



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

**GENERAL INSTRUCTIONS FOR
THE BOARDS OF ELECTION
INSPECTORS ON THE CASTING
AND COUNTING OF VOTES IN
CONNECTION WITH THE MAY
14, 2007 SYNCHRONIZED
NATIONAL AND LOCAL
ELECTIONS**

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RESOLUTION NO. 7815

The Commission on Elections, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code (BP Blg. 881), Republic Acts No. 6646, 7166, 7904, 7941, 8189 and other election laws, **RESOLVED** to promulgate, as it hereby **RESOLVES** to promulgate, the following General Instructions for the Boards of Election Inspectors on the Casting and Counting of Votes in connection with the May 14, 2007 Synchronized National and Local Elections:

Article I

BOARD OF ELECTION INSPECTORS

SECTION 1. Board of Election Inspectors; constitution and appointment.

– The Commission, through its election officer, shall constitute for each precinct or cluster of precincts a Board of Election Inspectors, hereinafter referred to as the BEI, and appoint its members in writing in the form prescribed by the Commission (CE Form No. 5) not later than February 28, 2007. The BEI shall be composed of a chairman and two members, all of whom shall be public school teachers, giving preference to those with permanent appointments. One of the members shall be designated as poll clerk.

For this purpose, the District Supervisor concerned shall submit a list of public school teachers registered as voters in the city/municipality from which the Election Officer shall constitute the regular members of the BEI and their substitute.

SEC. 2. Qualifications of members of the BEI. - No public school teacher shall be appointed as chairman or member of the BEI, whether regular, substitute or temporary, unless he:

- a. Is of good moral character and irreproachable reputation;
- b. Is a registered voter of the city or municipality;
- c. Has never been convicted of any election offense or of any other crime punishable by more than six (6) months of imprisonment, or has no pending case filed against him for any election offense; and
- d. Is able to speak and write English or the local dialect.

In case there are not enough qualified public school teachers, teachers in private schools, employees in the civil service, or citizens of known probity and competence, who are registered voters of the city or municipality, may be appointed as members of the BEI, provided that the chairman shall be a public school teacher.

Any person who, being ineligible for appointment as member of the BEI accepts an appointment to said Board, assumes office, and actually serves as member thereof, or any public officer or any person acting in his behalf who appoints such ineligible person knowing him to be ineligible, shall be guilty of an election offense.

SEC. 3. Oath of members of the BEI. - Before assuming office, the chairman and members of the BEI shall take and sign an oath in the form prescribed by the Commission (CE Form No. 5-A) before the election officer. Copies of the oath shall be retained by the election officer.

SEC. 4. Disqualification. - No person shall serve as chairman or member of the BEI if he or his spouse is related within the fourth civil degree of consanguinity or affinity to any member of the same BEI, or to any candidate to be voted for in the polling place or his spouse.

SEC. 5. Notice of disqualification. - Any member who is disqualified for any reason shall notify the election officer in writing who shall, in turn, immediately appoint a replacement.

SEC. 6. Temporary vacancies in the BEI. – If, at the time of the meeting of the BEI, any member is absent or the office is still vacant, the members present shall call upon the substitute of the absent member from the roll of substitutes listed by the Department of Education (DepEd) to perform the duties of the absent member. In case of non-availability of a substitute, the members present shall appoint any non-partisan registered voter of the precinct not otherwise disqualified to temporarily fill said vacancy until the absent member appears or the vacancy is filled. In case there are two members present, they shall act jointly.

For this purpose, the District Supervisor concerned shall submit to the Election Officer a list of teachers to act as substitute in case of temporary vacancy in the BEI.

SEC. 7. Arrest of absent members. – The member or members of the BEI present may order the arrest of any member who, in his or their judgment,

has absented himself with the intention of obstructing the performance of the duties of the BEI.

SEC. 8. Powers and functions of the BEI. - The BEI shall have the following powers and functions:

- a. Conduct the voting and counting of votes in their respective polling places;
- b. Act as deputies of the Commission in the supervision and control of the election in the polling place wherein they are assigned;
- c. Maintain order within the polling place and its premises, keep access thereto open and unobstructed, and enforce obedience to its lawful orders. If any person refuses to obey the lawful orders of the BEI or conducts himself in a disorderly manner in its presence or within its hearing and thereby interrupts or disturbs its proceedings, the BEI may issue an order in writing directing any peace officer to take such person into custody until the adjournment of the meeting, but such order shall not be executed as to prevent such person from voting; and
- d. Perform such other functions prescribed under the Omnibus Election Code or by the rules and regulations promulgated by the Commission.

SEC. 9. Proceedings of the BEI. - The meeting of the BEI shall be public and held in the polling place designated by the Commission.

The BEI shall act through its chairman and shall decide, without delay, by majority vote all questions which may arise in the performance of its duties.

SEC. 10. Prohibition against political activity. - No member of the BEI shall engage in any partisan political activity or take part in the election except to discharge his duties and to vote.

SEC. 11. Per diem of the BEI. - The chairman and members of the BEI, the provincial, city and municipal treasurers, and the administrators and supervisors of the DepEd assigned by the Commission to perform election duties shall each receive a per diem of One Thousand Pesos (P1,000) for each day of service, provided that in no case shall payment of per diem for services rendered exceed Three Thousand Pesos (P3,000). Support personnel from the DepEd who may be required by the Commission to perform election duties shall each be entitled to a per diem of Five Hundred Pesos (P500) for each day of service, provided that in no case shall payment of per diem for services rendered exceed One Thousand Five Hundred Pesos (P1,500).

Article II

WATCHERS

SEC. 12. Official watchers of candidates, political parties and other groups. - Each candidate, political party or coalition of political parties duly registered with the Commission and fielding candidates in the May 14, 2007

elections including those participating under the party list system of representation, as well as duly accredited citizens' arms may appoint two watchers, to serve alternately, in every polling place. However, candidates for *Sangguniang Panlalawigan*, *Sangguniang Panlungsod* or *Sangguniang Bayan*, belonging to the same ticket or slate, and other civic, religious, professional, business, service, youth, and any other similar organizations, with prior authority of the Commission, shall collectively be entitled to two watchers, to serve alternately, in every polling place.

If because of limited space, all watchers cannot be accommodated in the polling place, preference shall be given to the watchers of the six (6) accredited major political parties as determined by the Commission and the watcher of the citizens' arm, with the latter being given preferential position closest to the BEI.

