



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

RULES ON THE CONSTITUTION, COMPOSITION AND APPOINTMENT OF THE BOARD OF ELECTION INSPECTORS, AND OTHER MATTERS RELATED THERETO, IN CONNECTION WITH THE 09 MAY 2016 NATIONAL AND LOCAL ELECTIONS (NLE).	BAUTISTA, J. A. D., LIM, C. R. S., PARREÑO, A. A., GUIA, L. T. F., LIM, A. D., GUANZON, M. R. A. V., ABAS, S. M.,	Chairman Commissioner Commissioner Commissioner Commissioner Commissioner Commissioner
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Promulgated: December 22, 2015
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RESOLUTION NO. 10031
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Pursuant to the powers vested in it by existing laws, the Commission on Elections (Commission) hereby promulgates the following rules on the constitution, composition and appointment of the board of election inspectors, and other matters related thereto, in connection with the conduct of the 09 May 2016 NLE:

Section 1. *Scope.* - These rules shall apply to the constitution, composition and appointment of the board of election inspectors, and other matters related thereto, for purposes of the 09 May 2016 NLE, except in the case of local absentee voting, detainee voting, indigenous people voting in Mindoro Oriental and Mindoro Occidental pursuant to Minute Resolution No. 15-0178 dated 06 October 2015, and overseas voting, which are covered by separate rules.

Sec. 2. *Board of election inspectors.* - There shall be a board of election inspectors for every clustered/grouped precinct identified in the Project of Precincts (POP) approved by the Commission on Elections for purposes of the 09 May 2016 NLE.

Sec. 3. *Constitution, composition and appointment of board of election inspectors.* - During the period from 04 January 2016 to 15 January 2016, Election Officers shall constitute a board of election inspectors for every clustered/grouped precinct in their cities/municipalities/districts.

The composition of the board of election inspectors shall come from the list of public school teachers submitted by the highest Department of Education official in the city/municipality/district.

The board of election inspectors shall be composed of a chairperson, a poll clerk and a third member, all of whom shall be public school teachers, giving preference to

those with permanent appointments, those who served in the 13 May 2013 NLE, and those with specialized training in dealing with persons with disabilities.

In case there are not enough public school teachers, teachers in private schools, employees in the civil service, or citizens of known probity and competence, who possessed the qualifications and none of the disqualifications for appointment as member of the board of election inspectors, may be appointed.

The Election Officers shall appoint the chairpersons and the two members of the board of election inspectors, and issue the corresponding appointment papers using CEF No. A5 and A5), sample format attached, in three (3) copies, distributed as follows:

- a. First copy, to the Election Officer for his file;
- b. Second copy, to the Election Officer to be attached to the payroll for the payment of per diems/honoraria of the board of election inspectors; and
- c. Third copy, to the appointee.

Sec. 4. Oath of the chairperson and members of the board of election inspectors. - Before assuming office, the chairperson or member of the board of election inspectors, shall take and sign an oath using CEF No. A5 and A5-A, sample form attached, before an officer authorized to administer oath or, in his absence, before any other member of the board of election inspectors present, or in case no one is present, before any voter.

Sec. 5. Qualifications of chairperson and members of the board of election inspectors. - No person shall be appointed as chairperson, member or substitute member of the board of election inspectors unless such person is of good moral character and irreproachable reputation, a registered voter of the city or municipality, has never been convicted of any election offense or of any other crime punishable by more than six months of imprisonment, has no pending election offense case against him, and is able to speak and write English or the local dialect.

Sec. 6. Disqualification. - No person shall serve as chairperson or member of the board of election inspectors if related within the fourth civil degree of consanguinity or affinity to any member of the board of election inspectors or to any candidate to be voted for in the polling place or the candidate's spouse.

Sec. 7. Notice of disqualification. - The chairperson or any member of the board of election inspectors who is disqualified to serve in the board of election inspectors for any reason shall immediately notify in writing the Election Officer concerned. The Election Officer, in turn, shall immediately appoint a substitute.

Sec. 8. Powers and functions of the board of election inspectors. - In addition to the powers and functions prescribed by law or by the rules and regulations issued by the Commission on Elections, the board of election inspectors shall:

- a. Conduct the voting and counting of votes in their respective polling places, including the final testing and sealing of the Vote Counting Machines (VCMs); and



- b. Act as deputies of the Commission in the supervision and control of the election in the polling places wherein they are assigned, to assure the holding of the same, in a free, orderly and honest manner.

Sec. 9. *Voting privilege of the board of election inspectors.* - The chairperson and members of the board of election inspectors may vote in the polling place where they are assigned on election day if they are registered voters of the city, municipality or district where they are assigned.

