



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF EDUCATION, CULTURE AND SPORTS

Marcelo A. Arca, Pasig City

OFFICE OF THE SECRETARY

March 18, 1997

DECS ORDER

No. 31, s. 1997

**DELEGATION OF CERTAIN OFFICIALS/EMPLOYEES
AS COMELEC DEPUTIES WITH THE BARANGAY ELECTIONS
ON MAY 12, 1997**

To: Regional Directors
Schools Superintendents

1. Inclosed is a copy of COMELEC Resolution No. 2899 dated March 4, 1997 entitled "DEPUTATION OF CERTAIN NATIONAL AND LOCAL OFFICIALS OR EMPLOYEES, LAW ENFORCEMENT AGENCIES AND INSTRUMENTALITIES, INCLUDING THE ARMED FORCES OF THE PHILIPPINES, PRESCRIBING THEIR DUTIES AND FUNCTIONS AS DEPUTIES OF THE COMMISSION ON ELECTIONS WITH THE BARANGAY ELECTIONS ON MAY 12, 1997."

2. It is hereby directed that copies of Part I of this Resolution be disseminated to the Regional Directors, Assistant Regional Directors, Provincial and City Superintendents of Schools, District Supervisors, School Principals and teachers for their information and proper guidance.

3. Immediate dissemination of and compliance with this Order is desired.


RICARDO T. GLORIA
Secretary

Incl.: As stated
Reference: DECS Memorandum No. 55, s. 1997
Allotment: 1-2--(M.O. 1-87)
To be indicated in the Perpetual Index
under the following subjects:

BUREAUS & OFFICES
ELECTIONS

OFFICIALS
RULES & REGULATIONS

Republic of the Philippines
COMMISSION ON ELECTIONS
MANILA



DEPUTATION OF CERTAIN NATIONAL AND LOCAL OFFICIALS OR EMPLOYEES, LAW ENFORCEMENT AGENCIES AND INSTRUMENTALITIES, INCLUDING THE ARMED FORCES OF THE PHILIPPINES PRESCRIBING THEIR DUTIES AND FUNCTIONS AS DEPUTES OF THE COMMISSION ON ELECTIONS WITH THE BARANGAY ELECTIONS ON MAY 12, 1997	PRESENT Pardo, Bernardo P., MAANHONG, Regalado E., FERNANDO, Remedios AS., GOROSPE, Manolo B., DESAMITO, Julio F., FLORES, Tessita DL., GUTANI, Japal M.,	Chairman Commissioner Commissioner Commissioner Commissioner Commissioner
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Promulgated: March 04, 1997

RESOLUTION NO. 2899

Whereas, pursuant to the Constitution and the Omnibus Election Code, the Commission on Elections shall direct and immediate supervision and control over national and local officials or employees, including members of national and local law enforcement agencies and instrumentalities of the government, required by law to perform duties relative to the conduct of elections;

Whereas, pursuant to Republic Act No. 6679, as amended by Republic Act No. 7160, the Local Government Code of 1991, the barangay elections will be on May 12, 1997;

Whereas, in connection with said barangay elections, the Commission recognizes the need for assistance from certain National and local officials and employees in its law enforcement efforts to ensure the holding of free, honest, orderly, peaceful and credible registration of voters and elections on the dates fixed;

NOW, THEREFORE, the Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code and Republic Acts Numbered 6646, 6679 and 7160, RESOLVED, as it hereby RESOLVES, to promulgate this resolution deputizing with concurrence of the President of the Philippines, the officials and employees concerned and prescribing their duties and functions in connection with the May 12, 1997 barangay elections.

PART I

Designation of the Secretary of Education, Culture and Sports as Deputy, Regional Directors, Assistant Regional Directors, Provincial and City Superintendents of Schools as representatives of the Commission on Elections, and District Supervisors and School Principals as their assistants.

To designate the Secretary of Education, Culture and Sports as Deputy who shall coordinate with and assist the Commission in the implementation of all orders and instructions relative to the duties and functions of public school teachers.

are necessary for the orderly holding thereof, including the use of all public school buildings designated as polling places in connection therewith.

