

REPUBLIC OF THE PHILIPPINES COMMISSION ON ELECTIONS

Intramuros, Manila

IN THE MATTER OF THE ADDENDUM TO RESOLUTION NO. 11076 RE: GENERAL INSTRUCTIONS FOR THE ELECTORAL BOARDS ON THE PROCESS OF VOTING, COUNTING, & TRANSMISSION OF ELECTION RESULTS FOR THE 12 MAY 2025 NATIONAL, LOCAL, BANGSAMORO PARLIAMENTARY ELECTIONS, PROMULGATED ON OCTOBER 30, 2024

GARCIA, George Erwin M., Chairman
INTING, Socorro B., Commissioner
CASQUEJO, Marlon S., Commissioner
FEROLINO, Aimee P., Commissioner
BULAY, Rey E., Commissioner
MACEDA, JR., Ernesto Ferdinand P., Commissioner
CELIS, Nelson J., Commissioner

Promulgated: January 21, 2025 WW

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RESOLUTION NO. 11098

WHEREAS, the Commission has promulgated Resolution No. 11076 on October 30, 2024 to guide the electoral boards in the process of voting, counting and transmission of results for the May 12, 2025 National and Local Elections, and BARMM Parliamentary Elections;

WHEREAS, since the promulgation of Resolution No. 11076, some ACM operations and procedures in the voting and counting of votes have been modified;

WHEREAS, there is a need to align these modified operational procedures with the guidelines provided in the resolution;

NOW THEREFORE, the Commission on Elections has RESOLVED, as it hereby RESOLVES, to promulgate the following supplemental guidelines to the electoral boards during the voting, counting and transmission of results:

Sec. 1. The following provisions of Comelec Resolution No. 11076 are hereby supplemented/amended to read as follows:

ARTICLE IV FINAL TESTING AND SEALING

SEC. 18. Procedures for the Final Testing and Sealing of the ACM. - The EB shall observe the following procedures for the FTS of the ACM:

- (a) Explain to those present the purpose of and the procedures for the FTS;
- (b) Perform the FTS following the ACM OPERATION PROCEDURES hereto attached as "ANNEX B;" and
- (c) Randomly choose ten (10) persons, from among those present, who will accomplish the ballots to be used for FTS. If there are less than ten (10) persons present, any of them may accomplish more than one (1) ballot to complete the ten (10) ballots.

To accomplish the ballots, the Chairperson shall give each of the ten (10) persons a ballot inside the ballot secrecy folder and a marking pen. Using the marking pen, they shall accomplish the ballot by fully shading the circle opposite the names of the candidates, including that of the party, organization, or coalition participating in the party-list system of representation. Thereafter, they shall return the accomplished ballot inside the ballot secrecy folder and the marking pen to the Chairperson.

For the voters in the BARMM, two (2) ballots shall be used during the FTS: one containing the NLE candidates, and the other containing the names of the candidates for members of the Bangsamoro Parliament.

The Chairperson shall:

- (a) Examine the accomplished ballot and determine whether the circle opposite the names of the candidates/political parties participating in the party-list system have been fully shaded; and the security features (timing marks, barcodes, and QR codes) have not been damaged;
- (b) Return the accomplished ballot inside the ballot secrecy folder and give the same to the voter who shall personally feed the accomplished ballot into the ACM;
- (c) Instruct the persons to verify the votes as appearing on the VVPAT and place the same in the VVPAT receptacle;
- (d) Perform the same procedures in "a", "b", and "c" until all ten (10) ballots are fed;
- (e) Follow the instructions on the closing of polls and the printing of election returns after all the ten (10) ballots have been fed; and
- (f) Conduct Manual Verification of Results following the procedures in the immediately succeeding section.

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SEC. 19. Manual Verification of Results. – The EB shall retrieve the accomplished ballots from the ballot box, manually count the votes therein, and accomplish the manual ERs provided for the purpose. The following rules shall be observed in the manual counting of votes:

(a) The Chairperson shall verify the ballots to determine whether there is over-voting (when the number of votes in a position exceeded the maximum number of selections allowed for that contest). If there is an over-vote in a position, no vote shall be counted in favor of any candidate for the said position.

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(f) The EB shall compare the results derived from the ERs generated by the ACM, the manually prepared ERs, and the VVPAT Audit Report.

If the results are the same, perform the re-zero procedure, and shut down the ACM following the steps in the <u>ACM OPERATION PROCEDURES ("ANNEX B").</u>

If the results are not the same, the EB shall re-appreciate the ballots and review the VVPAT to determine the discrepancy. If there is still a discrepancy, the EB shall call on the assigned DESO technical Support Staff for technical assistance. The DESO technical Support Staff shall report such incident to the NTSC and the EO concerned.

Once the discrepancy is resolved, perform the re-zero procedure, and shut down the ACM following the steps in the \underline{ACM} OPERATION PROCEDURES ("ANNEX B").

In no case shall there be transmission of votes done during the FTS of ACM.

(g) Place the counted ballots, VVPAT, manually-prepared ERs, ACM-generated ERs and all other reports generated by the ACM, in the envelope provided for the purpose.

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SEC. 21. Disposition of Forms/Supplies. - After the FTS, the EB shall:

- (a) Place the ACM in its case and seal it with a plastic security seal. Thereafter, return the ACM case inside its box and secure it with a paper seal. Leave the ACM box, ballot box, VVPAT receptacle, and external battery inside the polling place or any secured room in the voting center.
- (b) Submit to the EO the Envelope for Counted FTS Ballots, FTS Election Returns, and Other Reports (CEF No. A17-FTS) containing the following and seal the same with a paper seal (CEF No. A12):
- (1) Diagnostic Report;
- (2) <u>Initialization Report;</u>
- (3) Nine (9) copies of National and Local Returns;
- (4) Manual ER;
- (5) Counted ballots; and
- (6) \underline{VVPAT} .

