



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

**GENERAL INSTRUCTIONS
FOR THE CONSTITUTION,
COMPOSITION AND
APPOINTMENT; DUTIES
AND FUNCTIONS OF THE
MEMBERS OF THE
ELECTORAL BOARDS AND
BARANGAY BOARD OF
CANVASSERS IN
CONNECTION WITH THE
CONDUCT OF THE 30
OCTOBER 2023 AUTOMATED
BARANGAY AND
SANGGUNIAN KABATAAN
ELECTIONS.**

GARCIA, George Erwin M.	<i>Chairperson</i>
INTING, Socorro B.,	<i>Commissioner</i>
CASQUEJO, Marlon S.,	<i>Commissioner</i>
FEROLINO, Aimee P.,	<i>Commissioner</i>
BULAY, Rey E.,	<i>Commissioner</i>
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Ferdinand P., Jr.	
CELIS, Nelson J.	<i>Commissioner</i>

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Promulgated: June 21, 2023

RESOLUTION No. 10933

WHEREAS, on 12 April 2023, the Commission on Elections (Commission) issued Minute Resolution No. 23-0239, approving the Operational Plan for the Pilot Testing of the Automated Barangay and Sangguniang Kabataan Elections in Barangay (BSKE) Zone II, Poblacion and *Paliparan III, Dasmariñas City, Cavite*; and in Barangay *Pasong Tamo, Quezon City-6th District*;

WHEREAS, on 24 May 2023, the Commission on Elections (Commission) issued Minute Resolution No. 23-0331, approving the Revised Budget to cover the expenses for the conduct of the Pilot Testing of the Automated BSKE;

WHEREAS, there is a need to provide rules and General Instructions for the Constitution, Composition and Appointment of the Electoral Boards (EB), EB Support Staff, Department of Education Supervising Officer (DESO), DESO Support Staff, Barangay Board of Canvassers (BBOC), BBOC Support Staff, members of the Reception and Custody Group (RCG), and Consolidation and Canvassing System Operator (CCSO) in pilot areas;

NOW THEREFORE, pursuant to its authority under the Constitution, the Omnibus Election Code, Republic Act Nos. 9164¹, 9340², 9369³, 10632⁴, 10742⁵, 10756⁶, and other election laws, the Commission on Elections **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following General Instructions on the Constitution, Composition and Appointment of the members of the Electoral Boards and Barangay Board of Canvassers.

ARTICLE I

PILOT AREAS OF THE AUTOMATED BSKE

SECTION 1. The Automated BSKE shall be pilot tested in the following barangays:

1. Zone II, *Poblacion, Dasmariñas City*, Cavite, Region IV-A;
2. *Paliparan III, Dasmariñas City*, Cavite, Region IV-A; and
3. *Pasong Tamo, Quezon City-6th District*, National Capital Region.

ARTICLE II

CONSTITUTION, COMPOSITION, AND APPOINTMENT OF ELECTORAL BOARDS, DESO, AND SUPPORT STAFF

SECTION 2. Scope. - This Article shall apply to the Constitution, Composition, and Appointment of the EBs, DESO, and their respective Support Staff.

SECTION 3. Electoral Board. - There shall be an EB for every clustered precinct.

SECTION 4. Authority to Constitute and Appoint the Members of the Electoral Board. - The Commission, through the Election Officers (EOs) of *Dasmariñas City* and 6th District of *Quezon City*, shall constitute and appoint, not later than **09 September 2023**, Saturday, the EBs for every clustered precinct in the concerned barangay or city, in a form prescribed by the Commission (CEF No. A5 and A5-A- copies of Appointment and Oath).

Copies of CEF No. 5 and A5-A shall be distributed as follows:

¹ An Act Providing for Synchronized Barangay and Sangguniang Kabataan Elections, Amending Republic Act No. 7160, as Amended, Otherwise Known as the "Local Government Code of 1991", and for Other Purposes.

² An Act Amending Republic Act No. 9164, Resetting the Barangay and Sangguniang Kabataan Elections, and for Other Purposes.

