



Republic of the Philippines
COMMISSION ON ELECTION
Manila

**GENERAL INSTRUCTIONS
GOVERNING THE
CONSOLIDATION,
TRANSMISSION, AND
CANVASSING OF VOTES IN
CONNECTION WITH THE
AUGUST 11, 2008
ELECTIONS IN THE
AUTONOMOUS REGION IN
MUSLIM MINDANAO
(ARMM).**

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Promulgated: _____

RESOLUTION NO. 8500

The Commission on Elections, by virtue of the powers vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code, Republic Act No. 9369 and other election laws, **RESOLVED** to promulgate, as it hereby **RESOLVES** to promulgate, the following General Instructions Governing the Consolidation, Transmission, and Canvassing of Votes in Connection with the August 11, 2008 Elections in the Autonomous Region in Muslim Mindanao (ARMM).

ARTICLE I

COMMON PROVISIONS

SECTION 1. *Board of Canvassers; composition; substitution* - There shall be a Regional Board of Canvassers (RBOC) in the Autonomous Region in Muslim Mindanao (ARMM) and a Provincial Board of Canvassers (PBOC) in each of the six (6) provinces comprising said region to canvass the results of the August 11, 2008 ARMM Elections.

The Regional Board of Canvassers shall be composed of:

- a. The Regional Election Director of the ARMM, as Chairman;
- b. A Representative of equivalent rank from the Department of Justice, as Vice-Chairman; and
- c. A Representative of equivalent rank from the Department of Education, as Member-Secretary.

In case of non-availability, absence or disqualification due to relationship or incapacity for any cause of the chairman and/or members of the regional board of canvassers, the Commission shall appoint a ranking lawyer of the Commission and other representatives from the corresponding agencies of the Government, as substitute chairman and members, respectively.

The Provincial Board of Canvassers shall be composed of the:

- a. Provincial Election Supervisor of the province concerned or a ranking lawyer of the Commission, as Chairman;
- b. Provincial Prosecutor, as Vice-Chairman; and
- c. Division Superintendent of Schools, as Member-Secretary.

In case of non-availability, absence or disqualification due to relationship or incapacity for any cause of the chairman and/or members of the provincial board of canvassers, the Commissioner-In-Charge, subject to the confirmation of the Commission *en banc*, shall appoint a ranking lawyer of the Commission and other representatives from the corresponding agencies of the Government, as substitute chairman and members, respectively.

SEC. 2. *Supervision and control over the board of canvassers.* - The Commission shall have direct supervision and control over the Regional and the Provincial Boards of Canvassers and may relieve for cause the chairman or any member thereof and substitute him with another.

SEC. 3. *Relationship with candidates and other members.* - The chairmen and the members of the boards of canvassers shall not be related within the fourth civil degree of consanguinity or affinity to any of the candidates whose votes will be canvassed by said boards, or to any member of the same board.

SEC. 4. *Prohibition against leaving official station.* – During the period beginning election day until the proclamation of the winning candidates, no member or substitute member of the different boards of canvassers shall be transferred, assigned or detailed outside of his official station, nor shall he leave said station without prior authority of the Commission.

SEC. 5. *Absence of a regular member of the board.* – In case of absence of a regular member, the members present shall first verify whether or not a notice stating the date, time and place of canvassing has been duly served on the absent regular member.

If notice has been sent, the reason/s for such absence shall be known. If the reason/s for the absence appears to be unjustified as to show the intention of obstructing the performance of the duties of the board, the members of the board present may order the arrest of the absent regular member. In any case, the absent member shall be substituted in accordance with Section 1 hereof.

In the absence however of such notice, one shall be immediately served on the absent member of the board. If the latter cannot be located or his whereabouts are unknown, he shall then be substituted. As soon as the absent member appears, the substitute member shall relinquish his seat to the regular member of the board, except when the reason/s for his absence is unjustified.

These facts shall be recorded in the Minutes of Canvass of the board.

