



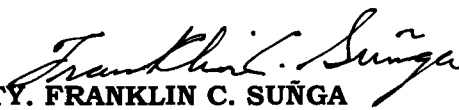
APR 28 2010

DepEd MEMORANDUM
No. **191**, s. 2010

DISSEMINATION OF COMELEC RESOLUTION NO. 8809
(General Instructions Governing the Consolidation/Canvass, and Transmission of Votes at the Municipal/City/Provincial and District Boards of Canvassers in Connection with the May 10, 2010 National and Local Elections)

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

1. For the information and guidance of all concerned, enclosed is a copy of COMELEC Resolution No. 8809 dated March 30, 2010 entitled "General Instructions Governing the Consolidation/Canvass, and Transmission of Votes at the Municipal/City/Provincial and District Boards of Canvassers in Connection with the May 10, 2010 National and Local Elections", which is self-explanatory.
2. Immediate dissemination of this Memorandum is desired.


ATTY. FRANKLIN C. SUÑGA
Undersecretary

Encl.:
As stated

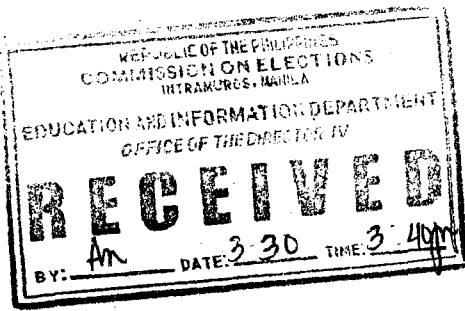
Reference:
None

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

ELECTIONS
RULES & REGULATIONS

Sheila, DM Dissemination of COMELEC Resolution
April 28, 2010





Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

**GENERAL INSTRUCTIONS
GOVERNING THE
CONSOLIDATION/CANVASS,
AND TRANSMISSION OF VOTES
AT THE MUNICIPAL/ CITY/
PROVINCIAL AND DISTRICT
BOARDS OF CANVASSERS IN
CONNECTION WITH THE MAY 10,
2010 NATIONAL AND LOCAL
ELECTIONS.**

MELO, Jose A.R.,
SARMIENTO, Rene V.,
FERRER, Nicodemo T.,
TAGLE, Lucenito N.,
VELASCO, Armando C.,
YUSOPH, Elias R.,
LARRAZABAL, Gregorio Y.,

Chairman
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

X-----X

PROMULGATED: March 30, 2010

RESOLUTION NO. 8809

upheld

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The Commission on Elections, hereinafter referred to as the Commission, by virtue of the power vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code, Republic Act No. 9369 and other election laws, **RESOLVED** to promulgate as it hereby **RESOLVES** to promulgate, the following General Instructions Governing the Consolidation, Transmission, and Canvassing of Votes in connection with the May 10, 2010 National and Local Elections:

**ARTICLE I
THE BOARDS OF CANVASSERS**

Section 1. Board of Canvassers. – There shall be a Board of Canvassers in each municipality, city, province, and in each legislative district comprising two (2) municipalities/cities)

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Sec. 2. Supervision and Control. – The Commission on Elections (Commission) shall have direct control and supervision over the Boards of Canvassers and may *motu proprio* relieve, for cause, at any time, any member thereof and designate the substitute.

Sec. 3. Municipal Board of Canvassers. – The Municipal Board of Canvassers (MBOC) shall be composed of the Election Officer or a representative of the Commission, as Chairman; the Municipal Treasurer, as Vice-Chairman; and the District School Supervisor, or in his absence, the most senior Principal of the school district, as Member.

Sec. 4. City Board of Canvassers. – The City Board of Canvassers (CBOC) shall be composed of the City Election Officer or a lawyer of the Commission, as Chairman; the City Prosecutor, as Vice-Chairman; and the Division Superintendent of Schools, as Member.

In cities with more than one Election Officer, the Commission shall designate the Election Officer who shall act as chairman.

Sec. 5. Provincial Board of Canvassers. – The Provincial Board of Canvassers (PBOC) shall be composed of the Provincial Election Supervisor or a representative of the Commission, as Chairman; the Provincial Prosecutor, as Vice-Chairman; and the District School Superintendent, as Member.

Sec. 6. District Board of Canvassers for the legislative district in Metro Manila. – The District Board of Canvassers (DBOC) for the legislative district of Metro Manila comprising two (2) cities or municipalities shall be composed of the City Election Officer or a lawyer of the Commission, as chairman, the city prosecutor, as vice-chairman, and the city superintendent of schools, as member.

Sec. 7. Consolidation and Canvassing System (CCS) Operators. – Each board of canvassers shall be assisted by an information technology-capable person authorized to operate the CCS, to be known as CCS operator. The CCS operator shall

be deputized by the Commission from among the agencies and instrumentalities of the government, including government-owned and controlled corporations.

The CCS operators shall be designated by the Provincial Election Supervisor concerned, in the case of the city/municipal board of canvassers outside the National Capital Region (NCR), and by the NCR Regional Election Director in the case of the city, municipal and district board of canvassers in the NCR. The Regional Election Director concerned shall designate the CCS operator in the case of the provincial boards of canvassers in regions outside the NCR.

The *per diem* of the *CCS operator* shall be the same as that of the members of the board of canvassers.

The CCS operator must neither be related within the fourth civil degree of consanguinity or affinity to any member of the BOC which he will assist or to any of the candidate whose votes shall be canvassed by the BOC which he will assist.

Sec. 8. Substitution of chairman and members of the Board. – In case of non-availability, absence, disqualification due to relationship, or incapacity for any cause, of a Chairman who is required to be a lawyer, a ranking lawyer of the Commission shall be appointed as substitute.

With respect to the other members of the Board, the Commission shall appoint as substitute the following in the order named: the Provincial Auditor, the Register of Deeds, the Clerk of Court nominated by the Executive Judge of the Regional Trial Court, and any other available appointive provincial official, in the case of PBOC; the officials in the city corresponding to those enumerated, in the case of the city board of canvassers; and the Municipal Administrator, the Municipal Assessor, the Clerk of Court of the Municipal Trial Court nominated by the Executive Judge of the Municipal Trial Court, or any other available appointive municipal officials, in the case of the municipal board of canvassers.

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As substitute of the two (2) members of the DBOC of the legislative districts in Metro Manila, the Commission shall appoint the next ranking prosecutor or district supervisor, as the case may be, in the district.

