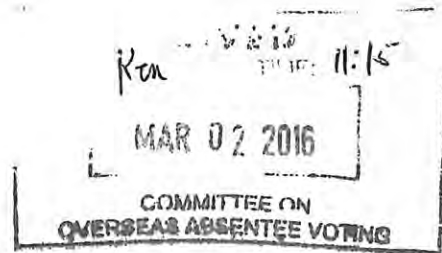


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Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

GENERAL INSTRUCTIONS FOR THE SPECIAL BOARD OF CANVASSERS ON THE CONSOLIDATION/CANVASSING AND UPLOADING OF THE ELECTION RESULTS IN CONNECTION WITH THE CONDUCT OF OVERSEAS VOTING FOR PURPOSES OF THE MAY 9, 2016 NATIONAL AND LOCAL ELECTIONS.

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Promulgation: March 1, 2016

RESOLUTION No. 10068

WHEREAS, Republic Act No.9369 authorizes the Commission on Elections to use an Automated Election Systems (AES), as it may deem appropriate and practical for the process of voting, counting, canvassing and transmission of results;

WHEREAS, in pursuit of this mandate, the Commission on Elections will adopt the AES in the May 9, 2016 National and Local Elections;

WHEREAS, in Minute Resolution 15-0798 dated December 8, 2015, the Commission on Elections authorized the adoption of AES in thirty (30) Philippine Embassies (PE), Philippine Consulates General (PCG) and Philippine Overseas Labor Office (POLO), namely:

- A. Asia Pacific Region
 - 1) Hong Kong PCG
 - 2) Kuala Lumpur PE
 - 3) Osaka PCG
 - 4) Seoul PE
 - 5) Singapore PE
 - 6) Tokyo PE

- B. European Region
 - 1) London PE
 - 2) Madrid PE
 - 3) Milan PCG
 - 4) Rome PE

C. Middle East Region

- 1) Abu Dhabi PE
- 2) Beirut PE
- 3) Doha PE
- 4) Dubai PCG
- 5) Jeddah PCG
- 6) Kuwait PE
- 7) Manama PE
- 8) POLO Al Khobar
- 9) Riyadh PE
- 10) Tel Aviv PE

D. North and Latin American Region

- 1) Agana PCG
- 2) Chicago PCG
- 3) Honolulu PCG
- 4) Los Angeles PCG
- 5) New York PCG
- 6) Ottawa PE
- 7) San Francisco PCG
- 8) Toronto PCG
- 9) Vancouver PCG
- 10) Washington PE

NOW, THEREFORE, the Commission on Elections, by virtue of the powers vested in it by the Constitution, Republic Act No. 9369, Republic Act No. 9189 as amended by Republic Act No. 10590, Batas Pambansa Bldg. 881, and other election laws, **RESOLVES** to promulgate the General Instructions Governing the Consolidation/Canvassing and Uploading of the Election Results in connection with the conduct of overseas voting for purposes of the May 9, 2016 National and Local Elections.

ARTICLE I
PROCEDURES FOR CANVASSING/CONSOLIDATION

Section 1. Preliminaries to Canvassing. – Before the canvassing begins, the Special Board of Canvassers (Board) shall observe the following procedures:

- a) Show to the public and the watchers present that the CCS box is sealed;
- b) Remove the seal of the CCS box;
- c) Open the CCS box;
- d) Check whether the following are inside the CCS box:
 - 1) CCS Laptop box which contains:
 - i. Laptop
 - ii. Secure Digital (SD) card (installed in the laptop)
 - iii. Power cable of the laptop
 - iv. Power adaptor of the laptop

- v. Three (3) USB Security Tokens with label
- 2) Three (3) envelopes with label each containing one (1) username, and two (2) passwords:
 - i. One (1) Username for each SBOC member
 - ii. Two (2) Passwords for each SBOC member
 - a. One (1) password to enter the system
 - b. One (1) to validate security token
 - 3) One (1) envelope containing REPORT Nos. for Insert Manual Entry, if applicable;
 - 4) Extension Cord;
 - 5) Printer box containing:
 - i. Printer
 - ii. Toner (installed)
 - iii. Power cable of the printer; and
 - iv. USB cable to connect the laptop and printer
 - 6) Memory Card Reader; and
 - 7) Security plastic seal.
- e) Retrieve the envelopes containing the system's username and passwords which shall be in the custody of the Chairman of the Board, and the USB tokens for each member of the Board which shall be distributed among themselves; and
 - f) Retrieve the CCS laptop from its box and place the same on top of the table.

