



REPUBLIKA NG PILIPINAS
REPUBLIC OF THE PHILIPPINES
KAGAWARAN NG EDUKASYON
DEPARTMENT OF EDUCATION
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Tanggapan ng Pangalawang Kalihim
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JUN 07 2002

DepEd Memorandum
No. 95, s. 2002

**DEPUTATION OF THE DEPARTMENT OF EDUCATION IN CONNECTION
WITH THE SYNCHRONIZED ELECTIONS**

To : Undersecretaries
Assistant Secretaries
Regional Directors
Schools Division Superintendents

1. Enclosed is a copy of COMELEC Resolution No. 4796 dated May 23, 2002 entitled: " *IN THE MATTER OF DEPUTIZING THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS, THE DEPARTMENT OF FINANCE, THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, IN CONNECTION WITH THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS ON JULY 15, 2002*".
2. The Commission on Elections has deputized the Department of Education to perform duties relative to the conduct of said synchronized elections as spelled out in Section 2 of the above-mentioned Resolution.
3. Regional Directors, Schools Division Superintendents, School Principals and other heads of field offices shall enforce strict compliance with the specific orders, instructions and measures imposed/adopted by the COMELEC relative to the conduct of said elections.
4. Wide dissemination of this Memorandum is desired.

R. C. Bacani
RAMON C. BACANI
Undersecretary

Encl.:

As stated

Reference:

DepEd Memorandum: No. 80, s. 2002

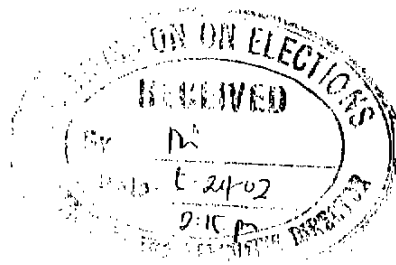
Allotment: 1—(D.O. 50-97)

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

BUREAUS & OFFICES
ELECTIONS
OFFICIALS



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila



FP - 002 - 006

IN THE MATTER OF DEPUTIZING THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF FINANCE, THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, IN CONNECTION WITH THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS ON JULY 15, 2002.

- | | |
|----------------------------|--------------|
| BENIPAYO, Alfredo L., | Chairman |
| TANCANGCO, Luzviminda G., | Commissioner |
| JAVIER, Rufino S.B., | Commissioner |
| LANTION, Ralph C., | Commissioner |
| SADAIN, Mehol K., | Commissioner |
| BORRA, Resurreccion Z., | Commissioner |
| TUASON, Florentino A., Jr. | Commissioner |

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Promulgated: 23 May 2002

RESOLUTION NO. 4796

WHEREAS, pursuant to the Constitution, the Omnibus Election Code, and other election laws, the Commission on Elections may deputize instrumentalities of the government and exercise direct supervision and control over such agencies required by law to perform duties relative to the conduct of elections;

NOW, THEREFORE, the Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code and other related election laws, has RESOLVED, to promulgate as it hereby promulgates as follows:

SECTION 1. Deputation. - The Department of Education, the Department of Finance, the Department of Transportation and Communications and the Department of Public Works and Highways, including their Secretaries are hereby deputized for purposes of the Synchronized Barangay and Sangguniang Kabataan Elections on July 15, 2002.

SEC. 2. Duties and Functions. --

A. The Department of Education, as such deputy, shall:

1. Comply with, and enforce all orders and instructions of the Commission relative to the election duties and functions of public school teachers in connection with the elections, allow the use of all public school buildings designated as polling places and/or distribution/retrieval centers and take such other measures as are necessary;
2. Receive all communications from the Commission on Elections or its deputies and transmit them to the boards of election tellers;
3. Supervise the boards in accordance with the instructions of the Commission;
4. Receive complaints against any chairman or member of the boards and to transmit the same to the Commission or its representative for appropriate action; and
5. Adopt jointly with the election officers and the boards, adequate measures to safeguard election documents and paraphernalia.

No conference, seminar, or any school activity, which might interfere, restrict, or prevent the performance of election duties of district school supervisors, school principals and public school teachers, shall be held during the election period from May 31, 2002 to July 30, 2002 except upon prior written authority of the Commission.

The superintendent of schools, district supervisor or school principal shall immediately report to the election officer any chairman or member of the board committing any serious irregularity or misbehavior in the performance of his election duties. The election officer shall relieve said chairman or member and appoint the corresponding substitute who shall be directed to immediately assume the duties of the relieved chairman/member. The action of the election officer shall be promptly reported to the Commission.