The authority to appoint substitute members of the Boards shall be vested in the following:

- a) Regional Election Director, for the PBOC in his region;
- b) Provincial Election Supervisor, for the CBOC and MBOC in his province; and
- c) Regional Election Director of the National Capital Region, for the DBOC/MBOC/CBOC in his region.

The Regional Election Director or the Provincial Election Supervisor, as the case may be, shall, within twenty-four (24) hours from issuance of the appointment of a substitute, inform in writing the Office of the Executive Director of the Commission of such appointment and the reason for such substitution.

Sec. 9. Secretary of the Board. – The district school supervisor, or the principal, the city or provincial superintendent of schools, as the case may be or any representative of the Department of Education shall act as Secretary of the Board, unless otherwise ordered by the Commission. He shall prepare the minutes of the Board by recording therein the proceedings and such other incidents or matters relevant to the canvass.

ARTICLE II COMMON PROVISIONS

Sec. 10. Notice of meetings of the Boards. – Not later than **May 5, 2010**, the Chairman of the Board shall give written notice to its members and to each candidate, political party or coalition of political parties fielding candidates (hereinafter referred to as political party), and party, organization/coalition participating under the party-list system (hereinafter referred to as party-list groups)

of the date, time and place of the canvassing, which shall be held, unless otherwise ordered by the Commission, in the session hall of the Sangguniang Bayan/ Panlungsod/ Panlalawigan.

Notices of the canvassing shall be posted in the offices of the Election Officer/Provincial Election Supervisor, as the case may be, and in three (3) conspicuous places in the building where the canvass will be held.

Similar notices shall also be given for subsequent meetings unless notice has been given in open session. Proof of service of notice to each member, candidate, political party fielding candidates and party-list groups shall be attached to and form part of the records of the proceedings. If notice is given in open session, such fact shall be recorded in the minutes of the proceedings.

Failure to give notice of the date, time and place of the meeting of the Board is an election offense under Sec. 261 (aa) (1) of the Omnibus Election Code.

Sec. 11. Convening of the Boards. – The Boards shall convene at **12:00 o'clock noon of May 10, 2010** at the designated place to initialize the CCS and to receive and canvass the electronically-transmitted Election Returns (ERs) or the Certificates of Canvass (COCs). It shall meet continuously until the canvass is completed, and may adjourn only for the purpose of awaiting the other ERs/COCs.

Sec. 12. Absence of a regular member of a Board. – In case a regular member of a Board is absent, the members present shall first verify whether notice has been served on the absent member. In case no such notice was sent, one shall be immediately served on the absent member. If the latter cannot be located or his whereabouts are unknown, he shall be substituted. These facts shall be recorded in the minutes of the Board. As soon as the absent member appears, the substitute member shall relinquish his seat in favor of the regular member.

Sec. 13. Prohibited degree of relationship. – The Chairman and Members of the Board shall not be related within the fourth civil degree of consanguinity or affinity to each other or to any of the candidates or party-list nominees whose votes will be canvassed by said Board.

Sec. 14. Prohibition against leaving official station. – During the period beginning May 10, 2010 until the proclamation of the winning candidates, no member or substitute member of the Board shall be transferred, assigned or detailed outside of his official station nor shall he leave said station without prior authority of the Commission. Such authority may be granted by the Provincial Election Supervisor in the case of MBOC or CBOC; and by the Regional Election Director in the case of PBOC DBOC. In either case, a written report shall be submitted to the Law Department.

Sec. 15. Feigned illness. – Any member of the Board feigning illness in order to be substituted on election day until the proclamation of the winning candidates shall be guilty of an election offense.

Sec. 16. Incapacity of a regular Board member. – In case of sickness or serious injury of a regular member of the Board, a medical certificate shall be required attesting to the incapacity of said member. Upon submission of the medical certificate, a substitute shall be appointed. Said medical certificate shall be recorded in and form part of the minutes of the Board.

Sec. 17. Quorum. – A majority of the members of the Board shall constitute a quorum for the transaction of business, and a majority vote of all members thereof shall be necessary to render a decision.

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Sec. 18. Powers and functions of the Board. – The Board shall have full authority to keep order within the canvassing room or hall including its premises and enforce obedience to its lawful orders. If any person shall refuse to obey any lawful order of the Board or shall conduct himself in such disorderly manner as to disturb or interrupt its proceedings, the Board may order in writing a peace officer/soldier to take such person into custody until adjournment of the meeting. In the absence of any peace officer, any other competent and able person deputized by the Board in writing, may execute such order.

Further, the Boards shall:

- a) Canvass/consolidate the electronically transmitted results;
- b) Generate and print the COC, COCP and SOV;
- c) Electronically transmit the result;
- d) Proclaim the winning candidates; and
- e) Perform such other functions as may be directed by the Commission.

Sec. 19. Right to be present and to counsel during the canvass. – Each registered political party, or coalition of political parties fielding candidates, accredited political parties, sectoral party/organization or coalition thereof participating under the party-list system and every candidate has the right to be present and to counsel during the consolidation/canvass of the ERs or COCs: Provided, that only one (1) counsel may argue for each party or candidate. They shall have the right to observe the transmission, consolidation and canvass of the ERs or COCs without touching the CCS, make observations thereon, and file their challenges in accordance with the rules and regulations of the Commission. The Board shall not allow any dilatory action.

Sec. 20. Watchers. – Each registered political party, or coalition of political parties fielding candidates, accredited political parties, sectoral party/organization or

coalition thereof participating under the party-list system and every candidate, shall be entitled to one watcher in every canvassing center. Provided that the candidates for the Sangguniang Bayan, Sangguniang Panlungsod, or Sangguniang Panlalawigan belonging to the same slate or ticket shall collectively be entitled to only one watcher.

There shall also be recognized six (6) principal watchers, representing the six (6) accredited major political parties, who shall be designated by the Commission upon nomination of the said parties.

The citizens' arm accredited by the Commission, and civic, religious, professional, business, service, youth and other similar organizations shall collectively, with prior authority of the Commission, be entitled to two (2) watchers to serve alternately.

A person convicted by final judgment of any election offense or of any other crime or related to any member of a Board within the fourth civil degree of consanguinity or affinity shall not be appointed as watcher.

A watcher must know how to read and write Pilipino, English or any of the prevailing local dialects.

Under no circumstance shall *barangay* officials including *barangay tanods* be appointed as watchers.

The watchers shall have the right to:

- a) Be present at, and take note of, all the proceedings of the Board;
- b) Stay behind the Chairman of the Board near enough to be able to observe the consolidation/canvass of the ERs/COCs without touching the CCS; and
- c) File a protest against any irregularity noted in consolidation/canvass of the ERs/COCs and obtain from the Board a resolution thereon in writing.