SEC. 6. *Incapacity of a regular member of the board.* – In case of sickness or injury of the regular member of the board, the Commissioner-In-Charge shall, subject to confirmation by the Commission *en banc*, appoint a substitute but only upon submission of a medical certificate subscribed and sworn to by the medical officer

issuing the same attesting to the incapacity of said regular board member. These facts shall be recorded in the Minutes of Canvass of the board.

SEC. 7. *Notice of convening of the board.* – The chairmen of the boards of canvassers shall, not later than August 6, 2008, notify in writing, the members of the boards and each candidate and local heads of the registered political parties or coalition of political parties fielding candidates, of the date, time and place of the convening of the board. The canvassing of the provincial board of canvassers shall be held in the Session Hall of the Sangguniang Panlalawigan of the province where it sits, or in any other place designated by the Commission. The canvassing of the regional board of canvassers shall be at the Session Hall of the Comelec Main Office, 8th Floor, Palacio del Gobernador, Intramuros, Manila, or in any other place designated by the Commission. Similar notices shall also be sent to the citizens' arm of the Commission.

The notice to be issued by the provincial board of canvassers shall contain the different working groups of the board of canvassers (i.e., *Reception and Custody Groups and Sub-canvassing Groups*) that will be created so that the candidates may designate their watchers in each group.

Notice of the date, time and place of the canvass shall also be posted in the bulletin board of the Session Hall of the Sangguniang Panlalawigan of the province and in other conspicuous places in the building where the canvass will be held.

SEC. 8. *Time and date of convening.* – The regional board of canvassers and the provincial boards of canvassers shall convene not later than 11:00 o'clock in the morning of August 11, 2008.

SEC. 9. *Proceedings of the boards of canvassers.* – The board of canvassers shall have full authority to keep order within the canvassing room or hall and its premises, and shall enforce obedience to its lawful orders. If any person shall refuse to obey any lawful order of the board or shall conduct himself in such a disorderly manner as to disturb or interrupt its proceedings, the board may order any peace officer to take such person into custody until the adjournment of its meeting.

The proceedings of the board of canvassers shall be open and public.

SEC. 10. *Quorum.* - A majority of the members of the board shall constitute a quorum for the transaction of business and a majority vote of all the members thereof shall be necessary to render a decision. In case there are only two members present, they shall act jointly.

SEC. 11. *Watchers.* – Each candidate, registered political party or coalition of political parties fielding candidates, as well as the citizens' arm of the Commission, if any, shall be entitled to two (2) watchers who shall serve alternately.

Civic, religious, professional, business, service, youth and other similar organizations in the ARMM shall, with prior authority from the Commission, be entitled collectively to appoint two (2) watchers to serve alternately during the canvass proceedings.

Watchers shall have the following rights:

- a. To be present at and take note of all the proceedings of the board; and
- b. To file objection to any irregularities noted in the proceedings of the board.

SEC. 12. *Persons not allowed inside the canvassing room.* – During the canvassing, it is unlawful for any of the following to enter the room where the canvassing is being held or to stay within a radius of fifty (50) meters from such room;

- a. Officer or member of the Armed Forces of the Philippines;
- b. Officer or member of the Philippine National Police;
- c. Peace officer or any person belonging to an extra-legal police agency, special forces, reaction forces, strike forces or CAFGUs;
- d. *Barangay tanod* or any member of *barangay* self-defense units;
- e. Member of the security or police organizations of government agencies, commissions, councils, bureaus, offices, instrumentalities, or government-owned or controlled corporations or their subsidiaries;
- f. Member of a privately-operated security, investigative, protective or intelligence agency performing identical or similar functions; or
- g. Person under the influence of intoxicating liquor or prohibited drugs.

However, whenever necessary, the board of canvassers, by a majority vote, may order in writing the detail of policemen or peace officers for their protection or for the protection of the election documents, paraphernalia, and machines, or for the maintenance of peace and order. In such case, said policemen or peace officers shall be in proper uniform and stay outside the room at a distance near enough to be easily called by the board of canvassers at any time.