B. To appoint, effective immediately, Regional Directors, Assistant Regional Directors, Provincial and City Superintendents of Schools or Officers-in-Charge thereof, as representatives of the Commission in their respective regions, provinces and cities, under the direct and exclusive supervision of the Commission, in connection with the barangay elections. Provincial and City Superintendent of Schools or Officers-in-Charge thereof shall submit to the Election Officer concerned, not later than March 10, 1997 the names of public school teachers whom they recommend for appointments as chairman and members and their substitutes in the boards of canvassers.

Appointments of public school teachers as chairman or members of boards of election tellers and boards of canvassers shall be signed by the Election Officers.

C. To appoint, subject to the provisions of this resolution, District Supervisors, School Principals or Officers-in-Charge thereof, as assistants to the Provincial and City Superintendents of Schools;

D. To order that there shall be no transfer whatsoever, during the election period of Provincial and City Superintendents of Schools, District Supervisors, School Principals or Officers-in-Charge thereof and public school teachers without the authority of the Commission; and

E. To promulgate the following rules and regulations for the guidance of all concerned:

Regional Directors, Assistant Regional Directors, Provincial and City Superintendents of Schools, District Supervisors and School Principals or Officers-in-Charge thereof, as representatives of the Commission and public school teachers as chairmen and members of the boards of election tellers and as chairmen and members of the boards of canvassers shall comply strictly with the rules and regulations prescribed in this resolution, and such other subsequent resolutions as may be promulgated by the Commission, including the instructions printed on the different barangay election forms.

GUIDELINES

I. On recommendation of teachers

For the purposes of the May 12, 1997 barangay elections, all public school teachers who served as chairmen and members of the boards of election inspectors in the May 8, 1995 elections shall be recommended for appointment to the same precincts by the school officials concerned.

In cases where it is necessary to appoint new or additional public school teachers who served as members of the board of election inspectors in the May 8, 1995 elections, or in the September 9, 1996 elections, in the case of the Autonomous Region in Muslim Mindanao, and are registered voters of the city or municipality and shall be subject to the following:

a. No person shall be appointed as chairman or member of the board of canvassers unless he is a registered voter of the city or municipality, of good moral character and irreproachable reputation, and has never been convicted of any election offense; and

b. In making their recommendations, the Provincial and City Superintendents of Schools shall propose for appointment the best qualified public school teachers as

PART II

Deputation of the Secretary of Finance and designation of Provincial, City and Municipal Treasurers as representatives of the Commission on Elections

A. Effective immediately, and during the election period, all Provincial, City and Municipal Treasurers shall remain in their present assignments and shall not be transferred or detailed, whether temporarily or permanently, to another province, city or municipality, except upon prior authority of the Commission.

B. Except upon approval of the Commission, no Provincial, City or Municipal Treasurer shall absent himself from office during the period starting one week before and up to one week after election day. He shall at all times assign a responsible person to his office to receive telegrams and instructions from the Commission relative to election matters to ensure immediate action thereon.

C. (1) All City or Municipal Treasurers shall be responsible for the preservation and storage of election forms, paraphernalia, supplies and materials and for any loss, destruction or damage thereof.

(2) All City or Municipal Treasurers shall keep a record of the quantity and serial number of official ballots and election returns allocated for distribution to the precincts and shall furnish legible copies thereof to the candidates, upon written request, and the Election Records and Statistics Department, Commission on Elections, Manila, immediately after their distribution.

(3) The official ballots and election returns shall not be delivered to the boards of election tellers earlier than the first hour on election day. However, the Commission, through the City and Municipal Election Officers, may authorize the City and Municipal Treasurers, for reasons such as, but not limited to, distance, whether condition in the locality and difficulty of transportation, to deliver said official ballots, election returns and other forms and the portable two-third voting booths to the board of election tellers of any particular precinct at an earlier date with prior written notice thereof to all the candidates of the barangay and the Election Officer, Provided, That, such advance delivery shall in no case be earlier than three (3) days before election day.

In Every Case, the Distribution of the Said Forms and Paraphernalia by the City and Municipal Treasurers Shall Be Supervised by the City and Municipal Election Officers.