³ An Act Amending Republic Act No. 8436, Entitled "An Act Authorizing the Commission on Elections to Use an Automated Election System in the May 11, 1998 National or Local Elections and in Subsequent National and Local Electoral Exercises, to Encourage Transparency, Credibility, Fairness and Accuracy of Elections, Amending for the Purpose *Batas Pambansa Blg. 881*, as Amended, Republic Act No. 7166 and Other Related Elections Laws, Providing Funds Therefor and for Other Purposes".

⁴ An Act to Postpone the Sangguniang Kabataan Elections on October 28, 2013, Amending for the Purpose Republic Act No. 9340, and for Other Purposes.

⁵ An Act Establishing Reforms in the Sangguniang Kabataan Creating Enabling Mechanisms for Meaningful Youth Participation in Nation-Building, and for Other Purposes.

⁶ An Act Rendering Election Service Non-Compulsory for Public School Teachers, Authorizing the Appointment of Other Qualified Citizens, Providing for Compensation and Other Benefits.

- a) The first and second copies shall be retained by the EO. One copy shall be for filing and the other shall be attached to the payroll for payment of honorarium of the EB; and
- b) The third copy shall be issued to the Chairperson and members of the EB concerned.

SECTION 5. Composition of the Electoral Board. - The EB shall be composed of a Chairperson, Poll Clerk, and Third Member.

In all cases, the EO shall ensure that at least one (1) member of the EB is an Information Technology-capable person trained for the purpose, and certified as such by the Department of Science and Technology (DOST) during the last 2022 National and Local Elections.

As far as practicable, women EB members may not be assigned in areas with security concerns or areas likely to cause gender-based violence or to result in physical, sexual, or psychological harm.

SECTION 6. Right of Preference. - In the appointment of the members of the EB, the EO shall give preference to public school teachers who are qualified, willing, and available to render election-related services.

For this purpose, the highest DepEd official, in *Dasmariñas* City and Quezon City shall submit to the EO a certified list of public-school teachers and substitutes who are qualified, willing, and available to render election-related services within five (5) days upon request, based on the Project of Precincts (POP). The EO shall give preference to those with permanent appointments and those who served in the 2022 National and Local Elections (see Annexes "A" and "A-1"). The request shall be accompanied by a copy of the POP.

The number of substitutes shall be 20% of the total number of members of the EBs to be appointed (*i.e.*, 10 clustered precincts x 3 = 30 x 20% = 6. Hence, there should be 6 substitutes for 10 clustered precincts).

In the preparation of such list, the DepEd officials shall exercise due diligence to ensure that the persons appearing in the said list are indeed public-school teachers, who are qualified, willing, and available to serve as members of the EB. The list is for recommendatory purposes only.

Within three (3) days from receipt of the list, the EO shall immediately conduct verification on the qualifications of the persons appearing in the said list based on the qualifications set forth in the immediately succeeding section.

Public-school Teachers not included in the list, who are qualified, willing and available, may apply directly to the concerned EO.

SECTION 7. Qualifications of Members of the Electoral Board. - No person shall be appointed as a Member of the EB, whether regular, temporary, or as a substitute, unless such person is:

- a. Of good moral character;
- b. Of irreproachable and impeccable reputation;
- c. Of known integrity and competence;
- d. A registered voter;
- e. Has never been convicted of any election offense or of any crime punishable by more than six (6) months of imprisonment, or has no pending *Information* for any election offense; and
- f. Able to speak and write Filipino and/or English.

Preference shall be given to individuals who are fully-vaccinated and without comorbidities.

SECTION 8. Disqualification of Members of the Electoral Board. - No person shall be appointed as a member of the EB if said person is related, within the fourth (4th) civil degree of consanguinity or affinity, to any member of the same EB, or to any candidate to be voted for in the polling place of assignment, or to the said candidate's spouse.

SECTION 9. Notice of Disqualification. - The Chairperson or any member of the EB who is disqualified to serve for any reason shall immediately notify, in writing, the concerned EO.

SECTION 10. Posting of the List of the Constituted Members of the Electoral Board. – One (1) day after the constitution of the EB, the list of the constituted members and substitutes shall be posted for five (5) days on the bulletin boards in the Office of the EO (OEO) and concerned barangay hall.

The procedure for Opposition to the Designated Members of the EB under Section 11 of Resolution No. 10727⁷ shall be observed if there is any such opposition with respect to the qualification of any member of the EB.