SEC. 13. Qualifications of watchers. - No person shall be appointed watcher unless he is a qualified voter of the city or municipality comprising the precinct where he is assigned; is of good reputation; has not been convicted by final judgment of any election offense or of any other crime; knows how to read and write Pilipino, English or any of the prevailing local dialects; and is not related within the fourth civil degree of consanguinity or affinity to the chairman or any member of the BEI in the polling place where he seeks appointment as watcher.

No appointive or elective barangay official, including barangay *tanod*, shall be appointed as watcher.

SEC. 14. Rights and duties of watchers. - Upon entering the polling place, the watchers shall deliver to the chairman of the BEI their appointments as watchers and their names shall forthwith be recorded in the Minutes of Voting and Counting of Votes with a notation opposite their signatures that they are not disqualified to serve as such. The appointments of the watchers shall bear the personal signature of the candidate or duly authorized representatives of the party, organization or coalition which appointed them. For this purpose, registered parties, organizations or coalitions authorized by the Commission to appoint watchers shall, not later than April 27, 2007, provide the election officer concerned with the names and signatures of their representatives authorized to appoint watchers in the city or municipality.

The watchers shall have the right to:

- a. Witness and inform themselves of the proceedings of the BEI;
- b. Take note of what they may see or hear;
- c. Take photographs of the proceedings and incidents, if any, during the counting of votes, as well as the election returns, tally board and ballot boxes;
- d. File a protest against any irregularity or violation of law which they believe may have been committed by the BEI or any of its members or by any person;
- e. Obtain from the BEI a certificate as to the filing of such protest and/or of the resolution thereon;

- f. Read the ballot after it shall have been read by the chairman, as well as the election returns after it shall have been completed and signed by the members of the BEI, without touching said election documents; and
- g. Be furnished, upon request, with a Certificate of Votes cast for the candidates, duly signed and thumbmarked by the chairman and all members of the BEI.

Watchers shall not speak to any member of the BEI, or to any voter, or among themselves, in such a manner as would disturb the proceedings of the BEI.

The six (6) principal watchers representing the six (6) accredited major political parties in the polling place shall, if available, affix their signatures and thumbmarks in the election returns.

Article III

ELECTION FORMS AND SUPPLIES

SEC. 15. Election forms, documents and supplies. - Except when authorized to do so earlier by the Commission, the BEI shall get the following forms, documents and supplies early in the morning of election day:

CEF NO.	FORMS AND SUPPLIES	RATE OF DISTRIBUTION	
3	Poster Indicating Precinct Number	1	Piece
4	Certified List of Candidates for Senator; Party-List System of Representation; Member, House of Representatives; Governor; Vice-Governor; Member, Provincial Board; City/Municipal Mayor; City/Municipal Vice-Mayor and City/Municipal Councilor	12	Copies
6	Official Ballots	1	Piece per voter + 3 per precinct
9	Election Returns	1	Set
10	Tally Board	1	Set
11	Minutes of Voting and Counting of Votes	1	Set of 2 pcs.
12	Paper Seals	25	Pieces
13	Certificate of Votes	20	Pieces
14	Certificate of Receipt of Official Ballots, Other Forms and Supplies by BEI	3	Pieces
27 to 27-D	Official Receipt of Election Returns - copy for the Election Officer - copy for the Board of Canvassers - copy for the Dominant Majority Party - copy for the Dominant Minority Party - copy for the Citizens' Arm	10	Pieces
ENVELOPE FOR VOTING AND COUNTING			
15, 16, 16-A, 16-B, 16-C, 16-D and 28	for Counted Official Ballots, Excess, Marked, Spoiled, Torn Half of Unused Official Ballots, Other Half of Torn Unused Official Ballots and Official Ballots	7	Pieces

17, 17-B to 17-G	for Election Returns - copy for the City/Municipal Board of Canvassers - copy for the Commission - copy for Provincial Board of Canvassers - copy for Dominant Majority Party - copy for Dominant Minority Party - copy for Accredited Citizens Arm - copy for Ballot Box	1	Set of 7 pcs.
OTHER ENVELOPES			
18 & 18-A	for Minutes of Voting and Counting of Votes	1	set of 2 pcs.
19, 19-A & 19-B	for Key of Ballot Box	1	set of 3 pcs.
OTHER FORMS			
30/31	Temporary Appointment of Chairman /Poll Clerk/Member	10	Pieces
33/35	Certificate of Challenge or Protest and Decision of the Board	10	Pieces
39	Oath of Voter Challenged for Illegal Acts	10	Pieces
40	Oath of Identification of Challenged Voter	10	Pieces
41	Summons Re Challenged Voter	10	Pieces
	COMELEC Pass	2	pieces/mun.
	General Instructions for BEI	3	Copies
SUPPLIES			
	Ballpen	13	Pieces
	Bond Paper Long	30	Pieces
	Carbon Paper	5	Sheets
	Rubber Band	10	Pieces
	Padlocks	3	Pieces
	Thumbprint/Fingerprint Takers	2	Pieces
	Self-locking Fixed-Length Seals	2	Pieces
	Indelible Stain Ink	2	bottles
	Ballot Secrecy Folders	12	Pieces
	Ballot Box	1	Piece

The BEI shall carefully check the different election forms, documents and supplies and the quantity actually received, and deposit them in the ballot box which shall thereafter be locked with three padlocks. Each member of the BEI shall keep in his custody one key corresponding to one of the padlocks.

The BEI shall sign a Certificate of Receipt (CE Form No. 14) in three copies, one copy of which shall be retained by the BEI. The two other copies shall be returned to the city/municipal treasurer who shall immediately after election day transmit one copy to the Election Officer concerned, who shall in turn forward the same to the Records and Statistics Division, ERSD, Manila.

SEC. 16. Official ballot. - The official ballot shall be of uniform size and color, printed on security paper with distinctive, clear and legible watermarks that will readily distinguish the ballot paper from ordinary paper.

It shall contain a stub and detachable coupon, both of which shall bear the same serial number of the ballot, with space for the thumbmark of the voter on the detachable coupon.

It shall bear the coat-of-arms of the Republic of the Philippines, the words "Official Ballot", the name of the city or the municipality and province in which the election is to be held, the date of the election and the following notice in English: "Fill out this ballot secretly using a ballot secrecy folder. Do not put any distinctive mark on any part of this ballot."

It shall contain the appropriate spaces for the positions of Senator, Party-List, Member of the House of Representatives, Governor, Vice-Governor, Provincial Board Member, City/Municipal Mayor, City/Municipal Vice-Mayor and City/Municipal Councilor, which the voter will fill-up by writing the name/s of the candidate/s or party, coalition of political parties or organization participating under the party-list system of representation of his choice.