SEC. 13. *Safekeeping of printed election returns/certificates of canvass (COCs).* – The board of canvassers shall place the printed election returns/Certificates of Canvass (COCs) in ballot boxes each of which shall be secured with three padlocks and a self-locking serially numbered fixed length seal. The chairman and the two members of the board shall each keep a key to one of the three padlocks. The serial number of every self-locking serially numbered fixed length seal used by the board shall be entered in the Minutes of Canvass.

The ballot boxes containing the election returns/COCs, properly locked and sealed as required in the preceding paragraph, shall be kept in a safe and secured place/room before, during and after the canvass so that no ballot box may be taken out from, or deposited in, the room without their presence. The watchers shall have the right to guard the room.

SEC. 14. *Pre-proclamation cases.* – No pre-proclamation cases shall be allowed on matters relating to the preparation, transmission, receipt and custody of election returns or the certificates of canvass, as the case may be.

Questions affecting the composition or proceedings of the board of canvassers may be initiated in the board or directly with the Commission. If filed with the board, its decision may be appealed to the Commission within three (3) days from issuance thereof. However, if commenced directly with the Commission, the verified petition shall be filed immediately when the board begins to act illegally, or at the time of the appointment of the member of the board whose capacity to sit as such is objected to.

SEC. 15. *Submission of the minutes of canvass of the board.* – Within five (5) days from termination of canvass, the members-secretaries of the boards of canvassers shall submit to the Law Department of the Commission in Manila by

registered mail a certified copy of the Minutes of Canvass of the proceedings of the board and shall notify by telegram said department of the date and the manner of transmittal of the Minutes of Canvass.

ARTICLE II

PROVINCIAL BOARD OF CANVASSERS

SEC. 16. *Powers and functions of the Provincial Board of Canvassers.* – The Provincial Board of Canvassers of Basilan (*excluding Isabela City*), Lanao del Sur, Maguindanao, Shariff Kabunsuan (*excluding Cotabato City*), Sulu and Tawi-Tawi, shall:

- a. Canvass/consolidate the electronically transmitted municipal/city results in their respective provinces;
- b. Generate the Provincial Certificate of Canvass of Vote for Regional Governor and Regional Vice-Governor;
- c. Electronically transmit the provincial consolidated results to the regional board of canvassers;
- d. Print the Provincial Certificates of Canvass of Votes and Statement of Votes By City/Municipality for Regional Governor and Regional Vice-Governor;
- e. Generate and print the Statement of Votes By City/Municipality, and Certificates of Canvass and Proclamation, and proclaim as elected, the candidates for members of the Regional Legislative Assembly who obtained the three (3) highest number of votes in each legislative district; and
- f. Perform such other functions as may be directed by the Commission.

SEC. 17. *Support groups; composition; functions.*- To assist the provincial board of canvassers in the canvass, the Chairmen of the provincial board of canvassers are hereby authorized to create the following groups to be headed by a representative of the Commission:

- a. Sub-canvassing/consolidation Group; and***
- b. Reception and Custody Group.***

The names of the members of all support groups shall be indicated in the Minutes of the Canvass.

Sub-canvassing/consolidation Group

There shall be several cities/municipalities assigned to each sub-canvassing/consolidation group that may be located in several places designated by the Commission. Each sub-canvassing/consolidation group shall have consolidation machines as there are cities/municipalities assigned to each group. The machine shall receive and consolidate the electronically transmitted precinct results from the different polling places/precincts in its city/municipality.

Each sub-canvassing group shall have a reception and custody unit who shall receive from the election officers the USB memory sticks, including the consolidated memory stick (for EVM) and the CD-R (for ACM).

Reception and Custody Group

There shall be one (1) Reception and Custody Group per province. It shall be responsible for the reception and custody of the ballot boxes containing the election returns intended for the provincial boards of canvassers, the printed Certificates of Canvass of Votes, Statement of Votes by Precinct, and the USB Key used to back-up the city/municipal consolidated results from the election officers.