Sec. 2. Procedures for canvassing. - Immediately after convening, the Board shall receive from the SBEI Representative the envelopes containing main and back-up SD cards for the VCM, and undertake the following canvassing procedures:

I. INITIALIZATION PROCEDURES:

- a) The CCS Operator shall:
 - i. Plug the power cord of the laptop to the extension cord;
 - ii. Plug the extension cord to the electrical outlet or generator, when necessary;
 - iii. Connect the printer cable to the USB port of the laptop and the power cable of the printer to the extension cord;
 - iv. Insert sufficient paper in the printer feeder;
 - v. Turn on the laptop by pressing the power button. The screen will display the WELCOME page of the CCS;
 - vi. Turn on the printer by pressing the power button;
 - vii. The screen will display the progress window with message, "Starting CCS. Please wait..." along with a loading progress bar;
 - viii. The screen will display the WELCOME page of the CCS. This page contains the login form to access the system;

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- ix. Input USERNAME and PASSWORD on the corresponding text fields. Click "LOG IN" button;
 - x. The system will display the screen for start up with message at the top of the screen "*Upon completion and acceptance, the ELECTION will be activated*". Re-enter the same USERNAME and PASSWORD;
 - xi. Request any two (2) members of the Board to insert their USB tokens in the USB slot of the laptop, one at a time and enter their usernames and security key passwords in the space provided. Thereafter, click "OK" button;
 - xii. Click "ACCEPT" button. Wait for the system to finish the initialization process;
 - xiii. The screen displays the message "*ELECTION ACTIVATED*" then shows the "*INITIALIZATION REPORT*";
 - xiv. Print the "*INITIALIZATION REPORT*" by clicking the print icon on the upper left corner of the PRINT PREVIEW page. Wait for the PRINT dialogue box to be displayed. Enter the number of copy to be printed in the space provided. Then click the "PRINT" button;
 - xv. After printing the "*INITIALIZATION REPORT*", click "CONTINUE" to proceed to the HOMEPAGE of the CCS found on the bottom part of the PDF viewer panel;
- b) The members of the Board shall sign and affix their thumbmarks on the certification portion of the "Initialization Report";
 - c) After signing and affixing their thumbmarks on the certification portion of the "INITIALIZATION REPORT". the Chairman shall show to the public the "INITIALIZATION REPORT"; and
 - d) The Member-Secretary shall place the "INITIALIZATION REPORT" inside the envelope intended for the purpose.

II. IMPORTING OF PRECINCT RESULTS FROM VCM. – The Board shall receive from the Reception and Custody Group an envelope containing both the main and back-up SD cards submitted by the Special Board of Election Inspectors (SBEIs). The Board shall open the said envelope, retrieve the main SD card and give the same to the CCS Operator.

In case the main SD card is not available, the Board shall retrieve the back-up SD card and give the same to the operator who shall:

- 1) Attach memory card reader to the laptop;
- 2) Insert the main SD card in the memory card reader;
- 3) Click on the blue triangle icon found below the homepage screen. The hidden side panel will be displayed showing the option "IMPORT";
- 4) The IMPORT dialogue box will prompt the screen. Click on "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE". The CCS will display the "FILE UPLOAD" dialogue box;
- 5) Click "DATA" at the left pane of the dialogue box;

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- 6) Click the "SAES" folder from the list of files in the dialogue box;
- 7) Click on the "TRANSMISSION PACKAGES" folder from the list of folder files and click on "OPEN" button;
- 8) Click "TRANSMISSION-PACKAGE.XML" and click "OPEN" button;
- 9) The dialogue box will be dismissed and the screen returns to the IMPORT dialogue box. Click "IMPORT" button;
- 10) Wait until the processing is finished. Click on the down arrow found on the upper right part of the "GENERAL INFORMATION" header box. The message should be "The import process was finished successfully".
- 11) Remove the main SD card from the memory card reader and return it to its original envelope and label it "UPLOADED";

In case the main memory card is found by the CCS to be defective, the back-up memory card shall be used to upload election results.

All memory cards that have already been processed shall be submitted to the RBCG for safekeeping.

- 12) Click on any part of the screen outside the dialogue box to return to the HOME PAGE;
- 13) Repeat steps 2 to 11 until all main memory cards contained in envelopes are processed; and
- 14) Disconnect the memory card reader from the laptop.