Watchers shall not be allowed to participate in the deliberation of the Board.

Sec. 21. Persons not allowed inside the canvassing room. – During the canvass, it shall be unlawful for the following to enter the room where the transmission, consolidation and canvass are being held or to stay within a radius of fifty (50) meters from such room:

- a) Any officer or member of the Armed Forces of the Philippines;
- b) Any officer or member of the Philippine National Police;
- c) Any peace officer or any armed or unarmed persons belonging to an extra-legal police agency, special forces, strike forces, or civilian armed forces geographical units;
- d) Any *barangay tanod* or any member of *barangay* self-defense units;
- e) Any member of the security or police organizations of government agencies, commissions, councils, bureaus, offices, instrumentalities, or government-owned or controlled corporations or their subsidiaries; or
- f) Any member of a privately owned or operated security, investigative, protective or intelligence agency performing identical or similar functions.

However, the Board may, whenever necessary, by majority vote direct in writing for the detail of policemen or peace officers for their protection or for the protection of the machines, election documents and paraphernalia, or for the maintenance of peace and order, in which case said policemen or peace officers, who shall be in proper uniform, shall stay outside the room but near enough to be easily called by the Board at any time.

Sec. 22. Reception and Custody Group. – The Board may constitute a Reception and Custody Group (RCG) for the reception and safekeeping of main memory card and of the hardcopies of ERs, at the rate of one (1) RCG for every five hundred (500) clustered precincts in the city/municipality/district or one (1) RCG for

each province for the reception and safekeeping of the hardcopies of COCs and SOVs.

For this purpose, the Election Officer or the Provincial Election Supervisor shall provide the RCG with the Project of Precincts of the city/municipality/district or the list of municipalities/cities in the province, as the case may be.

The RCG shall be composed of not more than two (2) members who are government appointive officials. They shall be designated by the concerned chairman of the Board and shall receive honoraria computed as that of the members of the Board.

In no case shall casual employees or employees of the Offices of the Provincial Governor, or City/Municipal Mayor, or *Punong Barangay*, or the corresponding *Sanggunians* be appointed/designated as a member of the RCG.

The members of the RCG shall not be related to each other or to any member of the Board or to any candidate whose votes will be canvassed by the Board, within the fourth civil degree of consanguinity or affinity.

Sec. 23. Duties and Responsibilities of the Reception and Custody Group. – The RCG shall:

a) Receive from:

- 1) The BEI, the envelope containing the main memory card of PCOS labelled "TRANSMITTED" or "NOT TRANSMITTED", and the envelopes containing the printed copies of the ERs intended for city/municipal Board of Canvassers (C/MBOC);
- 2) The C/MBOC, the envelope containing the CD of the municipal/city CCS labelled "TRANSMITTED" or "NOT TRANSMITTED", and the envelope containing the printed copy of the COC intended for the Provincial Board of Canvassers;

b) Log the date and time of receipt, the condition and serial numbers of each envelope and its corresponding paper seal, the precinct number, and the city/municipality/district of the ERs/COCs ;

c) Mark:

1) In the project of precincts the corresponding precincts which envelope containing the main memory card labelled "NOT TRANSMITTED";

2) In the list of cities/municipalities the corresponding city/municipality which envelope containing the CD of the CCS labelled "NOT TRANSMITTED";

d) Log the following:

1) date and time of receipt;

2) condition and the serial number of corresponding paper seal of the envelope:

3) The precinct number of the envelope containing the memory card;

4) The city/municipality of the envelope containing the CD;

e) Immediately submit to the Board after recording the necessary data the envelope containing the main memory card/CD labelled "NOT TRANSMITTED";

f) Log the date and time of receipt, the condition and serial numbers of each envelope and its corresponding paper seal, the precinct number, and the city/municipality/district of the ERs/COCs ;

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- g) Place the envelopes containing the ERs/COCs inside the ballot box, close and lock the same with padlocks; and
- h) Forward to the Board, the ballot boxes containing the ERs/COCs and one copy of the list of precincts/ list of cities/municipalities/districts as marked.
- i) Follow steps b to d of this section for the envelopes containing memory card/CD labelled "TRANSMITTED" and thereafter, submit to the Board.

Sec. 24. Issues that may be raised during the consolidation/canvass.

— Issues affecting the composition or proceedings of the Boards may be initiated by filing a verified petition before the Board or directly with the Commission.

If the petition is filed directly with the Board, its decision may be appealed to the Commission within three (3) days from issuance thereof. However, if commenced directly with the Commission, the verified petition shall be filed immediately when the board begins to act illegally, or at the time of the appointment of the member of the board whose capacity to sit as such is objected to.

There shall be no pre-proclamation cases on issues/controversies relating to the generation/printing, transmission, receipt and custody and appreciation of ERs or the COCs.

Sec. 25. Submission of the Minutes of Canvass of the Board. — Within five (5) days from termination of canvass, the members-secretaries of the Board shall, by registered mail, submit to the Law Department of the Commission in Manila a certified copy of the Minutes of Canvass of the proceedings and shall notify by telegram said department of the date and the manner of transmittal of the Minutes of Canvass,

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ARTICLE III

PROCEDURES FOR CANVASSING/CONSOLIDATION

Sec 26. Preliminaries to Canvassing - Before the canvassing begins, the BOC shall observe the following procedures:

- a) Show to the public and the watchers present that the CCS box is sealed;
- b) Remove the plastic seal of the CCS box;
- c) Open the CCS box;
- d) Check whether the following are inside the CCS box:

- 1) CCS Laptop box

- 1.1 Laptop

- 1.2 Secure Digital (SD) card (installed)

- 1.3 Power cable of the laptop

- 1.4 Electrical adaptor of the laptop

- 1.5 SIM cards (number of SIM card will depend on the location)

- 1.6 Three(3) USB Security Tokens with label

- 1.7 USB Modem

- 1.8.USB Extension cable

- 2) Three (3) envelopes with label each containing one (1) username, and two (2) passwords:

- 2.1 One (1) Username for each BOC member

- 2.2 Two (2) Passwords for each BOC member

- 2.2.1 One (1) password to enter the system

- 2.2.2 One (1) to validate security token

- 2.3 Sealing kit to be used for pullout

- 2.4 Extension Cord

2.5 BOC Protocol

2.6 Printer box

2.6.1. Printer (HP Laserjet P1006)

2.6.2. Toner (installed)

2.6.3. Power cable of the printer

2.6.4. Universal Serial Bus (USB) cable to connect the laptop and printer

2.7. Spare Toner

2.8. BGAN Box (if applicable)

2.8.1 BGAN Antenna

2.8.2 Battery

2.8.3. SIM Card (installed)

2.8.4 RJ 45 LAN cable

2.8.5. Electrical Extension

2.8.6. Power adapter

2.8.7. Power Cable

2.9. Memory Card Reader (if applicable)

2.10. Yellow tie wraps

- e) Retrieve the envelope containing the username and passwords of each member of the Board and the USB tokens and distribute the same among themselves;
- f) Retrieve the CCS laptop from its box and place the CCS laptop properly on top of the table;

Sec. 27. Procedures for canvassing. — Immediately after convening, the Board shall receive from the RCG the envelope containing memory card for PCOS labeled "NOT TRANSMITTED" and undertake the following canvassing procedures:

a) INITIALIZATION PROCEDURES:

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1. The CCS Operator shall:

- 1.1. Plug the power cord of the laptop to the extension code;
- 1.2. Plug the extension cord to the electrical outlet or generator, when necessary;
- 1.3. Turn on the laptop by pressing the power button;
- 1.4. The screen will display the WELCOME page of the CCS. Click on "ENTER" button.
- 1.5. Connect the USB modem extension cable to the USB port of the laptop.
- 1.6. Install the available SIM card provided in the USB modem.
- 1.7. Connect the transmission medium (e.g. USB modem, DSL, Satellite or BGAN) to the USB modem extension cable. Wait for one (1) minute.
- 1.8. Click on the network icon located at the lower right corner of the screen. Click the appropriate wireless provider. Wait until a message "CONNECTION ESTABLISHED" is displayed at the top of the screen.
- 1.9. If the USB modem cannot be established, and BGAN kit is available:
 - 1.9.1. Install the BGAN SIM card in the BGAN SIM card slot.
 - 1.9.2. Install BGAN battery.

1.9.3. Connect the power adaptor to the 2-pin cord then to the electrical outlet. If needed, use the electrical extension cord.

1.9.4. Connect the power adaptor to the BGAN.

1.9.5. Connect the BGAN to the laptop using the network cable.

1.9.6. Place the BGAN to an outdoor location with a clear sight facing the sky

1.9.7. Align the BGAN accordingly.

1.9.8. Turn on the BGAN by pressing the power ON button.

1.9.9. Ensure that the BGAN is connected to the satellite provider.
(Follow installation procedure)

1.9.10. The connection icon on the lower right should indicate a successful network connection. "Eth0 Connected"

1.10. If the connection cannot be established using USB modem or BGAN and VSAT or DSL is available:

1.10.1. Locate the RJ-45 cable with the provided service.

1.10.2. Plug RJ-45 cable at the Ethernet port at the back of the CCS laptop.

1.10.3 For VSAT ensure that the VSAT is connected to the satellite provider. (Follow installation procedure.)

1.10.4 The connection icon on the lower right should indicate a successful network connection. "Eth0 Connected".

- 1.11. Connect the printer cable to the USB port of the laptop and the power cable of the printer to the extension cord;
- 1.12. Turn on the printer by pressing the power button;
- 1.13. Insert sufficient paper in the printer feeder;
- 1.14. Click on "ENTER" button in the WELCOME page of the CCS. The LOG INTO THE SYSTEM screen will be displayed;
- 1.15. Request the Chairman to enter his username and password in the space provided;
- 1.16. Click "ACCEPT" button. The screen will display the "MASTER SWITCH";
- 1.17. Request the Chairman again to enter his username and password in the space provided.
- 1.18. Click "ACCEPT" button. The screen will display the dialogue box;
- 1.19. Request any member of the Board, aside from the Chairman, to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button.
- 1.20. Wait until the "INITIALIZATION REPORT" is displayed.
- 1.21. Print the "INITIALIZATION REPORT" by clicking the printer icon on the upper left corner of the PRINT PREVIEW page. Wait for the printer dialogue box to be displayed. Then click the "OK" button located at the lower right corner of the screen;

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- 1.22. After printing the "INITIALIZATION REPORT", click on the "CONTINUE" button in the lower portion of the screen and wait for the WELCOME page to appear;
 - 1.23. Remove the USB token from the USB slot;
 - 1.24. Click the "CONTINUE" button located at the bottom of the screen. The WELCOME page will be displayed;
 - 1.25. The members of the Board shall sign and affix their thumbmarks on the certification portion of the "Initialization Report".
2. After signing and affixing their thumbmarks on the certification portion of the "INITIALIZATION REPORT", the Chairman show to the public the "INITIALIZATION REPORT"; and
 3. The Member Secretary shall place the "INITIALIZATION REPORT" in the envelope intended for the purpose.

b) STARTING THE CANVASSING

After initializing the CCS, in the "WELCOME" page, the CCS operator shall:

1. Check and make sure that the CCS is still online;
2. Click on "ENTER" button; and
3. Request the Chairman to enter his username and password in the space provided and click on "ACCEPT" button. The screen will display the "HOME PAGE".

c) MONITORING OF RESULTS

MBOC/CBOC



1. Click on the "MONITORING" option in the "HOME PAGE", then click on "MONITOR RESULTS TRANSMISSION".

A list of barangays for the city/municipality shall be displayed with colored button beside the name of the barangay. The color of the button will determine the status of transmission of the specific barangay or polling center or clustered precinct/precinct. Red means that transmission has not yet started; Yellow means that transmission is on-going; Gray means that transmission is idle; and Green means that the transmission has been completed.

2. To monitor the transmission from a particular voting center under a barangay, click on the "BARANGAY NAME", and a list of voting centers will appear;
3. To monitor the transmission from a particular precinct/ clustered precincts under a voting center, click on the VOTING CENTER where the precinct/clustered precincts concerned belong;
4. To update the status of transmission from the PCOS or from a clustered precinct from time to time, click on the "UPDATE" button located at the bottom of the screen.