The board of election tellers shall issue the proper receipt, stating clearly the date, number of pads and sets and corresponding quantity and serial numbers of the official ballots and the election returns received. The Election Officer and City or Municipal Treasurer shall submit a joint written report within five days after election day to the Election Records and Statistics Department, Commission on Elections, Manila, of the quantity and serial numbers of the ballots and election returns received from the Commission and the corresponding distribution per precinct. Any candidate may also be furnished copies thereof upon request.

(4) The official ballots and election returns shall be distributed to the board of election tellers in the presence of duly designated watchers of the candidates.

(5) Upon receipt and acknowledgment thereof, the official ballots and election returns shall be placed inside the ballot box which shall be locked with a padlock in the presence of the City or Municipal Treasurer. The chairman of the board of election tellers shall keep the key to the padlocked.

In case of shortage of public school teachers in the city or municipality for appointment as chairman and members of boards of election tellers and as chairman and members of the boards of canvassers, the Provincial and City Superintendents of Schools shall notify the Election Officer of such fact on or before March 10, 1997.

Provincial and City Superintendents of Schools, District Supervisors, School Principals or Officers-In-Charge thereof and public school teachers are hereby ordered and instructed to observe the following:

a. Once a public school teacher has been appointed as chairman or member of the board of election tellers or as chairman or member of the board of canvassers, or a District Supervisor or School Principal has been appointed as assistant to the Provincial or City Superintendent of Schools; no change in said appointment and place of assignment shall be made without prior written authority of the Commission; and

b. Public school teachers holding the position of chairman or member of the board of election tellers shall also act as representatives of the Commission who shall see to it that the election in their respective precincts is impartially conducted in accordance with existing laws and instructions of the Commission.

2. On the appointment and duties of District Supervisors and School Principals

Provincial and City Superintendents of Schools are hereby directed to submit to the Election Officer not later than March 10, 1997 the names of District Supervisors and School Principals under their respective supervision who shall perform the following duties:

a. To receive all communications from the Commission or its deputies and representatives and transmit them to the board of election tellers and board of canvassers;

b. To assist in recommending public school teachers to fill vacancies in the positions of chairman and members of the board of election tellers and board of canvassers when such occasion arises in accordance with the instructions of the Commission;

c. To receive any complaint against any chairman or member of the boards for transmittal to the Commission or its deputies and representatives; and

d. To adopt jointly with the Election Officer, adequate measures to safeguard the Lists of Voters.

District Supervisors and School Principals, as such assistants, shall not unduly influence any public school teacher appointed as chairman or member of the board of election tellers or board of canvassers in the performance of his duties and functions.

No conference or seminar of district supervisors, school principals and public school teachers on their election duties shall be held except upon authority of the Commission.

3. Relief of Chairman or Member

In case the Superintendent of Schools, District Supervisor or School Principal shall find any chairman or member of the board of election tellers or board of canvassers committing any serious irregularity or misbehavior in the performance of his election duties, he shall report the matter to the election officer who, after satisfying himself of the truth thereof, shall immediately relieve said chairman or member, and appoint the corresponding substitute who shall be directed to assume the position immediately.

Immediately after the election, the Superintendent of Schools, School Principal, or Election Officer shall report to the Commission the names of chairman and/or administrative charges in

D. The City or Municipal Treasurer shall submit to the Election Officer an official report on ballot boxes which were not returned to him by the board of election tellers immediately after adjournment of the proceedings of the board on election day.

PART III

Deputation of Secretary of National Defense, Chief of Staff of the Armed Forces of the Philippines and Chief of the three AFP Components, namely, Philippine Army, Philippine Navy and Philippine Air Force

A. The Secretary of National Defense, the Chief of Staff of the Armed Forces of the Philippines, the Commanding General of the Philippine Air Force, and all the officers and enlisted personnel under their respective commands, are hereby deputized to ensure free, honest, orderly, peaceful and credible registration of voters on March 24, 1997 and barangay elections on May 12, 1997.

B. The Secretary of National Defense shall coordinate with and assist the Commission in the implementation of its order and instructions relative to the duties and functions of the AFP in connection with the registration of voters on March 24, 1997 and the barangay elections on May 12, 1997.