III. MONITORING OF ELECTION RESULTS. - The Board shall monitor which results have already been loaded into the system.

- a) Under the Monitoring category, click on the "MONITOR TRANSMISSION" option in the "HOME PAGE".

A list of post/embassy for the country shall be displayed with colored button beside the name of the post/embassy. The color of the button will determine the status of transmission of the specific precinct.

- Red means that the precinct results have not yet loaded;
 - Yellow/Orange if partial results; and
 - Green means that the precinct results have been loaded.
- b) To monitor the loading of results from a particular post under a country, click on the "POST NAME", and a list of voting centers will appear;
 - c) To monitor the loading of results from a particular precinct/ clustered precincts under a voting center, click on the "VOTING CENTER" where the precinct/clustered precincts concerned belong. To return to the previous page, click the "BACK" button or "four square" button to return to HOME PAGE; and



- d) To update the status of loading of from a clustered precinct from time to time, click on the "REFRESH" button located at the bottom of the screen.

IV. ENCODING OF MANUAL ELECTION RETURNS. – In areas where the Board will receive from the SBRCG an envelope containing the Election Returns manually prepared, the following procedure shall be performed:

A. INSERT MANUAL ELECTION RESULTS -

- 1) Exit the BOC Profile. Click on the blue triangular icon found at the top leftmost portion of the screen, to display the hidden side panel on the left portion of the screen;
- 2) Click "END SESSION" option from the menu. A confirmation message displays on the screen, click "OK". Then the WELCOME PAGE appears.
- 3) Type the username and password of the Special Profile. Then click "Login", a new HOME PAGE appears.
- 4) Click "INSERT MANUAL ELECTION RESULTS". The CCS will ask for the precinct for manual election results. Thereafter, click "ACCEPT" button. The screen for encoding votes shall be displayed.
- 5) Enter the following information:
 - i. Date of issuance (current date)
 - ii. Number of voters who voted according to polling station
 - iii. Number of ballots in the ballot box
- 6) Enter the number of votes of each candidate in the NO. OF VALID VOTES column;
- 7) Enter the following information:
 - i. Total number of valid votes
 - ii. Total of votes
- 8) Click "ACCEPT" button. The CCS will display "MANUAL COUNT REPORT INSERTED";
- 9) The CCS will display a confirmation screen showing the jurisdiction, position and names with corresponding votes of the candidates;
- 10) Click on the "CONTINUE" button to return to the previous screen or click "foursquare" to return to HOME PAGE.

B. CERTIFY MANUAL ELECTION RETURNS – To complete the encoding of Manual Election Returns, the Board has to certify the results. The Board shall:



- 1) Click on "CERTIFY MANUAL ELECTION RETURNS";
- 2) Request any two (2) members of the Board, to insert their USB tokens in the USB slot of the laptop, one at a time. Enter their usernames and security key passwords in the space provided. Thereafter, click "OK" button;
- 3) Enter the three parts of the report number and click "ACCEPT" button. The information of the manually entered Election Returns will be displayed;
- 4) Make sure that the data displayed is correct before certifying the election returns;
- 5) Click on "CERTIFY" button;
- 6) The CCS will display "ARE YOU SURE YOU WISH TO CERTIFY THIS COUNT REPORT" with OK/CANCEL button?
- 7) Click "OK". The CCS will display "MANUAL COUNT REPORT CERTIFIED" and thereafter, the certified report. Click "foursquare" to return to HOME PAGE.

C. VIEW MANUAL ELECTION RETURNS - the following procedures will allow the Board to view the manual election returns encoded and certified:

- 1) Click on the "VIEW MANUAL ELECTION RETURNS" on the HOME PAGE;
- 2) Enter the three part count report number. Click "CONTINUE";
- 3) If you want to print the manual election returns, click "PRINT";
- 4) View the report and click on the "BACK" button to return to the list.

V. GENERATION AND PRINTING OF REPORTS. The CCS operator shall generate the Canvass Report before generating and printing the Certificate of Canvass (COC). For this purpose, the CCS operator shall:

A. GENERATE AND PRINT CANVASS REPORT

- 1) Under the Canvassing category, click the "CANVASSING MANAGEMENT" option in the HOME PAGE;
- 2) Click the "CANVASS REPORT" found on the left panel. The list of positions is displayed by default on the right panel;
- 3) Click the checkbox beside the title "CONTEST NAME" to generate CANVASS REPORT for all positions. Click check box beside the

CONTEST/POSITION to generate CANVASS REPORT for the selected position only. After clicking any checkbox, "GENERATE" button will be enabled;

- 4) Click on "GENERATE" button located at the bottom portion of the screen. Wait while the system is loading the report. Thereafter, the CCS shall generate and display the Canvass Report. Scroll down to view the report;

Once the CANVASS REPORT is generated, review the report then click "BACK" button. The "CANVASSING MANAGEMENT SCREEN" will appear. Under the STATUS header, the color status is changed from GREEN to BLUE. This means the said report has been generated. Notice that the next report available will be in color GREEN. This event is available to ALL Canvassing Reports.

