNICIPAL TREASURER

CEF NO.	DESCRIPTION	RATE OF DISTRIBUTION PER CLUSTERED PRECINCT	
ELECTION FORMS			
A3	Poster Indicating the Clustered Precincts Numbers	1	Piece
A6	Official Ballots	1	Piece per voter
A12	Paper Seal	48	Pieces
A14	Certificate of Receipt of Official Ballots, Other Forms and Supplies by EB	3	Pieces
A27	Official Receipt of Election Returns	10	Pieces
ENVELOPES FOR VOTING AND COUNTING			
A15	For Rejected ballots, Half of Torn Unused Official Ballots and Other Half of Torn Unused Official Ballots	3	Pieces
A17	For Election Returns	30	Pieces
OTHER ENVELOPES			
A18-B	For Main SD Card	1	Piece
A18-C to A18-E	Initialization Report, Audit Log, and Precinct Statistical Report	3	Pieces
OTHER FORMS			
A30/A31	Temporary Appointment of Chairperson/Poll Clerk/Third Member/Support Staff	10	Pieces
A35	Certificate of Challenge or Protest and Decision of the EB	10	Pieces

A39	Oath of Voter Challenge for Illegal Acts	10	Pieces
A40	Oath of Identification of Challenged Voter	10	Pieces
SUPPLIES			
	Bond Paper (long)	20	Pieces
	Ballot Secrecy Folder	12	Pieces
	Thumbprint Taker	1	Piece
	Plastic Seal for the Ballot Box	5	Pieces
	Indelible Stain Ink	5	Bottles
	Ballpens	4	Pieces

The duly authorized member of the EB shall carefully check the correctness and quantity of the election forms, documents and supplies actually received. Said member shall sign the Certificate of Receipt (CEF No. A14) in three (3) copies to be distributed as follows:

- a. The original shall be delivered to the City/Municipal Treasurer, who shall transmit the same to the EO, for submission to the Election Records and Statistics Department, Commission, Manila, immediately after Election Day;
- b. The second copy shall be given to the City/Municipal Treasurer who shall keep the same for his/her file; and
- c. The third copy shall be retained by the EB who shall also keep the same for his/her own file.

2. FROM THE ELECTION OFFICER:

- a) Two copies of the Precinct Computerized Voters List (PCVL) duly certified by the ERB:
 - i. One (1) copy to be posted outside the polling place; and
 - ii. One (1) copy to be used by the EB during the voting;
- b) The Election Day Computerized Voters List (EDCVL) duly certified by the ERB; and
- c) Copies of Appointment and Oath of Office of the EB and Support Staff (CEF No. A5 & CEF No. A5-A).

SEC. 72. Forms to be Reproduced when Needed. - The following forms may be reproduced when needed:

- a) Temporary Appointment of Chairperson/Poll Clerk/ Member (Annex "F");

- b) Certificate of Challenge or Protest and Decision of the EB (Annex "G");
- c) Oath of Voter Challenged for Illegal Acts (Annex "H"); and
- d) Oath to Identify a Challenged Voter (Annex "I").

**ARTICLE VIII
PROCEDURES FOR VOTING, COUNTING OF VOTES,
TRANSMISSION OF PRECINCT RESULTS**

SEC. 73. Preliminaries to the voting. – The EB shall:

- a) Meet at the polling place ***not later than five o'clock in the morning of Election Day;***
- b) Ensure that the VCM box and the ballot box are inside the polling place;
- c) Set-up the polling place. *As far as practicable, the EB shall designate at least five (5) seats exclusively for PWDs, SCs and heavily pregnant voters;*
- d) Strategically arrange the chairs and tables to be used inside the polling place in such a way that they are at least one (1) meter away/apart from each other;
- e) Post one (1) copy of the PCVL of each precinct in the cluster, near or at the door of the polling place, preferably the pages/sheets are spread out to give free access to voters who are checking their names in the list, if there is space.
- f) Show to the watchers and the public present that the:
 - 1. VCM box is sealed;
 - 2. Ballot box is empty and thereafter, lock with four (4) seals; and
 - 3. Package of official ballots is duly sealed, and thereafter, break the seal.
- g) For precinct/clustered precinct with PDL Voters and with a special polling place in accordance with Resolution Nos. 9371 and 10482, the EB of the said regular polling places shall, using the EDCVL-PDL:
 - 1. Annotate the PDLs' names in the EDCVL with "PDL Voter";
 - 2. Affix their initial beside the annotation;
 - 3. Enter in the Minutes the number of PDL and the fact that their names were annotated with "PDL Voter";