SECTION 11. Appointment of Public School Teachers as Substitutes. - In case of disqualification of a member of the EB, the concerned EO shall appoint a substitute who is qualified, willing, and available.

In the appointment of substitutes, the EO shall observe the procedures in Section 10 of this Resolution.

⁷ Promulgated on 10 November 2021.

If the designation of public-school teachers as substitutes is no longer feasible, other qualified substitutes as enumerated in the succeeding Section may be appointed.

SECTION 12. Grounds for the Appointment of Qualified Substitutes. - In case there are not enough public-school teachers who are qualified, willing, and available, other qualified substitutes may be appointed by the Commission, through the EO, in either of the following cases:

- a. There is a lack of public-school teachers to be constituted as members of the EB based on the certified list submitted by the DepEd official to the EO *vis-a-vis* the number of clustered precincts in the involved barangays; or
- b. One or more of the public-school teachers in the certified list has or have been disqualified by the EO and there are no other public-school teachers in the concerned locality who are qualified, willing, and available to be appointed as substitute/s.

Substitutes shall be on-call on Election Day. The EO shall cause the deployment of a substitute in case any member of the EB fails to report in his/her designated polling place. Except in the following instances when there is a need to fill in a temporary vacancy, the members of the EB who are present, may appoint a qualified non-partisan registered voter, who shall serve until the regular or substitute member appears:

- a. There is considerable distance between the residence of the substitute and the location of the polling place;
- b. Lack or difficulty of means of transportation; or
- c. Inability of the EB to inform the EO of the non-appearance of any of the members.

SEC. 13. Order of Preference. - In case any of the circumstances mentioned in the preceding section exist, the EO may appoint the following persons based on their order of preference, who shall likewise be qualified, willing, and available to render election related service, to wit:

- a. Private school teachers, giving preference to:
 - a.1. Those employed in private schools being utilized by the Commission as voting centers. If the voting center is a public building, private school teachers whose place of employment is within the vicinity may be appointed as members of the EB in that particular area.
 - a. 2. Those teaching in high school or college level, holding regular positions who have previously served as member of the EB.

For this purpose, the highest private school official shall submit to the EO, within five (5) days upon request, a certified list of private school teachers who are qualified, willing, and available to render election-related service (see Annex "B").

b. National government employees;

b.1. DepEd non-teaching personnel;

b.2. Other national government officials and employees holding regular or permanent positions, excluding uniformed personnel of the Department of National Defense (DND), all its attached agencies, and the Philippine National Police (PNP), except as provided under Section 32 of Resolution No. 10727;⁸

c. National Citizens Movement For Free Elections (NAMFREL), Parish Pastoral Council For Responsible Voting (PPCRV), Members of the Commission-accredited citizens' arms or other Civil Society Organizations (CSOs) and Non-Government Organizations (NGOs) duly accredited by the Commission; and

d. Any registered voter of the barangay, of known integrity and competence, who is not connected with any candidate;

d.1. Connection with any candidate shall mean:

d.1.1. relationship within the fourth (4th) civil degree of consanguinity and affinity, including the spouse of the candidate;

d.1.2. supporter;

d.1.3. contributor, donor; or

d.1.4. other analogous cases.

For this purpose, the following persons shall endorse a certified list of their respective personnel, who are qualified, willing, and available to render election-related services, based on the POP to the EO within five (5) days upon request, to wit:

1. The highest official of the private school in the district, city or municipality, in case of letter (a) above. In case there are two or more private schools in the city, the EO shall send a request simultaneously (see Annex "C");
2. The DepEd official mentioned in the 2nd paragraph (b.1.) [see Annex "D"];

⁸ *Id.*

3. The highest official of other national government agencies in the district or city in case of letter “b.2.” above, if any; or
4. The highest officer of authorized representative of the local chapter of the NAMFREL, PPCRV, or other citizens' arms or other CSOs and NGOs duly accredited by the Commission in the district or city, in case of letter “c” above. In case there are two or more organizations in the district or city, the EO shall send the request simultaneously (see Annex "E");

In cases of numbers 1 and 4, the EO shall observe the policy on first-come first-served basis.

The endorsement of the heads of the agencies shall serve as an authority for their respective employees who shall render election-related services to be on official business for purposes of attending trainings or seminars relative to their appointments as members of the EB.