PBOC/DBOC

1. Click on the "MONITORING" option in the "HOME PAGE", and then click on "MONITOR RESULTS TRANSMISSION".

A list of cities and municipalities in the province shall be displayed with colored button beside the name of the city/municipality. The color of the button will determine the status of transmission of the specific city/municipality. Red means that transmission has not yet started; Yellow means that transmission is on-going; Gray means that transmission is idle; and Green means that the transmission has been completed,

2. To monitor the transmission from a particular city/municipality, click on the city/municipality name and click on the board of canvasser's name. The status of the results will be displayed;
3. Update the transmission status from a city/municipal CCS from time to time, by clicking on the "UPDATE" button.

d) IMPORTING OF UNTRANSMITTED RESULTS FROM PCOS/CCS FOR CBOC/MBOC/PBOC/DBOC -

CBOC/MBOC

In case the Board receives from the RCG an envelope labeled with "NOT TRANSMITTED", the Board shall open the said envelope, retrieve the memory card and give the same to the CCS Operator. The CCS Operator shall:

1. Attached memory card reader to the laptop.
2. Insert the main memory card in the main memory card reader.
3. Click on "ADMINISTRATION" in the "HOME PAGE" screen. Administration options will be displayed.
4. Click on "LOAD PCOS RESULTS". The CCS will display input box dialogue box for "EML FILE INPUT".
5. Request any member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button.
6. Remove the USB token from the USB slot.

7. Request another member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button. The CCS will display input box for "EML FILE".
 8. Click on "BROWSE" button. The CCS will display the "FILE UPLOAD" dialogue box.
 9. Click on the directory for card reader (MEDIA) at the left pane of the dialogue box.
 10. Click "RESTRANS" file from the list of files at the right pane of the dialogue box and click on "OPEN" button.
 11. Click "ACCEPT" button.
 12. Wait until the processing is finished. HOMEPAGE will be displayed with a message "THE ELECTION RETURN WAS SUCCESSFULLY PROCESSED".
 13. Remove the main memory card from the memory card reader and return it to its original envelope and change its label to "TRANSMITTED"
- All memory cards that have already been processed shall be submitted to the Election Officer for safekeeping.
14. Repeat steps 2 to 13 until all main memory cards contained in envelopes labeled "NOT TRANSMITTED" are processed.
 15. Remove the main memory card reader from the laptop.

DBOC/PBOC

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In case the Board receives from the RCG an envelope labeled "NOT TRANSMITTED", the Board shall open the said envelope, retrieve the CD and give the same to the CCS Operator. The Operator shall:

1. Insert the CD of a C/MBOC in the CD-ROM drive;
2. Click on "ADMINISTRATION" in the "HOME PAGE" screen. The CCS will display at the right side of the screen, the options for "ADMINISTRATION" ;
3. Click on "LOAD CCS RESULTS". The CCS will display dialogue box.
4. Request any member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button.
5. Remove the USB token from the USB slot.
6. Request another member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button. The CCS will display input box for "EML FILE".
7. Click on "BROWSE" button. The CCS will display the "FILE UPLOAD" dialogue box.
8. Click "CDROM" on the left pane of the window.
9. Double click "BACKUP" folder at the right pane of the window.
10. Double click on "EML" folder.
11. Click on the file named "station_tally.DD.MM.YYYY.HH.mm.ss" and click on the "OPEN" button.

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12. Click on "ACCEPT" button.

13. Wait until the processing is finished.

14. Remove the CD.

15. Repeat steps 2 to 14 until all the CD's labeled "NOT TRANSMITTED" are processed.

e) GENERATION AND PRINTING OF REPORTS

The CCS operator shall generate Canvass Report before generating and printing COC. For this purpose, the CCS operator shall:

1. Generation and Printing of Consolidated Canvass Report

Before a Certificate of Canvass can be generated and printed, the CCS operator must first generate and print a consolidated Canvass Report. For this purpose, the CCS operator shall:

1.1. Click the "CANVASSING" option in the HOME PAGE;

1.2. Click the "GENERATE CONSOLIDATED CANVASS REPORT". A dialogue box will be displayed requiring the insertion of security tokens;

1.3. Request any member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;

1.4. Remove the USB token from the USB slot;

1.5. Request another member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;

- 1.6. Remove the USB token from the USB slot;
 - 1.7. The CCS shall automatically generate the Canvass Report for all positions;
 - 1.8. The print preview will appear. Click on the printer icon. Click "OK" button; and
 - 1.9. Click on "CONTINUE" button located at the bottom of the screen.
2. Generation and printing of Certificate of Canvass (COC).
- 2.1. If all expected clustered precincts (for C/MBOC) or city/municipal results (for PBOC/DBOC) have been received, the Board shall generate the COC. For this purpose, the CCS operator shall:
 - a. Click the "CANVASSING" option in the HOME PAGE;
 - b. Click the "CONSOLIDATED CERTIFICATE OF CANVASS (COC)". A dialogue box will be displayed requiring the insertion of security tokens;
 - 2.2. If not all of the expected results are received, the MBOC/CBOC/DBOC shall verify from the BEI concerned the reason for the non-transmittal of the results. Likewise, the PBOC shall verify from the MBOC/CBOC concerned the reason for the incomplete or non-transmittal of the municipal/city results.

If, based on the verification, it becomes clear that there is no way that the lacking results can be transmitted to the MBOC/CBOC/DBOC or PBOC, as the case may be, and said results will no longer affect the result of the election in a particular position, the Board shall, generate and print the certificate of canvass by position. For this purpose, the CCS operator shall;

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- a. Click the "CANVASSING" option in the HOME PAGE;
- b. Click the "GENERATE CERTIFICATES OF CANVASS (COC)". A dialogue box will be displayed requiring the insertion of security tokens;
- c. Select the position, the COC of which you wish to generate. A dialog box will be displayed requiring the insertion of security tokens;
- d. Request any member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;
- e. Remove the USB token from the USB slot;
- f. Request another member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;
- g. Remove the USB token from the USB slot. The CCS shall automatically generate the COC for the position selected;
- h. The print preview will appear. Click on the printer icon, then type "8" in space provided for the number of copies to be printed. Then click "OK";
- i. Click "CONTINUE" button;
- j. To generate the COC for the next position, repeat procedures (c) to (i).