In cities or municipalities where Arabic is of general use, the title of the offices to be voted for shall be printed in Arabic in addition to and immediately below the English title.

SEC. 17. Forms to be prepared when needed. - The following forms may be reproduced when the need arises:

- a. Temporary Appointment of Chairman/Poll Clerk/Member (Annex "A")
- b. Certificate of Challenge or Protest and Decision of the BEI (Annex "B")
- c. Oath of Voter Challenged for Illegal Acts (Annex "C")
- d. Oath of Identification of Challenged Voter (Annex "D")
- e. Summons Re Challenged Voter (Annex "E")

SEC. 18. Book of voters and computerized voters' list. - Each precinct shall have the following voters' registry, all of which shall be duly certified by the Election Registration Board (ERB):

- a. Its Book of Voters;
- b. One (1) copy of the Election Day Computerized Voters' List (EDCVL);
- c. Two (2) copies of the Posted Computerized Voters' List (PCVL); and
- d. Two (2) copies of the list of deactivated voters.

The chairman of the BEI shall have custody of the EDCVL and one (1) copy of the PCVL. The other copy of the PCVL shall be posted at the door of the polling place.

The poll clerk shall have custody of the Book of Voters

The third member shall have custody of one (1) copy of the list of deactivated voters.

SEC. 19. Minutes of Voting and Counting of Votes. - The BEI shall accomplish in two (2) copies the Minutes of Voting and Counting of Votes (CE Form No. 11) entering therein all data required as they become available and all acts as they occur. Copies of the minutes shall be signed and sealed in separate envelopes (CEF Nos. 18 and 18-A) for distribution as follows:

- a. The copy intended for the Commission shall be delivered to the Election Officer who shall forward the same to the Records and Statistics Division of the Election Records and Statistics Department, COMELEC, Manila; and
- b. The copy intended for the ballot box shall be deposited inside the ballot box compartment for valid ballots.

Article IV

CASTING OF VOTES

SEC. 20. Who are allowed to vote. - Registered voters of the precinct whose voter registration records are contained in the Book of Voters, or whose names appear in the EDCVL, and those ordered by the courts to be included in the list of voters shall be allowed to vote.

Members of the BEI and their substitutes may vote in the polling place where they are assigned, provided that:

- a. They are registered voters of the city or municipality where they are assigned, except in the National Capital Region, highly urbanized cities and other cities that are divided into councilor districts where they should be registered voters within the same councilor district where they are assigned;
- b. Their voting in the polling place where they are not registered should be noted in Part C of the Minutes of Voting and Counting of Votes; and
- c. Their names and precinct number where they are actually registered are indicated in the EDCVL.

SEC. 21. Date of election. - The election shall be held on May 14, 2007.

SEC. 22. Voting hours. - The casting of votes shall start promptly at seven o'clock in the morning and shall end at three o'clock in the afternoon of election day. If at three o'clock there are still voters within thirty meters in front of the polling place who have not yet cast their votes, the voting shall continue to allow said voters to cast their votes without interruption. For this purpose, the poll clerk shall, without delay, list the names of said voters in the prescribed form. The voters listed shall be called to vote by the poll clerk by announcing each name three times in the order in which they are listed. Any voter in the list who is not present when called shall not be permitted to vote at any later time.

SEC. 23. Place of voting. - The voters shall cast their votes in the polling place designated by the Commission for the precinct. The Poster Indicating the

Precinct Number and Location of Polling Place (CE Form No. 3) shall be prominently posted at the door of the polling place.

SEC. 24. Preliminaries to the voting. - a. The BEI shall meet at the polling place at six o'clock in the morning of election day, and do the following:

1. See to it that it has all the election forms, documents and supplies needed;
2. Cross out in the EDCVL and PCVL the names of voters excluded by order of the court, indicating opposite the names of the voters the Court that issued the order and the date thereof;
3. Write in the EDCVL and PCVL the names of the voters ordered by the court, indicating opposite the names of the voters the Court that issued the order and the date thereof;
4. Post one copy of the PCVL and the list of deactivated voters at the door of the polling place;
5. Staple or paste the certified list of candidates and registered parties, organizations or coalitions participating under the party list system of representation (CE Form Nos. 4 & 4A) inside the ballot secrecy folders;
6. Place the ballot secrecy folders on top of the desk/chair.

b. Before the voting begins, the chairman of the BEI shall:

1. Open the ballot box, empty both of its compartments, exhibit them to all those present and, being empty, lock its interior cover with three (3) padlocks. The members of the BEI shall each retain their respective keys to the padlocks during the voting; and
2. Show to the public and to the watchers present the package of official ballots and the Book of Voters, both duly sealed, and thereafter, break the seals. The number of pads and the serial numbers of the ballots in each pad, and the fact that the package of ballots and the book of voters were shown to the public with the seals intact shall be entered in the Minutes of Voting and Counting of Votes.

The interior cover of the ballot box shall remain locked until the voting is finished and the counting begins. However, if it should become necessary to make room for more ballots, the chairman, may, in the presence of the members and watchers, open the box and press down with his hands the ballots contained therein without removing any of them, after which the BEI shall again close the interior cover of the ballot box and lock it with padlocks as therein provided.

SEC. 25. Rules to be observed during the voting. - During the voting, the BEI shall see to it that:

- a. No watcher enters the places reserved for the voters and the BEI, or mingles and talks with the voters;
- b. No voter prepares his ballot without using a ballot secrecy folder or exhibits the contents of the ballot to any person;
- c. No ballot is brought outside the polling place;
- d. No person carrying any firearm or any other deadly weapon enters the polling place except those expressly authorized by the Commission;
- e. The voters vote in the order of their arrival in the polling place; and

- f. There is no crowding of voters and disorderly behavior inside the polling place.

SEC. 26. Persons allowed in and around the polling place. - Only the following shall be allowed inside the polling place:

- a. Chairman and members of the BEI.
- b. Watchers who shall stay only in the space reserved for them;
- c. Representatives of the Commission;
- d. Voters casting their votes;
- e. Voters waiting for their turn to vote;
- f. Voters waiting for their turn to get their ballots; and
- g. Others who may be specifically authorized by the Commission.

Unless specifically authorized by the Commission, it is unlawful for any officer or member of the Armed Forces of the Philippines (AFP) or the Philippine National Police (PNP) or any peace officer or armed person belonging to any extra-legal police agency, special forces, reaction forces, strike forces, Civilian Armed Force Geographical Units (CAFGUs), barangay *tanod*, or other similar forces or paramilitary forces, including special forces, security guards, special policemen, and all other kinds of armed or unarmed extra-legal police forces, to enter any polling place or stay within a radius of fifty (50) meters thereof, except to vote, in which case they shall immediately leave the polling place after voting.