SEC. 18. *Procedure for the sub-canvassing groups.* –

a. At 11:00 o'clock in the morning of election day, the Information Technology Department (ITD) representatives shall act as consolidation machine operators and perform the following:

1. Turn on all consolidation machines;
2. Initialize the principal server; and
3. Generate a Zero Report for each position from every consolidation machines.

b. Upon arrival at the consolidation/counting center, the Election Officer for each city/municipality, using his assigned consolidation machine, shall:

1. Receive the electronically transmitted precinct results;
2. Monitor the transmission of precinct results from the polling centers or counting centers. Color-coded icons are displayed beside the barangay, polling center, and precinct to indicate the status of transmission: Red button means that there is no transmission of precinct results yet; yellow button means that transmission is on-going; green means precinct results have been transmitted. In the latter case, check the results per precinct to determine whether the complete results have been transmitted;
3. After determining that the untransmitted precinct results can no longer be electronically transmitted:
 - 3.1 For EVM – retrieve from the reception and custody unit the memory stick/s pertaining to the affected precinct/s, and insert them, one at a time, for purposes of extracting the precinct results to the Contingency Transmission Station (CTS) machine. After extracting untransmitted precinct results, transmit it following the procedure for transmitting the precinct results from the precinct level to the regional board of canvassers (advance) and to the sub-canvassing/consolidation center (canvass);
 - 3.2 For ACM – retrieve the CD-R containing the affected precinct results, insert it to the consolidation machine, and import therefrom the untransmitted precinct results;
4. Generate the canvass results only after all the precinct results have been electronically received, unless otherwise ordered by the provincial board of canvassers;
5. Generate the Certificate of Canvass (COC) for all positions;
6. Electronically transmit the COC for all positions to the provincial board of canvassers;
7. Generate the Statement of Votes (SOV);
8. Print the COC and SOV in three (3) copies, to be distributed as follows:

- 8.1 First copy**, to the Regional Board of Canvassers;
 - 8.2 Second copy**, to the Election Records and Statistics Department (ERSD), Commission on Elections, Manila;
 - 8.3 Third copy**, to the chairman of the Provincial Board of Canvassers.
9. Create back-up of the city/municipal consolidated results in the USB Key;
 10. Write their names, and affix their signatures and thumbmarks on the COC and SOV, and require the watchers, if present, to write their names and affix their signatures and thumbmarks on the same;
 11. The printed COCs, SOVs, and the USB Key used for back-up shall be placed inside separate envelopes, duly sealed and submitted to the provincial board of canvassers.

SEC. 19. Procedure for canvassing. – Immediately after convening, the Provincial Board of Canvassers shall:

- a. Initialize the server;
- b. Generate Zero Report for each position;
- c. Receive the electronically transmitted city/municipal consolidated results;
- d. Monitor the transmission of the city/municipal consolidated results.
Color-coded icons are displayed beside the city/municipality, barangay, polling center, and precinct to indicate the status of transmission: Red button means that there is no transmission of the city/municipality consolidated results yet; yellow button means that transmission is on-going; green means that the city/municipality have transmitted their precinct results. In the latter case, check the results per precinct to determine whether the complete results have been transmitted;
- e. After determining that the untransmitted city/municipal consolidated results can no longer be electronically transmitted, retrieve the USB Key that was used to back-up the city/municipal consolidated results, and extract therefrom the untransmitted results;
- f. Generate, from time to time, the updated canvass results;
- g. After all the city/municipal consolidated results have been transmitted, or if there are still untransmitted provincial COCs but will no longer affect the

- results of the election, generate the Certificate of Canvass (COC) for the position of assemblymen;
- h. Generate the COC for Regional Governor and Vice-Governor;
 - i. Electronically transmit the provincial consolidated results to the regional board of canvassers;
 - j. Generate the Statement of Votes (SOV) for all positions;
 - k. Generate the Certificate of Canvass and Proclamation (COCP) for the position of regional assemblymen. The three (3) candidates with the highest number of votes shall be proclaimed as the winners;
 - l. Create back-up of the provincial consolidated results in the USB Key.