4. In the presence of the SEB-PDL support staff, segregate the ballots intended for the PDLs, and insert the same in a folder;
 5. Place the folder inside an envelope, close and seal the same using a paper seal. The envelope and paper seal shall be provided by the SEB-PDL support staff;
 6. The SEB-PDL shall affix their initials on the paper seal;
 7. Turn over the envelope containing the PDL ballots to the SEB-PDL support staff;
 8. The SEB-PDL shall enter into the Minutes the name of the SEB-PDL support staff, the number of paper seal of the envelope and the time the ballots were picked up;
 9. The SEB-PDL shall require the EB-PDL Support Staff to sign the entry; and
 10. Thereafter, the SEB-PDL support staff escorted by uniformed PNP, BJMP, BuCor or provincial jail personnel shall immediately deliver the ballots to the SPP.
- h) Remove the paper seal of the VCM box;
1. Open the VCM box.
 2. Check whether the following are inside the VCM box:
 - i. VCM;
 - ii. Power cord of the VCM and battery cable;
 - iii. Main SD and back-up SD cards already installed;
 - iv. Remaining rolls of thermal paper inside the VCM box;
 - v. The three (3) Personal Identification Numbers (PINs) for operating the VCM; the three (3) iButtons; and three (3) PINs for re-zeroing;
 - vi. The checklist of the contents of the VCM box;
 - vii. USB modem with SIM card and one (1) contingency SIM card (Smart/Globe/Sun);
 - viii. Four (4) cleaning sheets;
 - ix. Twenty(20) Marking Pens; and

- x. One (1) paper seal for VCM box (A12-B) to be used at the end of Election Day to close the VCM box.
3. Retrieve the iButtons and security PINs from the VCM box and distribute the same among themselves. The RE-ZERO PINs shall remain inside the VCM box.
4. Retrieve the VCM from its box.
5. Show to the public that the slots labeled "A" and "B" containing the main SD and back-up SD cards, respectively, are sealed.
6. Perform the VCM operations in accordance with the VCM Manual.

SEC. 74. Manner of Obtaining Ballots. -

a) The voters shall:

1. Upon entering the Voting Center, proceed to the designated Voter's Assistance Desk (VAD) to secure the precinct and sequence numbers and assigned clustered precinct; and
2. Proceed to the assigned clustered precinct and approach any member of the EB or its Support Staff, and state their names, precinct number, and sequence numbers.

b) The Poll Clerk shall:

1. Verify if the name of the voter is in the EDCVL to establish that the voter is assigned in that polling place. If the voter's name is not in the EDCVL, the voter shall not be allowed to vote, and shall be requested to leave the polling place.
2. If the voter's name is found, check, without touching the voter, the fingernails, for any indelible ink stain. If stained, it shall be a conclusive presumption that the voter has already cast his/her vote. As such, the voter shall be directed to leave the polling place after informing him/her the reason thereof. This fact, including the name and the precinct of the voter, shall be recorded by the Poll Clerk in the Minutes;
3. If the fingernail is not stained, establish the identity of the voter through the following:
 - i. Voter's photograph or specimen signature in the EDCVL. In case the identity of the voter cannot be determined with certainty in the EDCVL, the EB may require the voter to present any valid identification document, except *barangay* certificate or community tax certificate; or

- ii. In the absence of any of the above-mentioned proof of identity, any member of the EB or any registered voter of the precinct/clustering precinct may identify under oath the voter, and such fact shall be reflected in the Minutes.
4. If satisfied with the voter's identity, the name of the voter shall be distinctly announced in a tone loud enough to be heard throughout the polling place. If not satisfied with his/her identity, the voter shall be directed to leave the polling place after informing him/her of the reason therefor.
 5. If the voter is not challenged or having been challenged, the question has been decided in his/her favor, require the voter to sign in the EDCVL. In case of illiterate voters or PWDs who cannot sign, require said voters to affix their thumbmarks in the EDCVL.
 6. Thereafter, the voter shall be directed to the Chairperson who shall:
 - i. Authenticate the ballot by affixing his/her signature at the designated space of the front of the ballot;

Failure to authenticate the ballot shall not invalidate the ballot but shall constitute an election offense.
 - ii. Show to the voter that the ballot being given is not torn or smudged, and has not yet been filled-out;
 - iii. Place such ballot inside the ballot secrecy folder;
 - iv. Give the ballot secrecy folder containing the ballot and the marking pen to the voter with the instruction that the ballot shall be kept clean and free from unnecessary markings(*i.e.*, smudge/stain from thumbprint-taker, food stains, and the like);
 - v. Instruct the voter how to fill-out the ballot properly; and
 - vi. Direct the voter to fill-out the ballot in the designated voting area.