In case of policemen or peace officers, they may stay outside the polling place within a radius of thirty (30) meters to be easily called by the BEI at any time when they are ordered in writing by a majority vote of the BEI for their protection and that of the voters or that of the election documents and paraphernalia. Such orders shall be entered in the Minutes. In no case shall the policemen or peace officers hold conversation with any voter or disturb, prevent or obstruct in any manner the free access of the voters to the polling place.

However, policemen or peace officers are allowed to enter the polling place when there is an actual or imminent danger of disturbance of the peace and order in the polling place.

No barangay official, including barangay *tanod*, shall enter any polling place except to vote, in which case, he shall immediately leave the polling place after voting.

SEC. 27. Authentication of ballot. - In every case, the chairman of the BEI shall, in the presence of the voter, affix his signature at the back of the ballot before issuing it to the voter.

Failure to authenticate the ballot shall constitute an election offense.

SEC. 28. Order of voting. - The voters shall fall in line in the order of their arrival in the polling place and cast their votes in the same order. They shall not crowd around the table of the BEI and shall immediately depart after having voted.

SEC. 29. Manner of obtaining ballots. - The voter shall approach the chairman and give his name and address together with the other data concerning his person.

If any member of the BEI doubts the identity of the voter, the BEI shall require the voter to present any authentic document which may establish his identity, except barangay certificate or community tax certificate. If the BEI is satisfied with his identity, the chairman shall distinctly announce the voter's name in a tone loud enough to be plainly heard throughout the polling place. If such voter has not been challenged, or having been challenged, the question has been decided in his favor, the voter shall be given a ballot.

Before giving the ballot to the voter, the chairman shall check if the right index fingernail of the voter, or any other fingernail if there be no right index finger, is stained with indelible ink, in which case the voter shall not be given a ballot. Such fact shall be entered in Part C of the Minutes of Voting and Counting of Votes.

If the voter's right index fingernail is not stained with indelible ink, the ballot shall be issued to the voter, as follows:

The Chairman shall:

- a. Announce the serial number of the ballot to be issued to the voter;
- b. Enter said serial number on the corresponding space labeled "Ballot SN" below the first name of the voter on the EDCVL;
- c. Authenticate the ballot by affixing his signature at the back thereof;
- d. Fold the ballot in such a manner that its face, except the portion where the serial number appears is covered, and give the same to the voter.

The voter shall, upon receipt of the ballot, forthwith affix his signature or in case of an illiterate or disabled voter, his thumbmark, on the proper space of the EDCVL.

No person other than the chairman shall deliver official ballots, nor shall more than one ballot be delivered at one time.

SEC. 30. Manner of voting. - The voter, upon receiving his folded ballot, shall, using a ballot secrecy folder, fill his ballot by writing in the corresponding spaces the names of the individual candidates he desires to vote for and the name of the registered party, organization or coalition he wants represented under the party-list system of representation.

It shall be unlawful to use carbon paper, paraffin paper or other means for making a copy of the contents of the ballot or make use of any means to identify the voter or his vote.

SEC. 31. Preparation of ballots for illiterate and disabled voters. -

- a. No voter shall be allowed to vote as illiterate or physically disabled unless such fact is so indicated in the PCVL, or the fact of his disability is apparent from his physical condition;
- b. A voter who is illiterate or physically unable to prepare the ballot by himself may be assisted in the preparation of his ballot by a relative by consanguinity or affinity within the fourth civil degree, or if he has none, by any person of his confidence who belongs to the same household, or by any member of the BEI;

- c. No person may assist an illiterate or disabled voter more than three (3) times, except the members of the BEI;
- d. In all cases, the poll clerk shall first verify from the illiterate or disabled voter whether the latter had authorized the assistor to prepare the ballot for him;
- e. The assistor shall prepare the ballot for the illiterate or disabled voter using the ballot secrecy folder in the presence of the latter; and
- f. The assistor shall bind himself in writing and under oath to fill the ballot strictly in accordance with the instructions of the voter and not to reveal the contents of the ballot, by affixing his signature in the appropriate space in Part G of the Minutes of Voting and Counting of Votes.

SEC. 32. Accessibility of polling place to physically disabled voters. -

The election officers, in coordination with the proper school or building officials, shall see to it that the designated polling places of precincts where there are physically disabled registered voters as shown in the registration records, are located in the ground floors of the polling centers so that the physically disabled voters can have easy access thereto.

SEC. 33. Spoiled ballots. - If a voter accidentally spoils or defaces a ballot in such a way that it can no longer be lawfully used, he shall surrender it folded to the chairman who shall write the word "spoiled" in the corresponding space above the ballot serial number in the EDCVL. The voter shall then be given another ballot duly authenticated by the chairman after announcing the serial number of the second ballot and recording said serial number above the word "spoiled". However, in cases of spoiled ballots under paragraphs (c), (e) and (g) of the immediately following paragraph, the voter shall not be issued another ballot.

If the second ballot is again spoiled or defaced in such a way that it can no longer be lawfully used, the same shall be surrendered correctly folded to the chairman in the same manner as the first spoiled or defaced ballot. No voter, however, shall change his ballot more than once.

The spoiled ballot shall, without being unfolded and without removing the detachable coupon, be distinctly marked with the word "spoiled" and signed by the Chairman of the BEI at the back thereof and immediately placed in the compartment of the ballot box for spoiled ballots.

SEC. 34. Procedure after voting. -

- a. After the voter has filled his ballot, he shall fold it in the same manner as when he received it;
- b. The voter shall then, in the presence of all the members of the BEI, affix his thumbmark in the corresponding space in the ballot coupon, and return the folded ballot to the chairman;
- c. The chairman, in the presence of the voter and all the members of the BEI, without unfolding the ballot or seeing its contents, shall verify its serial number as against the number previously entered in the EDCVL to determine whether it is the same ballot given to the voter. Any ballot returned to the chairman, the serial number of which does not tally with the number of the ballot delivered to the

voter as entered in EDCVL, shall be considered “spoiled” and shall be so marked and signed by the Chairman of the BEI, and placed inside the compartment for spoiled ballots. Such fact shall be indicated in Part C of the Minutes of Voting and Counting of Votes.

- d. The voter shall forthwith affix his thumbmark in the corresponding space in the EDCVL.
- e. The Chairman shall then apply a drop of indelible stain ink at the base and extending to the cuticle of the right index fingernail of the voter, or any other fingernail if there be no right index fingernail.