In the preparation of the list, the aforementioned officials shall exercise due diligence to ensure that the persons appearing therein are indeed qualified, willing, and available to render election-related services.

Private school teachers, national government employees, DepEd non-teaching personnel, other national government officials, and employees holding regular or permanent positions, excluding uniformed personnel of the DND and all its attached agencies, and members of the Commission-accredited citizen arms, or other civil society organizations, and non-governmental organizations duly accredited by the Commission, not included in the Lists, who are qualified, willing and available, may apply directly to the concerned EO.

With regard to letter "d" of this Section, the Commission shall provide, free of charge, an application form, which shall be made available at the concerned OEOs for any registered voter who intends to be appointed as a member of the EB. The Information Technology Department (ITD) of the Commission shall ensure that the said form may be downloaded from its official website for easy access thereto.

SECTION 14. Posting of Notice of Date, Time, and place of Filing of Application of Qualified Substitutes; Posting of the List of Applicants and Filing of Opposition. – For purposes of posting of the Notice of Date, Time, and place of filing of application of Qualified Substitutes, and the posting of the List of Applicants and filing of opposition thereto, the procedures enumerated under Sections 15 and 16 of Resolution No. 10727 shall be observed.

SECTION 15. Authority to Administer Oath. - The concerned EO shall have the power to administer oath, free of charge, in all cases where said oath is required.

SECTION 16. Oath of the Chairperson and Members of the Electoral Board. - Before assuming office, the Chairperson and Members of the EB shall take and sign

an oath using CEF No. A5 and A5-A before an officer authorized to administer oath or, in the absence of said officer, before any other member of the EB present, or in case no one is present, before any voter.

SECTION 17. Relief and Substitution of the Members of the Electoral Board. - The members of the EB shall not be relieved unless disqualified as provided in this Resolution.

SECTION 18. Prohibition on Political Activity. - No member of the EB shall engage, directly or indirectly, in any political activity or take part in the election, except to vote and to discharge election duties.

SECTION 19. Powers and Functions of the Electoral Board. - In addition to the powers and functions prescribed by law or by the rules and regulations issued by the Commission, the EBs for the Automated BSKE shall:

- a. Conduct the Final Testing and Sealing of the VCM;
- b. Verify the identity of a voter using the EDCVL;
- c. Conduct the voting in the polling place and administer the electronic counting of votes;
- d. Act as deputies of the Commission in the supervision and control of the conduct of elections in the polling place;
- e. Maintain order within the polling place and its premises to keep an open and unobstructed access thereto;
- f. Prohibit the use of cellular phones, cameras, or any recording device by the voters during voting;
- g. Implement minimum public health standards and to enforce obedience to its lawful orders.

If any person refuses to obey the lawful orders of the EB or conducts in a disorderly manner in its presence or within its hearing and thereby interrupts or disturbs its proceedings, the EB may issue an order in writing directing any peace officer to take such person into custody until the adjournment of the meeting, but such order shall not be executed as to prevent such person from voting.

In the absence of any peace officer, such order may be executed by any other competent and able person deputized by the EB in writing. A copy of such written order shall be attached to the Minutes;

- h. Furnish copies of the Certificate of Votes (C.E. Form No. 13) upon request of the watchers; and

- i. Perform such other functions prescribed by law or by the rules and regulations promulgated by the Commission.

SECTION 20. Proceedings/Meetings of the Electoral Board. - The meetings of the EB shall be public and held only in the polling place authorized by the Commission.

The EB shall act through its Chairperson, and without delay, decide by majority vote to all questions that may arise in the performance of its duties.

The minimum public health standards issued by the IATF-EID and other health protocols shall be strictly observed during these meetings.

SECTION 21. Support Staff of the Electoral Board. - The concerned EO shall, during the period for the constitution and appointment of the EB, appoint one (1) Support Staff to assist the EB in the performance of its duties.

The Support Staff need not be a registered voter of the barangay/city but must possess all the other qualifications and none of the disqualifications for the appointment of the EB.

The numbers of additional Support Staff that may be appointed per EB are as follows:

Number of Established Precincts in the Clustered Precincts (for both Barangay and SK)	Number of Additional EB Support Staff
1 to 3	0
4	1
5 or more	2

The EB Support Staff cannot participate in the deliberation of the EB or vote on any issue or question that may arise during the proceedings.