The above-named officers of the Armed Forces of the Philippines and their subordinate shall have the following duties and functions as deputies of the Commission:

1. To provide security to the polling places and to the members of the members of the board of election tellers and board of canvassers when requested;
2. To provide security to the personnel of this Commission and other civilian employees of the government performing election duties;
3. To make available certain facilities, such as land, air and water craft, communication systems and other equipment when requested in connection with the delivery and retrieval of election supplies, forms, documents, and equipment;
4. To look into the existence of any armed group committing acts of terrorism to intimidate people to register or not to register to vote for or against any candidate, and to suppress or to prevent said acts of terrorism;
5. To assist the Commission implement election laws more effectively, particularly the prohibition against policemen and provincial guards acting as bodyguards or security guards, the confiscation of unlicensed firearms, the use of motor vehicles and air watercraft, prohibition on carrying of firearms or deadly weapons outside residence or place of business;
6. To conduct a periodic assessment of critical areas and recommend and measures which maybe adopted by the Commission in the interest of free, honest, orderly, peaceful and credible elections; and
7. To comply with any and all directives which the Commission may issue from time to time.

PART IV

Deputation of the Secretary of the Department of Transportation and Telecommunications and all concerned agencies and offices under it

The Secretary of the Department of Transportation and Communications, and all officials/agencies/offices under it are hereby deputized for purposes of the barangay elections on May 12, 1997 with the following duties and functions:

A. Circularize to all owners and operators of land, air and sea transportation facilities and telecommunication services with certificates of public convenience, franchises of other forms of authorization, the following election offenses under the Omnibus Election Code which may be committed through the use of such facilities or services with a warning that they will be held criminally liable as principals, accessories or accessories as evidence may warrant:

1. Sec. 51 of Resolution No. 2888 (February 5, 1997), the Rules and Regulations governing Barangay Elections, prohibiting any person from giving or accepting, free of charge, directly or indirectly, transportation on the day of a barangay assembly meeting or other authorized public forum or public meeting on registration day, on the day preceding the election and on election day;

2. Sec. 95 of the Omnibus Election Code prohibiting contributions for partisan political activity made directly or indirectly by natural or juridical persons operating a public utility, natural or juridical persons who hold contracts or subcontracts to supply the government or any of its divisions, subdivisions or instrumentalities with goods or services or to perform construction or other works; natural or juridical persons who have been granted franchises, incentives, exemptions, allocations or similar privileges or concessions by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations; natural or juridical persons who, within one year prior to the date of the election, have been granted loans or other accommodations in excess of P100,000.00 by the government or any of its divisions, subdivisions or instrumentalities including government-owned or controlled corporations;

3. Sec. 97 of the same code making it unlawful for any person or organization, whether civic or religious to directly or indirectly solicit and/or accept from the commencement of the election period up to and including election day;

4. Sec. 261[o] of the same code which prohibits the use under any guise whatsoever, directly or indirectly, of any printing press, radio or television station, or audio-visual equipment operated by the government or by its divisions, subdivisions, agencies or instrumentalities, including government-owned or controlled corporations, or any equipment, facility, apparatus, paraphernalia or which owned by the government-owned or controlled corporations, or by the Armed Forces of the Philippines for any election campaign or for any partisan political activity;

5. Sec. 261[d6][4] of the same code which penalizes any operator or employee of a public utility or transportation company operating under a certificate of public convenience who refuses to carry official election mail matters free of charge during the election period; and

B. Direct their agents to apprehend violators of the aforesaid prohibitions of the Omnibus Election Code and Resolution No. 2888 and refer such violations to the Commission, thru its Regional Election Directors or Provincial Election Supervisors, for appropriate action;

C. Require all transportation companies engaged in the operation of transportation facilities to report within thirty (30) days following the day of the election, the use, rental or hiring of their facilities by any candidate or political party in connection with the election campaign, including the amount paid for such use, rental or hiring, which reports shall be submitted to the Election Records and Statistics Department of the Commission on Elections for the purpose of

- D. Such other duties and functions which the Commission may hereafter direct.