If the voter refuses to have his fingernail stained with indelible ink, he shall be informed that such refusal will render his ballot spoiled. If the voter still refuses despite being informed thereof, the Chairman shall, without unfolding the ballot and without removing the detachable coupon thereof, distinctly mark the ballot with the word “spoiled”, and thereafter sign the same at the back thereof and immediately place said spoiled ballot in the compartment of the ballot box for spoiled ballots. The voter shall then be requested to depart. Such fact shall be indicated in Part C of the Minutes of Voting and Counting of Votes.

- f. The Chairman shall sign in the proper space in the EDCVL;
- g. The Chairman shall detach the ballot coupon in the presence of the other members of the BEI and of the voter, and shall deposit the folded ballot in the compartment of the ballot box for valid ballots and the detached coupon in the compartment for spoiled ballots.

Any ballot returned to the Chairman, the detachable coupon of which has been removed not in the presence of the other members of the BEI and of the voter, shall be considered “spoiled” accordingly marked, signed by the Chairman of the BEI, and placed inside the compartment for spoiled ballots. Such fact shall be indicated in Part C of the Minutes of Voting and Counting of Votes.

- h. The voter shall then depart.

SEC. 35. Challenge against illegal voters. - Any voter or watcher may challenge any person offering to vote for (1) not being registered; (2) using the name of another; (3) suffering from an existing disqualification; or (4) being a double/multiple registrant. In such case, the BEI shall satisfy itself as to whether or not the ground for the challenge is true by requiring proof of registration, identity or qualification.

No voter shall be required to present his voter’s identification card unless his identity is challenged. However, the absence of a voter’s identification card shall not preclude the voter from voting if (1) his identity can be established from the photograph or specimen signature in his registration record or in any other valid identification document which bears his photograph or specimen signature, or (2) he is identified under oath by a member of the BEI. Such identification shall be reflected in Part E of the Minutes of Voting and Counting of Votes.

SEC. 36. Challenge based on certain illegal acts. - Any voter or watcher may challenge any voter offering to vote on the ground that the challenged person has:

- a. Received or expects to receive, paid, offered or promised to pay, contributed, offered or promised to contribute money or anything of value as consideration for his vote or for the vote of another;

- b. Made or received a promise to influence the giving or withholding of any such vote; or
- c. Made a bet or is interested directly or indirectly in a bet which depends upon the results of the election.

The challenged person shall take an oath before the BEI that he has not committed any of the acts alleged in the challenge. Upon taking such oath, the challenge shall be dismissed and the voter shall be allowed to vote. In case the voter refuses to take such oath, the challenge shall be sustained and the voter shall not be allowed to vote.

SEC. 37. *Record of challenges and oaths.* - The Poll Clerk shall record in Part E of the Minutes of Voting and Counting of Votes all challenges, oaths taken in connection therewith and the decision of the BEI in each case. Copies of the Challenges/Oaths shall be attached to the Minutes (copy for the ballot box) Upon the termination of the voting, he shall certify that the Minutes of Voting and Counting of Votes contains all the challenges made.

SEC. 38. *Disposition of unused ballots.* - The Chairman shall record in Part A of the Minutes of Voting and Counting of Votes the quantity of unused ballots and their serial numbers. Thereafter, he shall, in the presence of the members of the BEI and watchers, tear the unused ballots in half lengthwise without removing the stubs and detachable coupons. The first half of the torn ballots shall be placed in the "Envelope for Other Half of Torn Unused Ballots", which envelope shall be sealed and then submitted to the election officer for safekeeping. It shall remain sealed unless the Commission orders otherwise. The other half shall be placed in the "Envelope for Excess/Spoiled/Half of Torn Unused Ballots", which envelope shall be sealed, and then deposited inside the compartment of the ballot box for spoiled ballots. Such fact shall be entered in Part C of the Minutes of Voting and Counting of Votes.

SEC. 39. *Prohibition against premature announcement of voting.* - Before the termination of the voting, no member of the BEI shall make any announcement as to whether a certain registered voter has already voted or not, as to how many have already voted or how many so far have failed to vote or any other fact tending to show or showing the state of the polls, nor shall he make any statement at any time, except as witness before a court or body.

Article V

COUNTING OF VOTES

SEC. 40. *Counting of votes to be public and without interruption.* - After the voting is finished, the BEI shall count the votes cast and ascertain the results in the polling place. Unless otherwise ordered by the Commission, the BEI shall not adjourn, postpone or delay the counting.

SEC. 41. *Transfer of counting of votes to safer place.* - If on account of imminent danger of violence, terrorism, disorder or similar causes, it becomes necessary to transfer the counting of votes to a safer place, the BEI may effect such transfer to the nearest safe barangay or school building within the municipality by unanimous approval of the BEI and concurrence by the majority

of the watchers present. This fact shall be recorded in Part C of the Minutes of Voting and Counting of Votes, and all the members of the BEI and the watchers shall manifest their approval and concurrence, respectively, by affixing their signatures therein.

In effecting the transfer, the BEI shall ensure the safety and integrity of all election documents and paraphernalia. The PNP and/or the AFP in the area in consultation with the election officer shall provide adequate security and transport facilities to the members of the BEI and election documents and paraphernalia during the transfer and counting of votes.

SEC. 42. Preliminaries to the counting of votes. - The BEI shall unlock the padlocks, open the ballot box and take out the ballots from the compartment for valid ballots. The BEI shall then proceed to examine the ballots to determine whether there are:

- a. **Excess ballots** - The BEI shall, without unfolding the ballots or exposing their contents, count the number of ballots in the compartment for valid ballots, and compare the number of ballots inside the ballot box with the number of voters who actually voted as reflected in the EDCVL. If there are more ballots than there are voters who actually voted, all the ballots shall be returned to the compartment for valid ballots and thoroughly mixed therein. The Poll Clerk, without seeing the ballots and with his back to the ballot box, shall publicly draw out as many ballots as may be equal to the excess and, without unfolding them, place them in the Envelope for Excess Ballots.

If, in the course of examination, ballots are found folded together before they were deposited in the box, they shall be placed in the Envelope for Excess Ballots.

- b. **Ballots with detachable coupons** - In case a ballot with undetached coupon is found in the ballot box, the coupon shall be removed and deposited in the compartment for spoiled ballots. The ballot shall be included in the pile of valid ballots.
- c. **Ballots with the word "spoiled"** - If a ballot with the word "spoiled" should be found in the compartment for valid ballots, it shall be placed in the corresponding Envelope for Spoiled Ballots.
- d. **Marked ballots** - The BEI shall then unfold the ballots and determine whether there are any marked ballots. If any should be found, they shall be placed in an Envelope for Marked Ballots.