2.3. If, based on the verification, it becomes clear that there is no way for the lacking results to be transmitted to the MBOC/CBOC/DBOC or

PBOC, as the case may be, and said results will affect the standing of the candidates in a particular position, the Board shall, through the Information Technology Department, ask from the Commission authority to generate and print the certificate of canvass for that particular position and to proclaim as winners, the candidates whose standing are not affected by the lacking results.

f) TRANSMISSION OF RESULTS

After generating and printing eight (8) copies of the COCs for all positions and announcing the results, the Board, through the CCS operator, shall immediately transmit the COCs to the Canvassing Boards concerned, and to the central server. The CCS operator shall

1. Click the "ADMINISTRATION" option from the "HOMEPAGE"
2. Click "**TRANSMIT RESULTS**" option in the HOME PAGE. Wait until all positions are listed in the top of the screen with a message "SUCCESSFULLY TRANSMITTED"
3. Click "ACCEPT" button. The CCS will automatically display the "HOMEPAGE"

g) PRINTING OF THE REMAINING COC REPORTS

After transmission of the COCs to the Canvassing Boards concerned and to the central server, the CCS operator shall:

- a. Click the "CANVASSING" option in the HOME PAGE;



- b. Click the "GENERATE CERTIFICATES OF CANVASS (COC)". A dialogue box will be displayed requiring the insertion of security Tokens;
- c. Select the position, the COC of which you wish to generate. A dialog box will be displayed requiring the insertion of security tokens;
- d. Request any member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;
- e. Remove the USB token from the USB slot;
- f. Request another member of the Board to insert his USB token in the USB slot of the laptop, and to type his username and security key password in the space provided. Thereafter, click "OK" button;
- g. Remove the USB token from the USB slot. The CCS shall automatically generate the COC for the position selected;
- h. The print preview will appear. Click on the printer icon, then type "22" in space provided for the number of copies to be printed. Then click "OK";
- i. Click "CONTINUE" button;
- j. To generate the COC for the next position, repeat procedures (c) to (i).

h) GENERATION AND PRINTING OF CONSOLIDATED STATEMENT OF VOTES (SOV)

1. Click the "CANVASSING" option in the HOME PAGE;

2. Click the "GENERATE CONSOLIDATED STATEMENT OF VOTES (SOV)", then a dialog box will appear;
3. Request any member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button;
4. Remove the USB token from the USB slot;
5. Request another member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button;
6. Remove the USB token from the USB slot;
7. The print preview of the SOV will be displayed. Click on the printer icon, then type 4 in space provided for the number of copies. Then click "OK"; and
8. Click on "CONTINUE" button.

i) GENERATION OF CERTIFICATE OF CANVASS AND PROCLAMATION

The CCS operator shall:

1. Click the "CANVASSING" option in the HOME PAGE.
2. Click the "GENERATE CERTIFICATES OF CANVASS AND PROCLAMATION". A dialog box will appear.
3. Request any member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button;
4. Remove the USB token from the USB slot;

5. Request another member of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button;
6. Remove the USB token from the USB slot;
7. The screen for "GENERATE CERTIFICATES OF CANVASS AND PROCLAMATION (COCP) 1" will be displayed. Click on the specific position to generate its COCP.
 - 7.1. In case there are no candidates receiving the same number of votes for a position. The screen will display the list of names of candidates for said position arranged in the order depending on the votes garnered from highest to lowest. Click "ACCEPT" button located at the bottom of the screen. The CCS shall generate COCP.
 - 7.2. In case of a tie, the screen will display:
 - a. The list of names of candidates for said position arranged in the order depending on the votes garnered from highest to lowest;
 - b. A radio button at the rightmost column of the same row with the name of the candidates;
 - c. Two command buttons at the left pane of the screen. Use to move up or move down the name of a candidate in the list; and
 - d. "ACCEPT DEFINED ORDER" check box at the center before the list of the names of candidates.

Before clicking the "ACCEPT" button, the Board shall first decide who the winners are for the particular position. For this purpose, the Board shall, after recording in its Minutes the fact

of having candidates receiving the same number of votes for the position, immediately notify the said candidates to appear before the Board for the drawing of lots to break the tie. The drawing of lots should be conducted within one (1) hour after issuance of notice by the Board to the candidates concerned.

For this purpose, the candidates or their representatives for municipal/city or Member, House of Representative positions, in the case of MBOC/CBCOC/DBOC, or the candidates or their representatives for provincial positions and Member, House of Representatives, in the case of PBOC, are hereby required to be present at all stages of the canvass. After the Board has determined the winner/s, the Board shall arrange in the CCS the order of the names of the winning candidate/s.

8. To arrange the order of the name of the candidate in the list, the Operator shall:

8.1 Click on the radio button located at the same row with the candidate name to move up the name of the winning candidate, if needed;

8.2 Click on the "MOVE UP" button;

8.3 After completing the arrangement of winners with a tie votes, tick on the box beside the command "ACCEPT DEFINED ORDER" located at the top of the screen;

8.4 Click on the "ACCEPT" button. The screen will display the list of names of candidates for said position arranged in the order selected;

8.5 Click "ACCEPT" button;

8.6 The CCS shall display the names of winning candidates arranged in the order selected and generate COCP.

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9. The Board shall proclaim as elected, the winning candidates.
10. The candidate who won in the drawing of lots and so proclaimed shall have the right to assume office in the same manner as if he had been elected by plurality of votes
11. Click "PRINT" button found at the bottom of the screen. The print preview of the COCP will be displayed. Click on the printer icon, then type 17 in the space provided for the number of copies. Then click "OK";
12. Repeat procedures 2 to 11 until all positions are generated with COCP.

j) PRINTING OF AUDIT LOG

The CCS operator shall:

1. Click the "MONITORING" option in the HOMEPAGE;
2. Click "PRINT LOG" option;
3. Request the Chairman of the Board to insert his USB token in the USB slot of the laptop, type the username and security key password in the space provided. Thereafter, click "OK" button;
4. Click the PRINT button at the bottom of the screen;
5. Click the printer icon and press OK button.

k) POST PRINTING ACTIVITIES

Immediately after printing copies of the COCs, SOVs and COCP, the Board shall:

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1. Affix their signatures and thumb marks on the printed COCs, SOVs and COCP;
2. Ask the watchers present to affix their signatures and thumb marks on the printed COCs, SOV and COCP;
3. The Chairman of the Board shall publicly announce the total number of votes received by each candidate, stating their corresponding offices;
4. The Member-Secretaries shall announce the posting of the COCs on the wall within the premises of the canvassing area;
5. The Member-Secretaries shall place in the corresponding envelopes with paper seals all reports.

I) BACK-UP

After all the results have been successfully transmitted, the CCS Operator shall:

1. Insert a blank disc in the CD drive;
2. Click the "ADMINISTRATION" in the HOME PAGE;
3. Click "BACK-UP RESULTS CCS FILES". Wait until the back up process is finished;
4. The CCS will display the list of positions with reports generated and a message "SUCCESSFULLY PROCESSED CD BACKUP REQUEST" at the top of the screen.
5. Click "ACCEPT" button. The HOMEPAGE will be displayed;
6. Remove the CD from the CD drive and:

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- 6.1. Place inside an envelope provided for the purpose and seal the same;
 - 6.2. Label the envelope with "TRANSMITTED" or "NOT TRANSMITTED" to show whether the results are transmitted or not;
 - 6.3. Indicate in the envelope the city/municipality and province; and
 - 6.4. Sign the envelope; (Note: The CD shall be used by the Boards in case of failure of transmission)
7. Repeat steps 1 to 6 to back-up the files in two (2) additional discs.
 8. Turn-Over the CD to the Chairman;
 9. Submit to the Reception and Custody Group of the Provincial Board of Canvasser (for C/MBOC)/National Board of Canvassers (for PBOC).