In the alternative, the board of election inspectors may avail of local absentee voting pursuant to Comelec Resolution No. 10003 dated 14 October 2015 entitled "*Rules and Regulations On Local Absentee Voting In Connection With The May 9, 2016 National and Local Elections.*".

Sec. 10. *Meetings of the board of election inspectors.* - The meetings of the board of election inspectors shall be public and held only in the polling place authorized by the Commission.

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

The board of election inspectors shall have full authority to maintain order within the polling place and its premises, to keep access thereto open and unobstructed, and to enforce obedience to its lawful orders.

If a person refuses to obey lawful orders of the board of election inspectors, or acts in a disorderly manner in its presence or within its hearing and thereby interrupt or disturb its proceedings, the board of election inspectors 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 any person so taken into custody from exercising the right to vote. Such order shall be executed by any peace officer to whom it may be delivered, but if none present, by any other person deputized in writing by the board of election inspectors.

Sec. 11. *Prohibition of political activity.* - No member of the board of election inspectors shall engage in any partisan political activity or take part in the election except to discharge his duties as such and to vote.

Sec. 12. *Temporary vacancies in the board of election inspectors.* - If, at the time of the meeting of the board of election inspectors, any member is absent, or a position in the board of election inspectors is still vacant, the members present shall call upon the substitute of the absent members to perform the duties of the latter, and in case such substitute cannot be found, the members present shall appoint any qualified non-partisan registered voter of the polling place to temporarily fill said vacancy until the absent member appears or the vacancy is filled. In case there are two or more members present, they shall act jointly.

Sec. 13. *Arrest of absent members.* - The member or members of the board of election inspectors present may order the arrest of any member or substitute thereof, who in the member or members judgment, is absent with intention of obstructing the performance of duties of the board of election inspectors.

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Sec. 14. *Relief and substitution of the members of the board of election inspectors.* - The members of the board of election inspectors shall not be relieved unless disqualified as provided herein.

Within three (3) days from the issuance of the appointments of the members of the board of election inspectors, the Election Officer shall prepare and cause the posting of the list of members of the board of election inspectors in the bulletin boards of the Office of the Election Officer and of the *barangay* halls. The Election Officer shall furnish copies of the list to interested parties upon request.

Within three (3) days from the posting of the list of members of the board of election inspectors, any interested party may file an opposition to the appointment of any member of the board of election inspectors on the ground that the member does not meet the qualifications for appointment as member of the board of election inspectors or is disqualified due to prohibited relationship. Within forty-eight (48) hours from receipt of the opposition, the Election Officer shall determine whether the member is disqualified or not. If disqualified, the Election Officer shall appoint a substitute who meets the qualifications and none of the disqualifications.

Sec. 15. *Support staff of the board of election inspectors.*- The Election Officers shall, during the period for the constitution and appointment of the board of election inspectors, appoint support staff to assist the board of election inspectors in the performance of its duties.

The support staff need not be a registered voter of the city or municipality or district but must possess all the other qualifications and none of the disqualifications for appointment to the board of election inspectors.

The number of support staff that may be appointed per board of election inspectors are as follows:

Number of Established Precincts In the Clustered Group Precincts	Number of Allowable Support Staff
1 to 3	0
4	1
5 or more	2

The support staff cannot participate in the deliberation of the board or vote on any issue or question that may arise during the proceedings.

In case of absence of any of the support staff on the day of the election, the board of election inspectors, by majority vote, may designate a substitute who need not be a registered voter of the city or municipality but possesses all the other qualifications and none of the disqualifications for appointment as support staff.

Sec. 16. *Polling/voting center supervisors and support staff; composition and functions.* - Election Officers shall, within the period for the constitution and appointment of the board of election inspectors, constitute at least one (1) DepEd Polling/Voting Center Supervisor and one (1) Polling/Voting Center support staff for every polling center designated by the Commission on Elections for purposes of the 09 May 2016 NLE.

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In case of polling/voting centers with more than ten (10) clustered/grouped precincts, Election Officers may constitute an additional one (1) DepEd Supervisor and one (1) support staff in accordance with the following table:

Number of Clustered/Grouped Precincts	Number of Additional DepEd Supervisor	Number of Additional Support Staff
11-20	1	1
21-30	2	2
31-40 and so forth using the same ratio.	3	3

The polling/voting center supervisor and support staff need not be registered voters of the city or municipality or district where they are assigned but must possess all the other qualifications and none of the disqualifications for appointment to the board of election inspectors.