In case of absence of any of the Support Staff on the day of the election, the EB, by majority vote, may designate a substitute who need not be a registered voter of the barangay/city, but possesses all the other qualifications and none of the disqualifications for the appointment of support staff.

SECTION 22. Department of Education Supervisor Official and Support Staff; Composition, Qualifications and Functions. - The concerned EO shall, within the

period for the constitution and appointment of the EB, constitute one (1) DESO for Automated BSKE and one (1) DESO Support Staff, for every Voting Center.

The DESO and DESO Support Staff need not be registered voters of the barangay/city where they are assigned but must possess all the other qualifications and none of the disqualifications for the appointment of the EB.

The DESO, in coordination with the EO, shall:

- a. Plan, organize, lay-out, and supervise the setting up of a Voters' Assistance Desk (VAD) for Automated BSKE at the voting center to assist voters in locating their polling places or precinct assignments;
- b. Supervise the strategic posting of the layout of the Voting Center indicating/showing the location of the polling places of the clustered precincts for Automated BSKE in the Voting Center, as well as the posting of other signages, which shall guide the voters in the voting process;
- c. Plan, organize, and supervise the crowd management at the ingress and egress areas of the polling places;
- d. Maintain a list of technical personnel, as well as Philippine National Police (PNP) and Armed Forces of the Philippines (AFP) personnel, assigned in the voting centers for efficient coordination;
- e. Serve as the contact and point person of the concerned EO in the polling place or Voting Center;
- f. Supervise the implementation of the minimum public health standards in Voting Center;
- g. Serve as COVID Marshal;
- h. Supervise the VCM Technicians in the exercise of their duties and functions; and
- i. Perform such other functions prescribed by law or by the rules and regulations promulgated by the Commission.

SECTION 23. VCM Technicians and Technical Support Personnel; Additional Qualifications and Functions. – There shall be one (1) VCM Technician per Voting Center. For voting centers with multi-clustered precincts, an additional one (1) VCM Technician for every ten (10) clustered precincts.

The VCM Technician must be an IT-capable person and has undergone the basic training in installation, operation and troubleshooting of the VCM. The duties and functions of the VCM Technician are as follows:

- a. Report during the scheduled Final Testing and Sealing and on Election Day in the Voting Center where they are assigned;

- b. Remain in the assigned Voting Center for the entire duration of the Final Testing and Sealing; and on Election Day, until all the activities are concluded;
- c. Report to the Command Center for the Automated BSKE during the conduct of the Final Testing and Sealing and on Election Day the following:
 - 1. Date and time of arrival at the Voting center;
 - 2. Date and time of successful installation of the VCM of the clustered precinct/s under his/her jurisdiction;
 - 3. Date and time of the start of voting of the clustered precinct/s under his jurisdiction;
 - 4. Date and time of the close of voting of the clustered precinct/s under his jurisdiction;
 - 5. Missing items in the VCM box of the clustered precincts under his/her jurisdiction, if any;
 - 6. Defective SD card and/or VCM for replacement; and
 - 7. All other information or reports that may be required of them;
- d. Assist the EB in the installation of VCM, if so required; and
- e. Troubleshoot the VCM in case of technical issues and provide solution.

SECTION 24. Technical Support. - The Commission shall assign Technical Support from the Information and Technology Department in every voting center - **one (1)** in Barangay Zone II and **four (4)** in Barangay *Paliparan III, Dasmariñas*, Cavite; and **seven (7)** in Barangay *Pasong Tamo*, Quezon City. The Technical Support will provide technical assistance and support to the VCM Technician in case the technical issues cannot be resolved by the latter on the ground.

SECTION 25. Reportorial Requirements. – The concerned EO shall, within three (3) days from the constitution, appointment and designation of the (a) members of EB and their support staff, and (b) DESO and their support staff, shall submit to the Office of the Regional Election Director (ORED), the following:

- a. List containing the names of the appointed members of the EB and their respective designations;
- b. List containing the names of the appointed support staff of the EB, arranged by precinct; and
- c. List containing the names of the appointed DESO and their support staff, arranged by polling/ voting center.