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

SEC. 75. Manner of voting. -

- a) The voter shall:
 1. Using a ballot secrecy folder and the marking pen provided by the Commission, accomplish the ballot by **fully shading**

the oval appearing before the names of the candidates and the organizations participating in the party-list system of representation; and

2. After accomplishing the ballot, feed the ballot in the VCM's ballot entry slot without touching the VCM, and thereafter the voter is required to distance himself/herself from the VCM to give way for the EB third member to perform the steps in the succeeding sub-sections. Return the ballot secrecy folder and the marking pen to the third member after verification of the VVPAT shown to him / her by the EB member.
- b) The EB third member shall, position/stand beside the VCM without being able to view the screen, but near enough to be able to perform the following:
1. Monitor the VCM screen to ensure that the ballot is successfully accepted and the VVPAT is printed;
 2. Cut the end of the VVPAT using non-pointed scissors without looking at the contents thereof, fold the VVPAT in such a way that its contents cannot be seen, then give to the voter the VVPAT for verification;
 3. Instruct the voter to fold the VVPAT and deposit the same in the VVPAT receptacle. For this purpose, the box containing the Official Ballots shall serve as the VVPAT receptacle which shall be placed in an area visible to the EB members/support staff/citizens' arm, watchers and other persons allowed inside the polling place;
- The EB shall ensure that all Official Ballots are removed from the box before the same is used as a VVPAT receptacle. The VVPAT receptacle shall be properly sealed using the packaging tape, on which the EB and watchers, if any, shall affix their names and signatures;
4. Direct the voter to return the ballot secrecy folder and marking pen;
 5. Apply indelible ink to the voter's right forefinger nail or any other nail if there be no forefinger nail; and
 6. Advise the voter to leave the polling place.
- c) In case an objection is raised by the voter in the VVPAT, the Chairperson shall:
1. Direct the voter to affix his/her signature at the back of the VVPAT;
 2. Note the specific objection in the Minutes; and

3. Attach the contested VVPAT to the Minutes (copy for the Ballot Box).

The objection shall be raised before the VVPAT is dropped by the EB third member in the VVPAT receptacle.

Filing of frivolous objections shall constitute an election offense punishable under the Omnibus Election Code. For this purpose, the EB is allowed to administer oaths so that if the protest is frivolous, falsification or perjury charges may be filed.

- d) At the close of polls, the EB shall then place the VVPAT receptacle inside the ballot box.

SEC. 76. Rejected ballots; Procedure. - Ballots may be rejected by the VCM during the scanning. There will be three (3) different types of messages when the VCM rejects a ballot:

- a. Misread Ballot - When a ballot has not been scanned properly. For this purpose, the EB shall allow the voter to re-feed the ballot four (4) times in four (4) different orientations;
- b. Previously Read Ballot - When a ballot with the same ballot ID number was already scanned; and
- c. Invalid Ballot - When the Ballot is not configured to the VCM. The voter shall return the ballot to the chairperson who shall in turn, check if the ballot ID of the rejected ballot corresponds to the clustered precinct number. If it does not match, the chairman shall mark the ballot with the word "**REJECTED**" and place the same inside the envelope for rejected ballots. The chairperson shall then issue the correct ballot to the voter.

If the ballot is still rejected, the voter shall return the ballot to the Chairperson, who shall:

1. Distinctly mark the back thereof as **REJECTED**;
2. Require all members of the EB to sign at the back thereof; and
3. Place the rejected ballot inside the Envelope for Rejected Ballots.

No replacement ballot shall be issued to a voter whose ballot is rejected by the VCM except if the rejection of the ballot is not due to the fault of the voter.

Any party objecting to the rejection of the ballot shall reduce his objection in writing, which the EB shall attach to and note in the Minutes.

SEC. 77. Closing of Polls; Counting of Votes and Transmission of Results; Printing of Reports and Shutting Down the VCMs; Procedure.-After the voters have cast their votes, PDL and EAPP ballots

if any have been batch fed, the EB shall close the voting by performing the procedures laid in the VCM Technical Manual.