PART V

Deputation of the Secretary of the Interior and Local Government and the Director General and other offices and personnel of the Philippine National Police:

A. The Secretary of the Interior and Local Government is hereby deputized to coordinate with and assist the Commission on the following matters in connection with the May 12, 1997 barangay elections:

1. Simultaneous holding, as far as practicable, of meetings of the barangay assemblies as provided for in Sec. 59 of Resolution No. 2888 of the Commission promulgated on February 5, 1997 during which occasion all candidates shall be invited to appear together and explain to the voters their respective qualifications, programs of administration and other information to enlighten the voters in the choice of their candidates;

2. Equitable granting of permits among the candidates to hold separate public meetings not exceeding two times;

3. Designation of COMFELC poster areas and maintenance of the same until the end of the campaign period;

4. Coordinating with the Director-General of the Philippine National Police in connection with the latter duties and functions in the conduct of the barangay elections.

B. The Director-General of the Philippine National Police, the Regional and Provincial Directors, District Directors in the NCR, and the Director of Operational and administrative units and of the General Headquarters of the PNP, and their personnel are hereby deputized for the purpose of ensuring free, honest, orderly, peaceful and credible registration of voters on March 24, 1997 and barangay elections on May 12, 1997.

As such deputy, the Director-General of the Philippine National Police is hereby placed under the direct control and supervision of the Commission and directed to:

1. Circularize this resolution to all law enforcement and police units for their information and guidance and issue specific guidelines for their observance in connection with the forthcoming barangay elections;

2. Furnish immediately the Commission on Elections with a list of all confidential agents, security agents, and special policemen appointed by the Provincial Governors and City/Municipal Mayors;

3. Submit immediately to the Commission on Elections a list of all policemen presently on security detail;

4. Refrain during the election period from effecting changes in assignments of Regional and Provincial Directors and Unit Commanders and all PNP personnel without the prior written permission of the Commission;

5. Bring to the attention of each and every member of the PNP Commands the following basic considerations:

(a) The conduct of registration of voters and the election is purely a civil process and an absolutely civilian affair that requires the full

(b) Orders issued by the Commission in connection with the registration of voters and the elections shall take precedence over and above the orders and directives issued by any other office or agency of the government, except the Supreme Court and those in habeas corpus proceedings: Provided, that nothing herein shall be construed as in any manner affecting or constituting an impairment of the constitutional powers of the President on the general peace-keeping functions of the Philippine National Police.

6. Comply with directives that the Commission on Elections may issue from time to time. The above duties and functions shall be performed by the officers and personnel of the NAPOLCOM during regular office hours and days in specific cases.

C. As deputies of the Commission, the above-named officers and personnel shall have the following duties and functions:

1. Provide security to any polling place, the members of the boards of election tallies and the voters whenever the need therefor arises, or whenever the Commission through its Election Officers or Special Action Teams so requires;

2. Provide security to COMELEC personnel and representatives performing election duties and functions whenever requested or when required by the Commission;

3. Take steps and measures to protect voters from intimidation, coercion, harassment or reprisal;

4. Enforce the provisions of Sec. 261 of the Omnibus Election Code on the following prohibited acts:

a) Paragraph (m) on appointment or use of special policemen, special agents, confidential agents or the like;

b) Paragraph (p) on deadly weapons;

c) Paragraph (q) on carrying firearms outside residence or place of business;

d) Paragraph (r) on the use of armored, land, water or air craft;

e) Paragraph (s) on wearing of uniforms and bearing arms; Provided, that the officers and men of the PNP may wear their uniforms and bear arms at all times;

f) Paragraph (t) on police and provincial guards acting as bodyguards or security guards to persons who are neither candidates nor public officials during the campaign period; on the day before and on election day; or utilizing the services of any security personnel or bodyguards to candidates and public officials during the election period (Sec. 33, Rep. Act, No. 7166); and

g) Ban on dispensing, selling and taking of intoxicating liquor.

5. Take steps and measures to prevent private security agencies from being converted into private armies of any candidate or campaigner for terrorist or violent acts against applicants for registration day and voters on election day.

6. Implemented strictly the rules and regulations promulgated by the Commission in provinces, cities, municipalities and barangays which may be placed under COMELEC control and to coordinate with the COMELEC Special Action Teams therein;

7. Confiscate, tear-down and stop unlawful, libelous, misleading or false election propaganda upon specific authority of the Commission or its nearest representative in the area; and

8. Perform such other functions and duties or implement such other directives as the Commission may prescribe or issue from time to time.

