



REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
Intramuros, Manila

GENERAL INSTRUCTIONS
FOR THE BOARD OF
CANVASSERS (BOC) ON THE
CONSTITUTION,
COMPOSITION AND
APPOINTMENT;
CONSOLIDATION/CANVASS;
AND TRANSMISSION OF
VOTES/ CANVASS IN
CONNECTION WITH THE 09
MAY 2022 NATIONAL AND
LOCAL ELECTIONS.

ABAS, Sheriff M.	Chairman
GUANZON, Ma. Rowena Amelia V.	Commissioner
INTING, Socorro B.	Commissioner
CASQUEJO, Marlon S.	Commissioner
KHO, Antonio T. Jr.	Commissioner
FEROLINO, Aimee P.	Commissioner

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PROMULGATED: 17 November 2021

RESOLUTION NO. 10731

WHEREAS, it is the policy of the State to ensure safe, free, orderly, honest, peaceful, credible, gender responsive, socially inclusive and informed elections, and other similar electoral exercises by improving on the election process and adopting systems, which shall involve the use of an automated election system that will ensure the secrecy and sanctity of the ballots and all election, consolidation and transmission of votes/canvass in order that the process shall be transparent and credible and that the results shall be fast, accurate and reflective of the genuine will of the people.

WHEREAS, considering the outbreak of the COVID-19 pandemic, there is a need to set forth herein health and safety standards and protocols to mitigate, if not prevent, the transmission of the infectious disease during the conduct of the elections;

WHEREAS, there is a need to provide General Instructions Governing the Constitution, Composition and Appointment;

Consolidation/Canvass; and Transmission of Votes/Canvass in connection with the May 09, 2022 National and Local Elections:

NOW THEREFORE, pursuant to its authority under the Constitution, the Omnibus Election Code, Republic Act No. 9369, and other election laws, the Commission on Elections (Commission) **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following General Instructions Governing the Constitution, Composition, and Appointment; Consolidation/Canvass and Transmission of Votes/Canvass in connection with the May 09, 2022 National and Local Elections:

ARTICLE I
CONSTITUTION, COMPOSITION AND APPOINTMENT OF THE
BOARD OF CANVASSERS

SEC. 1. Scope. - These rules shall apply to the constitution, composition, and appointment of the Municipal Board of Canvassers (MBOC), City Board of Canvassers (CBOC), District Board of Canvassers (DBOC), and Provincial Board of Canvassers (PBOC), for purposes of the May 09, 2022 National and Local Elections (NLE), except in the cases of local absentee voting and overseas voting, which are covered by separate resolutions.

SEC. 2. Composition of the Board of Canvassers (BOC). - There shall be a Board of Canvassers (BOC) to be appointed by the Commission in each municipality, city, district, province, and in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).

- a. **MBOC.** - The MBOC shall be composed of the Municipal Election Officer (Municipal EO) or a representative of the Commission holding permanent appointment, as Chairperson; the Municipal Treasurer, as Vice-Chairperson; and the District School Supervisor, or in the absence of the latter, the most senior in rank Principal of the school district, duly designated as such by the District Supervisor as Member-Secretary.
- b. **CBOC.** - The CBOC shall be composed of the City Election Officer (City EO) or a lawyer of the Commission holding permanent appointment, as Chairperson; the City Prosecutor, as Vice-Chairperson; and the Schools Division Superintendent, as Member-Secretary.

In cities within the National Capital Region (NCR) and other highly urbanized cities with more than one (1) City EO, the

Regional Election Director (RED) shall designate the City EO who shall act as Chairperson.

In cities outside the NCR and with more than one (1) City EO, the Provincial Election Supervisor (PES) shall designate the City EO who shall act as Chairperson.

- c. **DBOC for the Legislative District of Taguig-Pateros.** - The DBOC for the legislative district of Taguig-Pateros shall be composed of the City EO or a lawyer of the Commission holding permanent appointment, as Chairperson; the City Prosecutor, as Vice-Chairperson; and the Schools Division Superintendent, as Member-Secretary.
- d. **PBOC.** - The PBOC shall be composed of the Provincial Election Supervisor (PES) or a lawyer of the Commission holding permanent appointment, as Chairperson; the Provincial Prosecutor, as Vice-Chairperson; and the Schools Division Superintendent, as Member-Secretary.

SEC. 3. Boards for Newly Created Political Subdivisions. -

The RED concerned shall constitute the BOC and appoint the members thereof for the first election in a newly created province, city, or municipality in case the officials who shall act as members thereof have not yet assumed their duties and functions. The PES or Election Officer (EO) of the newly created province, city, or municipality, as the case may be, shall, not later than three (3) days from the promulgation of this Resolution, submit to the Office of the Deputy Executive Director for Operations (ODEDO), the recommended officials for appointments as members of the BOC, subject to the approval of the Commission *En Banc*.

SEC. 4. Honoraria of the Chairperson and Members of the BOC. - The Chairperson and Members of the BOC shall receive an honorarium of Fourteen Thousand Pesos (Php14,000.00) each for services rendered.

SEC. 5. Substitution of Chairperson and Members of the BOC. - In case of non-availability, absence, disqualification due to relationship, or incapacity for any cause of the Chairperson and Members of the BOC, the following shall appoint the substitute:

1. The PES, for the CBOC and MBOC in the province;
2. The RED, for the PBOC in the region;

3. The RED of NCR, for the DBOC, CBOC, and MBOC in the region;
4. The RED of Region IX and Region XI for CBOC of Zamboanga City and Davao City, respectively.

In case of substitution of the Chairperson of the PBOC/CBOC, an official or lawyer with permanent appointment of the Commission shall be appointed. In case of MBOC, a representative of the Commission holding permanent appointment shall be appointed.

With respect to the other members of the BOC, the following shall be appointed as substitute in the following order of preference:

In the case of the PBOC:

1. The Provincial Auditor;
2. The Register of Deeds;
3. The Clerk of Court nominated by the Executive Judge of the Regional Trial Court; and
4. Any other available appointive provincial official.

In the case of the CBOC, the officials in the city corresponding to those enumerated above.

In the absence or disqualification of the Vice-Chairperson of the MBOC:

1. The Municipal Administrator;
2. The Municipal Assessor;
3. The Clerk of Court of the Municipal Trial Court; or
4. Any other available appointive municipal officials.

As substitute of the two (2) members of the DBOC of Taguig-Pateros, the next ranking prosecutor or school's division superintendent in the district, as the case may be, shall be appointed.

All appointments for substitution shall be in writing, stating therein the reason or reasons for the substitution. Within twenty-four (24) hours from the issuance of the appointment, the issuing authority shall furnish copies of the appointment to the Office of the

Deputy Executive Director for Operations (ODEDO) and to the appointee.

SEC. 6. Officials in an Acting Capacity and Officers-In-Charge. - Officials designated in an acting capacity, or performing functions which involve the exercise of discretion to the offices/positions enumerated by law as Chairperson, Vice-Chairperson, or Member of the BOC may be appointed thereto.

SEC. 7. Secretary of the BOC. - The Principal, District Supervisor, Schools Division Superintendent, as the case may be, shall act as Secretary of the BOC, unless otherwise ordered by the Commission. The Secretary of the BOC shall prepare the Minutes of Canvass (Annex "A") of the BOC by recording therein the proceedings and such other incidents or matters relevant to the canvass.

SEC. 8. Supervision and Control. - The Commission shall have direct control and supervision over the BOC and may *motu proprio* relieve, for cause, at any time, any member thereof and designate the substitute.

SEC. 9. Consolidation and Canvassing System Operators (CCSO). - Each BOC 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 BOC 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 PES concerned in the case of the MBOC and CBOC that are outside the NCR; and by the RED, in the case of the MBOC, CBOC, and DBOC in the NCR, Davao City, and Zamboanga City. The RED concerned shall designate the CCSO in the case of the PBOC in regions outside the NCR.

The *honorarium* of the CCSO shall be the same as that of the members of the BOC.

SEC. 10. Reception and Custody Group (RCG). - Each BOC shall constitute an RCG for the reception and safekeeping of the VCM main SD cards, or CDs of the CCS and other documents intended for the BOC. There shall be one (1) RCG for every BOC.

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 BOC and shall receive an honorarium of Ten Thousand Pesos (Php 10,000.00). The RCG members shall not be related within the fourth civil degree of consanguinity or affinity to each other or to the Chairperson or any member of the BOC, CCSO or to any candidate whose votes will be canvassed by the BOC.

In no case shall LGU employees be appointed or designated as RCG.

In cities with more than one (1) legislative district, one (1) RCG for every legislative district may be constituted.

In municipalities, cities or legislative districts with more than five hundred (500) clustered precincts, one (1) additional RCG may be constituted in accordance with the following ratio:

Clustered precincts	Additional No. of RCG
501 to 600	1
601 or more	2

SEC. 11. BOC Support Staff. - The BOC Chairperson shall appoint support staff to assist the BOC in the performance of its duties, in accordance with the following table:

For M/CBOC:

Clustered precincts	No. of M/CBOC Support Staff
1 to 500	3

501 to 600	4
601 or more	5

For PBOC:

No. of M/CBOC	No. of PBOC Support Staff
1 to 10	3
11 to 20	4
21 or more	5

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 BOC support staff, except employees of the local government unit 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 BOC, CCSO, RCG or to any candidate whose votes will be canvassed by the BOC.