After the VCM is shut down, the EB shall:

- a) Remove the **main SD card from slot "A" (colored black)** of the VCM, place the main SD card inside the envelope (A18-B). The EB shall also indicate on the envelope the clustered precinct number, barangay and city/municipality/province. **The Backup SD card shall not be removed from the VCM, and the cover of slot "B" shall remain locked;**
- b) Place the initialization report, precinct statistical report and audit logs in the corresponding envelope (A18-C to A18-E);
- c) Disconnect the battery from the VCM machine;
- d) Disconnect the battery cables from the battery;
- e) Disconnect the power cable of the VCM machine from the electrical outlet;
- f) Disconnect the power cable from the VCM machine;
- g) Return the iButtons, and PINs to the ziplock;
- h) Place the battery inside the battery box;
- i) Place inside the VCM box the power cord and the battery cables; and
- j) Close the VCM box with the sealing sticker provided for the purpose.

**ARTICLE IX
EMERGENCY ACCESSIBLE POLLING PLACE (EAPP)**

SEC. 78. Emergency Accessible Polling Place (EAPP). – There shall be an EAPP in all voting centers where voting will be conducted in the upper-storey of multi-level buildings or single-storey voting centers, situated in a place in such a manner that voting therein poses harm and/or unnecessary inconvenience to PWDs, SCs and heavily pregnant voters. An EAPP shall be set up at the ground level of the said voting center exclusively for said voters. For this purpose, the determination, close of voting, voting and counting procedures of an EAPP shall be governed by a separate resolution.

**ARTICLE X
PERSONS DEPRIVED OF LIBERTY (PDL) VOTING**

SEC. 79. Voting Hours for PDL Voting and Scanning of PDL Voters' Ballots from the Special Polling Places. - The casting of votes for PDL voting shall be from **7:00 o'clock in the morning until 2:00 o'clock in the afternoon on Election Day.** After the PDL ballots shall have been delivered by the EB-PDL/ support staff and received by the EBs, the same shall be batch-fed, observing the following procedure:

- a) Upon receipt of the sealed envelope containing the accomplished ballots, such fact shall be entered in the Minutes;
- b) Announce to the public that the accomplished ballots of PDLs and torn unused ballots, if there are any, have been received. The SEB-PDL shall also announce that PDL voters can only vote for national candidates namely, candidates for President, Vice-President, Senators and Parties and Organization under the Party-List System of Representation and not for the other positions;¹
- c) Open the envelopes only when all the voters in the clustered precincts have finished voting or when the voting time has ended and there are no more voters within (30) meters of the polling place waiting to vote;
- d) Examine each PDL voter's ballot and separate those that contain votes for local positions, that is, Representative, Governor, Vice Governor, *Sangguniang Panlalawigan* Members, Mayor, Vice-Mayor, *Sangguniang Panlungsod* or *Bayan* Members;
- e) Feed the ballots with the votes only for national positions or the ballots with no votes at all to the VCM;
- f) Ballots that contain votes for local positions shall be separated and not be fed to the VCM;
- g) Place the separated ballots referred to above back to the envelopes these were taken;
- h) Seal said envelopes and mark the same with the notation "PDL voters" ballots with votes for local position/s," and submit the same to the Election Officer;
- i) One half of the torn unused ballots shall be placed inside the envelope for the purpose (CEF No. A 15) for submission to the Election Officer and the other half for the torn unused ballots inside the other envelope (CEF No. A 15) which will be deposited inside the ballot box;

¹Pursuant to the TRO of the Supreme Court in *Aguinaldo vs. National Bilibid Prison, et.al.* (G.R. 221201).

- j) Enter such facts into the minutes; and
- k) Drop all receipts in the Voter's Receipt Receptacle.

Unless the PDL ballots are lost/destroyed or cannot be delivered for whatever reasons, the EB shall wait for the delivery of the PDL voter ballots by the EB-PDL for batch feeding purposes before closing the VCM.

ARTICLE XI ISOLATION POLLING PLACE

SEC. 80. Establishment of an Isolation Polling Place (IPP). - There shall be an Isolation Polling Place (IPP) in every voting center, which shall be set up, as far as practicable, in one of the class rooms that is in a building separate from the other buildings of the voting center, preferably near the entrance, and the health personnel station. If no such room is available, a makeshift/temporary IPP shall be set up outside the voting center, which shall be strategically located near its entrance and the Medical Personnel stationed.

The IPP must have an ample space capable of accommodating, at least five (5) voters, the IPP Support Staff and watchers, observing one (1) meter physical distancing at any given time.

- a. Waiting Area.** - Voters who are waiting for their turn to vote in the IPP shall be allowed to stay in a waiting area, situated preferably next to it, which can comfortably accommodate at least ten (10) voters, including their assistor, if any, observing the one (1) meter physical distancing.
- b. Who May Vote at the IPP.** - Voters who, upon temperature check at the entrance of the voting center, and who registers a temperature of 37.5 degrees Celsius or higher may vote at the IPP.