Excess, spoiled and marked ballots shall not be read during the counting of votes. The envelope containing the excess, spoiled and marked ballots shall be signed and sealed by the members of the BEI and deposited in the compartment for valid ballots.

SEC. 43. Ballots deposited in the compartment for spoiled ballots. - The ballots deposited in the compartment for spoiled ballots shall be presumed to be spoiled, whether or not they contain such notation. However, if during the voting any valid ballot was erroneously deposited in this compartment, the BEI shall open said compartment after the voting and before the counting of votes for the sole purpose of drawing out the ballots erroneously deposited therein. The valid ballots so withdrawn shall be mixed with the other valid ballots. Such facts shall be recorded in Part C of the Minutes of Voting and Counting of Votes.

SEC. 44. Manner of counting of votes. - The BEI shall unfold the ballots and form separate piles of one hundred (100) ballots each held together by rubber bands. The Chairman of the BEI shall take the ballots of the first pile one by one and read the names of the candidates voted for and the offices for which they were voted as well as the name of the party, organization or coalition voted for under the party-list system, in the order in which they appear thereon. During the counting, the Chairman, Poll Clerk and Third Member shall position themselves in such a way as to give the watchers and the public an unimpeded view of the ballot being read by the Chairman, as well as of the election returns and tally board being simultaneously accomplished by the Poll Clerk and the Third Member, respectively. The watchers and the public shall not touch any of the said election documents. The table shall be cleared of all unnecessary writing paraphernalia. Any violation hereof shall constitute an election offense.

The Poll Clerk and the Third Member shall record simultaneously in the election returns and in the tally board, respectively, each vote as it is read. Each vote shall be recorded by a vertical line, except every fifth vote which shall be recorded by a diagonal line crossing the previous four vertical lines.

The same procedure shall be followed with the succeeding piles of ballots.

After all the ballots have been read, the BEI shall record, in words and in figures, the total number of votes obtained by each candidate and by each party, organization or coalition participating under the party-list system, both in the election returns and in the tally board. The counted ballots shall be placed in an envelope provided for the purpose, which envelope shall be sealed, signed and deposited in the compartment for valid ballots. The tally board as accomplished and certified by the BEI shall not be changed or destroyed but shall be kept in the compartment for valid ballots.

SEC. 45. Rules for the appreciation of ballots. - In the reading and appreciation of ballots, every ballot shall be presumed to be valid unless there is clear and good reason to justify its rejection. The BEI shall observe the following rules, bearing in mind that the object of the election is to obtain the expression of the voters will:

- a. Where only the first name of a candidate or only his surname is written, the vote for such candidate is valid, if there is no other candidate with the same first name or surname for the same office.

Where the name of a party, organization, coalition participating under the party list system (hereinafter referred to as party) is incompletely written or not in the proper order as appearing in the certified list of parties, the vote for such party, if identifiable, is valid if there is no other party using the same name;

- b. Where only the first name of a candidate is written on the ballot, which when read, has a sound similar to the surname of another candidate, the vote shall be counted in favor of the candidate with such surname. If there are two or more candidates with the same full name, first name or surname and one of them is the incumbent, and on the ballot is written only such full name, first name or surname, the vote shall be counted in favor of the incumbent;
- c. In case the candidate is a woman who uses her maiden or married surname or both and there is another candidate with the same surname, a ballot bearing only such surname shall be counted in favor of the candidate who is an incumbent;

- d. When two or more words are written on the same line on the ballot, all of which are the surnames of two or more candidates, the same shall not be counted for any of them, unless one is a surname of an incumbent who has served for at least one year in which case it shall be counted in favor of the latter;

When two or more words are written on different lines on the ballot all of which are the surnames of two or more candidates bearing the same surname for an office for which the law authorizes the election of more than one and there are the same number of such surnames written as there are candidates with that surname, the vote shall be counted favor of all the candidates bearing the surname;

- e. When on the ballot is written a single word which is the first name of a candidate and which is at the same time the surname of his opponent, the vote shall be counted in favor of the latter;
- f. When two words are written on the ballot, one of which is the first name of a candidate and the other is the surname of his opponent, the vote shall not be counted for either;
- g. A name or surname incorrectly written which, when read, has a sound similar to the name or surname of a candidate when correctly written shall be counted in his favor; A name incorrectly written which, when read, has a sound similar to the name of a party when correctly written shall be counted in its favor;
- h. When a name of a candidate appears in a space of the ballot for an office for which he is a candidate and in another space for which he is not a candidate, it shall be counted in his favor for the office for which he is a candidate and the vote for the office for which he is not a candidate shall be considered as stray, except when it is used as a means to identify the voter, in which case, the whole ballot shall be void. When the name of a party appears in a space of the ballot for an office other than for the party list, it shall be considered stray but it shall not invalidate the whole ballot except when it is used as means to identify the voter, in which case, the whole ballots shall be void.

If the word or words written on the appropriate blank space on the ballot is the identical name or surname or full name, as the case may be, of two or more candidates for the same office none of whom is an incumbent, the vote shall be counted in favor of that candidate to whose ticket belong all the other candidates voted for in the same ballot for the same constituency.

- i. When in a space in the ballot there appears a name of a candidate or party that is erased and another clearly written, the vote is valid for the latter;
- j. The erroneous initial of the first name which accompanies the correct surname of a candidate, the erroneous initial of the surname accompanying the correct first name of a candidate, or the erroneous middle initial of the candidate shall not annul the vote in favor of the latter.
- k. The fact that there exists another person who is not a candidate with the first name or surname of a candidate shall not prevent the adjudication of the vote of the latter;