SEC. 12. Absence of a Regular Member of a BOC. - In case a regular member of the BOC is absent, the members present shall first verify whether notice has been served on the absent member. In case no such notice was sent, one shall be immediately served to the absent member. If the latter cannot be located or the whereabouts are unknown, the absent member shall be substituted in accordance with Section 5 of this Resolution. These facts shall be recorded in the Minutes of the BOC. As soon as the absent member appears, the substitute member's seat shall be relinquished in favor of the regular member of the BOC.

SEC. 13. Prohibited Degree of Relationship. - The Chairperson and Members of the BOC shall not be related within the fourth civil degree of consanguinity or affinity to each other, the

CCSO, the RCG, Support Staff, or to any candidate whose votes will be canvassed by said BOC.

SEC. 14. Notice of Disqualification. - The Chairperson or any Member of the BOC who is disqualified to serve for any reason shall immediately notify in writing the appointing authority concerned, who shall in turn, immediately appoint a substitute in accordance with Section 5 of this Resolution.

SEC. 15. Prohibition Against Leaving Official Station. - During the period beginning May 9, 2022 until the proclamation of the winning candidates, no Chairperson, Member or substitute member of the BOC shall be transferred, assigned or detailed outside the official station nor shall leave said station without prior authority of the Commission.

SEC. 16. Feigned Illness. - Any member of the BOC feigning illness in order to be substituted on election day until the proclamation of the winning candidates shall be guilty of an election offense.

SEC. 17. Incapacity of a Regular Member of the BOC. - In case of sickness or serious injury of a regular Member of the BOC, a medical certificate duly issued by any government hospital, shall be required attesting to the incapacity of said Member. Upon submission of the medical certificate, a substitute shall be appointed in accordance with Section 5 of this Resolution. Said medical certificate shall be recorded in and form part of the Minutes of the BOC.

SEC. 18. Quorum. - A majority of all members of the BOC shall constitute a quorum for the transaction of its official business and to render a decision.

SEC. 19. Insurance and Other Benefits of the Chairperson and Members of the Board of Canvassers (BOC), CCSO, Reception and Custody Group (RCG) and their Support Staff. - Persons serving as Chairperson and Members of the Board of Canvassers (BOC), CCSO, Reception and Custody Group (RCG) and their Support Staff 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 risks related to their function as Chairperson and Members of the BOC, CCSO, RCG and Support Staff;

- b. *Medical Assistance* – An amount not exceeding Two Hundred Thousand Pesos (P200,000.00) shall be awarded to persons who suffered injury or illness related to their abovementioned BOC function;
- c. *Legal Indemnification Package* – An equitable legal indemnification package for the Chairperson and Members of the BOC, CCSO, RCG and Support Staff who have been parties in any administrative, civil or criminal action, suit or proceeding by reason of or on the occasion of their performance of canvassing functions is hereby established in the form of:
 - i. Legal assistance;
 - ii. Lawyer’s fees;
 - iii. Indemnification for legal costs and expenses reasonably incurred; and,
 - iv. 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.

- d. *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, subject to prevailing rules.
- I. *Committee on Claims and Assessment (CCA).* Claims for other benefits and legal indemnification package shall be filed with the Committee on Claims and Assessment thru the Election Officer (for CBOCs/MBOCs) or Provincial Election Supervisor (for PBOCs). The CCA shall be composed of the Deputy Executive Director for Operations as Chairperson and the Directors IV of the Law Department, Personnel Department and Finance Services Department as Members.
 - II. *Legal Assistance.* Persons serving as Chairperson and Members of the BOC, CCSO, RCG and Support Staff are hereby authorized to engage the services of government or private lawyer immediately upon receipt of a notice that an administrative, civil or criminal action has been filed against them, in relation to their canvassing duties and functions.

- III. *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 or 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.

- IV. *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 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.

- V. *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.

- VI. *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/her, in relation to canvassing duties and functions,

subject to usual accounting and auditing rules and regulations of the COA.

SEC. 20. Reportorial Requirements. - Not later than February 1, 2022, all REDs shall submit to the ODED and Finance and Services Department (FSD) the following:

1. List of names and their corresponding designations of the MBOC, CBOC, DBOC, PBOC, constituted in their regions;
2. List of names and addresses of the canvassing venue;
3. List of names of the CCSO, arranged by province and by city or municipality;
4. List of members of the RCG arranged by province and by city and municipality; and
5. List of the names of their respective support staff.

The lists mentioned shall be accomplished in excel format (see format as Annex "B") and submitted through email at odedo@comelec.gov.ph and fsd@comelec.gov.ph.

ARTICLE II GENERAL PROVISIONS

SEC. 21. Notice of Meetings of the BOC. - Not later than May 4, 2022, the Chairperson of the BOC shall give written notice to its members and to each candidate, political party or coalition of political parties fielding candidates and party, organization/coalition participating under the party-list system (hereinafter referred to as party-list groups) of the date, time, and place of the canvassing, which shall be held, unless otherwise ordered by the Commission, in the session hall of the *Sangguniang Bayan/Panlungsod/Panlalawigan*, as the case may be.

Notices of the canvassing shall be posted at the concerned Office of the Election Officer (OEO), Office of the Provincial Election Supervisor (OPES), Office of the Regional Election Director (ORED) in NCR, Davao City, and Zamboanga City, Office of the Regional Election Director of BARMM (ORED-BARMM), and in three (3) conspicuous places in the building where the canvass will be held.

Similar notices shall also be given for subsequent meetings unless notice has been issued in open session of the BOC. Proof of

service of the written notice to each member, candidate, political party and party-list groups shall be attached in the Minutes and form part of the records of the proceedings. If notice is given in open session, such fact shall be recorded in the Minutes of the proceedings.

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

SEC. 22. Transfer of canvassing venue. If the designated canvassing venue as submitted in compliance with the Reportorial Requirements provided in Section 20 hereof is not suitable based on the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID) Guidelines on COVID-19 health and safety protocols, the following procedures shall be observed:

1. The concerned Office of the Election Officer (OEO) and Office of the Provincial Election Supervisor (OPES) may file for a request for transfer of canvassing venue not later than November 30, 2021, before the Office of the Deputy Executive Director for Operations (ODEDO);
2. Upon determination that there is a reasonable ground to transfer the canvassing venue, the concerned OEO/OPES shall post copies of the Request for Transfer of Canvassing Venue at the OEO/OPES and bulletin boards of the City/Municipal/Provincial Hall for a period of five (5) days. Copies of such request shall likewise be furnished to the political parties, candidates, and citizens' arms of such locality;
3. Any interested party may file a verified opposition to the Request for Transfer of Canvassing Venue before OEO/OPES not later than five (5) days from the date of posting or receipt of the notice, whichever comes earlier;
4. After the lapse of the five-day period of the posting/notice requirement, the OEO/OPES, shall file the Request for Transfer of Canvassing Venue at the ODEDO through the Special Courier Service (SCS) of the Commission or other means of delivery, attaching the following documents:

- a. Request Letter;

- b. Proof of compliance to the posting/notice requirement; and
 - c. Opposition filed by an interested party, if there is any.
5. The ODEDO shall make an assessment and evaluation on the request based on all the documents submitted by the OEO/OPES. The opposition filed by the interested party shall likewise be resolved by the ODEDO before submitting its recommendation to the Executive Director within five (5) days from receipt of the OEO/OPES' request;
6. The Executive Director shall review the recommendation made by the ODEDO within three (3) days and shall submit the same to the Commission En Banc for its confirmation on the approval or disapproval of the Request for Transfer of Canvassing Venue; and
7. The decision of the Commission En Banc shall be final and executory. All approved requests for transfer of canvassing venue shall be posted immediately in the bulletin board of the receiving office concerned and copies shall likewise be furnished to all political parties, candidates, and citizens' arms of such locality.

The venue where the canvassing may be transferred shall be located in a public building or if none is available, in a private building, provided that either must not be owned, leased, or occupied by any incumbent official or any person who is related to any incumbent official within the fourth civil degree of consanguinity or affinity, or any officer of the government or leader of any political party, group or faction, nor in any building or surrounding premises under the actual control of a private entity, political party, or religious organization. The venue must be, as far as practicable, of sufficient size to admit and comfortably accommodate a reasonable number of persons. The canvassing venue shall be located within the territory or jurisdiction of the receiving office as centrally as possible, and whenever possible, such location shall be along a public road. The canvassing venue shall not be located within the perimeter of or inside a military or police camp or reservation or within a prison compound.

SEC. 23. Convening of the BOC. - The BOC shall convene at one (1) o'clock in the afternoon of May 09, 2022 at the designated place to initialize the CCS and thereafter to canvass the electronically-transmitted Election Returns (ERs) or the Certificates

of Canvass (COCs). The BOC shall meet continuously from day to day until the canvass is completed and may adjourn but only for the purpose of awaiting the other ERs/COCs.

SEC. 24. Powers and functions of the BOC. - The BOC 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 BOC or acts in such disorderly manner as to disturb or interrupt its proceedings, the BOC 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 BOC in writing may execute such order.

Further, the BOC shall:

1. Canvass/consolidate the electronically transmitted results;
2. Generate and print the COC, COCP and SOV;
3. Digitally sign the reports;
4. Electronically transmit the results;
5. Proclaim the winning candidates; and
6. Perform such other functions as may be directed by the Commission.