The two (2) discs used to back-up the city/municipal or provincial results, duly sealed shall be submitted to the PBOC/CONGRESS and Commission.

m) SHUTTING DOWN OF THE CCS

After printing of all the reports and transmission of the municipal/city/district/provincial results to all destinations, the following shall be undertaken:

1. Click on the "EXIT" option in the "HOMEPAGE";
2. Press the power button. The screen will display a message "SHUT DOWN THE COMPUTER";
3. Click on the "SHUTDOWN" button;
4. Turn-over CCS laptop to the Technician.

ARTICLE IV
DISTRIBUTION OF THE COCs, COCPs and SOVs

Sec. 28. *Distribution of COCs.* — Upon completion of the canvass, the Boards shall distribute the COCs as follows:

a) In case of MBOC/CBOC/DBOC:

1. The first copy shall be delivered to the PBOC for use in the canvass of election results for president, vice-president, senators, members of the House of Representatives, parties, organizations or coalitions participating under the party-list system, and elective provincial officials;
2. The second copy shall be sent to the Commission;
3. The third copy shall be kept by the chairman of the board;
4. The fourth copy shall be given to the citizens' arm designated by the Commission to conduct an unofficial count. It shall be the duty of the citizens' arm to furnish independent candidates copies of the COC at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of the Senate;
6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies shall be given to the dominant majority and minority parties;

8. The ninth to eighteenth copies shall be given to the 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;

9. The nineteenth and twentieth copies shall be given to the two 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;

10. The twenty-first to the twenty-fifth copies, to 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;

11. The twenty-sixth and twenty-seventh copies, to 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

12. The twenty-eighth to the thirtieth copies, to the major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arms, groups and organizations may use the three certified copies of ERs for the conduct of citizens' quick counts at the local or national levels.

b) In case of PBOC or CBOC of cities comprising one or more legislative districts, and DBOC.



1. The first copy shall be sent to Congress, directed to the President of the Senate for use in the canvass election results for President and Vice-President;
2. The second copy shall be sent to the Commission for use in the canvass of the election results for senators;
3. The third copy shall be kept by the chairman of the board;
4. The fourth copy shall be given to the citizens' arm designated by the Commission to conduct an unofficial count. It shall be the duty of the citizens' arm to furnish independent candidates copies of the COC at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of the Senate;
6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies to the dominant majority and minority parties;
8. The ninth and tenth copies to two accredited major national parties representing the majority and the minority, excluding the dominant majority and minority parties, to be determined by the Commission on the basis of the criteria provided in Section 26 of Republic Act No. 7166;
9. The eleventh to thirteenth copies to national broadcast media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
10. The fourteenth copy to another citizens' arm or in the absence thereof, to a non-partisan group or organization enlisted by the

Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arm or non-partisan group or organization may use the copy of election return for the conduct of citizens' quick count;

11. The board shall also print four (4) copies of the Statement of Votes by City/Municipality, and each copy shall be attached to the COCs intended for the Congress, National Board of Canvasser, PBOC, and the Election Records and Statistics Department.;
12. The COC and Statement of Votes shall be signed and thumb marked by the chairman and members of the PBOC, and the watchers, if available. Thereafter, all copies, with their respective supporting documents, shall each be sealed with a serially numbered paper seal (CEF No.12) and placed inside their corresponding envelopes. Each envelope shall likewise be sealed with a serially numbered paper seal;
13. The three (3) discs used to back-up the municipal/city consolidated results shall also be placed individually inside an envelope, duly sealed, and submitted to the Congress, Commission, and Election Records and Statistics Department

Sec. 29. Distribution of COCPs and SOVs. – The Board shall generate and print sufficient copies of the COCP and SOV *to be* distributed as follows:

a) MBOC/CBOC

1. Election Records and Statistics Department (ERSD of the Commission);
2. For posting;
3. Chairman, MBOC/CBOC;
4. Secretary, Sangguniang Bayan/Panlungsod;
5. Municipal Treasurer;
6. Winning Candidate for Mayor; Winning Candidate for Vice-Mayor; and

7. Winning Candidates for members of the Sangguniang Bayan/Panlungsod;

The copies of the COCP for 1, 2, 3, 4, and 5 shall be supported by a Statement of Votes by precinct containing the total number of votes obtained by each candidate in each precinct and the grand total they obtained in the entire municipality/city/district. Said documents shall be signed and thumb marked by the chairman and members of the MBOC/CBOC.

Copies 1, 3, 4 and 5 shall be individually folded from top to bottom, sealed with serially numbered paper seals (CEF No. 12) and placed inside their corresponding envelopes, which shall likewise be sealed with serially numbered paper seals.

The USB Key used to back-up the election return/precinct consolidated results will be placed inside an envelope, duly sealed, and submitted to the PBOC.

b) FOR CBOC IN CITIES COMPROMISING ONE OR MORE LEGISLATIVE DISTRICTS/ HIGHLY URBANIZED CITIES

1. For winning candidate for Congressman/Member of House of Representatives:

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- 1.1. To the Commission in Manila;
- 1.2. For posting on the bulletin board of the city hall;
- 1.3. To kept by the Chairman of the Board;
- 1.4. To the Regional Election Director;
- 1.5. To the Secretary-General of the House of Representatives; and
- 1.6. To the winning candidates.

The first copy shall be and placed in the corresponding envelope, together with a copy of the Statement of Votes by precinct.

The second copy shall be posted on the bulletin board of the city hall.

2. For Winning Candidates for City Offices

- 2.1. Secretary of the Sangguniang Panlungsod;
- 2.2. Chairman, CBOC;
- 2.3. Commission;
- 2.4. City Treasurer;
- 2.5. Regional Election Director;
- 2.6. Each of the winning candidates proclaimed; and
- 2.7. One copy for posting on the bulletin board of the city hall.

The first five (5) copies shall be separately folded and placed in their corresponding envelopes.

A copy of the Statement of Votes by precinct shall be attached to the copies for the Secretary of the Sangguniang Panlungsod, Chairman of the CBOC, and the Commission.

c) PBOC

1. To the ERSD;
2. To the Chairman of the PBOC;
3. To the Secretary of the Sangguniang Panlalawigan;
4. To the Regional Election Director; and
5. To each of the winning candidates.