SEC. 81. Isolation Polling Place Support Staff. - The EO shall appoint one (1) IPP support staff in every voting center, who shall have all the qualifications and none of the disqualifications set forth in Sections 7 and 8 of this Resolution.

The IPP support staff shall enjoy the same honoraria of the support staff under Section 33(a) of this Resolution.

SEC. 82. Duties and Functions of IPP Support Staff. - The IPP Support Staff shall perform the same duties and functions as that of the EAPP Support Staff.

ARTICLE XII
DISPOSITION OF DOCUMENTS

SEC. 83. Disposition of Unused Ballots. - After the voting, the Chairperson, in the presence of the other members of the EB, shall:

- a) Record in the Minutes the quantity of unused ballots;
- b) Tear the unused ballots in half lengthwise;
- c) Place one half of the torn ballots in the *Envelope for Rejected Ballots, Half of Torn Unused Official Ballots and Other Half of Torn Unused Official Ballots* (CEF No. A15), and submit said envelope to the EO for safekeeping; and
- d) Place the other half in another *Envelope for Rejected Ballots, Half of Torn Unused Official Ballots and Other Half of Torn Unused Official Ballots* (CEF No. A15), and then deposit the same inside the ballot box. Such fact shall be entered in the Minutes.

SEC. 84. Disposition of Election Returns - After printing the election returns (ERs), the EB shall sign and affix their thumbmarks in the certification portion of all copies of the ERs. Thereafter, the EB shall post one (1) copy of the ERs in a conspicuous place inside the polling place. The EB shall individually fold the ERs. The first eight (8) copies of the ERs shall be sealed with serially numbered paper seals and placed in their respective envelopes (CEF No. A17). All envelopes containing the ERs shall be sealed with serially numbered paper seals.

The EB shall also affix their signatures on the paper seals and envelopes on the space provided. The watchers present shall likewise affix their signatures, giving preference to the dominant majority and minority parties and Accredited Citizens' arm.

The ERs shall be distributed to the following:

- A. In the election of president, vice-president, senators and for the party-list system of representation;
 1. City or Municipal Board of Canvassers;
 2. The Congress, directed to the President of the Senate;
 3. The Commission;
 4. Accredited Citizens' arm;
 5. Dominant majority party as determined by the Commission in accordance with law;

6. Dominant minority party as determined by the Commission in accordance with law;
 7. Ballot box;
 8. Provincial Board of Canvassers;
 9. One (1) to be posted conspicuously on a wall within the premises of the polling place or counting center, as the case may be;
 10. Ten (10) accredited major national parties, excluding the dominant majority and minority parties, in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166 and COMELEC Resolution No. 9984;
 11. Two (2) accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of the criteria analogous to that provided in Section 26 of Republic Act No. 7166;
 12. Four (4) national broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
 13. Two (2) local broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible; and
 14. Four (4) major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organization enlisted by the Commission pursuant to Section 52(k) of *Batas Pambansa Blg. 881*. Such citizens' arm, groups and organization may use the four certified copies of election returns for the conduct of citizens' quick counts at the local or national levels; and
- B. In the election of local officials and members of the House of Representatives:
1. City or Municipal Board of Canvassers;
 2. Commission;
 3. Provincial Board of Canvassers;
 4. Accredited Citizens' arm;

5. Dominant majority party as determined by the Commission in accordance with law;
6. Dominant minority party as determined by the Commission in accordance with law;
7. One (1) to be posted conspicuously on a wall within the premises of the polling place or counting center; as the case may be;
8. Ballot box;
9. Ten (10) accredited major national parties, excluding the dominant majority and minority parties, in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166;
10. Two (2) accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of criteria analogous to that provided in Section 26 of Republic Act No. 7166;
11. Four (4) national broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
12. Two (2) local broadcast or print media entities as may be equitably determined by the COMELEC in view of propagating the copies to the widest extent possible; and
13. Three (3) major citizen's arms, including the accredited citizen's arms, and other non-partisan groups or organization enlisted by the Commission pursuant to Section 52(k) of *Batas Pambansa Blg. 881*. Such citizens' arm, groups and organization may use the four certified copies of election returns for the conduct of citizens' quick counts at the local or national levels.