SEC. 25. Duties and Responsibilities of the Reception and Custody Group (RCG). - The RCG shall:

1. Receive from:
 - a. The Electoral Board (EB), the envelope containing the VCM main SD card labelled "**TRANSMITTED**" or "**NOT TRANSMITTED**" and the envelopes containing the printed copies of the Election Returns (ERs) intended for C/MBOC;
 - b. The MBOC/CBOC, the envelope containing the CD of the municipality/city CCS labelled "**TRANSMITTED**" or "**NOT TRANSMITTED**", and the envelope containing the printed copy of the Certificate of Canvass (COC) intended for the District/Provincial Board of Canvassers (D/PBOC).

2. Log the date and time of receipt of the envelopes containing the main SD card/CD and ERs/COCs, including the condition and serial numbers of each envelope and its corresponding paper seal, the precinct number, and the city/municipality/district (Annexes "C" and "C-1");
3. Place the envelopes containing the ERs/COCs intended for the BOC inside the ballot box, close and lock the same;
4. Mark/Indicate:
 - a. In the Project of Precincts (POP) the corresponding precincts of the envelope containing the VCM main SD card; or
 - b. In the list of cities/municipalities the corresponding envelope containing the CD of the CCS;
5. For purposes of manual uploading in the CCS, immediately submit to the BOC after recording the necessary data, the envelope containing the **VCM main SD card** or **CD of the CCS** with label "**NOT TRANSMITTED**". The VCM main SD card or CD of the CCS with label "**TRANSMITTED**" shall likewise be submitted; and
6. Forward to the BOC, the ballot box containing the ERs/COCs and one copy of the POP of the list of precincts or list of cities/municipalities/districts as marked in no. 4 hereof.

SEC. 26. Right to be present and to counsel during the canvass. - Each registered political party, or coalition of political parties fielding candidates, accredited political parties, party-list groups and every candidate has the right to be present and to counsel during the consolidation/canvass of the ERs or COCs: Provided, that the counsel appearing must be duly appointed by the registered political party, or coalition of political parties fielding candidates, accredited political parties, party-list groups and every candidate; Provided further that only one (1) counsel may argue for each party or candidate. They shall have the right to observe the transmission, consolidation and canvass of the ERs or COCs without touching the CCS, make observations thereon, and file their challenges in accordance with the rules and regulations of the Commission. The BOC shall not allow any dilatory action.

SEC. 27. Watchers, Qualifications and Disqualifications; Rights and Duties. - Each registered political party, or coalition of political parties fielding candidates, accredited political parties,

party-list groups and every candidate, shall be entitled to one watcher in every canvassing center; Provided, that the candidates for the *Sangguniang Bayan*, *Sangguniang Panlungsod*, or *Sangguniang Panlalawigan* belonging to the same slate or ticket shall collectively be entitled to only one watcher. There shall also be recognized six (6) principal watchers, representing the six (6) accredited major political parties, who shall be designated by the Commission upon nomination of the said parties. The Parish Pastoral Council for Responsible Voting (PPCRV) as the duly accredited citizens' arm¹, or other organizations with prior authority of the Commission, shall be entitled to two (2) watchers to serve alternately.

If the space in a canvassing center reserved for watchers is insufficient, preference shall be given to the watchers of the dominant majority and dominant minority parties, as determined by the Commission, and PPCRV.

No person shall be appointed as a watcher unless said person: (a) is a registered voter of the city or municipality; (b) is of good moral character; (c) has not been convicted by final judgement of any election offense or of any other crime; (d) knows how to read and write Filipino, English or the prevailing local dialect; and (e) is not related within the fourth (4th) civil degree of consanguinity or affinity to any member of the BOC, CCSO, RCG, and support staff. Under no circumstance shall barangay officials including *barangay tanods* be appointed as watchers.

Upon entering the canvassing venue, the watchers shall present to the Chairperson of the BOC their appointments, and proof that they are registered voters of the city or municipality where they are assigned. Their names shall be recorded in the Minutes with a notation under their signatures that they are not disqualified to serve as such under the immediately preceding paragraph.

The watchers shall have the right to:

1. Be present at, and take note of, all the proceedings of the BOC;
2. Stay at the designated watchers' area; and

¹ SPP No. 20-002: In the Matter of the Accreditation of the Citizen's Arm of the Commission, for Purposes of Conducting Voters' Education, Candidates' Forum, Poll Watching, and Canvassing for the May 2022 National and Local Elections, dated 05 October 2021.

3. File a protest in writing, against any irregularity noted in the consolidation/canvass of the ERs/COCs and obtain from the BOC a resolution thereon in writing.

Watchers shall not be allowed to participate in the deliberation and proceedings of the BOC.

SEC. 28. Submission of list of lawyers and watchers. The Chairperson of the Board shall require candidates, political parties, and party-list groups to submit the names of their lawyers and watchers who may be present at the canvassing venue not later than May 04, 2022, in person or through the official email of the Chairperson of the BOC.

SEC. 29. Persons not allowed inside the canvassing venue. - During the canvass, it shall be unlawful for the following persons to enter the canvassing venue where the transmission, consolidation and canvass are being held or to stay within a radius of fifty (50) meters from such canvassing venue.

1. Any officer or member of the Armed Forces of the Philippines;
2. Any officer or member of the Philippine National Police;
3. Any peace officer or any armed or unarmed persons belonging to an extra-legal police agency, special forces, strike forces, or Civilian Armed Force Geographical Units (CAFGU), or its equivalent;
4. Any *barangay tanod* or any member of *barangay* self-defense units;
5. Any member of the security or police organizations of government agencies, commissions, councils, bureaus, offices, instrumentalities, or government-owned or controlled corporations or their subsidiaries; or
6. Any member of a privately-owned or operated security, investigative, protective or intelligence agency performing identical or similar functions.

However, the BOC may, whenever necessary, by majority vote, direct in writing for the detail of policemen or peace officers for their protection or for the protection of the machines, election documents and paraphernalia, or for the maintenance of peace and order, in which case said policemen or peace officers, who shall be in proper

uniform, shall stay outside the room but near enough to be easily called by the BOC at any time.

SEC. 30. Issues that may be Raised During the Consolidation/Canvass. - Issues affecting the composition or proceedings of the BOC may be initiated by filing a verified petition before the BOC or directly with the Commission.

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

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

SEC. 31. Submission of the Minutes of Canvass of the BOC. - Immediately after the termination of canvass, the Member-Secretary of the BOC shall submit to the Chairperson a copy of the Minutes. Thereafter, the Chairperson shall, by registered mail or thru accredited courier services, submit to the Law Department of the Commission a certified copy of the Minutes of Canvass of the proceedings and shall notify, by the fastest means available, said department of the date and the manner of transmittal of the Minutes of Canvass.

In no case shall the Chairperson submit the Minutes of Canvass for more than five (5) days after the termination of canvass.

ARTICLE III PROCEDURES FOR CANVASSING/CONSOLIDATION

SEC. 32. Preliminaries to Canvassing. - Before the canvassing begins, the BOC shall observe the following procedures:

1. Show to the public and the watchers present that the CCS box is sealed;
2. Remove the plastic seal of the CCS box;
3. Open the CCS box;

4. Check whether the following are inside the CCS box:
- a. CCS laptop box, which contains:
 - i. Laptop;
 - ii. Secure Digital (SD) card (installed in the laptop);
 - iii. Power cable of the laptop;
 - iv. Electrical adaptor of the laptop;
 - v. Three (3) USB Security Tokens with label;
 - vi. USB modem with SIM card installed;
 - vii. USB extension cable;
 - viii. Extra SIM card;
 - ix. CD-R; and
 - x. Reams of paper.
 - b. Three (3) envelopes with label for each BOC member. Each envelope contains:
 - i. One (1) Username;
 - ii. One (1) security token;
 - iii. Two (2) Passwords:
 - 1. One (1) username *Login User Password* to enter the system; and
 - 2. One (1) security *Token Password*.
 - c. Checklist of the contents of the box;
 - d. Plastic Security Seal to close the CCS box after election day;
 - e. Extension Cord;
 - f. Printer box containing:
 - i. Printer;
 - ii. Pre-installed toner;

- iii. Power cable of the printer; and
 - iv. USB cable to connect the laptop and printer.
- g. BGAN (if applicable):
- i. BGAN Antenna;
 - ii. Battery;
 - iii. SIM Card (installed);
 - iv. RJ 45 LAN cable;
 - v. Electrical cord extension;
 - vi. Power adapter; and
 - vii. Power cable.
- h. Memory Card Reader;
- i. Security plastic seal; and
- j. Extra toner;
5. Retrieve the envelopes containing the system's username and password which shall be in the custody of the Chairperson of the BOC, and the USB tokens for each Member of the BOC which shall be distributed among themselves; and
6. Retrieve the CCS laptop from its box and place the CCS laptop properly on top of the table.