Immediately after the election, the Commission and/or school officials concerned, shall file against the erring board chairman or member, the appropriate criminal and/or administrative charges in accordance with existing laws, and the rules and regulations of the Commission.

B. The Department of Finance as such deputy, through the provincial/city/municipal treasurers shall:

1. Be subject to the direct orders of the provincial election supervisors and election officers, who shall exercise supervision and control of the office of the treasurer for the preservation, custody and storage of election forms, ballot boxes, paraphernalia, supplies and materials as are entrusted to them and for any loss, destruction, impairment or damage thereof.

In the discharge of his duties as deputy of the Commission, the provincial/city/municipal treasurer shall not be subject to the command, control or orders of the provincial/city/municipal officials or other executive officials;

2. Keep a record of the quantity and serial numbers of official ballots, election returns and ballot boxes allocated for distribution to the various precincts in their respective jurisdiction, and shall furnish legible copies of such record to the election officers and the Election Records and Statistics Department (ERSD), Commission on Elections, Manila, within three (3) days after distribution;
3. To deliver in coordination with the election officer, the official ballots, election returns and ballot boxes to the Boards not earlier than the first hour of election day. However, the Commission, may, upon the request of the city/municipal treasurer and/or election officer and upon the recommendation of the Deputy Executive Director for Operations authorize the city/municipal treasurer, for reasons such as, but not limited to, distance and weather condition in the locality and difficulty of transportation, number of precincts in the municipality, and prevailing peace and order, to deliver the official ballots, election returns, ballot boxes and other forms, materials and supplies to the board of any particular precinct at an advance date but not earlier than one (1) day before election day with written notice to representatives of the political parties and candidates;
4. Distribute the official ballots, election returns and ballot boxes to the board in the presence of duly designated watchers/representatives of candidates if available; and
5. Submit to the election officer and the Election Records and Statistics Department (ERSD), Commission on Elections, Manila, an official report on ballot boxes which were not returned to him by the board five (5) days after elections.

C. The Department of Transportation and Communications, the Department of Finance and the Department of Public Works and Highways shall:

1. Place at the disposal of the Commission their motor vehicles, such as trucks, jeeps, vans, cars and the like and communication facilities, as the Commission may need from time to time.

Said vehicles shall be used to ferry the boards, personnel of the Commission and its deputies performing election duties, and to transport election forms, supplies and materials to their places of destination particularly in the areas with inadequate means of transportation.

2. Provide the Commission with a list of available vehicles, together with the drivers assigned to said vehicles.

These vehicles shall be at the disposal of the Commission immediately and until the end of the election period.


SEC. 3. Penalty. – The Commission shall pursuant to the 2nd paragraph Letter (a), Sec. 52 of the Omnibus Election Code, relieve any officer or employee from the performance of his duties relating to electoral processes who violates the election law or fails to comply with its instructions, orders, decisions or rulings, and appoint his substitute. Upon recommendation of the Commission, the corresponding proper authority shall suspend or remove from office any or all of such officers or employees who may, after due process, be found guilty of such violation or failure.

SEC. 4. Effectivity. – This Resolution shall take effect upon its promulgation.

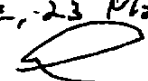
SEC. 5. Dissemination. – The Executive Director shall furnish copies of this Resolution to the Office of the President and Secretaries of the Departments/Agencies herein deputized. The Deputy Executive Director for Operations shall coordinate with the above-named departments and agencies for effective implementation hereof. The Education and Information Department shall give this Resolution the widest publicity possible.



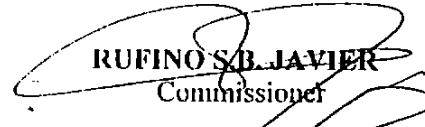
ALFREDO L. BENIPAYO
Chairman



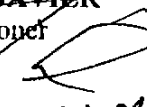
LUZVIMINDA G. TANCANGCO
Commissioner

(On leave, 23 May 04)


RALPH C. LANTION
Commissioner



RUFINO S.B. JAVIER
Commissioner

(On leave, 23 May 04)


MEHOL K. SADAIN
Commissioner



RESURRECCION Z. BORRA
Commissioner



FLORENTINO A. TUASON, JR.
Commissioner