



Republic of the Philippines
COMMISSION ON ELECTIONS
 Manila

IN THE MATTER OF FURTHER AMENDING PROVISIONS OF THE GENERAL INSTRUCTIONS FOR THE CONDUCT OF RANDOM MANUAL AUDIT (RMA) FOR THE 9 MAY 2016 AUTOMATED SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND SUBSEQUENT ELECTIONS THEREAFTER.

BAUTISTA, J. Andres D., *Chairman*
 LIM, Christian Robert S., *Commissioner*
 PARREÑO, Al A., *Commissioner*
 GUIA, Luie Tito F., *Commissioner*
 LIM, Arthur D., *Commissioner*
 GUANZON, Ma. Rowena Amelia V., *Commissioner*
 ABAS, Sheriff M., *Commissioner*

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RESOLUTION NO. 10109

WHEREAS, the Commission promulgated Resolution No. 10078 on 11 March 2016 entitled *In the Matter of the General Instructions for the Conduct of Random Manual Audit (RMA) for the 9 May 2016 Automated Synchronized National and Local Elections and Subsequent Elections Thereafter*;

WHEREAS, the Commission promulgated Resolution No. 10090 on 13 April 2016 entitled *In the Matter of the Amendments to the General Instructions for the Conduct of Random Manual Audit (RMA) for the 9 May 2016 Automated Synchronized National and Local Elections and Subsequent Elections Thereafter* for purposes of encouraging increased public participation in the conduct of RMA through a change of venue from the polling place of the randomly selected clustered precinct to an RMA Center;

WHEREAS, for purposes of increasing efficiency, securing quality of results, and focused public participation in the conduct of RMA, the time of conduct of RMA has been moved to the morning of the day after Elections;

WHEREAS, in order to streamline the process of the conduct of RMA due to the amendments herein contained and in Resolution No. 10090, there is a need to amend relevant parts of Resolution No. 10078;

NOW THEREFORE, pursuant to the powers vested in it by the Constitution and other existing laws, the Commission **RESOLVED**, as it hereby **RESOLVES** to further promulgate the following **amendments** to the General Instructions for the conduct of Random Manual Audit relative to the 9 May 2016 National and Local Elections and subsequent elections thereafter:

SECTION 1. Section 3 is hereby amended to read as follows:

SECTION 3. *Powers and Functions of the RMA.* -

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a) Conduct the RMA in the RMA Center to which they were assigned by the Coordinator at 7:00 o' clock in the morning the day after Elections; provided that RMAT may so choose upon majority vote conduct the RMA at a later time in accordance with Section 6 hereof.

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c) During the conduct of the RMA, maintain peace and order within the RMA Center and its premises, keep access thereto open and unobstructed, and enforce obedience to its lawful orders. If any person refuses to obey the lawful orders of the RMAT, or conducts himself/herself in a disorderly manner in its presence or within its proceeding, or interrupts or disturbs the same, RMAT may issue an Order in writing directing any peace officer to take such person into custody until adjournment of the RMA.

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SECTION 2. Section 4 is hereby amended to read as follows:

SECTION 4. *Honoraria of the RMAT Members.* – The honorarium for each RMAT member shall be Three Thousand Pesos (Php3,000.00) which shall cover their remuneration for services rendered in performing the RMA, in addition to their meal allowance and their transportation allowance.

SECTION 3. Section 5 is hereby amended to read as follows:

SECTION 5. *Selection Process of Areas to be Audited.* –

a) Random selection of the municipality/city from which the clustered precinct/s to be audited per legislative district shall be done at 12:00 o' clock noon on the day of the Elections. Random selection of the clustered precinct/s to be audited per legislative district shall be done at 6:00 o' clock in the morning the day after Elections by the RMA Committee.

The List of Specific Municipality/City shall be disclosed at 2:00 o'clock in the afternoon on the day of the Elections. The List of Specific Clustered Precinct/s per legislative district that will undergo RMA shall be disclosed at 7:00 o' clock in the morning the day after Elections.

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c) The selection of the municipality/city and clustered precinct/s per legislative district will be open for observation of *bona fide* Candidates, Registered Political Parties and Accredited Citizens' Arm Groups.

d) The RMA Committee shall inform all Coordinators of the specific list of municipality/city and randomly selected clustered precinct/s per legislative

district to ensure the following: a) the effective dissemination of information to the Municipal/City Treasurer to turn-over the ballot box to the RMAT members at the RMA Center; and b) the effective conduct of RMA.

SECTION 4. Section 6 is hereby amended to read as follows:

SECTION 6. *Date, Time and Place of RMA.* –

a) The RMA shall take place in the RMA Center/s to be designated by the RMA Committee. The RMA Center/s shall, as far as practicable, be situated in a secure location within the city or municipality of the randomly selected clustered precinct/s. In exceptional circumstances, such as but not limited to peace and order considerations, the RMA Committee shall have the authority to designate an RMA Center in a secure location other than within the city/municipality of the randomly selected clustered precinct/s.

b) The RMA shall be conducted at 7:00 o' clock in the morning the day after Elections.

c) The RMA shall be conducted in the presence of Poll Watchers, Registered Political Parties Citizens' Arm Groups, Media and the Public.

d) Upon commencement of the RMA until the same is terminated, the regular BEI shall not be allowed inside the RMA Center or to communicate with RMAT in whatever manner.

The RMAT may choose, upon majority vote, to postpone the conduct of RMA only upon exceptional circumstances such as:

a. the RMA Center is affected by a power interruption;

b. fire and any other calamity in the RMA Center or within the immediate area;

c. occurrence of violence in the RMA Center or within the immediate area; and

d. other circumstances analogous to the foregoing.