SEC. 33. Procedures for Canvassing. - Immediately after convening, the BOC shall undertake the following canvassing procedures:

I. INITIALIZATION PROCEDURES

The CCSO shall:

- a. Plug the power cord of the laptop to the extension cord;
- b. Plug the extension cord to the electrical outlet or generator, when necessary;
- c. Turn on the laptop by pressing the power button;

- d. Connect the printer cable to the USB port of the laptop and the power cable of the printer to the extension cord;
- e. Turn on the printer by pressing the power button;
- f. Ensure sufficient quantity of paper in the printer feeder;
- g. The screen of the CCS laptop will display a message, *"Starting Consolidation and Canvassing System. Please Wait."*;
- h. The screen will display a window to select a certificate with message, *"Select a certificate to authenticate yourself to xxx.ccs..."* with CANCEL and OK buttons;
- i. Click OK button;
- j. The screen will display the WELCOME page of the CCS. This page contains the log in window to access the system;
- k. The CCSO shall direct the Chairperson to enter in the USERNAME the Chairperson's *Login User* and the *Login User* PASSWORD on the text fields. Click the "LOGIN" button;
- l. A message, *"Please insert a valid token"* with CANCEL and NEXT buttons. Insert the token of the Chairperson;
- m. A TOKEN VALIDATOR window will be displayed with 1/2 at the upper right portion. The Chairperson shall enter in the USERNAME the Chairperson's *Login User* and the TOKEN PASSWORD. Thereafter, click "NEXT". A message, *"Token validated successfully, please remove token."* will be displayed;
- n. A message, *"Please insert a valid token"* with CANCEL and NEXT buttons. Remove the USB security token of the Chairperson and insert the USB security token of the Vice-Chairperson;
- o. A TOKEN VALIDATOR window will be displayed with 2/2 at the upper right portion. The Vice-Chairperson shall enter in the USERNAME the Vice-Chairperson's *Login User* and the TOKEN PASSWORD. Thereafter, click "NEXT". A message, *"Token validated successfully."* will be displayed. Remove the USB security token of the Vice-Chairperson;

- p. The system will display on the screen a message at the top, *"Upon completion and acceptance, the ELECTION will be activated"*;
- q. The system will ask for *Login User* and password of the Chairperson of the BOC. The Chairperson will enter his/her *Login User* and click "ACCEPT";
- r. The system will display the BOC signatures' window with message, *"Do you want to add digital signatures to the document?"* with CANCEL, NO and YES buttons;
- s. If the YES button is clicked, the system will display the message, *"Please insert a valid certificate."* with CANCEL, ADD and SKIP buttons;
- t. Insert the USB for digital signing. After successful validation, the system will display the message, *"Please enter certificate password."*;
- u. Enter the password corresponding to the digital certificate and click on the ADD button;
- v. The message, *"You have added 1 additional signature of 3 allowed. Do you want to add another digital signature to the document?"* with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token;
- w. If the YES button is selected, repeat procedure (s) to (v);
- x. If the NO button is selected, the system will proceed to the initialization process;
- y. If the CANCEL button is selected, the BOC signatures' window will be closed and the process will not continue;
- z. Wait for the system to finish the initialization process;
- aa. The screen will display a message, *"ELECTION ACTIVATED"* at the upper-left panel, above the PDF viewer;
- bb. The screen will display the PDF viewer for the "INITIALIZATION REPORT". The initialization report shows zero vote for each candidate including the geographical information (Province, City/Municipality, Total No. of Clustered Precincts, Total No. of Clustered

Precincts Reported, Total No. of Registered Voters, and Total No. of Voters that Actually Voted);

- cc. Print the INITIALIZATION REPORT by clicking the print icon on the upper right corner of the PDF viewer. Wait for the PRINT dialogue box to be displayed. Enter the number "1", in the space provided for number of copies to be printed. Then click "PRINT";
- dd. After printing the INITIALIZATION REPORT, click "CONTINUE," found on the bottom-right part of the screen to proceed to the HOME PAGE of the CCS;
- ee. Connect the transmission medium (e.g., USB modem, DSL, satellite or BGAN) to the laptop;
- ff. The Members of the Board shall affix their signatures on the certification portion of the INITIALIZATION REPORT;
- gg. After signing the certification portion, the Chairperson shall show the INITIALIZATION REPORT to the public; and
- hh. The Member-Secretary shall place the INITIALIZATION REPORT inside the envelope intended for the purpose.

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

A. MBOC/CBOC

1. Under the MONITORING module, click the "MONITOR TRANSMISSION" icon in the HOME PAGE.

A list of the barangays of the city/municipality shall be displayed with colored circles beside the name of the barangays. The color of the circles will determine the status of transmission of the specific precinct. The description of the colored circles is indicated at the lower portion of the screen;

2. To monitor the loading of results from a particular polling place under a barangay, click the name of the barangay, and the list of polling places will appear;
3. To monitor the loading of results from a particular precinct/clustered precinct under a polling place, click the name of the polling place where the precinct/clustered

precincts concerned belong, and the list of the clustered precinct/ clustered precincts will appear;

4. To return to the previous page, click the tab of the city/municipality/province; and
5. To update the status of loading of results from a barangay from time to time, click refresh icon at the upper right side of the screen.

B. PBOC/DBOC

1. Under the MONITORING module, click the "MONITOR TRANSMISSION" icon in the HOMEPAGE.

A list of cities/municipalities in the province/district shall be displayed with colored circles beside the name of the cities/municipalities. The color of the circles will determine the status of transmission of the specific city/municipality. The description of the colored circles is indicated in the window at the lower portion of the screen;

2. To monitor the loading of results from a particular city/municipality, click the name of the city/municipality, and the status of results will be displayed; and
3. To update the status of loading of results from a city/municipality from time to time, click refresh icon at the right side of the screen.

III-A. IMPORTING OF PRECINCT RESULTS FROM VCM IN CASE OF NON-TRANSMISSION. The MBOC/CBOC shall receive from the RCG the envelope/s containing the VCM main SD card/s with results not transmitted. The MBOC/CBOC shall open the said envelope, retrieve the VCM main SD cards and give the same to the CCSO who shall:

A. MBOC/CBOC

1. Attach the memory card reader to the laptop;
2. Insert the VCM main SD card in the memory card reader;
3. Click the blue triangle icon found at the bottom right portion of the HOME PAGE screen. The hidden side panel will be displayed, showing the import option. Click "IMPORT" at the upper right portion of the screen;

4. The screen will display the import dialogue box;
5. Click "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE";
6. The CCS will display the "OPEN FILES" Menu;
7. Click the folder for the SD card to be imported at the left pane of the dialogue box;
8. Click the "SAES" folder from the list of files in the dialogue box and click the "OPEN" button;
9. Click the "EVENTS" folder from the list of folders and click the "OPEN" button;
10. Click the "1" folder from the list of folders and click the "OPEN" button;
11. Click the "RESULTS" folder from the list of folders and click the "OPEN" button;
12. Click "RESULTS-PACKAGE.p7m" and click the "OPEN" button;
13. The screen returns to the IMPORT dialogue box. Click "IMPORT" button;
14. Wait until the processing is finished. Click the down arrow on the "GENERAL INFORMATION" header box. The message, "THE IMPORT PROCESS WAS FINISHED SUCCESSFULLY." will be displayed on the screen;
15. Click CLOSE button. The screen will return to HOME PAGE;
16. If unsuccessful, the message, "AN ERROR OCCURED IMPORTING THE FILE: RESULTS-PACKAGE.p7m" will appear on the screen, in which case, follow steps from [2] to [14] of this section;
17. Safely remove the VCM main SD card from the memory card reader by clicking the "EXTRACT" icon on the task bar, return it to its original envelope and label it "UPLOADED";
18. Follow the procedures laid down in steps [2] to [14] for the next VCM SD cards until all VCM SD cards are imported;

19. Disconnect the memory card reader from the laptop; and

20. To check if all the VCM SD cards are successfully imported, follow the procedures for MONITOR TRANSMISSION.

In case the VCM main SD card is not available or is found to be defective, the BOC shall retrieve from the VCM the back-up SD card and give the same to the CCSO who shall perform the same procedures enumerated above.

These procedures shall only apply after exhaustion of all the remedies for electronic transmission as provided in the contingency procedures to be promulgated by the Commission.

III-B. IMPORTING OF CITY/MUNICIPAL RESULTS TO DBOC/PBOC. The D/PBOC shall receive from the RCG an envelope containing the CD labelled "NOT TRANSMITTED" for the city/municipality. The BOC shall open the said envelope, retrieve the CD labelled "NOT TRANSMITTED" and give the same to the CCSO who shall:

A. DBOC/PBOC

1. Insert the CD of a MBOC/CBOC, as the case may be, in the CD-ROM drive;
2. Click the blue triangle icon found at the bottom right portion of the HOMEPAGE screen. The hidden side panel will be displayed, showing the import option. Click "IMPORT" at the upper right portion of the screen;
3. The screen will display the import dialogue box;
4. Click "CLICK HERE TO UPLOAD TRANSMISSION PACKAGE FILE";
5. The CCS will display the "OPEN FILES" Menu;
6. Click the folder of the CD at the left pane of the dialogue box;
7. Click "TRANSMISSION-PACKAGE.p7m" and click the "OPEN" button;
8. The screen returns to the IMPORT dialogue box. Click "IMPORT" button;

9. Wait until the processing is finished. Click the down arrow on the "GENERAL INFORMATION" header box. The message, "*THE IMPORT PROCESS WAS FINISHED SUCCESSFULLY.*" will be displayed on the screen;
10. If unsuccessful, the message, "*AN ERROR OCCURED IMPORTING THE FILE: RESULTS-PACKAGE.p7m*" will appear on the screen, in which case, follow steps [2] to [9] of this section;
11. Remove the CD, return it to its original envelope and label it "UPLOADED";
12. Follow the procedures laid down in steps [1] to [11] for the next CDs until all CDs are imported;
13. Click anywhere in the screen outside the "IMPORT DIALOGUE box" or click the "CLOSE" button to dismiss the IMPORT window;
14. To check if all the CDs are successfully imported, follow the procedures for MONITOR TRANSMISSION;
15. Wait until the processing is finished;
16. Remove the CD; and
17. Repeat steps [1] to [16] until all the CDs are processed.