- 5) Print the Canvass Report by clicking on the printer icon on the onscreen report. Then type the number of copies in the space provided. Click the PRINT button;
- 6) Click "BACK" button found at the lower right portion of the page to go back to the previous page.

Canvass Report can be generated from time to time.

B. GENERATION AND PRINTING OF COC. - If all the expected clustered precincts have been uploaded, the Board shall generate the COC. For this purpose, the CCS operator shall:

- 1) Under the Canvassing category, click the "CANVASSING MANAGEMENT" option in the HOME PAGE;
- 2) Click on the "CERTIFICATE OF CANVASS" option found on the left panel. The list of positions will be displayed on the right panel;
- 3) Select the position/positions to generate COC by clicking on the checkbox beside the position title under the Contest Name header. To select ALL positions, click the checkbox beside the "CONTEST NAME" header. Once any check box was clicked, this will enable the "GENERATE" button;
- 4) Request any two (2) members of the Board, to insert their USB tokens, one at a time and enter their username and security key password in the space provided, and thereafter, click "OK" button;
- 5) Click on "GENERATE" button located at the bottom of the screen.
- 6) The CCS shall generate and display the COC. Scroll down to view the COC;

- 7) Print the COC by clicking on the printer icon, then type "30" in space provided for the number of copies to be printed. Then click "OK";
- 8) Click on "BACK" button located at the bottom portion of the screen and the screen will return to the previous page.

VI. GENERATION AND PRINTING OF CONSOLIDATED STATEMENT OF VOTES (SOV)

- a) Under the Canvassing category, click the "CANVASSING MANAGEMENT" option in the HOME PAGE;
- b) From the left panel, scroll down and click the "CONSOLIDATED STATEMENT OF VOTES (SOV)". The list of positions will be displayed on the right panel;
- c) Request one(1) member of the Board, to insert his/her security token in the USB slot, one at a time, enter his/her username and security key password in the space provided, and thereafter, click "OK" button;
- d) Select the position/positions to generate SOV by clicking on the checkbox beside the position title under the Contest Name header. To select ALL positions, click the checkbox beside the "CONTEST NAME" header. Once any checkbox was clicked, this will enable the "GENERATE" button;
- e) Click on "GENERATE" button located at the bottom portion of the screen;
- f) Wait until the print preview of the SOV is displayed. Click on the printer icon, then type "1" in the space provided for the number of copies. Then click PRINT button;
- g) Click "BACK" button to return to the previous page.

VII. PRINTING OF AUDIT LOG

The CCS operator shall:

- a) Exit the BOC Profile. Click on the blue triangular icon found at the top leftmost portion of the screen, to display the hidden side panel on the portion of the screen;
- b) Click "END SESSION" option from the menu. A confirmation message displays on the screen, click "OK";
- c) Type the username and password of the Profile;

- d) Under the Monitoring category, click the "CONTROL PANEL" option in the HOME PAGE;
- e) Under the EVENTS tab, the contents will be displayed on the screen by default.
- f) The screen will display the logs of the CCS;
- g) Click the "PRINT " button at the bottom of the screen;
- h) The Print window shall be displayed. Enter the number of copies in the space provided and click PRINT button;

VIII. BACK-UP

After all the results have been successfully imported, the CCS Operator shall;

- a) Insert a blank disc in the CD drive;
- b) Under the Data Handler category, click the "BACKUP RESULTS" in the HOME PAGE;
- c) Click the green icon corresponding to the BACKUP RESULTS;
- d) Wait until the back-up process is finished;
- e) Remove the CD from the CD drive;
 - 1) Place inside an envelope provided for the purpose and seal the same;
 - 2) Label the envelope "IMPORTED" to show that the results have been loaded;
 - 3) Indicate in the envelope the name of the Post; and
 - 4) Sign the envelope.
- f) Repeat steps "a" to "e" to back-up the files in two (2) additional discs.
- g) Turn-over the envelopes containing the CDs to the Chairman of the Board who shall thereafter submit said envelopes, as follows:
 - 1) One (1) envelope to the Congress of the Philippines sitting in joint session as the National Board of Canvassers for President and Vice-President;
 - 2) One (1) envelope to the Reception and Custody Group of the National Board of Canvassers for Senator and Party-list; and
 - 3) One (1) envelope to the OFOV which shall in turn submit the same to the Election Records and Statistics Department, Commission on Elections, Manila.