SEC. 20. Completion of the canvass.- Upon completion of the canvass, the provincial board of canvassers shall print thirty (30) copies of the Certificate of Canvass (COC) for Regional Governor and Regional Vice-Governor, to be distributed as follows:

- a. The **first copy**, to the Regional Board of Canvassers;
- b. The **second copy**, to the ERSD;
- c. The **third copy**, to the Chairman of the Provincial Board of Canvassers;
- d. The **fourth copy**, to the citizens' arm designated by the Commission
- e. The **fifth copy**, to the Secretary of the Regional Legislative Assembly;
- f. The **sixth copy**, to be posted conspicuously on a wall within the premises of the canvassing center;
- g. The **seventh and eighth copies**, to the dominant majority and dominant minority parties;
- h. 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;
- i. The **nineteenth and twentieth copies** shall be given to the two (2) accredited major local parties in accordance with a voluntary agreement among them;
- j. The **twenty-first to twenty-fifth copies** to the 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;

- k. The **twenty-sixth to twenty-seventh copies** to the 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
- l. The **twenty-eighth to thirtieth copies** to the major citizens' arm, including the accredited citizens' arm and other non-partisan groups or organizations enlisted by the Commission pursuant to Section 52 (k) of Batas Pambansa Bilang 881.

The board shall also print three (3) copies of the Statement of Votes by City/Municipality, and each copy shall be attached to the COCs intended for the Regional Board of Canvassers, the Election Records and Statistics Department, and the Chairman of the Provincial Board of Canvassers.

The Certificate of Canvass and Statement of Votes shall be signed and thumbmarked by the chairman and members of the provincial board of canvassers, 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. 12) and placed inside their corresponding envelopes. Each envelope shall likewise be sealed with a serially numbered paper seal.

The USB key used to back-up the provincial consolidated results shall also be placed inside an envelope, duly sealed, and submitted to the regional board of canvassers.

SEC. 21. *Certificate of Canvass and Proclamation of Winning Candidates for the Regional Assemblymen.*- The provincial board of canvassers shall print, in seven copies, a Certificate of Canvass and Proclamation (COCP) of Winning Candidates for Regional Assemblymen for each legislative district, to be distributed as follows:

- a. The **first copy**, to the ERSD;
- b. The **second copy**, to the Chairman of the Provincial Board of Canvassers;
- c. The **third copy**, to the Secretary of the Regional Legislative Assembly;
- d. The **fourth copy**, to the Secretary of the DILG;
- e. The **fifth, sixth and seventh copies**, to each of the winning candidates.

The Certificate of Canvass and Proclamation (COCP) shall be signed and thumb marked by the chairman and members of the provincial board of canvassers, and the watchers, if available.

The board shall also print three (3) copies of the supporting Statement of Votes by City/Municipality, and shall be attached to copies (a), (b) and (c) of the Certificate of Canvass and Proclamation. Copies (a), (b), (c) and (d) shall then be individually folded from top to bottom, sealed with paper seals such that the certificates cannot be opened without breaking the seal, and placed inside their respective envelopes which shall likewise be sealed with paper seals.

SEC. 22. *Delivery of the Certificates of Canvass to the Commission.* –

The Chairman of the Provincial Board of Canvassers shall personally deliver by fastest means to the Regional Board of Canvassers the original copy of the Certificate of Canvass (copy for the Regional Board of Canvassers) for the Regional Governor and Regional Vice-Governor, together with a copy of the Statement of Votes by City/Municipality.

The provincial board of canvassers shall submit said documents, along with the USB Key used as back up of the provincial consolidated results, to the regional board of canvassers immediately after completion of canvass.

ARTICLE III

REGIONAL BOARD OF CANVASSERS

SEC. 23. *Time, date and place of convening.* – At 11:00 o'clock in the morning of August 11, 2008, the Regional Board of Canvassers shall convene at the Session Hall of the Commission, 8th Floor, Palacio del Gobernador, Intramuros, Manila, or in any other place designated by the Commission and proceed with the canvassing of the electronically transmitted Certificates of Canvass (COCs) from the provincial boards of canvassers. It shall not adjourn until the canvass is completed but may recess from time to time to await the transmission of the certificates of canvass. As soon as the other electronic Certificates of Canvass are received, it shall immediately resume

canvassing until all shall have been canvassed. Subject to reasonable exceptions, the regional board of canvassers shall complete its canvass and proclaim the elected candidates not later than August 13, 2008.