IV. GENERATION AND PRINTING OF REPORTS.

Before the Certificate of Canvass (COC) can be generated and printed, the CCSO must first generate and print the Canvass Report. For this purpose, the CCSO shall:

A. Generate and Print the Canvass Report

1. Under the CANVASSING module, click the "CANVASSING MANAGEMENT" icon in the HOME PAGE;
2. The list of available reports shall be displayed on the left panel of the screen. The CANVASS REPORT is selected by default and contest names for the canvass report are automatically displayed on the screen;
3. Click the checkbox beside the title "CONTEST NAME" to generate the CANVASS REPORT for all positions. Click the checkbox beside the CONTEST/POSITION to generate the

CANVASS REPORT for the selected position only. After clicking any checkbox, click "ISSUE" button;

4. The BOC signatures' window will prompt the screen with message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:
 - a. If the YES button is clicked, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:
 - i. Insert the USB for digital signing. After successful validation, the system will display the message, "*Please enter certificate password [1/10]*";
 - ii. Enter the password corresponding to the digital certificate and click on the ADD button;
 - iii. The message, "*You have added 1 additional signature of 10 allowed. Do you want to add another digital signature to the document?*" with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token:
 - a) If the YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;
 - b) If the NO button is selected, the system will proceed to the generation of report process; and
 - c) If the CANCEL button is selected, the window is closed and will return to the Canvassing Management screen.
 - b. If CANCEL button is selected, the BOC signatures' window will be closed out and the process will not continue; and
 - c. If NO button is selected, the system will skip the digital signing and generate the CANVASS REPORT.

5. Wait while the system is loading the report. Thereafter, the CCS shall generate and display the CANVASS REPORT. Scroll down to view the report;
6. Print the CANVASS REPORT by clicking on the printer icon, then type the number of copies in the space provided. Click "PRINT";
7. Click "BACK," found at the lower right portion of the page to go back to the previous page; and
8. Once the CANVASS REPORT is generated, under the "STATUS" header, the button "PARTIAL" becomes BLUE. This means the said report has been generated. Notice that the next report available will be in color GREEN meaning that the report may be generated. This event is available to all Canvassing Reports.

This Canvass Report can be generated from time to time.

B. Generate and Print the Certificate of Canvass (COC)

1. If all expected clustered precincts (for MBOC/CBOC) or city/municipal results (for PBOC/DBOC) have been received, the BOC shall generate the COC. For this purpose, the CCSO shall:
 - a. Under the Canvassing module, click the "CANVASSING MANAGEMENT" icon in the HOME PAGE;
 - b. Click the "CERTIFICATE OF CANVASS (COC)" option found on the left panel. The list of positions will be displayed on the right panel;
 - c. Click the checkbox beside the title "CONTEST NAME" to generate the CERTIFICATE OF CANVASS for all positions. Click the checkbox beside the CONTEST/POSITION to generate the CERTIFICATE OF CANVASS for the selected position only. After clicking any checkbox, click "ISSUE";
 - d. The system shall require user authentication. The two (2) members shall, one at a time, insert their USB security token, enter their corresponding *Login User* and 6-digit security key token password and click "NEXT";

2. The BOC signatures' window will display a message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:

a. If the YES button is selected, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:

i. Insert the USB for digital signing. After successful validation, the system will display the message, "*Please enter certificate password [1/10]*";

ii. Enter the password corresponding to the digital certificate and click on the ADD button;

iii. The message, "*You have added 1 additional signature of 10 allowed. Do you want to add another digital signature to the document?*" with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token:

a) If YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;

b) If the NO button is selected, the system will proceed to the generation of report process; and

c) If CANCEL button is selected, the window is closed and will not return to the Canvassing Management screen;

b. If CANCEL button is selected, the BOC signatures' window will be closed out and the process will not continue;

c. If NO button is selected, the system will skip the digital signing and generate the CERTIFICATE OF CANVASS REPORT;

d. The CCS shall generate the CERTIFICATE OF CANVASS (COC) and display the same on the screen;

- e. Print the CERTIFICATE OF CANVASS (COC) by clicking on the printer icon, type "30" on the space provided for number of copies. Click "PRINT"; and
 - f. Click "BACK" found at the lower right portion of the page to go back to the previous page.
3. Even if not all of the expected results have been received but said results will no longer affect the result of the election in a particular position, the BOC shall perform the following procedures:
- a. Upon motion by a party-in-interest to lower the threshold, and with the concurrence of the majority of the BOC, the latter may seek the approval of the Commission through the PMO Director. In no case shall the result be lowered than ninety percent (90%) of all the results;
 - b. The Members of the BOC shall be required to accomplish a form in duplicate. For such purpose, a form containing the following should be provided:
 - i. the position involved;
 - ii. the margin between the top two (2) candidates in a single-slot office or the lead of the last candidate assured of a seat from the next candidate in a multi-slot office, based on the received results; and
 - iii. the precincts whose results are lacking and total number of registered voters in these precincts.
 - c. One copy of the above-described form should be submitted to the Commission through the PMO Director who may approve the lowering of the threshold while the other copy be form part of the records of the BOC; and
 - d. Any violation of the foregoing conditions shall constitute precipitate canvassing and those responsible thereof shall be made administratively accountable, without prejudice to any criminal action that may be instituted thereafter.

To lower the threshold, the BOC shall:

1. Click on the blue triangle at the left corner of the screen and click on LOG-OUT;
2. A message, "*Do you want to end this session?*" with OK and CANCEL buttons will be displayed. Select OK button;
3. Welcome Screen will be displayed. Enter the SPECIAL USER credentials and click on LOG IN;
4. A TOKEN VALIDATOR window will be displayed with 1/2 at the upper right portion. Insert the USB token and enter the *Login User* and TOKEN PASSWORD of the Member of the BOC. Thereafter, click "NEXT". A message, "*Token validated successfully...*" will be displayed;
5. Remove the token of the Member of the BOC and insert the token of another Member of the BOC;
6. A TOKEN VALIDATOR window will be displayed with 2/2 at the upper right portion. Enter the *Login User* and Token Password of the Member of the BOC. Thereafter, click "NEXT". A message, "*Token validated successfully.*" will be displayed;
7. The system will display "SETTING THRESHOLD" on the screen;
8. In the field "# of Reg. Voters that may be left out of the COC", enter the corresponding number that may be left out. This number should be less than the "Total Voters" value;
9. Call the NTSC for the "Generated Password" for each contest;
10. Input the corresponding "Generated Password" given by the NTSC for each contest;
11. Click ISSUE button after setting the lowering of threshold; and
12. After performing the lowering of threshold, click on the blue triangle at the left corner of the screen and click on LOG-OUT.

C. Transmission of Results

After generating the canvassing reports, the CCSO shall:

1. Under the CLOSURE PROCEDURE module, click the "TRANSMIT RESULTS" icon in the HOME PAGE;
2. The CCS shall display the list of positions/contests with corresponding checkbox. Also, the "Contest Name" header has a checkbox;
3. To select per position, tick the checkbox individually. To select ALL, tick the checkbox beside the "Contest Name" header;
4. The STATUS for all positions should indicate "CERTIFIED", otherwise generate the required reports before transmitting results;
5. Click "TRANSMIT";
6. The BOC signatures' window will display a message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:
 - a. If the YES button is selected, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:
 - i. Insert the USB for digital signing. After successful validation, the system will display the message, "*Please enter certificate password [1/10]*";
 - ii. Enter the password corresponding to the digital certificate and click on the ADD button;
 - iii. The message, "*You have added 1 additional signature of 10 allowed. Do you want to add another digital signature to the document?*" with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token:
 - a) If the YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;

- b) If the NO button is selected, the system will proceed to the generation of report process; and
 - c) If the CANCEL button is selected, the window is closed and will not return to the Canvassing Management screen;
7. If the CANCEL button is selected, the BOC signatures' window will be closed out and the process will not continue;
 8. The TRANSMIT window shall be displayed. This contains the status of transmission and the transmission process; and
 9. Once the transmission is completed, the CCS will display the message, "*TRANSMISSION RESULTS PROCESS WAS FINISHED*". After transmission, press "CLOSE" to return to the TRANSMIT RESULT screen.

D. Generate and Print the Statement of Votes (SOV)

1. Under the Canvassing module, click the "CANVASSING MANAGEMENT" icon in the HOMEPAGE;
2. From the left panel, scroll down and click the "STATEMENT OF VOTES (SOV)". The list of positions will be displayed on the right panel;
3. 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 is clicked, this will enable the "ISSUE" button;
4. Click "ISSUE" button located at the bottom portion of the screen;
5. The BOC signatures' window will display a message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:
 - a. If the YES button is selected, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:

- i. Insert the USB for digital signing. After successful validation, the system will display the message, *“Please enter certificate password [1/10]”*;
 - ii. Enter the password corresponding to the digital certificate and click on the ADD button;
 - iii. The message, *“You have added 1 additional signature of 10 allowed. Do you want to add another digital signature to the document?”* with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token;
 - a) If the YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;
 - b) If the NO button is selected, the system will proceed to the generation of report process;
 - c) If the CANCEL button is selected, the window is closed and will not return to the Canvassing Management screen;
 - b. If the CANCEL button is selected, the BOC signatures’ window will be closed out and the process will not continue;
6. If the NO button is selected, the system will skip the digital signing and generate the STATEMENT OF VOTES REPORT;
7. Wait until the print preview of the SOV is displayed. Click the printer icon, then type "4" in the space provided for the number of copies. Then click "PRINT" button; and
8. Click "BACK" button to return to the previous page.