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IX. SHUTTING DOWN THE CCS. After printing all the reports, the following shall be undertaken:

- a) Click on the blue triangular icon found at the top leftmost portion of the screen, to display the hidden side panel on the left portion of the screen;
- b) Click "END SESSION" option from the menu. A confirmation message displays on the screen, click "OK";
- c) Click the power button and wait for the laptop to shutdown completely;
- d) Turn-over CCS laptop to the CCS Operator.

X. POST PRINT ACTIVITIES. Immediately after printing copies of the COCs and SOVs, the Board shall:

- a) Affix their signatures and thumb marks on the printed COCs and SOVs;
- b) Ask the watchers present to affix the signatures and thumb marks on the printed COCs and SOVs;
- c) The Chairman of the Board shall publicly announce the total number of votes received by each candidate, stating their corresponding offices;
- d) The Member-Secretary shall announce the posting of the COCs on the wall within the premises of the canvassing area; and
- e) The Member-Secretary shall place all reports in the corresponding envelopes with paper seals.

ARTICLE II DISTRIBUTION OF THE COCs and SOVs

Sec. 3. Distribution of COCs and SOVs. – Upon completion of the canvass, the Chairman of the Board or his/her duly authorized representative shall distribute the COC as follows:

- a) The first copy supported with SOV and CD, shall be delivered to the Congress for use in the canvassing of results for President and Vice-President;
- b) The second copy supported with SOV and CD, shall be delivered to the Commission for use in the canvassing of results for Senator and Party-List;
- c) The third copy supported with SOV and CD shall be kept by the Chairman of the Board;

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d) The fourth copy shall be posted on a wall within the premises of the canvassing center;

e) The fifth copy shall be given to the PPCRV who shall furnish the independent candidates copies of the COC at the expense of the requesting party;

f) The sixth and seventh copies shall be given to the dominant majority and minority parties;

g) The eighth to seventeenth 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;

h) The eighteenth and nineteenth 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 or Republic Act No. 7166 ;

i) The twentieth to the twenty-fourth copies, to national broadcast or print media entities as may be equitably determined by the Commission with the end in view of propagating the copies to the widest extent possible;

j) The twenty-fifth and twenty-sixth copies, to local broadcast or print media entities as may be equitably determined by the Commission with the end in view of propagating the copies to the widest extent possible; and

k) The twenty-seventh 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 Batasan Pambansa Blg. 881. Such citizens' arm, groups, and organizations may use three certified copies or ERs for the conduct of citizens' quick count at the local or national levels.

The first, second and third copies of the COC shall be supported by the CDs used to back-up the consolidated results, and shall be placed individually in an envelope duly sealed.



ARTICLE III
POST CANVASSING PROCEDURES

Sec. 4. Personal delivery of the COC, SOV, back-up CD, minutes of the proceedings, copies of the Election Returns and Main Back SD cards. – The Chairman of the Board or his representative shall personally submit the following:

- a. First copy of the COC, together with SOV, back-up CD, and copies of the election returns to the Congress sitting in joint session as the National Board of Canvassers for President and Vice-President through the Senate President;
- b. Second copy of the COC, together with the SOV, back-up CD, and election returns, to the Commission En banc sitting as the National Board of Canvassers for Senator and Party-list;
- c. Copies of the Election Returns intended for the Commission, Main and Back-up SD cards of the VCMs, and Minutes of the Canvassing of the SBOC copy for the Law Department, to the OFOV which shall in turn submit the copies to the Law Department and ERSD. For this purpose, the OFOV shall maintain a reception group at the venue where the Commission *En Banc*, sitting as National Board of Canvassers for Senator and Party-list, will convene.