The Regional Election Directors (REDs) of NCR and Region IV-A shall, within three (3) days from receipt of above enumerated documents, submit the lists to the Finance Service Department (FSD) and Election and Barangay Affairs Department (EBAD) through the fastest possible means. Soft copies in PDF format are likewise to be submitted through email at finance@comelec.gov.ph and ebad@comelec.gov.ph.

The concerned RED shall likewise copy furnish the AES-BSKE Committee.

ARTICLE III
HONORARIA, ALLOWANCES, SERVICE CREDITS AND OTHER BENEFITS

SECTION 26. Entitlement of Honoraria, Allowances, Service Credits and Other Benefits. - Persons rendering election-related services shall be entitled to the following:

- a. **Honoraria.** - The Chairperson and members of the EB, the DESO and their respective Support Staff shall be entitled to the corresponding honoraria:

Chairperson of the EB	P10,000.00
Member of the EB	P 9,000.00
DESO	P 9,000.00
Support Staff	P 5,500.00

- b. **Travel Allowance.** The Chairperson and members of the EB, the DESO for the Automated BSKE, and their respective support staff shall be entitled to a travel allowance for the conduct of the Final Testing and Sealing, of One Thousand Pesos (P1,000.00) each.
- c. **Communication Allowance.** - The DESO for the Automated BSKE and VCM Technician shall be entitled to a communication allowance of One Thousand Five Hundred Pesos (P1,500.00) each.
- d. **Service Credit.** - A minimum of five (5) days service credit shall accrue to all government officials and employees serving as EB, DESO, and Support Staff.

SECTION 27. Period of Payment. - The honoraria and allowances mentioned in the immediately preceding section shall be paid within fifteen (15) days from the date of the BSKE.

SECTION 28. Delay in the Payment of Honoraria an Allowances; Effect. - Any officer, employee, or person who makes or causes delay in the payment of honoraria and allowances due to persons who rendered election-related service beyond fifteen (15) days from the date of BSKE shall be liable for an election offense.

SECTION 29. Other Benefits. - Persons rendering election service shall be entitled to the following:

- a. **Death Benefits** - The amount of Five Hundred Thousand Pesos (P500,000.00) shall be awarded to the beneficiaries of persons who died due to election-related risk.
- b. **Medical Assistance** - An amount not exceeding Two Hundred Thousand Pesos (P200,000.00) shall be awarded to the person who rendered election-related service and suffered election-related injury or illness.

SECTION 30. Legal Indemnification Package. - An equitable legal indemnification package for persons who rendered election-related service and have been a party in any administrative, civil, or criminal action, suit or proceeding, by reason of or on the occasion of performance of their functions or duties as such is hereby established in the form of:

- a. Legal assistance;
- b. Lawyer's fees;
- c. Indemnification for legal costs and expenses reasonably incurred; and
- d. Other forms of legal protection.

The Legal indemnification shall not cover any action or suit initiated by the claimant in the latter's personal capacity or on behalf of the Commission, unless such action, proceeding or claim was authorized by the Commission.

SECTION 31. Funds for Legal Indemnification Package. - The amount of Fifty Thousand Pesos (P50,000.00) as legal indemnification package shall be made available to each claimant.

SECTION 32. Committee on Claims and Assessment. - Claims for other benefits and legal indemnification package shall be filed with the Committee on Claims and Assessment (CCA) through the concerned EO.

SECTION 33. Legal Assistance. - A person who rendered election-related service is hereby authorized to engage the services of a government or private lawyer immediately upon receipt of a notice that a civil or criminal action, suit or administrative proceeding relating to any election service has been filed against said person.

SECTION 34. Lawyer's Fees. - In the engagement of the services of a government lawyer, no claims for lawyer's fees shall be awarded.

Should the claimant prefer to engage the services of a private lawyer, the Commission, upon the recommendation of the CCA of the concerned national

government agency shall bear the reasonable lawyer's fees of the counsel of choice, which, in no case, shall exceed the maximum limit of the legal indemnification package herein provided, otherwise, the former shall bear the excess.

In the event that private lawyers accept the case "*pro bono*," no claims for lawyer's fees shall be awarded.

SECTION 35. Legal Costs and Other Reasonable Expenses. - Legal costs shall constitute the expenses directly incurred by reason of the case, such as but not limited to:

- a. Filing fees, if applicable;
- b. Mailing;
- c. Notarial fees; and
- d. Gathering of and photocopy of evidence.