E. Generation of Certificate of Canvass and Proclamation (COCP)

The CCSO shall:

1. Under the CANVASSING module, click the "CANVASSING MANAGEMENT" icon in the HOME PAGE;
2. From the left panel, scroll down and click the "CERTIFICATE OF CANVASS AND PROCLAMATION (COCP)". The list of positions will be displayed on the right panel;
3. Select the position/positions to generate COCP by ticking the checkbox beside the position title under the Contest Name header. To select ALL positions, tick the checkbox beside the "CONTEST NAME" header. Once any checkbox is ticked, this will enable the "ISSUE" button;
4. Click "ISSUE" button located at the bottom portion of the screen;
5. The system shall require user authentication. The two (2) Members, one at a time, will insert their USB security tokens, enter their corresponding *Login User* and security key password and click "OK";
6. The BOC signatures' window will display a message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:
 - a. If the YES button is selected, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:
 - i. Insert the USB for digital signing. After successful validation, the system will display the message, "*Please enter certificate password [1/10]*";
 - ii. Enter the password corresponding to the digital certificate and click on the ADD button;
 - iii. The message, "*You have added 1 additional signature of 10 allowed. Do you want to add another digital signature to the document?*" with CANCEL, NO and YES buttons. Click on the NO

button and remove the previously inserted USB token:

- a) If the YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;
 - b) If the NO button is selected, the system will proceed to the generation of report process; and
 - c) If the CANCEL button is selected, the window is closed and will return to the Canvassing Management screen;
- b. If the CANCEL button is selected, the BOC signatures' window will be closed out and the process will not continue;
7. If the NO button is selected, the system will skip the digital signing and generate the CERTIFICATE OF CANVASS AND PROCLAMATION REPORT:
- a. In case there are no candidates receiving the same number of votes for a position, the system shall generate the COCP. Click the printer icon, then type the number of copies to be printed in the space provided. Then click "PRINT" button;
 - b. In case of a tie, the screen will display:
 - i. The "RESOLUTION OF THE VOTES" window shall appear on the screen with the list of names of candidates for said position arranged in the order depending on the votes garnered from highest to lowest;
 - ii. There is an arrow beside the name of the candidate. This denotes if the candidate is placed on ascending or descending order;
 - iii. A checkbox with label "I AGREE" is at the rightmost column of the same row with the header. A "RESET" button is found beneath this checkbox; and
 - iv. The "PRINT", "SKIP AND PROCEED" and "SAVE" buttons are found below the "RESOLUTION OF THE VOTES" window.

Before ticking the "I AGREE" checkbox and clicking the "SAVE" button, the BOC shall first decide who the winners are for the particular position. For this purpose, the BOC, after recording in its Minutes the fact of having candidates receiving the same number of votes for the position, shall, by resolution and upon a five (5)-day notice to all the tied candidates, hold a special public meeting at which the BOC shall proceed to the drawing of lots.

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

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

- a. Click and hold the row corresponding to the candidate's name;
- b. Drag and drop the row according to the order;
- c. Notice the arrow beside the candidate's name will be colored green if the position is moved upwards and red if downwards;
- d. After completing the arrangement of winners with tie votes, tick on the checkbox with "I AGREE" label;
- e. If multiple positions/contests have tie votes, make sure these were already arranged in order and their corresponding "I AGREE" checkboxes were ticked. Otherwise, the SAVE button will not be enabled;
- f. Click "SAVE"; and
- g. The CCS shall generate the COCP.

9. Click "PRINT" found at the bottom of the screen. The print preview of the COCP will be displayed. Repeat

procedures [2] to [9] until all COCP for all positions are generated;

10. Click "BACK" to return to the previous page; and
11. The CCS will return to the CANVASSING MANAGEMENT screen.

F. Printing of Audit Log

The CCSO shall:

1. From the HOME PAGE, click the "SYSTEM LOGS" icon under the System Administration module;
2. Under the EVENTS tab, the screen will display the logs of the CCS;
3. Click "PRINT" at the bottom of the screen;
4. The preview of the audit log shall be displayed. Then click the PRINTER icon;
5. Enter the number of copies "1" in the space provided and click "PRINT";
6. Click "CONTINUE" to return to the "SYSTEM LOGS" screen; and
7. Click the "HOME PAGE" icon.

G. Post Printing Activities

Immediately after printing copies of the COC, SOV, and COCP, the BOC shall:

1. Affix their signatures and thumb marks on the printed COC, SOV and COCP;
2. Ask the watchers present to affix their signatures and thumb marks on the printed COC, SOV and COCP;
3. The Chairperson of the BOC shall publicly announce the total number of votes received by each candidate, stating their corresponding offices;
4. The Member-Secretary shall announce the posting of the COC on the wall within the premises of the canvassing area; and

5. The Member-Secretary shall place all reports in the corresponding envelopes with paper seals.

H. Post-Election Report

1. In case the COC has already been generated and the succeeding transmitted results are received in the CCS, click the "CANVASSING MANAGEMENT" icon from the HOME PAGE. From the left pane of the CANVASSING MANAGEMENT screen, scroll down and click "POST ELECTION" under OTHER OPTIONS;
2. Check CONTEST NAME to select all POSITIONS, then click "ISSUE" and wait for the POST ELECTION Report to be displayed;
3. The BOC signatures' window will display a message, "*Do you want to add digital signatures to the document?*" with CANCEL, NO and YES buttons:
 - a. If the YES button is selected, the system will display the message, "*Please insert a valid certificate.*" with CANCEL, ADD and SKIP buttons:
 - i. Insert the USB for digital signing. After successful validation, the system will display the message, "*Please enter certificate password [1/10]*";
 - ii. Enter the password corresponding to the digital certificate and click on the ADD button;
 - iii. The message, "*You have added 1 additional signature of 10 allowed. Do you want to another digital signatures to the document?*" with CANCEL, NO and YES buttons. Click on the NO button and remove the previously inserted USB token:
 - a) If the YES button is selected, repeat steps (i) to (iii) until the desired number of digital signatures is reached;
 - b) If the NO button is selected, the system will proceed to the generation of report process; and

- c) If the CANCEL button is selected, the window is closed and will not return to the Canvassing Management screen;
 - b. If the CANCEL button is selected, the BOC signatures' window will be closed out and the process will not continue; and
 - c. If the NO button is selected, the system will skip the digital signing and generate the POST-ELECTION REPORT.
4. From the right upper portion of the report, click PRINTER icon then click PRINT button to print the report;
5. Click BACK button from the LOWER RIGHT of the screen;
6. From the upper left portion, select blue-arrow then select Home to return to Home Page;
7. The Members of the BOC shall affix their signature in the space provided for the purpose; and
8. Submit one (1) copy of the post-election report to the ERSD of the Commission and one (1) copy shall be kept by the Chairperson of the BOC.

I. Back-Up

After all the results have been successfully transmitted, the CCSO shall:

1. Insert a blank disc in the CD drive;
2. Under the CLOSURE PROCEDURE module, click the "EXPORT DATA" icon in the HOME PAGE;
3. Click the green "PLAY" icon beside BACKUP RESULTS;
4. Wait until the back-up process is finished and the message, *"The backup of results process was finished successfully."*;
5. Remove the CD from the CD drive and:
 - a. Place inside an envelope provided for the purpose and seal the same;

- b. Label the envelope with "TRANSMITTED" or "NOT TRANSMITTED" to show whether the results are transmitted or not transmitted;
- c. Indicate in the envelope the city/municipality and province;
- d. Sign the envelope; (Note: The CD shall be used by the BOC in case of failure of transmission)
- e. Repeat steps [1] to [4] to back-up the files in two (2) additional discs;
- f. Turn over the CD to the Chairperson; and
- g. Submit to the RCG of the PBOC (for MBOC/CBOC)/National Board of Canvassers (for PBOC/CBOC).

The two (2) discs used to back-up the city/municipal or provincial results, duly sealed shall be submitted to the PBOC and the Commission. One copy of the CD shall be retained by the Chairperson of the BOC.

J. Shutting Down of the CCS

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

1. Click the blue triangular icon found at the top leftmost portion of the screen, to display the hidden side panel;
2. Click "LOG OUT" option from the menu. A confirmation message displays on the screen, "*Do you want to end this session?*", click "OK"; and
3. Click the power button icon on the task bar and select "SHUT DOWN". Wait for the laptop to shut down completely and turn over the CCS laptop to the Chairperson of the BOC.

K. Proclamation of the Winning Candidates

A candidate who obtained the highest number of votes shall be proclaimed by the BOC, except the following:

1. In case the candidate who obtains the highest number of votes has been disqualified under Rule 25 of

COMELEC Resolution No. 9523² by a final and executory Decision or Resolution after the elections and he/she obtains the highest number of votes cast for a particular position, the BOC shall not proclaim the candidate and the rule on succession, if allowed by law, shall be observed. In case the position does not allow the rule of succession under Republic Act No. 7160, the position shall be deemed vacant;

2. In case the certificate of candidacy of the candidate who obtained the highest number of votes has been cancelled or denied due course under Rule 23 of COMELEC Resolution No. 9523³, for being **void ab initio**, by a final and executory Decision or Resolution, the votes cast for such candidate shall be considered stray, hence, the BOC shall proceed to proclaim the candidate who obtained the second highest number of votes. Provided the latter's certificate of candidacy has not likewise been cancelled by a final and executory Decision or Resolution before the elections; and
3. In case a candidate has been declared a nuisance candidate by final and executory Decision or Resolution, the votes cast for the nuisance candidate shall be added to the candidate who shares the same surname as the nuisance candidate and thereafter, the candidate who garnered the highest number of votes shall be proclaimed. However, this rule shall not apply in a multi-slot office.