The Certificate of Canvass and Proclamation (COCP) shall be signed and thumbmarked by the chairman and members of the PBOC, and the watchers, if available.

The PBOC shall also print three (3) copies of the supporting Statement of Votes by City/Municipal, and shall be attached to copies (1), (2) and (3) of the Certificate of Canvass and Proclamation. Copies (1), (2), (3) and (4) shall then be individually folded from top to bottom, sealed with paper seals such that the certificates cannot be opened without breaking the seal, and placed inside their respective envelopes which shall likewise be sealed with paper seals.

ARTICLE V POST CANVASSING PROCEDURES

Sec. 30. *Delivery of the Certificate of Canvass.* – The Chairman of the Boards shall personally deliver by fastest means the hard copies of COCs and SOVs including the back-up CDs to the following:

a) In case of MBOC/CBOC:

1. To the PBOC, a copy of the Certificate of Canvass for President and Vice-President, Senator, Party-List, Member, House of Representatives, Governor, Vice-Governor and Sangguniang Panlalawigan;

b) In case of PBOC, CBOC in cities comprising two or more legislative districts, and DBOC :

1. To Congress sitting as the National Board of Canvassers a copy of the Certificate of Canvass for the President and Vice-President; and
2. To the Commission sitting as the National Board of Canvassers for Senator and Party-List.



Sec. 31. Safekeeping of hard copies of ERs or COCs, back-up CDs and CCS. – The Boards shall place the ERs/COCs in ballot boxes that shall be locked with three padlocks and one serially numbered self-locking seal. The members of the Board shall each keep a key to the three (3) padlocks. The serial number of every seal used shall be entered in the minutes.

The said ballot boxes shall be kept in a safe and secured room before, during and after the canvass. The door to the room shall be locked with three padlocks with the keys thereof kept by each member of the Board.

The watchers shall have the right to guard the room.

ARTICLE VI ELECTION OFFENSES; ELECTORAL SABOTAGE

Sec. 32. Election Offenses; Electoral Sabotage. – In addition to the prohibited acts and election offenses mentioned herein and those enumerated in Sections 261 and 262 of Batas Pambansa Blg. 881, as amended, the following shall be guilty of an election offense or a special election offense to be known as electoral sabotage:

- a) Any person who removes the COC posted on the wall, whether within or after the prescribed forty-eight (48) hours of posting, or defaces the same in any manner;
- b) Any person who simulates an actual COC or statement of votes, or a print or digital copy thereof;
- c) Any person who simulates the certification of a COC or statement of votes;
- d) The Chairman or any member of the Board of canvassers who, during the prescribed period of posting, removes the COC or its supporting statement of votes from the wall on which they have been posted other

than for the purpose of immediately transferring them to a more suitable place;

- e) The Chairman or any member of the Board of canvassers who signs or authenticates a print of the COC or its supporting statement of votes outside of the polling place;
- f) The Chairman or any member of the Board of canvassers who signs or authenticates a print which bears an image different from the COC or statement of votes produced after counting and posted on the wall; and
- g) Any person or member of the Board of election inspectors or Board of canvassers who tampers, increases or decreases the votes received by a candidate in any election or any member of the Board who refuses, after proper verification and hearing, to credit the correct votes or deduct such tampered votes: Provided, however, That when the tampering, increase or decrease of votes or the refusal to credit the correct votes and/or to deduct tampered votes are perpetrated on a large scale or in substantial numbers, the same shall be considered, not as an ordinary election offense under Section 261 and/or 262 of the Omnibus Election Code, but a special election offense to be known as electoral sabotage and the penalty to be imposed shall be life imprisonment.

The act or offense committed shall fall under the category of electoral sabotage in any of the following instances:

1. When the tampering, increase and/or decrease of votes perpetrated or the refusal to credit the correct votes or to deduct tampered votes, is/are committed in the election of a national elective office which is voted upon nationwide and the tampering, increase and/or decrease votes, refusal to credit the correct votes or to deduct tampered votes, shall adversely affect the results of the election to the said

national office to the extent that losing candidate/s is/are made to appear the winner/s;

2. Regardless of the elective office involved, when the tampering, increase and/or decrease of votes committed or the refusal to credit the correct votes or to deduct tampered votes perpetrated, is accomplished in a single election document or in the transposition of the figures/results from one election document to another and involved in the said tampering increase and/or decrease or refusal to credit correct votes or deduct tampered votes exceed five thousand (5,000) votes, and that the same adversely affects the true results of the election; and
3. Any and all other forms or tampering increase/s and/or decrease/s of votes perpetuated or in cases of refusal to credit the correct votes or deduct the tampered votes, where the total votes involved exceed ten thousand (10,000) votes.

Any and all other persons or individuals determined to be in conspiracy or in connivance with the members of the BEIs or BOCs involved, shall be meted the same penalty of life imprisonment.

ARTICLE VII EFFECTIVITY AND DISSEMINATION

Sec. 33. Effectivity. – This Resolution shall take effect on the seventh (7th) day following its publication in two (2) daily newspapers of general circulation in the Philippines.

Sec. 34. Dissemination. – The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and to furnish the Department of Justice, Department of Education, the Department of Finance, all Regional Election

Directors, Provincial Election Supervisors and Election Officers, and City/Provincial/Division and City Superintendent of Schools and the City/Municipal Treasurers with copies of the Resolution.

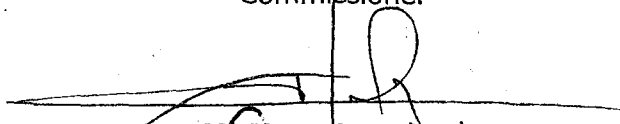
SO ORDERED.


JOSE A. R. MELO
Chairman

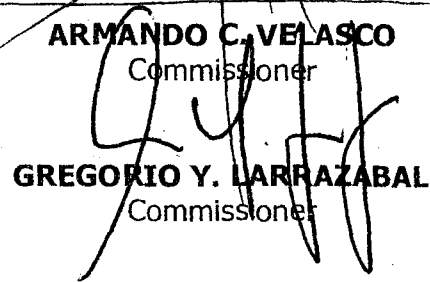

RENE V. SARMIENTO
Commissioner


NICODEMO T. FERRER
Commissioner


LUCENITO N. TAGLE
Commissioner


ARMANDO C. VELASCO
Commissioner


ELIAS R. YUSOPH
Commissioner


GREGORIO Y. LARRAZABAL
Commissioner