- l. Ballots which contain prefixes as such "Sr." "Mr.", "Datu", "Don", "Ginoo", "Hon.", "Gob.", or suffixes like "Hijo", "Jr.", "Segundo", are valid.
- m. The use of the nicknames and appellations of affection and friendship, if accompanied by the first name or surname of the candidate, does not annul such vote, except when they were used as means to identify the voter, in which case the whole ballot is invalid: Provided, That if the nickname used is unaccompanied by the name or surname of a candidate and it is the one by which he is generally or popularly known in the locality, the name shall be counted in favor of said candidate, if there is no other candidate for the same office with the same nickname;
- n. Any vote containing initials only or which is illegible or which does not sufficiently identify the candidate for whom it is intended shall be considered as a stray vote but shall not invalidate the whole ballot. The initials of a party shall be considered valid provided they are the same initials as appearing in the certified list of parties;
- o. If on the ballot is correctly written the first name of a candidate but with a different surname, or the surname of the candidate is correctly written but with a different first name, the vote shall not be counted in favor of any candidate having such first name and/or surname but the ballot shall be considered valid for other candidates;
- p. Any ballot written with crayon, lead pencil, or in ink, wholly or in part, shall be valid;
- q. Where there are two or more candidates/parties voted for in an office for which the law authorizes the election of only one, the vote shall not be counted in favor of any of them, but this shall not affect the validity of the votes therein;
- r. If the candidates voted for exceed the number of those to be elected, the ballot is valid, but the votes shall be counted only in favor of the candidates whose names were firstly written by the voter within the space provided for said office in the ballot until the authorized number is covered;
- s. Any vote in favor of a person who has not filed a certificate of candidacy or in favor of a candidate for an office for which he did not present himself shall be considered as a stray vote but it shall not invalidate the whole ballot; A vote cast for a party not entitled to be voted for shall not be counted;
- t. Ballots containing the name of a candidate or party printed and pasted on a blank space of the ballot or affixed thereto through any mechanical process are totally null and void;
- u. Circles, crosses or lines put on the spaces on which the voter has not voted shall be considered as signs to indicate his desistance from voting and shall not invalidate the ballot;
- v. Unless it should clearly appear that they have been deliberately put by the voter to serve as identification marks, commas, dots, lines, or hyphens between the first name and surname of a candidate, or in other parts of the ballot, traces of the letter "T", "J" and other similar ones, the first letters or syllables of names which the voter does not continue, the use of two or more kinds of writing and unintentional or accidental flourishes, strokes or strains, shall not invalidate the ballot;

- w. Any ballot which clearly appears to have been filled by two distinct persons before it was deposited in the ballot box during the voting is totally null and void;
- x. Any vote cast in favor of a candidate or party who has been disqualified by final judgment shall be considered as stray and shall not be counted but it shall not invalidate the ballot;
- y. Ballots wholly written in Arabic in localities where it is of general use are valid. To read them, the BEI may employ an interpreter who shall take an oath that he shall read the votes correctly;
- z. The accidental tearing or perforation of a ballot does not annul it; and
- aa. Failure to remove the detachable coupon from a ballot does not annul such ballot.

Article VI

PREPARATION AND SAFEKEEPING OF ELECTION RETURNS AND OTHER ELECTION FORMS AND PARAPHERNALIA

SEC. 46. *Preparation of election returns.* - All data required in the election returns shall be accomplished in handwriting and in a manner such that the entries on the first copy are clearly impressed in all the other copies. The total number of votes for each candidate and for each party, sectoral organization or coalition participating under the party-list system of representation shall be closed with the signatures and the clear imprints of the right thumb of all the members, affixed in full view of the public, immediately after the last vote recorded or immediately after the name of the candidate receiving no vote.

The six (6) principal watchers representing the six (6) accredited major political parties in a precinct shall, if available, affix their signatures and imprints of their right thumbs in the election returns for the precinct. Immediately after the accomplishment of the election returns, each copy thereof shall be placed in the proper envelope to be distributed as follows:

1. The **first copy**, to the City or Municipal Board of Canvassers;
2. The **second copy**, to the Commission;
3. The **third copy**, to the Provincial Board of Canvassers;
4. The **fourth copy**, to the dominant majority party as determined by the Commission;
5. The **fifth copy**, to the dominant minority party as determined by the Commission;
6. The **sixth copy**, to the citizens' arm authorized by the Commission to conduct an unofficial count; and
7. The **seventh copy**, to be deposited inside the compartment of the ballot box for valid ballot.

SEC. 47. *Announcement of the result of the election in the polling place.* - Upon the completion of the election returns, the Chairman of the BEI

shall publicly announce the total number of votes received by each candidate stating their corresponding offices, as well as the total number of votes received by a party, sectoral organization or coalition participating under the party-list system of representation.

SEC. 48. Certificate of Votes. - After the counting of votes and the announcement of the results of the election in the precinct, and before leaving the polling place, the BEI shall issue Certificate of Votes upon request of the duly accredited watchers. The Certificate of Votes shall contain the total number of votes obtained by each candidate or party, sectoral organization or coalition participating under the party-list system of representation, written in words and in figures, the precinct number, the name of the barangay, city or municipality and province, the total number of voters who voted in the precinct and the date and time of its issuance. The Certificate of Votes shall be signed and thumbmarked by each member of the BEI.

The BEI shall require the requesting watcher to acknowledge receipt thereof.

The refusal of the Chairman and Members of the BEI to furnish said Certificate of Votes shall constitute an election offense.

SEC. 49. Alteration and correction in the election returns. - Any correction or alteration in the election returns made by the BEI before the announcement of the results of the election in the polling place shall be duly initialed by all the members thereof.

After announcement of the results of the election in the polling place, the BEI shall not make any alteration or amendment in any of the copies of the election returns, unless so ordered by the Commission upon petition of all or the majority of the members of the BEI within five (5) days from the date of the election or twenty-four (24) hours from the time a copy of the election returns concerned is opened by the Board of Canvassers, whichever is earlier. The petition shall be accompanied by proof of service upon all candidates affected. If the petition is filed by all members of the BEI and the result of the election would not be affected by said correction and none of the candidates affected objects thereto, the Commission, upon being satisfied of the veracity of the petition and of the error alleged therein, shall order the BEI to make the proper correction on the election returns.

However, if a candidate affected by said petition objects thereto, whether the petition is filed by all or only a majority of the members of the BEI and the result of the election would be affected by the correction sought to be made, the Commission shall proceed summarily to hear the petition. If it finds the petition meritorious and there is no evidence or sign indicating that the identity and integrity of the ballot box have been violated, the Commission shall order the opening of the ballot box. After satisfying itself that the integrity of the ballots therein has also been duly preserved, the Commission shall order the recounting of the votes of the candidates affected and the proper corrections made on the election returns, unless the correction sought is such that it can be made without the need of opening the ballot box.

SEC. 50. Disposition of ballot boxes, keys, election returns and other documents. - Upon the termination of the counting of votes and the announcement of the results of the election in the precinct, the BEI shall:

- a. Place the following documents inside the compartment of the ballot box for valid ballots:
 1. Envelope containing
 - a) Used/counted official ballots;
 - b) Excess/marked/spoiled/half of torn unused official ballots;
 - c) Election returns (copy for the ballot box);
 - d) Minutes of Voting and Counting of Votes(copy for the ballot box);
 2. Tally Board; and
 3. Stubs of used pads of official ballots.
- b. Close the inner compartments of the ballot box, lock them with one (1) self-locking fixed-length seal and then lock the outer cover with the (3) padlocks and one (1) self-locking fixed-length seal. The three keys to the padlocks shall be placed in separate envelopes which shall be sealed and signed by all members of the BEI;
- c. Deliver the ballot box to the city or municipal treasurer, accompanied by watchers. For this purpose, the city/municipal treasurer shall, if necessary, keep his office open all night on the day of the election, provide the necessary facilities for said delivery at the expense of the city/municipality, and allow candidates, political parties and other interested parties to post watchers in the storage area.