In case of two or more candidates having the same surnames, and thereafter all candidates, except one, have been declared by final and executory Decision or Resolution as nuisance candidates, the votes cast for them shall not be considered as stray votes and shall be credited to the lone remaining candidate of the same surname.

In case of two or more candidates having the same surnames as the nuisance candidate, the votes cast for them shall be considered as stray votes and shall not be credited to any candidate.

² In the Matter of the Amendment to Rules 23, 24, and 25 of the COMELEC Rules of Procedure for Purposes of the 13 May 2013 National, Local, and ARMM Elections and Subsequent Elections, dated 25 September 2012.

³ *Id.*

In case the nuisance candidate does not have the same surname as any candidate for the same position, the votes cast for the nuisance candidate shall be considered as stray votes.

In case the name of a candidate with a pending petition to declare such candidate as a nuisance candidate, has already been printed in the official ballot, and such candidate files a sworn statement of withdrawal of the Certificate of Candidacy, the withdrawal shall not render the petition moot and academic. In such case, the Commission shall proceed to resolve the petition.

Provided that, in all instances where a Decision or Resolution of the Commission (either sitting in Division or En Banc) disqualifying a candidate or cancelling or denying due course a Certificate of Candidacy is presented before the Board of Canvassers, a Certificate of Finality issued by the Clerk of the Commission must be attached to said Decision/Resolution. Upon receipt thereof, the Chairperson of the Board of Canvassers shall verify if the presented Decision/Resolution and the Certificate of Finality are duly-issued by the Commission before the Clerk of the Commission by the fastest means available such as, but not limited to phone call, sending of electronic mail, etc.

Upon the verification that Decision/Resolution and Certificate of Finality presented are duly issued by the Commission, the BOC shall proceed to proclaim the duly-elected candidate.

A Decision or Resolution is deemed final and executory if:

- a) in case of a Division ruling, no motion for reconsideration is filed within the reglementary period; or
- b) in case of an En Banc ruling and no restraining order was issued by the Supreme Court within five (5) days from receipt of the Decision or Resolution.

Where a Petition to Deny Due Course or Cancel a Certificate of Candidacy, Declare a Nuisance Candidate, or for Disqualification remains pending with the Commission on the day of canvassing and no order of suspension of proclamation is issued by the Comelec En Banc or Division where said Petition is pending, the BOC shall proceed to proclaim the winner.

Three (3) days before the convening of the BOC, the Clerk of the Commission shall furnish the BOC concerned a list of final and executory case or cases with restraining order.

In cases where the generated/printed COCP does not reflect the true winner for a particular position, by reason of the circumstances stated in subparagraphs (K)(1)(2) and (3) of this section, the BOC is authorized to effect the necessary correction on the entry for said position to reflect the true winner as determined in accordance with the foregoing rules, provided all the Members of the BOC countersign such entry. Such fact shall be entered in the Minutes.

ARTICLE IV
DISTRIBUTION OF THE CERTIFICATE OF CANVASS AND
PROCLAMATION and STATEMENT OF VOTES

SEC. 34. Distribution of Certificate of Canvass (COC). - Upon completion of the canvass, the BOC shall distribute the COCs as follows:

A. In case of MBOC/CBOC/DBOC.

1. The first copy shall be delivered to the PBOC for use in the canvass of election results for President, Vice-President, Senators, Members of the House of Representatives, Party-list groups, and elective provincial officials;
2. The second copy shall be sent to the Commission;
3. The third copy shall be kept by the Chairperson of the BOC;
4. The fourth copy shall be given to the PPCRV, to conduct an unofficial count. It shall be the duty of the PPCRV to furnish independent candidates copies of the COC at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of Senate;
6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies shall be given to the dominant majority and minority parties;

8. The ninth to eighteenth copies shall be given to the ten (10) accredited major national parties, excluding the dominant majority and minority parties, in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of the criteria provided in Section 26 of Republic Act No. 7166;
9. The nineteenth and twentieth copies shall be given to the two accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of criteria analogous to that provided in Section 26 of Republic Act No. 7166;
10. The twenty-first to the twenty-fifth copies to national broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible;
11. The twenty-six and twenty-seven copies, to local broadcast or print media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible; and
12. The twenty-eighth to the thirtieth copies, to the major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arms, groups and organization may use the three certified copies of election returns for the conduct of citizens' quick counts at the local or national levels.

The M/CBOC/DBOC shall print three (3) copies of the Statement of Votes by precinct to be attached to the COC intended for (1), (2), and (3).

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

1. The first copy shall be sent to Congress, directed to the President of the Senate for use in the canvass of election results for President and Vice-President;
2. The second copy shall be sent to the Commission for use in the canvass of the election results for senators and Party-list groups;

3. The third copy shall be kept by the Chairperson of the Board;
4. The fourth copy shall be given to the PPCRV to conduct an unofficial count. It shall be the duty of the PPCRV to furnish independent candidates copies of the certificate of canvass at the expense of the requesting party;
5. The fifth copy to Congress, directed to the President of the Senate;
6. The sixth copy to be posted on a wall within the premises of the canvassing center;
7. The seventh and eighth copies to the dominant majority and minority parties;
8. The ninth and tenth copies to two accredited major national parties representing the majority and minority, excluding the dominant majority and minority parties, to be determined by the Commission on the basis of the criteria provided in Section 26 of Republic Act No. 7166;
9. The eleventh to thirteenth copies to broadcast media entities as may be equitably determined by the Commission in view of propagating the copies to the widest extent possible; and
10. The fourteenth copy to another citizens' arm or in the absence thereof, to a non-partisan group or organization enlisted by the Commission pursuant to Section 52(k) of Batas Pambansa Blg. 881. Such citizens' arm or non-partisan group or organization may use the copy of election return for the conduct of citizens' quick counts at the local or national levels.

The PBOC shall print three (3) copies of the Statement of Votes by City/Municipality to be attached to the COC intended for (1), (2), and (3).

The three (3) discs used to store and back-up the municipal/consolidated results shall also be placed individually inside an envelope, duly sealed, and submitted to the Congress, Commission and one copy to be retained by the Chairperson of the BOC.

The COC and Statement of Votes shall be signed and thumb-marked by the Chairperson and Members of the BOC, and the watchers, if available. Thereafter, all copies, with their respective supporting documents, shall each be sealed with a serially-numbered

paper seal (CEF No. A12) and placed inside their corresponding envelopes. Each envelope shall likewise be sealed with a serially-numbered paper seal.

SEC. 35. Distribution of Certificate of Canvass and Proclamation (COCP) and Statement of Votes (SOV). - The BOC shall generate and print sufficient copies of the COCP and two (2) copies of SOV to be distributed as follows:

A. For MBOC/CBOC –

1. Election Records and Statistics Department (ERSD);
2. For posting on the bulletin board of the municipal/city hall;
3. Chairperson, MBOC/CBOC;
4. Secretary, *Sangguniang Bayan/Panlungsod*;
5. Municipal/City Treasurer;
6. Winning Candidate for Mayor, Winning Candidate for Vice-Mayor; and
7. Winning Candidates for members of the *Sangguniang Bayan/Panlungsod*;

The copies of the COCP for (1) and (3) shall be supported by an SOV by precinct containing the total number of votes obtained by each candidate in each precinct and the grand total they obtained in the entire municipality/city/district. Said documents shall be signed and thumb-marked by the Chairperson and Members of the MBOC/CBOC.

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

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

B. For DBOC/CBOC in Cities Comprising One or More Legislative Districts/Highly Urbanized Cities –

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

- i. To ERSD;
- ii. For posting on the bulletin board of the city hall;
- iii. To the Chairperson of the Board;
- iv. To the Regional Election Director;
- v. To the Secretary General of the House of Representatives; and
- vi. To the winning candidates.

The D/CBOC comprising one or more legislative districts, a copy of the SOV shall be attached to the copies of the COCPs for (i) and (iii). Copies (i), (iii), (iv), and (v) shall be individually folded from top to bottom, sealed with serially-numbered paper seals (CEF No. A12), and placed inside their corresponding envelopes, which shall likewise be sealed with serially-numbered paper seals.

The COCP shall be signed and thumb-marked by the Chairperson and Members of the BOC, and the watchers, if available.

2. For Winning Candidates for City Offices:

- i. ERSD;
- ii. for posting on the bulletin board of the city hall;
- iii. Chairperson, CBOC;
- iv. Secretary of *Sangguniang Panlungsod*;
- v. City Treasurer; and
- vi. Each of the winning candidates.

The copies for (i) and (iii) shall be supported by an SOV by precinct. Copies (i), (iii), (iv), and (v) shall be individually folded from top to bottom, sealed with serially-numbered paper seals (CEF No. A12), and placed inside their corresponding envelopes, which shall likewise be sealed with serially-numbered paper seals.

The COCP shall be signed and thumb-marked by the Chairperson and Members of the BOC, and the watchers, if available.

C. For PBOC –

1. For winning candidate for Members of House of Representatives:
 - i. To ERSD;
 - ii. For posting on the bulletin board of the provincial hall;
 - iii. To the Chairperson of the Board;
 - iv. To the Regional Election Director;
 - v. To the Secretary General of the House of Representatives; and
 - vi. To the winning candidates.