Sec . 5. Administrative matters to be observed by Chairmen of the SBOC or their representatives, who shall personally deliver the COC, SOV, back-up CDs, main and back-up SD cards for the VCMs, Minutes of Canvassing (Copy for the Law Department), copies of Election Returns (Copies for the Commission) and other election documents to Manila. – A. Prior to Departure from the Post:

1. They shall turn over all records and documents, used or unused, to the custody of the SBRCG at the Post, in accordance with the guidelines issued by the Commission. These shall be properly acknowledged by the SBRCG.
2. They shall secure a Certificate of Completion of Canvassing from the Heads of Posts indicating the following:
 - Date the canvassing commenced;
 - Date the canvassing ended;
 - Date when the Chairman of the Board left at the Post

If the Chairman of the Board or representative is the Head of the Post, the certificate shall be accomplished by the second highest foreign service official thereat.

3. Travelling through the most direct flight route, they shall immediately depart within the day or at the latest, a day after the completion of canvassing proceedings.



Any deviation from the scheduled flight or re-booking which is not allowed by the Commission shall be for the personal account of the concerned Chairman of the Board or his representative.

B. Upon Arrival in Manila:

- a) They shall be assisted by DFA-OVS representative in going to the National Boards of Canvassers to deliver the COCs and other documents mentioned above. If they have their own private vehicles, they shall likewise be accompanied by DFA-OVS representative.
- b) Within the same day of their arrival, they shall submit to the Reception Group of OFOV the following:
 1. The photocopy of their plane ticket. As soon as they return to their Posts, the SBOC Chairs should send to OFOV through the fastest available means the used plane ticket;
 2. Copy of the Travel Authority; and
 3. Certificate of Completion of Canvassing issued by the Heads of Posts where they were appointed Chairmen of SBOC.
- c) They shall be issued Certificates of Appearance and Submission (CAS) by the OFOV upon receipt of the documents identified therein.
- d) They shall be brought to the DFA, after submission of the documents, if they were fetched from the airport using the Commission's vehicle. Those with personal vehicles can also leave as soon as they submit the documents.
- e) In all probability, COC will be canvassed on the same day of submission, the latest being the following day if the Chairman of the Board arrives in the evening.
- f) They shall be given honoraria of US\$ 200 per day of canvassing which should ideally not exceed five (5) days inclusive of travel time to Manila until submission of the ERs and COCs. For purposes of OV, their duties as Chairperson of the Board shall commence on **May 9, 2016**.

**ARTICLE IV
COUNSEL/WATCHERS**

Sec. 6. Right to be present and to counsel. - Every candidate for President, Vice-President, Senator, registered political party and party-list group, has the right to be present and to counsel during the canvass of the election returns: Provided, that if there

are two (2) or more counsels, only one (1) may argue for each candidate or party. No dilatory action or tactics shall be allowed by the Board.

Sec. 7. Watchers during canvass. - Every registered political party fielding candidates for President, Vice-President and Senator and party-list group shall be entitled to one (1) watcher at any given time in every canvassing center.

The citizens' arm of the Commission, and civic, religious, professional, business, service, youth and other similar organizations shall collectively, and upon prior authority of the Chairman of the OFOV, be entitled to one (1) watcher at any given time.

However, if there is no sufficient space for all watchers to be accommodated, preference shall be given to the watchers of the dominant majority and dominant minority parties as determined by the Commission, one (1) common watcher for the independent candidates, one (1) common watcher for the accredited citizens' arm and one (1) common watcher for accredited OFW organizations.

The watchers shall have the right to:

- a. Be present at, and take note of, all the proceeding of the Board; and
- b. File the appropriate protest against any alleged irregularity noted and obtain from the Board a resolution thereon in writing.

Watchers shall not be allowed to participate in the deliberation of the Board. A person convicted by final judgment of any election offense or of any other crime, or who is related to any member of the Board within the fourth civil degree of consanguinity or affinity shall not be appointed as watcher.

Sec. 8. Persons not allowed inside the canvassing room. - During the canvass, it shall be unlawful for any person carrying any firearm or deadly weapon to enter the room where the canvass is being held or stay within a radius of fifty (50) meters from such room.

ARTICLE V ELECTION OFFENSES; ELECTORAL SABOTAGE

Sec. 9. Election offenses/prohibited acts. - I. Under Sec. 261 of Batas Pambansa Blg. 881-

aa) On Canvassing:

1) Any Chairman of the Board of canvassers who fails to give due notice of the date, time and place of the meeting of said Board to the candidates, political parties and/or members of the Board.

2) Any member of the Board of canvassers who proceeds with the canvass of the votes and/or proclamation of any candidate which suspended or annulled by the Commission.

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3) Any member of the Board of canvassers who proceeds with the canvass of votes and/or proclamation of any candidate in the absence of quorum, or without giving due notice of the date, time and place of the meeting of the Board to the candidates, political parties, and/or other members of the Board.