SEC. 85. Disposition of VCM, Ballot Boxes, Election Returns and Other Documents. - When the counting of votes has ended and the results of the election in the polling place have already been announced, the EB shall:

- a) Place inside the ballot box the following:
 1. Sealed Envelopes containing:
 - i. Copy of printed ERs intended for the ballot box;
 - ii. Copy of the Minutes intended for the ballot box;

- iii. Half of torn unused ballots; and Rejected ballots, if any;
and

2. VVPAT Receptacle.

- b) Close the flap of the ballot box with security seal. To protect the ballots and other election documents therein from elements such as water and dust, cover the ballot box with packaging tape by wrapping the tape around the cover and extending it to the upper part of the ballot box. The EB shall affix their signatures on the tape, and require the watchers present to also affix their signatures;
- c) Turn-over the box containing the VCM and its peripherals to the logistics provider. In the absence of the logistics provider, the EB shall turn-over the VCM box to the EO or the authorized representative, who shall in turn, coordinate with the logistics provider for the schedule of the retrieval thereof;
- d) Deliver the ballot box, accompanied by watchers, to the city/municipal treasurer. For this purpose, the city/municipal treasurer shall, at its own expense, provide at the voting center the necessary personnel and transportation facilities for the retrieval.

In case the ballot box delivered by the EB is not sealed, the treasurer shall seal the ballot box, and include such fact, together with the serial number of the plastic seal used, in his/her report to the Commission; and

- e) Deliver to the EO the following documents or papers:
 - 1. EDCVL;
 - 2. PCVL;
 - 3. Sealed Envelope containing
 - i. Copy of the Minutes intended for the Commission (CEF No. A11);
 - ii. Other Half of Torn Unused Official Ballots;
 - iii. Initialization Report;
 - iv. Precinct Audit Log Report;
 - v. Precinct Statistical Report;
 - vi. Copies of the ERs intended for the Provincial Board of Canvassers (CEF No. A9);
 - vii. Copies of the ERs intended for Commission (CEF No. A9).
 - 4. The envelope containing the main SD card for use by the city/municipal board of canvassers thru the Reception and Custody Group (RCG); and
 - 5. Other pertinent papers and documents.

After the counting of votes, the EO or the city/municipal treasurer, shall require the EB which failed to turn-over the election documents or paraphernalia to deliver them immediately.

ARTICLE XIII
COVID 19 PREVENTIVE MEASURES, HEALTH AND SAFETY
PROTOCOLS DURING THE CONDUCT OF FINAL TESTING AND
SEALING OF VCM, VOTING, COUNTING AND TRANSMISSION OF
ELECTION RESULTS

SEC. 86. Health and Safety Rules. The following measures and those issued pursuant to the guidelines published by the National Government, IATF-EID / MEID and Local Government Unit (LGU) concerned, shall be observed at all times in all activities covered by this Resolution, while inside the Voting Center and Polling Place including, but not limited to:

1. Wearing of face mask and face shield;
2. One-meter physical distancing;
3. Frequent disinfection of hands;
4. Frequent disinfection of regularly-touched surfaces; and
5. Proper cough and sneezing etiquette.

SEC. 87. Setting up of the Voting Center (VC). The Election Officer, in coordination with the DESO, shall set up the VC to ensure implementation of the health and safety protocols set forth herein such as:

1. Establishment of only one gate as the only Entrance to the VC and another for exit. If there is only one gate in the VC, there shall be a divider to separate ingress and egress, and shall ensure that the voters will not encroach the intended entrance or exit;
2. Installation at the entrance of the VC of a Body Temperature Scanner and a foot bath, the use of which shall be compliant to manufacturer's instructions;
3. Enter into a MOA with the Department of Health (DOH) or a non-partisan NGO, CSO, and other organizations available in their respective areas of responsibility to man the body temperature scanning;
4. Establishment of an Isolation Polling Place (IPP) as described in Art. XI hereof;
5. Establishment of a VAD as described under this Resolution; and
6. Post a 2x3-meter tarpaulin or other materials on the Layout of the Voting Center, indicating the clustered precincts, at its entrance.