SEC. 24. Powers and functions of the regional board of canvassers. –

The regional board of canvassers shall canvass the electronically transmitted Certificates of Canvass (COCs) submitted by the provincial boards of canvassers, and on the basis thereof, proclaim the winning candidates for Regional Governor and Vice-Governor who obtained the highest number of votes in the entire ARMM.

SEC. 25. Procedure for canvassing. – After convening, the regional board of canvassers shall adopt the following procedure:

- a. Initialize the server before starting the canvass;
- b. Generate Zero Report for each position;
- c. Receive the electronically transmitted provincial COCs;
- d. Monitor the transmission of the provincial COCs.
Color-coded icons are displayed beside the province, city/municipality, barangay, polling center, and precinct to indicate the status of transmission: Red button means that there is no transmission yet; yellow button means that transmission is on-going; green means that the provincial boards of canvassers have transmitted their COCs. In the latter case, check the results per precinct to determine whether the complete results have been transmitted;
- e. Generate, from time to time, the updated canvass results;
- f. After determining that the untransmitted provincial COCs can no longer be electronically transmitted, retrieve the USB Key that was used to back-up the provincial COC concerned, and extract therefrom the untransmitted results.
- g. After all the provincial COCs shall have been transmitted, or if there are still untransmitted provincial COCs but will no longer affect the results of the election, generate the Certificate of Canvass (COC) for the positions of Regional Governor and Vice Governor;
- h. Generate the Statement of Votes (SOV) for the positions of Regional Governor and Vice Governor;

- i. Generate the Certificate of Canvass and Proclamation (COCP) for the positions of Regional Governor and Vice Governor. The candidates with the highest number of votes shall be proclaimed as the winners;
- j. Create back-up of the regional consolidated results in the USB Key.

SEC. 26. *Printing of the Certificate of Canvass and Proclamation (COCP) and Statement of Votes By Province (SOV) of the Winning Candidates for Regional Governor and Regional Vice-Governor.* – The Regional Board of Canvassers shall print the Certificate of Canvass and Proclamation (COCP) and Statement of Votes By Province (SOV) for Regional Governor and Vice-Governor in six (6) copies, to be distributed as follows:

- a. Election Records and Statistics Department of the Commission
- b. Chairman, Regional Board of Canvassers
- c. Secretary, Regional Assembly
- d. Secretary of the DILG
- e. Winning Candidate for Regional Governor
- f. Winning Candidate for Regional Vice-Governor

The Certificate of Canvass and Proclamation shall be supported by a Statement of Votes by Province containing the total number of votes obtained by each candidate in each province and the grand total they obtained in the entire ARMM. Said documents shall be signed and thumbmarked by the chairman and members of the Regional Board of Canvassers.

Copies (a) to (d) 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 USB key used to back-up the regional consolidated results will be placed inside an envelope, duly sealed, and submitted to the Assistant General Manager for Technology at the ITD of the Commission.

SEC. 27. *Effectivity.* –This Resolution shall take effect after its publication in two (2) newspapers of general circulation in the Philippines.

SEC. 28. *Dissemination.* – The Education and Information Department shall cause the publication of this Resolution in two (2) newspapers of general circulation in the Philippines and its distribution to the Regional Election Director, the Provincial Election Supervisors and Election Officers in the ARMM as well as the President or Secretary General of political parties fielding candidates in the elections.

The Executive Director shall furnish copies of this Resolution to the Department of Interior and Local Government, Department of Education, Department of Justice, Armed Forces of the Philippines, the Philippine National Police and other deputies of the Commission.

SO ORDERED.

JOSE A. R. MELO
Chairman

RENE V. SARMIENTO
Commissioner

NICODEMO T. FERRER
Commissioner

MOSLEMEN T. MACARAMBON
Commissioner

LEONARDO L. LEONIDA
Commissioner

LUCENITO N. TAGLE
Commissioner