D. The Director-General, FBI, shall render periodic reports on actions taken in accordance with this deputization.

PART VI

Deputization of the Director, Assistants and Agents of the National Bureau of Investigation

The Commission hereby deputized the Director, his assistant and agents of the National Bureau of Investigation in connection with its constitutional duty to ensure free, orderly, honest, peaceful and credible elections, and for the purpose of the registration of voters on March 24, 1997 and elections on May 12, 1997, they are hereby placed under the control and supervision of the Commission and directed to:

A. Deploy National Bureau of Investigation Agents in order to effectively carry out the objectives of this resolution, furnishing the Commission with a list of said agents with their respective assignments;

B. Direct his Agents to arrest any person who violates the provisions of the Omnibus Election Code and other election laws;

C. Order his Agents to immediately bring to the proper authority persons so arrested for the filing of appropriate criminal action;

D. Report from time to time to the Commission action taken by him or his agents pursuant to this resolution; and

E. Comply with the orders and directives of the Commission, which shall be given priority over orders and directives from other sources, except the Supreme Court and those issued in habeas corpus proceedings.

PART VII

Deputization of the President of the Philippines Airlines (PAL)

The President of the Philippines Airlines is hereby deputized to assist the Commission in the performance of its constitutional functions relative to the registration of voters on March 24, 1997 and election on May 12, 1997. As such deputy, he is hereby required to:

A. Direct the officials and employees of PAL throughout the country to give preferential accommodation of "mail-ride status" to officials, employees and deputies of the Commission traveling on official business;

B. Direct said officials and employees of the Airlines to effect immediate shipment, delivery and transmittal of COMELEC cargo and other election matters; and

C. Comply with the directives of the Commission.

PART VII

Deputation of the Postmaster General, the Director of the Bureau of Telecommunications, and the Commissioner of the National Telecommunications Commission

The Commission hereby designates, effective immediately, the Postmaster General, the Director of the Bureau of Telecommunication, and the Commissioner of the National Telecommunications Commission, as its deputies to perform the following functions and duties:

A. Instruct their respective personnel and the management of all private telecommunication firms to give preference to the transmission and delivery of messages or telegrams of the Commission, its field personnel and deputies during the election period, and between and among the Commission's field offices, its deputies and other assisting agencies until after the proclamation of the winning candidates in the May 12, 1997 elections.

B. Impress upon such personnel and management that non-compliance with the provisions of Sec. 9 of the Omnibus Election Code on preferential transmission of the communications, telegrams and other messages sent by the Commission relating to election matters shall constitute an election offense punishable under sec. 264 of said code.

C. Require sufficient number of personnel to receive, transmit and deliver election messages on the day before and on registration day; the day before and on revision day; ten days registration day; the day before and on revision day; ten days before and on election day and ten days after election day; and

D. Make operational all their stations during the election period.

PART IX

Deputation of the Director of the Bureau of Prisons

The Director of the Bureau of Prisons is hereby designated as deputy of the Commission in accordance with the following provision of the Omnibus Election Code:

"Sec. 261 (b). Illegal release of prisoners before and after election: The Director of the Bureau of Prisons, any provincial warden, the keeper of the jail or the person or persons required by law to keep prisoners in their custody who illegally orders or allows any prisoners detained in the national penitentiary, or the provincial, city or municipal jail to leave the premises thereof sixty days before and thirty days after the election. The municipal or city warden, the provincial warden, the keeper of the jail or the person or persons required by law to keep prisoners in their custody shall post in three conspicuous public places a list of the prisoners or detention prisoners under their care. Election prisoners must be categorized as such."

Aim to comply with all orders, directives and resolutions which the Commission may from time to time promulgate. The period covered by the prohibition in relation to the May 12, 1997 elections is March 13, 1997 to June 11, 1997.

implement the provision of the Constitution of the Philippines particularly paragraph 4, Section 2, B, Article IX, which provides that:

"(4) No officer or employee in the civil service shall engage, directly or indirectly, in any electioneering or partisan political campaign."

and the provisions of the Omnibus Election Code (BP 381), particularly Section 261:

"Sec. 261. Prohibited Acts. - The following shall be guilty of an election offense:

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

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

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

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

i) **Intervention of public officers and employees.** Any officer or employee in the civil service, except those holding political offices, any officer, employee, or member of the Armed Forces of the Philippines, or any police force, special forces, home defense forces, barangay self-defense units and all other paramilitary units that now exist or which may hereafter be organized who directly or indirectly, intervene in any political activity, except to vote or to preserve public order, if he is a peace officer.