SEC. 88. Setting up of the Polling Place (PP). At least three (3) days before the conduct of the FTS, the Members of the EB, DESO, and their Support Staff shall set up the polling place in this manner:

1. Strategically arrange the chairs and tables to be used inside the polling place in such a way that they are at least one (1) meter away/apart from each other;
2. Install a hand sanitation station beside or near the door of the ingress and egress of the polling place;
3. Post at the door of the polling place a clear and visible sign showing "PERSONS NOT PROPERLY WEARING FACE MASK AND SHIELD SHALL NOT BE ALLOWED INSIDE";
4. Post PCVL, near or at the door of the polling place, with pages/sheets spread out to give free access to voters who are checking their names in the list;
5. Install a plastic barrier between the EB and voters;
6. In coordination with the DESO, shall designate an adjacent room of the polling place to be used as holding area, whenever applicable, and with chairs arranged at least one (1) meter apart from each other. The holding area will be used by the voters waiting for their turn to vote. The voters shall sit and arrange themselves on a first-come, first-served basis such that they will vote according to the sequence of their arrival. Giving numbers to the voters to determine their sequence of voting is **strictly prohibited**; and
7. Provide trash boxes/bags for easy disposal of all medical wastes such as used face masks, face shields, or gloves.

SEC. 89. Protocols during Final Testing and Sealing (FTS)

1. The number of FTS Voters shall be limited to five (5) and the number of Watchers shall be limited to five (5). Watchers may also serve as FTS voters; and
2. Before the start of the proceeding and after completion of the FTS, disinfects/sanitizes, by spraying with alcohol/disinfecting solution, the polling place work areas and fixtures, most specially frequently handled objects such as door knobs and handles, tables and chairs, marking pens and other supplies/paraphernalia and equipment that will be used during the voting in the polling place, except accountable & non-accountable forms and all other supplies/paraphernalia that are made of paper:

SEC. 90. Steps to be followed before entry to the VC. - All persons entering the VC shall:

1. Be subjected to a temperature checking. If a voter registers a temperature of 37.5 Celsius or higher, said voter shall not be allowed to enter but shall be made to rest for five (5) minutes before retaking the body temperature. If on the second checking, the body temperature is still at 37.5 Celsius or higher, said person shall be escorted to IPP to cast his/her vote. This section shall also apply to those voters who are manifesting other COVID-19 symptoms;
2. Observe one-meter physical distancing; and
3. The DESO shall strictly ensure that the number of persons inside the VC does not exceed the allowed maximum capacity in accordance with prevailing IATF and LGU Rules and Guidelines on election day.

SEC. 91. Persons Not Allowed to Enter VC. Anyone who falls under any of the following circumstances shall not be allowed entry to the VC:

1. Refuses to wear face mask and face shield;
2. Refuses to have his/her temperature taken or evaluated by the Medical Personnel to be suffering from a fever of 37.5 degrees Celsius or higher; and
3. Refuses to strictly observe any of the protocols set forth herein or any of the guidelines set by the government authorities enumerated above.

SEC. 92. Every voter shall:

1. Bring his/her own pen;
2. Subject himself/herself for temperature checking;
3. Pass through a foot bath;
4. Immediately proceed to the VAD, present his/her ID or complete name in a piece of paper or the Voter's Information Sheet (VIS) to the person manning the VAD;
5. Check the location of their polling place in the layout posted near the VAD at the entrance of the VC; and
6. Directly go to the holding area, whenever applicable, located near the voter's designated polling place or if there is no holding area, queuing line observing a physical distance of at least one (1) meter from the other voter in front of him/her.

SEC. 93. Protocols inside the Polling Place – The EB members, Support Staff, watchers and the voters inside the polling place shall strictly observe the following:

A. EB members and its Support Staff

1. Before the start of the proceeding, disinfect/sanitize, by spraying with alcohol/disinfecting solution, the polling place work areas and fixtures, most specially frequently handled objects such as door knobs and handles, tables and chairs, marking pens and other supplies/paraphernalia and equipment that will be used during the voting in the polling place, except accountable & non-accountable forms and all other supplies/paraphernalia that are made of paper;
2. Sanitize own hands thoroughly and as frequently as possible;
3. Limit the number of persons inside the polling place to allow physical/social distancing of at least one (1) meter from each other, at a maximum of ten (10) voters at any given time, depending on the area of the polling place, with seats reserved for SC, PWD and HPW;
4. Use own pen;
5. Disinfect/Sanitize marking pens, secrecy folders, tables and chairs as well as other supplies used by voters before and after use;
6. Give ballot to voter without touching hand;
7. Instruct the voter to sign the EDCVL using voter's own pen; and
8. Apply indelible ink to the voter's right forefinger nail or any other nail if there be no other forefinger nail, without physical contact.

B. Voters/Assistors

1. Upon entry and exit, sanitize hands with alcohol located near the door or at the ingress and egress;
2. Follow the procedures in obtaining a ballot at a distance of at least, if possible, one (1) meter from the EB and without touching hands;
3. Feed ballot to VCM without touching VCM;
4. Follow the after-voting procedures;
5. Use own pen in signing EDCVL;
6. Have a finger stained without touching the hand of EB; and

7. Immediately leave the polling place and VC after voting.

C. Watchers of each candidate, duly registered political party or coalition of political parties, associations or organizations participating in the Party-List System, and duly accredited citizens' arms.