In case the ballot box delivered by the BEI was not locked and/or sealed, the treasurer shall lock and/or seal the ballot box. The treasurer shall include such fact, including the serial number of the self-locking fixed-length seal used, in his report to the Commission.

Within three (3) days after the canvass, the Election Officer or his authorized representative shall, with notice to candidates, political parties and other interested parties, inspect the storage area and submit a report thereon to the Law Department within seven (7) days from inspection. The report shall indicate the following:

1. Serial number and condition of the ballot box;
 2. Serial number and condition of self-locking fixed length seal;
 3. Number and condition of padlocks; and
 4. Brief description of the storage area.
- d. Deliver to the Election Officer:
 1. Book of Voters;
 2. EDCVL;
 3. Two (2) copies of PCVL;
 4. Two (2) copies of the certified list of deactivated voters;
 5. Three (3) envelopes, each containing a key to a padlock of the ballot box which shall be delivered, under proper receipt, by the election officer to the provincial election supervisor, the provincial prosecutor and the provincial treasurer. In the case of cities whose voters do not vote for provincial officials, and municipalities in the National Capital Region, the election officer shall retain one envelope and distribute

the two other envelopes to the city/municipal prosecutor and city/municipal treasurer, as the case may be.

6. Envelope containing:
 - a) Copy of the Minutes of Voting and Counting of Votes (copy for the Commission);
 - b) Other half of the torn unused official ballots; and
7. Thumbprint takers and all bottles of indelible ink, whether used or unused.

On the day after the election, the election officer or the treasurer, as the case may be, shall require the BEI who failed to deliver the election records or paraphernalia mentioned herein to deliver the same immediately.

SEC. 51. *Preservation of the voting record.* - The election officer shall keep the EDCVL and PCVL used in the election in a safe place until such time that the Commission gives instructions on their disposition.

SEC. 52. *Omission or erroneous inclusion of documents in ballot box.* - If after locking the ballot box, the BEI discovers that some documents or articles required to be placed in the ballot box were not placed therein, the BEI, instead of opening the ballot box in order to place therein said documents or articles, shall deliver the same to the election officer. In no instance shall the ballot box be reopened to place therein or to take out therefrom any document or article except in proper cases and with prior written authority of the Commission, or its duly authorized official, to retrieve copies of the election returns which will be needed in any canvass. In such instance, the members of the BEI and the watchers shall be notified of the time and place of the opening of said ballot box. However, if there are other copies of the election returns outside of the ballot box which can be used in the canvass, such copies of the election returns shall be used in said canvass and the opening of the ballot box to retrieve copies of the election returns placed therein shall then be dispensed with.

In case the BEI fails to place the envelope containing the counted ballots inside the ballot box, the election officer shall, with notice to parties, deposit said envelopes in a separate ballot box which shall be properly sealed, padlocked and stored in a safe place in his office. Said ballot boxes shall remain sealed unless otherwise ordered by the Commission.

Article VII

DELIVERY AND TRANSMITTAL OF ELECTION RETURNS

SEC. 53. *Delivery and transmittal of election returns.* - The BEI shall deliver to the election officer copies of the election returns intended for the Commission on Elections and the Provincial Board of Canvassers.

The copies of the election returns intended for the dominant majority party, the dominant minority party and the citizens' arm authorized by the Commission to conduct an unofficial count, shall be given at the polling place to their respective representatives who have been authorized by said parties and organizations to receive such copies. Unclaimed election returns intended for the

dominant majority party, the dominant minority party and the citizens' arm shall be turned-over to the election officer, who shall take custody of the same until they are claimed by the parties concerned.

The election returns intended for the city/municipal board of canvassers shall be delivered by the BEI to the board of canvassers concerned.

SEC. 54. *Delivery and transmittal of election returns by the election officer.* - The election officer shall segregate all copies of the election returns received from the BEI (copies for the Commission on Elections and the Provincial Board of Canvassers), deposit them in separate ballot boxes and lock each ballot box with three padlocks.

The election assistant of the office of the election officer shall deliver to the office of the provincial election supervisor the ballot boxes and their keys with sufficient security escort from the PNP and watchers of political parties, candidates and the accredited citizens' arm of the Commission, using the fastest means of transportation available not later than twelve o'clock noon on May 15, 2007.

If within six hours of the first delivery, not all of the election returns from the precincts of the city or municipality have been submitted, the election officer shall designate another personnel in his office who is trustworthy to receive and deliver the remaining copies of the election returns to the office of the provincial election supervisor.

In all instances, the election officer and the election assistant shall observe and comply with the above procedure of delivering said copies of the election returns at intervals of six hours or shorter when possible until all the election returns in his jurisdiction are delivered to the office of the provincial election supervisor at the earliest possible time, but not later than May 16, 2007.

The most senior and able election assistant in the office of the provincial election supervisor shall receive the copies of the election returns delivered by the election assistants of the cities/municipalities of the province, issue proper receipt therefor and immediately submit said returns to the Commission, within twelve hours from the first delivery, using the fastest means of transportation. Election returns which are received after the departure of said personnel of the office of the provincial election supervisor shall be delivered to the Commission in Manila by another responsible personnel in the office of the provincial election supervisor within twelve hours from the first delivery.

In all instances, the provincial election supervisor shall see to it that the above procedure of delivery of copies of the election returns at intervals of twelve hours or shorter when possible, is faithfully complied with, to the end that all copies of the election returns for the Commission are delivered not later than May 17, 2007. In every case, delivery shall be undertaken with sufficient security escort and watchers of candidates, parties, organization or coalition.

SEC. 55. *Special procedures.* - The express provisions of this resolution notwithstanding, the Commission may adopt special procedures in the transmission, storage, custody, distribution and retrieval of accountable forms and paraphernalia in exceptional cases to fulfill its constitutional mandate to ensure free, orderly, honest, peaceful and credible elections.

SEC. 56. *Effectivity.* - This Resolution shall take effect after seven (7) days from its publication in two (2) daily newspapers of general circulation in the Philippines.