The polling/voting center supervisor, in coordination with the Election Officer, shall:

- a. Plan, organize and supervise the setting up of a voters' assistance center at the polling/voting center to assist voters in locating their polling places or precinct assignments;
- b. Plan, organize and supervise the crowd management at the entrance areas of the polling places;
- c. Maintain a list of technical personnel as well as PNP and AFP personnel assigned in the voting centers for efficient coordination; and
- d. Serve as the contact and point person of the Election Officer in the polling/voting center.

Sec. 17. *Per diems of the board of election inspectors and their support staff, polling/voting center supervisors and their support staff.* - The chairperson and members of the board of election inspectors shall receive a *per diem* at the rate of One Thousand Pesos (PhP1,000.00) a day for three days or a total *per diem* of Three Thousand Pesos (PhP3,000.00). Also, each shall receive an additional *per diem* of Five Hundred Pesos (PhP500.00) for the verification and sealing of the book of voters, and another Five Hundred Pesos (PhP500.00) *per diem* for the final testing and sealing of the VCMs. A one-time transportation allowance of Five Hundred Pesos (PhP500.00) shall be provided to the chairperson and members of the board of election inspectors.

The support staff of the board of election inspectors shall receive a *per diem* of Five Hundred Pesos (PhP500.00) per day for three (3) days or a total of One Thousand Five Hundred Pesos (PhP1,500.00) each.

Polling/voting center supervisors shall receive a *per diem* of One Thousand Pesos (PhP1,000.00) a day for three days or a total *per diem* of Three Thousand Pesos (PhP3,000.00). Polling/voting center support staff shall receive a *per diem* of Five

Hundred Pesos (PhP500.00) per day for three (3) days or a total of One Thousand Five Hundred Pesos (PhP1,500.00) each.

In addition, the board of election inspectors and their support staff, the polling/voting center supervisors and their support staff shall be given five (5) days of leave credits or service credits, as the case may be, for services rendered in connection with the elections.

Sec. 18. *Insurance of personnel of the Commission on Elections and other personnel of the government, including the Philippine National Police, the Armed Forces of the Philippines, in the performance of election duties.* - The amount of Thirty Million Pesos (PhP30,000,000.00) is hereby set aside as compensation for death, injury or sickness sustained in the performance of election duty, by personnel of the Commission and other government agencies deputized by the Commission. In case of death in connection with the performance of election duty, the heirs of the deceased official or employee shall receive the amount of Two Hundred Thousand Pesos (PhP200,000.00).

For this purpose, the Finance Services Department of the Commission shall, within seven (7) days from the promulgation of this Resolution, formulate the guidelines for the availment of compensation for death, injury or sickness in the performance of election duty, and submit said guidelines for the approval by the Commission on Elections.

Sec. 19. *Reportorial requirements.* - The Election Officer shall, within five (5) days from the constitution, appointment and designation of the: (a) board of election inspectors and their support staff; and (b) polling/voting centers supervisors and their support staff, submit to the Finance Service Department of the Commission, the following:

- a. List containing the names of the appointed chairpersons and members of the board of election inspectors, their designations in the board, an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by precinct;
- b. List containing the names of the appointed support staff of the board of election inspectors, an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by precinct; and
- c. List containing the names of the appointed polling/voting center supervisors and their support staff, an indication whether they are public school teachers or private school teachers or civil service employees or private citizens, arranged by polling/voting center;

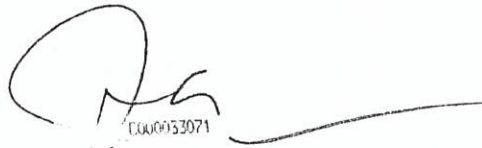
Sec. 20. *Special procedures.* - The Commission may, in exceptional cases, adopt special guidelines in the constitution, appointment and designation of the board of election inspectors and other matters related thereto, to ensure free, honest, orderly, peaceful and credible elections.

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Sec. 21. *Effectivity, publication and dissemination.* -This Resolution shall take effect on the seventh (7th) day following its publication in two (2) daily newspapers of general circulation in the Philippines.

The Education and Information Department of the Commission on Elections shall cause the publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines, and furnish copies thereof to the Department of Education, the Regional Election Directors, the Provincial Election Supervisors and Election Officers.

SO ORDERED.



J. ANDRES D. BAUTISTA
Chairman



CHRISTIAN ROBERT S. LIM
Commissioner



AEA. PARRENO
Commissioner



LUE TITO F. GUIA
Commissioner



ARTHUR D. LIM
Commissioner



MA. ROWENA AMELIA V. GUANZON
Commissioner



SHERIFF M. ABAS
Commissioner

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