SOV shall be attached to the copies of the COCPs for (i) and (iii). Copies (i), (iii), (iv), and (v) shall be individually folded from top to bottom, sealed with serially-numbered paper seals (CEF No. A12) and placed inside their corresponding envelopes, which shall likewise be sealed with serially-numbered paper seals.

The COCP shall be signed and thumb-marked by the Chairperson and Members of the BOC, and the watchers, if available.

2. For winning candidates of the provincial offices.
 - i. To the ERSD;
 - ii. To the Chairperson of the PBOC;
 - iii. To the Secretary of the *Sangguniang Panlalawigan*;
 - iv. To the RED; and
 - v. To each of the winning candidates.

The copies for (i) and (iii) shall be supported by an SOV by precinct. Copies (i), (iii), (iv), and (v) shall be individually folded

from top to bottom, sealed with serially-numbered paper seals (CEF No. A12), and placed inside their corresponding envelopes, which shall likewise be sealed with serially-numbered paper seals.

The COCP shall be signed and thumb-marked by the Chairperson and Members of the BOC, and the watchers, if available.

ARTICLE V POST CANVASSING PROCEDURES

SEC. 36. Delivery of the Certificate of Canvass (COC). - The Chairperson of the BOC shall personally deliver by fastest means the hard copies of COCs and SOVs including the back-up CDs to the following:

A. In case of MBOC/CBOC:

To the PBOC, a copy of the COC for President, Vice-President, Senators, Party-list groups, Members of the House of Representatives, Governor, Vice-Governor and *Sangguniang Panlalawigan*;

B. In case of PBOC, CBOC in cities comprising two (2) or more legislative districts, and DBOC:

1. To Congress, sitting as the National Board of Canvassers, a copy of the certificate of canvass for the President and Vice-President, directed to the Senate President; and
2. To Commission sitting as the National Board of Canvassers (NBOC) for Senators and Party-list groups.

SEC. 37. Safekeeping of hard copies of ERs or COCs, back-up CDs and CCS. - The BOC shall place the ERs/COCs in ballot boxes that shall be locked with three (3) padlocks and one serially-numbered self-locking seal. The Members of the BOC shall each keep a key to the three (3) padlocks. The serial number of every seal used shall be entered in the Minutes.

The said ballot boxes shall be kept in a safe and secured room before, during and after the canvass. The door to the room shall be locked with three (3) padlocks with the keys thereof kept by each Member of the BOC.

The watchers shall have the right to guard the room.

ARTICLE VI
ELECTION OFFENSES; ELECTORAL SABOTAGE

SEC. 38. Election Offenses; Electoral Sabotage. - In addition to the prohibited acts and election offenses mentioned herein and those enumerated in Sections 261 and 262 of Batas Pambansa Blg. 881, as amended, the following shall be guilty of an election offense:

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 SOV, or a print or digital copy thereof;
3. Any person who simulates the certification of a COC or SOV;
4. The Chairperson or any Member of the BOC who, during the prescribed period of posting, removes the COC from the wall on which they have been posted other than for the purpose of immediately transferring them to a more suitable place;
5. The Chairperson or any Member of the BOC who signs or authenticates the COC or its supporting SOV outside of the canvassing venue;
6. The Chairperson or any Member of the BOC who signs or authenticates a print which bears an image different from the COC or SOV produced after canvassing and posted on the wall; and
7. Any person or Member of the EB or BOC who tampers, increases or decreases the votes received by a candidate in any election or any Member of the BOC who refuses, after proper verification and hearing, to credit the correct votes or deduct such tampered votes: Provided, however, that when the tampering, increase or decrease of votes or the refusal to credit the correct votes and/or to deduct tampered votes are perpetrated on a large scale or in substantial numbers, the same shall be considered, not as an ordinary election offense under Section 261 and/or 262 of the Omnibus Election Code, but a special election offense to be known as electoral sabotage, and the penalty to be imposed shall be life imprisonment.

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

- 7.1. When the tampering, increase and/or decrease of votes perpetrated or the refusal to credit the correct votes or to deduct tampered votes, is/are committed in the election of a national elective office which is voted upon nationwide and the tampering, increase and/or decrease of votes, refusal to credit the correct votes or to deduct tampered votes, shall adversely affect the results of the election to the said national office to the extent that the losing candidate/s is/are made to appear the winner/s;
- 7.2. Regardless of the elective office involved, when the tampering, increase and/or decrease of votes committed or the refusal to credit the correct votes or to deduct tampered votes perpetrated, is accomplished in a single election document or in the transposition of the figures/results from one election document to another and involved in the said tampering increase and/or decrease or refusal to credit correct votes or deduct tampered votes exceed five thousand (5,000) votes, and that the same adversely affects the true results of the election; and
- 7.3. Any and all other forms or tampering increase/s and/or decrease/s of votes perpetuated or in cases of refusal to credit the correct votes or deduct the tampered votes, where the total votes involved exceed ten thousand (10,000) votes.

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

ARTICLE VII
COVID19 PREVENTIVE MEASURES, HEALTH AND SAFETY
PROTOCOLS DURING CANVASS/CONSOLIDATION; AND
TRANSMISSION OF VOTES

SEC. 39. Health and Safety Rules. The following measures and those issued pursuant to the guidelines published by the National Government, DOH, IATF-MEID, and the Local Government Unit concerned, shall be observed at all times in all activities covered by this Resolution, including, but not limited to:

1. Wearing of face mask and face shield;
2. Body temperature scanning;
3. One-meter physical distancing;
4. Frequent disinfection of hands;
5. Frequent disinfection of regularly-touched surfaces;
6. Proper cough and sneezing etiquette;
7. Limited number of workers;
8. Disinfection of documents, supplies, device/equipment;
9. Use of own pen;
10. Requirement of negative antigen result/RT-PCR; and
11. Submission of Health Declaration Form.

SEC. 40. Canvassing Venue. The Board of Canvassers shall:

1. Strictly implement Election Day protocols and shall allow entry only to those who pass the following:
 - a. Temperature checking – those who register a body temperature of less than 37.5 degrees Celsius on the first or second scanning;
 - b. Fully-vaccinated individuals; in lieu of vaccination, a negative Antigen/RT-PCR test result; and
 - c. No symptoms of COVID-19, as indicated in the Health Declaration Form.

Those who fail in any of the aforementioned requirement shall not be allowed to enter the canvassing venue and shall be referred to the Medical Personnel for proper medical advice;

2. Install barriers between the BOC, RCG, watchers, legal counsels, and other stakeholders inside the canvassing center;
3. Appoint at least one (1) of the Support Staff as COVID marshal in such number as may be necessary to ensure strict compliance of all persons inside the canvassing venue, and report any non-compliance to the BOC, who may order violators to leave the canvassing area;
4. Ensure, at all times, that the total number of persons inside the canvassing venue does not exceed its operational capacity. In case of limited space, an order of preference of watchers and lawyers shall be strictly observed inside the canvassing venue to limit the number of people. They shall be present one at a time and not together at any given time, depending on the prevailing alert level status:

- a. With political party – one (1) representative at a time;
- b. Independent Candidates – either the candidate or his/her representative;
- c. Counsel – one (1) counsel per candidate; and
- d. Watchers – accredited citizens’ arms, dominant majority and dominant minority.

If the space in the canvassing venue is insufficient, preference shall be given to the watcher, lawyer, or official representative of the dominant majority and dominant minority parties, as determined by the Commission, and of the duly accredited citizens’ arm of the Commission;

5. The proceedings shall be flashed on a screen outside the canvassing venue for the benefit of those who cannot be accommodated inside;
6. The counsels and watchers shall be required to sign using their own pen;
7. During proclamation of the winning candidates, the BOC shall not physically raise their hands and shall strictly observe the minimum health standards/protocols; and
8. Observers outside the canvassing venue shall, as far as practicable, likewise observe the strict compliance of protocols set forth in this Article.

SEC. 41. Changes in Procedures and Protocols. – The Commission may modify the guidelines set forth in this Resolution as the circumstances may warrant depending on the rules to be issued by the national government, DOH, IATF-MEID, and the Local Government Unit concerned.

ARTICLE VIII EFFECTIVITY AND DISSEMINATION

SEC. 42. Publication and Effectivity. - This Resolution shall take effect on the seventh (7th) day following its publication in two (2) daily newspapers of general circulation in the Philippines.

SEC. 43. Dissemination. - The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines and to furnish the Department of Justice, Department of Education, Ministry of Basic, Higher, and Technical Education, the Department

of Finance, all Regional Election Directors, Provincial Election Supervisors and Election Officers, and the City/Municipal Treasurers with copies of the Resolution. This Resolution shall likewise be posted in the COMELEC website.

SO ORDERED.

SHERIFF M. ABAS

Chairman

MA. ROWENA AMELIA V. GUANZON

Commissioner

SOCORRO B. INTING

Commissioner

MARLON S. CASQUEJO

Commissioner

ANTONIO T. KHO, JR.

Commissioner

AIMEE P. FEROLINO

Commissioner

CERTIFICATION

APPROVED by the Commission *En Banc* on 17 November 2021 pursuant to COMELEC Resolution No. 10671 entitled: "Supplemental Resolution to COMELEC Resolution No. 9366 Promulgated March 25, 2015 entitled, '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".

Signed:



CONSUELO B. DIOLA

Acting COMELEC Secretary