A reasonable amount from the legal indemnification package shall be allocated by the Commission for the payment of the actual expenses incurred for legal costs and other reasonable expenses.

SECTION 36. Other Forms of Legal Protection. - The claimant may avail of any legal protection and remedies available under existing laws by filing a request for legal protection with the CCA.

If, upon evaluation, the CCA finds the request to be meritorious due to existing or imminent threat, violence, harassment or intimidation against the claimant or any immediate member of claimant's family, it shall recommend to the Commission *En Banc*, the deputation of law enforcement agencies to provide security to the claimant and/ or claimant's immediate family member within a specified period of time or until such time that the condition for the protection no longer exists.

SECTION 37. Entitlement to Legal Indemnification Package. - The Claimant shall be allowed reimbursement for reasonable legal expenses incurred if found not guilty of an election offense or exonerated from civil, criminal or administrative case filed against him, in relation to election-related service, subject to usual accounting and auditing rules and regulations of the COA.

ARTICLE IV

CONSTITUTION, COMPOSITION, AND APPOINTMENT OF BARANGAY BOARD OF CANVASSERS, SUPPORT STAFF, RECEPTION AND CUSTODY GROUP, AND CCS OPERATOR

SECTION 38. Barangay Board of Canvassers. – There shall be one (1) BBOC in each barangay to canvass the ERs for both the Barangay and SK elections and thereafter proclaim the winning candidates.

The Commission through the concerned EO shall constitute the BBOC to be composed of a Chairperson, Vice-Chairperson and Member-Secretary.

The DepEd District School Supervisor of the concerned city, or in his/her absence, the most senior in rank, or the *Principal* of the concerned school/Voting Center shall be designated/appointed as the Chairperson of the BBOC.

SECTION 39. Honoraria of the Chairperson and Members of the BBOC. – The Chairperson and Members of the BBOC shall receive an honorarium of Fourteen Thousand Pesos (P14,000.00) each for services rendered.

SECTION 40. Consolidation and Canvassing System Operators (CCSO). - Each BBOC shall be assisted by an information technology-capable person authorized to operate the Consolidation and Canvassing System (CCS), to be known as the Consolidation and Canvassing System Operator (CCSO). The CCSO shall be designated by the Commission from among the deputized agencies and instrumentalities of the national government holding permanent appointments.

The CCSO must not be related within the fourth civil degree of consanguinity or affinity to any member of the BBOC or to the Reception and Custody Group (RCG) or to any candidate whose votes shall be canvassed by the BOC where the CCSO is assigned.

The CCSO shall be designated by the EO concerned. The *honorarium* of the CCSO shall be the same as that of the members of the BBOC.

SECTION 41. Reception and Custody Group (RCG). - Each BBOC shall constitute an RCG for the reception and safekeeping of the VCM main SD cards. There shall be one (1) RCG for every BBOC.

The RCG shall be composed of three (3) members who are government appointive officials holding permanent appointments. They shall be designated by the concerned Chairperson of the BBOC and shall receive an honorarium of Ten Thousand Pesos (P10,000.00).

In no case shall local government unit and barangay employees be appointed or designated as members of the RCG.

SECTION 42. BBOC Support Staff. - The BBOC Chairperson shall appoint one (1) support staff to assist the BBOC in the performance of its duties.

The support staff shall be entitled to an honorarium of Five Thousand Pesos (Php 5,000.00).

Plantilla casuals, contracts of service, job orders or permanent employees may be appointed or designated as BBOC support staff, except employees of the local government unit and/or concerned barangay regardless of the nature of appointment.

The support staff shall not be related within the fourth civil degree of consanguinity or affinity to the Chairperson or any member of the BBOC, CCSO, RCG or to any candidate whose votes will be canvassed by the BBOC.

SECTION 43. Reportorial Requirements. – Not later than 15 September 2023, the RED of Region IV-A and NCR shall submit to the ODEDO and Finance Services Department (FSD) the following:

1. List of names of the Chairpersons and Members of the BBOC
2. List of Members of the RCG; and
3. List of names and addresses of the Canvassing Venue.