1. Before the start of the proceeding, disinfect/sanitize, by spraying with alcohol/disinfecting solution, the assigned area for watchers;
2. Sanitize own hands thoroughly and as frequently as possible; and
3. Use own pen if making written protest;
4. Observe the proper distance of at least, if possible, one (1) meter from the other watchers; and
5. Immediately leave the polling place and VC after the conclusion of the electoral process at the precinct level.

SEC. 94. *Protocols during Counting of Votes and Transmission of Election Results (ERs).* After the closing of polls, the EB, Support Staff and watchers shall:

1. Disinfect working area, VCM and other supplies and equipment to be used before and after the proceedings;
2. Observe a proper distance of at least one (1) meter from each other;
3. Strategically position themselves to ensure transparency of all the proceedings for all those present in the polling place;
4. Sanitize own hands before and after completion of proceedings;
5. Use own pen in signing the physical copies of the ERs and other election forms and documents; and
6. Limit the number of persons inside the polling place based on the operational capacity, giving priority to watchers of political parties and representatives of the citizens' arms.

SEC. 95. *Changes in Procedure and Protocols.* – The Commission may modify the guidelines set forth herein as the circumstances may warrant depending on the rules to be issued by the National Government, IATF-MEID and its local counterpart.

**ARTICLE XIV
MISCELLANEOUS PROVISIONS**

SEC. 96. Preservation of the List of Voters. - The EO shall keep the EDCVL and PCVL in a safe place until further instructions from the Commission.

SEC. 97. Omission or Erroneous Inclusion of Election Documents and Paraphernalia in Ballot Box. - If after sealing the ballot box, the EB discovers that some election documents required inside the ballot box as enumerated in Section 85 (a) were not placed, the EB, instead of opening the ballot box, shall deliver the said election documents to the EO. The EO shall take appropriate measures to preserve the integrity of such documents.

The ballot box shall not be reopened to take out any election document or paraphernalia except upon prior written authority of the Commission. The members of the EB, the treasurer and the watchers shall be notified of the time and place of said opening of the ballot box.

SEC. 98. Roles of the Regional Election Directors (REDs), Assistant Regional Election Directors (AREDs), Provincial Election Supervisors (PESs) and Election Officers (EOs). - The REDs, AREDs, PESs and EOs shall ensure the strict implementation of the provisions of this Resolution and the timely compliance of the reportorial requirements. Non-compliance shall be dealt with administratively in accordance with the existing policy of the Commission.

SEC. 99. Administrative Sanctions. - Any person who violates or fails to comply with any of the provision of this Resolution shall constitute as a ground for administrative liability for dereliction of duty, malfeasance, misfeasance and/or nonfeasance in office and, if found guilty, the corresponding administrative penalty shall be imposed, after due notice and hearing.

SEC. 100. Election Offense. - Any person who takes away, defaces, mutilates, tears or destroys in any manner whatsoever the VVPAT commits an election offense punishable under Section 261 (z) of the Omnibus Election Code.

SEC. 101. Special Procedures. - The express provisions of this Resolution notwithstanding, the Commission may, in exceptional cases, adopt special procedures in the voting, counting, transmission, consolidation, storage, custody, distribution and retrieval of accountable forms and paraphernalia to fulfill its mandate to ensure free, orderly, honest, peaceful, and credible elections.

SEC. 102. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines and in the Commission website.

SEC. 103. Publication and Dissemination. - The Education and Information Department, this Commission, shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and furnish copies thereof to all RED, PES and EO.

SO ORDERED.

SHERIFF M. ABAS
Chairman

MA. ROWENA AMELIA V. GUANZON
Commissioner

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

ANTONIO T. KHO, JR.
Commissioner

AIMEE P. FEROLINO
Commissioner

CERTIFICATION

APPROVED by the Commission En Banc during its regular online meeting on **November 10, 2021**, pursuant to Comelec Resolution No. 10671, "Supplemental Resolution No. 9936 promulgated March 25, 2015, Rule on the Enactment and Promulgation of Executive or Administrative Resolutions providing for other format of meetings to include online meetings applicable in times of the COVID-19 pandemic and the imposition of Community Quarantines and similar emergency situations."


ATTY. CONSUELO B. DIOLA
Acting Comelec Secretary