4) Any member of the Board of canvassers who, without authority of the Commission, uses in the canvass of votes and/or proclamation of any candidate any document other than the official copy of the election returns.

bb) Common to all Boards of election inspectors and Boards of canvassers:

1) Any member of any Board of election inspector or Board of Canvassers who deliberately absents himself from the meetings of said body for the purpose of obstructing or delaying the performance of its duties or functions.

2) Any member of any Board of election inspectors or Board of canvassers who, without justifiable reason, refuses to sign and certify any election form required by this Code or prescribed by the Commission although he was present during the meeting of the said body.

3) Any person who, being ineligible for appointment as member of any Board of election inspectors or Board of canvassers, accepts an appointment to said body, assumes office, and actually serves as a member thereof, or any of public officer or any person acting in his behalf who appoints such ineligible person knowing him to be ineligible.

4) Any person who, in the presence or within the hearing of any Board of election inspectors or Board of canvassers during any of its meetings, conducts himself in such a disorderly manner as to interrupt or disrupt the work or proceedings to the end of preventing said body from performing its functions, either partly or totally.

5) Any public official or person acting in his behalf who relieves any member of any Board of election inspectors or Board of canvassers or who changes or causes the change of the assignments of any member of said Board of election inspectors or Board of canvassers without authority of the Commission.

II. Under Republic Act No. 9189 "Overseas Absentee Voting Act of 2003" as amended.

1) For any officer or employee of the Philippine government to influence or attempt to influence any person covered by the Overseas Absentee Voting Act of 2003 to vote or not to vote, for a particular candidate.

2) For any person to deprive any person of any rights secured under the Overseas Absentee Voting Act of 2003, or to give false information as to his/her name, address, or period of residence for the purpose of establishing his/her eligibility or ineligibility to register or vote under the Overseas Absentee Voting Act of 2003; or to conspire with another person for the purpose of encouraging the giving of false information in order to establish the eligibility or ineligibility of any individual to register or vote under the Overseas Absentee Voting Act of 2003; or to pay, or offer to pay, or to accept payment either for applications to vote *in absentia* or for voting.

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3) For any person tamper with the ballot, the mail containing the ballots for overseas absentee voters, the Overseas Absentee Voting Election Returns, including the destruction, mutilation and manipulation thereof.

4) For any person to steal, destroy, conceal mutilate or alter any record, document or paper as required for purposes of the Overseas Absentee Voting Act of 2003.

5) For any deputized agent to refuse without justifiable ground, to serve or continue serving, or to comply with his/her sworn duties after acceptance of his/her appointment.

6) For any public officer or employee who shall cause the preparation, printing distribution of information materials, or post the same in websites without prior approval of the Commission.

7) For any public officer or employee to cause the transfer, promotion, extension, recall of any member of the foreign service corps, including, members of attached agencies, or otherwise cause the movement of any such member from his/her current post or position one (1) year before and three (3) months after the day of elections, without securing prior approval of the Commission.

8) For any person who, after being deputized by the Commission to undertake activities in connection with the implementation of the Overseas Absentee Voting Act of 2003, shall campaign for or assist, in whatever manner, candidates in the election;

9) For any person to engage in partisan political activity abroad during the thirty (30)-day overseas voting period;

10) For any person who is not a citizen of the Philippines to participate, by word or deed, directly or indirectly through qualified organizations/associations, in any manner and at any stage of the Philippine political process abroad, including participation in the campaign and elections.

The provision of existing laws to the contrary notwithstanding, and with due regard to the Principle of Double Criminality, the prohibited acts above are electoral offenses and punishable in the Philippines.

III. Under R.A. 9369, "An Act Amending R.A. 8463, Authorizing the Commission to use Automated Election System":

1) 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;

2) Any person who simulates an actual COC or SOVP, or a print or digital copy thereof;

3) Any person who simulates the certification of a COC or SOVP;

4) The chairman or any member or the Board of canvassers who, during the prescribed period of posting, removes the COC or its supporting SOVP from the wall on which they have been posted other than for the purpose of immediately transferring them to a more suitable place;

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5) The chairman or any member or the Board of canvassers who signs or authenticates a print of the COC or its supporting SOVP outside of the canvassing area;

6) 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 SOVP produced after canvassing and posted on the wall; and

7) Any person or member of the Board of election inspectors or Board of canvasser who tampers, increases or decreases the votes received by a candidate in any election or many 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.