In such event, the RMAT shall immediately conduct RMA upon cessation of the cause of postponement. The RMAT shall appraise the present Poll Watchers of their decision and notify the Coordinator, who shall make arrangements for the security of the sealed ballot box and the place for the RMA. The RMAT shall moreover submit a Report to the RMA Committee regarding their decision, the arrangements for the security of the sealed ballot box and the place for the RMA.

In the event of the existence of circumstances other than those enumerated above, which would negatively impact the conduct of RMA, the RMAT, upon majority vote, shall submit a Request to postpone conduct of the RMA for approval of the RMA Committee.

SECTION 5. Section 7 is hereby amended to read as follows:

SECTION 7. *Deployment of the RMA and Turn-over of Ballot Boxes.* –

- a) Not later than the end of the day of Elections, the Coordinator shall be responsible for the speedy dissemination of the Appointment Papers and RMA Kits to the Office of the Election Officers of the selected municipality/city for final distribution to the assigned RMA members in his/her jurisdiction. The Coordinator shall likewise assign the RMA members to a designated RMA Center within the same period of time.
- b) In the morning of the day after Elections, the RMA members shall accomplish their Appointment Papers and secure their RMA Kit at the Office of the Election Officer of the selected municipality/city.
- c) The RMA members shall proceed to the RMA Center immediately upon accomplishing their Appointment Papers and securing their RMA Kit. The RMA members shall await announcement of the list of specific clustered precinct/s to be audited per legislative district in the RMA Center.
- d) Upon arrival at the RMA Center, the RMA members shall organize their workstation/s in an orderly manner. The RMA members shall take out all forms in their RMA Kit.

The Chairman shall take in his/her possession the three (3) copies of the Minutes of the RMA. The Secretary shall hold the six (6) copies of the Audit Returns. The Third Member shall post the Tally Board in its proper place.

After receiving information on the randomly selected clustered precinct/s to be audited, the RMA, with the assistance of the Office of the Election Officer of the selected municipality/city, shall retrieve the ballot box of the randomly selected clustered precinct/s from the Municipal/City Treasurer. The Coordinator shall ensure proper coordination among the RMA, the Office of the Election Officer of the selected municipality/city and the Municipal/City Treasurer for the retrieval of the ballot box.

SECTION 6. Section 11(b) is hereby amended to read as follows:

SECTION 11. *Minutes and Audit Returns of RMA.* –

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Audit Returns:

- a) The Secretary shall accomplish six (6) copies of the Audit Returns by accurately entering therein the votes obtained by each candidate.
- b) Copies of the Audit Returns shall be signed by all RMA members and sealed in separate clearly labelled envelopes for distribution, as follows:
- b.1. The original copy shall be deposited inside the ballot box.
 - b.2. One (1) intended for the Commission shall be delivered to the Coordinator who shall forward the same to the Records and Statistics Division (RSD) of the Election Records and Statistics Department (ERSD), COMELEC, Intramuros, Manila.

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b.3. One (1) intended for the RMA Committee shall be delivered to the Coordinator who shall forward the same to the Records and Statistics Division (RSD) of the Election Records and Statistics Department (ERSD), COMELEC, Intramuros, Manila. ERSD shall then forward the same to the command center of RMA Committee.

b.4. One (1) copy for the Dominant Majority Political Party.

b.5. One (1) copy for the Dominant Minority Political Party.

b.6. One (1) copy for the Accredited Citizens' Arm Group authorized to assist the Commission in conducting RMA.

The Accredited Citizens' Arm Group referred to in the preceding paragraph shall, upon request, furnish copies of the Audit Returns to the Accredited Citizens' Arm Group authorized by the Commission on Elections to receive one of the first eight copies of the Election Returns and to conduct an unofficial parallel count.

SECTION 7. Section 13(e) is hereby amended to read as follows:

SECTION 13. *Discrepancy Between AES and RMA.* - In the event of discrepancy between the AES and RMA results still exceeds the allowable margin of an aggregate difference of ten (10) votes, the RMA Committee, with the assistance of the Validation Personnel, shall:

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e. Return the box to the concerned City/Municipal Treasurer in case the finding is that the discrepancy does not actually exist or a mere mathematical error;

In the event of a finding that the discrepancy actually exists or is not due to mere mathematical error, the RMA Committee shall have the authority to resort to other available documents, such as but not limited to the picture images of the ballots or the Voter Verified Paper Audit Trail, for determination of the possible cause of discrepancy.

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SECTION 8. *Effectivity and Dissemination.* - This Resolution shall take effect immediately upon its publication in two (2) daily newspapers of general circulation in the Philippines.

The Education and Information Department shall cause the publication of this Resolution and shall furnish copies thereof to all Regional Election Directors, Provincial Election Supervisors and Election Officers, as well as to Commission on Elections Accredited Citizens' Arm Group authorized to receive one of the first eight copies of the Election Returns and to conduct unofficial parallel count.

SO ORDERED.


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J. ANDRES D. BAUTISTA
Chairman




CHRISTIAN ROBERT S. LIM
Commissioner



AL A. PARRENO
Commissioner



LUIS TITO F. GUIA
Commissioner



ARTHUR D. LIM
Commissioner



MA ROWENA AMELIA V.
GUANZON
Commissioner



SHERIFF M. ABAS
Commissioner

COMELEC RESOLUTION NO. 10109 promulgated May 3, 2016
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