SECTION 44. Insurance and Other Benefits of the Chairperson and Members of the BBOC and RCG. – Persons serving as Chairperson and Members of the BBOC, Support Staff, CCSO and members of the RCG shall be entitled to the same insurance and other benefits as that of the EB.

SECTION 45. Powers and Functions of the BBOC. – The BBOC shall have full authority to keep order within the canvassing room or hall including its premises and enforce obedience to its lawful orders. If any person refuses to obey any lawful order of the BBOC or acts in such disorderly manner as to disturb or interrupt its proceedings, the BBOC may order in writing a peace officer to take such person into custody until adjournment of the meeting. In the absence of any peace officer, any other competent and able person deputized by the BBOC in writing may execute such order.

Further, the BBOC shall:

1. Canvass the ERs as submitted physically by the EBs;
2. Generate and print the COC, COCP, and SOV;
3. Proclaim the winning candidates; and
4. Perform such other functions as may be directed by the Commission.

SECTION 46. Duties and Responsibilities of the RCG. – The RCG shall:

1. Receive from the EB the envelope containing the VCM main SD card and the envelopes containing the printed copies of the ERs and other documents;
2. Log the date and time of receipt of the envelopes containing the main SD card and ERs, including the condition and serial number of each envelope and its corresponding paper seal, its precinct number, and the barangay;

3. Place the envelopes containing the ERs inside the ballot box, close and lock the same; and
4. Mark/Indicate in the Project of Precincts (POP) the corresponding precincts of the envelope containing the VCM main SD card.

SECTION 47. Supervision and Control over the BBOC. – The Commission have direct supervision and control over the BBOC.

Any member of the BBOC may, at any time, be relieved for cause and substituted *motu proprio* by the Commission through the EO.

SECTION 48. Relationship with Candidates and Other Members. – The members of the BBOC and/or RCG shall not be related within the fourth civil degree of consanguinity or affinity to any barangay candidate or SK candidate or to any of the candidate's spouse or to any member of the same BBOC and/or RCG.

SECTION 49. Notice of Meeting of the BBOC. – At least five (5) days before the meeting of the BBOC, the Chairperson shall give notice of the date, time, and place of its meeting to all members thereof, and to each candidate.

SECTION 50. Roles of the Regional Election Directors (REDs), Assistant Regional Election Directors (AREDs), Provincial Election Supervisors (PESs) and Election Officers (EOs). - The REDs and AREDs of Region IV-A and the NCR; PES of Cavite; and EOs of *Dasmariñas* City and 6th District of Quezon City shall ensure the strict implementation of the provisions of this Resolution, and the timely compliance of the reportorial requirements. Non-compliance shall be dealt with administratively in accordance with the existing policy of the Commission.

SECTION 51. Administrative Sanctions. - Any person who violates or fails to comply with any of the provision of this Resolution shall constitute as a ground for administrative liability for dereliction of duty, malfeasance, misfeasance and/ or nonfeasance in office and, if found guilty, the corresponding administrative penalty shall be imposed, after due notice and hearing.

SECTION 52. Suppletory Character of COMELEC Resolution Nos. 10727 and 10778. – The provisions of Resolution Nos. 10727 and 10778 shall apply suppletory, unless they are in conflict with any of the provision of this Resolution.

SECTION 53. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines and/or in the Commission website.

SECTION 54. Publication and Dissemination. - The Education and Information Department, this Commission, shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and furnish copies thereof to all RED, PES and EO.

SO ORDERED.

GEORGE ERWIN M. GARCIA
Chairman

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

AIMEE P. FEROLINO
Commissioner


REY E. BULAY
Commissioner

ERNESTO FERDINAND P. MACEDA, JR.
Commissioner

NELSON J. CELIS
Commissioner

CERTIFICATION

APPROVED by the Commission En Banc during its regular online meeting on 21 June 2023, pursuant to Comelec Resolution No. 10671, "Supplemental Resolution No. 9936 promulgated March 25, 2015, Rule on the Enactment and Promulgation of Executive or Administrative Resolutions providing for other format of meetings to include online meetings applicable in times of the COVID-19 pandemic and the imposition of Community Quarantines and similar emergency situations."


ATTY. CONSUELO B. DIOLA
Director IV
Office of the Commission Secretary

This Resolution can be verified at this number (02)85272987; email address comelec@comelec.gov.ph.