IV. ELECTORAL SABOTAGE: The act or offense committed in any of the following instances shall under the category of electoral sabotage:

a) 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 elections 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 losing candidates/s is/are made to appear the winner/s;

b) 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 result of the election;

c) Any and all 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 individual determined to be in conspiracy or in connivance with the members of the SBEIs or SBOCs involved, shall be meted the same penalty of life imprisonment.

Sec. 10. Penalties.— Any person found guilty of committing any of the prohibited acts except those enumerated in Section 41 (IV) hereof, shall be punished with imprisonment of not less than one (1) year but not more than six (6) years and shall not

be subject to probation. In addition, guilty party shall be sentenced to suffer disqualification to hold public office and deprivation of the right of suffrage.

The penalty of prison mayor in its minimum period shall be imposed upon any person found guilty of tampering with the ballot, the mail containing the ballots for overseas voters, the overseas voting election returns, including the destruction, mutilation and manipulation thereof, without the benefit of the operation of the indeterminate Sentence Law. If the offender is a public officer or a candidate, the penalty shall be prison mayor in its maximum period. In addition, the offender shall be sentenced to suffer perpetual disqualification to hold public office and deprivation of his /her right to vote.

ARTICLE VI ROLE OF GOVERNMENT AGENCIES

Sec. 11. Assistance from government agencies. - a) All government offices, particularly the department of Foreign Affairs, Department of Labor & Employment, Department of Transportation and Communication, Philippine Postal Corporation, Philippine Overseas Employment administration, Overseas Worker's Welfare Administration, Commission on Overseas Filipinos, The Foreign Service Institute, The Social Security System and other government agencies concerned with the welfare of Filipino overseas shall, to the extent compatible with their primary responsibilities, assist and give the Commission the fullest support in the implementation of the Overseas Voting Act of 2003.

The One Country Team Approach provided under Republic Act No. 8042 (Migrant Workers and Overseas Filipinos Act of 1995), as enunciated under Executive Order No. 74, series of 1993, shall apply in the implementation of the Overseas Voting Act of 2003 insofar as it does not conflict with the constitutional mandate of the Commission to have exclusive charge of the enforcement, administration and implementation of election laws.

Sec. 12. Access to official records and documents. - Subject to the pertinent provisions of the Overseas Absentee Voting Act of 2003 and these Rules, any person shall have the right to access and/or copy at his/her expense all registration records, voters' lists and others official records and documents, subject to payment of prescribed charges.

Sec. 13. Security measures to safeguard the secrecy and sanctity of the ballots. - In the interest of transparency, all necessary and practicable measures shall be adopted to allow representation of the candidates, accredited major political parties, accredited citizens' arms and non-government organizations to assist, and observe in all stages of the electoral exercise to prevent any and forms of fraud and coercion and ensure free, honest, orderly peaceful and credible election.

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Sec. 14. Applicability of other election laws. - The pertinent provisions of the Omnibus Election Code, as amended and other election law, which are not in conflict with the provisions of the Overseas Absentee Voting Act of 2003 as amended shall remain in full force, and shall have suppletory application of these Rules.

Sec. 15. Enforcement and administration by the Commission. - The Commission, for the purpose of ensuring honest, orderly, peaceful and free elections abroad, shall have exclusive charge of the enforcement, administration and implementation of the Overseas Absentee Voting Act of 2003 as amended.

Sec. 16. Dissemination. - The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspaper of general circulation in the Philippines and to furnish the Department of Foreign Affairs, Department of Labor and Employment, Department of Transportation and Communication, Philippine Postal Corporation, Philippine Overseas Employment Administration, Overseas Worker`s Welfare Administration, Commission on Overseas Filipinos, the Foreign Service Institute, the Social Security System and other government agencies concerned with the welfare of Filipinos overseas.

Sec. 17. Effectivity. - These General Instructions shall take effect immediately after publication in two (2) newspapers of general circulation in the Philippines.

SO ORDERED.



J. ANDRES D. BAUTISTA
Chairman



CHRISTIAN ROBERT S. LIM
Commissioner

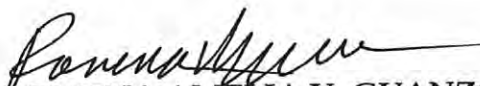


AL A. PARRENO
Commissioner



LUE TITO F. GUIA
Commissioner

On Official Business
ARTHUR D. LIM
Commissioner



MA. ROWENA AMELIA V. GUANZON
Commissioner



SHERIFF M. ABAS
Commissioner