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and other related provisions of law on the matter. The 45-day period mentioned in paragraph (2) starts March 28, 1997 and ends May 11, 1997, while election period referred to in paragraph (3) is from April 12, 1997 to May 27, 1997 (Res. No. 2887, Feb. 5, 1997).

PART XI

Deputation of the Chairman and Officials of the Commission on Audit

The Commission hereby designates the Chairman and officials of the Commission on Audit, as its deputies and as such, they shall, for purposes of the May 12, 1997 barangay elections, enforce and implement the provisions of Section 3 of the Republic Act No. 6470 in relation to the provisions of Sec. 261.

"Sec. 3. The construction or maintenance of provincial, city and barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261 paragraphs (v) and (w) of the Omnibus Election Code to the contrary notwithstanding."

PART XII

Deputation of the Department of Budget and Management

The Commission designates the Secretary of the Department of Budget and Management, as its deputy to ensure free, orderly, honest, peaceful and credible election on May 12, 1997, and in such capacity, he shall enforce and implement the provisions of Sec. 3 of Republic Act No. 6677, quoted above, in relation to Sec. 261, paragraphs (v) and (w) of the Omnibus Election Code, specifically on the prohibition against release/expenditures and disbursement of public funds.

COMPENSATION

Additional monetary benefit for the deputized officials and employees for services actually rendered to the Commission as such deputies, such as per diems or overtime pay, shall be governed by existing laws, or pertinent rules or regulations promulgated by the Commission, subject to availability of funds.

COMMON PROVISIONS

The Commission on Elections may recommend To The President The Removal of Any Officer or Employee It Has Deputized, Or The Imposition of Any Disciplinary Action, For Violation or Disregard Of, Or Disobedience To Its Directive, Order, Or Decision. (Par. [8], Sec. 3, c, Art. IX, Constitution of the Philippines)

Violation of the Rules and Regulations Issued By The Commission Are Considered Prohibited Acts Under The Omnibus Election Code And Shall Be Prosecuted And Penalized In Accordance With The Same Code. (Sec. 12, Rep. Act No. 6679)

All deputies under this resolution shall submit a bi-monthly report to the Commission on Elections on the performance of their duties and functions. A final report shall likewise be submitted within thirty (30) days after May 12, 1997 election.

EFFECTIVITY

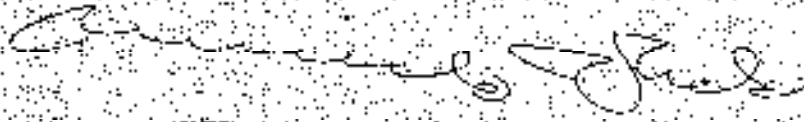
This resolution shall take effect on the seventh day following its publication in at least two (2) daily newspaper of general circulation in the Philippines.

DISSEMINATION


The Education and Information department is hereby directed to furnish all the above deputized officials through the respective heads of the departments, offices, or agencies concerned with copies of this Resolution for their compliance, guidance and reference.

The Committee on Media shall disseminate this Resolution for the information of the

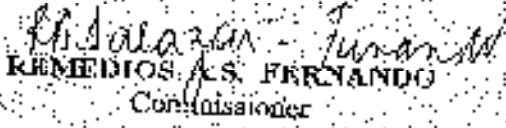
SO ORDERED



BERNARDO P. PAROC
Chairman



REGALADO E. MANTHONG
Commissioner




REMEDIOS A.S. FERNANDO
Commissioner



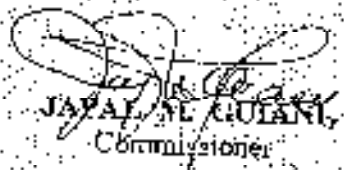
MANOLO B. GOROSPE
Commissioner



JULIO F. DESANTO
Commissioner



TERESITA DY-LACZO FLORES
Commissioner



JAYAL M. GULANI
Commissioner