The EO shall keep the above documents until further instructions from the Commission.

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ARTICLE VI MANNER OF VOTING

SEC. 28. Who may Vote. - All registered voters whose names appear in the EDCVL may vote in the 2025 NLE and Bangsamoro Parliamentary Election, unless their names are manually crossed out from the same list with the <u>proper annotations, duly signed by ERB:</u>

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- (d) The voter has been verified to have double/multiple registration records based on AFIS matching;
- (e) The voter has an approved application for transfer of registration records to another district/city or municipality as stated in the verified Notices of Approval; or
- (f) The voter is deceased and included in the Certificate of Deceased Registered Voters from the Local Civil Registrar.

ARTICLE VII FORMS, DOCUMENTS, AND SUPPLIES

SEC. 41. Election Forms, Documents, and Supplies.

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B. Final Testing and Sealing. - The duly designated member of the EB shall obtain from the OEO the <u>following</u> forms, documents, and supplies in the morning of the day scheduled for the FTS of the ACM, unless the City/Municipal EO provides an earlier period:

FROM THE CITY/MUNICIPAL ELECTION OFFICER

CEF NO.	DESCRIPTION	RATE OF DISTRIBUTION PER CLUSTERED PRECINCT	
Election 1	Forms		TALLET
A6-FTS	FTS Ballots	1	Pieces
A9-TS	Election Returns for Testing and Sealing	1	Set of 4 pages
A11	Minutes of Final Testing and Sealing of ACM, Voting, counting and Transmission of Votes	1	Set of 2 copies
A12	Paper Seal	1	Piece

A17- FTS	For Counted FTS Ballots, FTS Election Returns, and Other Reports	1	Piece
	NLE Supplies		
	FTS Ballot Secrecy Folder	12	Pieces
	Indelible Ink	4	Bottles
	Ballpen for EB	3	Pieces
	Thumbprint/Fingerprint Taker	1	Piece

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ARTICLE VIII PROCEDURES FOR VOTING, COUNTING OF VOTES, TRANSMISSION OF PRECINCT RESULTS

SEC. 43. Preliminaries to the Voting. - The EB shall:

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- (g) Break the paper seal of the ACM case:
- (1) Open the ACM case and check if the following are deposited inside:

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iv. The three (3) Personal Identification Numbers (PINs) for operating the ACM, the three (3) <u>smartcard security keys</u>, and one (1) PIN for re-zeroing;

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(2) Retrieve the <u>smartcard security keys</u> and security PINs from the ACM case and distribute the same among themselves. The RE-ZERO PIN shall remain inside the ACM case.

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SEC. 47. Closing of Polls; Counting of Votes and Transmission of Results; Printing of Reports, VVPAT Audit, and Shutting Down the ACMs; Procedure. – After the voters have cast their ballots, the EB shall ensure that the IP-SVR, PDL-SPP, and PPP ballots, if any, have been fed in the ACM. The EB shall then close the voting by performing the procedures provided in the ACM OPERATION PROCEDURES ("ANNEX B").

After printing all the thirty (30) copies of the ERs and the statistical reports, the EB shall:

- (a) Perform ballot review;
- (b) Print the audit log report;
- (c) Perform the final back-up procedure. The ACM will automatically shutdown after completing the final back-up;
- (d) Break the seal of the USB device compartment, open its cover, remove the main USB device from the ACM, and place it inside the envelope (A18-B). The EB shall also indicate on the envelope the clustered precinct number, barangay, and city/municipality/province. The Backup USB device shall not be removed from the ACM, and the cover of the USB device compartment shall be re-sealed;
- (e) Place the initialization report, precinct statistical report and audit logs in their corresponding envelopes (A18-C to A18-E);
- (h) <u>Disconnect the following:</u>
- (1) ACM electrical adapter from the outlet;
- Power cord from the battery and ACM;
- (i) Place the smartcard security keys and PINs in the ACM case;
- (j) Return the battery in its original box;
- (k) Place the power cord and the ACM electrical adapter inside the ACM case; and
- (l) Close the ACM case then place it in the ACM box.

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ARTICLE XII DISPOSITION OF DOCUMENTS

SEC. 96. Disposition of Election Returns - After printing the first nine (9) copies of the ERs, the EB shall sign and affix their thumbmarks in the certification portion of all copies of the ERs. Thereafter, the EB shall immediately cause the posting of the "Copy for Posting" in a conspicuous place outside the polling place. The EB shall individually fold the ERs. The first eight (8) copies of the ERs shall be sealed with serially numbered paper seals and placed in their respective envelopes (CEF No. A17). All envelopes containing the ERs shall be sealed with serially numbered paper seals.

The EB shall also affix their signatures on the paper seals and envelopes on the space provided. The watchers present shall, likewise, affix their signatures, giving preference to the dominant majority and minority parties, and accredited citizens' arms.

The ERs shall be distributed to the following:

- (1) City or Municipal Board of Canvassers;
- (2) The Commission;
- (3) The Congress, directed to the President of the Senate (Only with respect to the election of Senators and the Party-list System)
- (4) Parish Pastoral Council for Responsible Voting (PPCRV);
- (5) National Citizen's Movement for Free Elections (NAMFREL);
- (6) Dominant majority party as determined by the Commission in accordance with law;
- (7) Dominant minority party as determined by the Commission in accordance with law;
- (8) Ballot box;
- (9) "Copy for Posting";
- (10) Provincial Board of Canvassers;
- (11) Ten (10) accredited major national parties, excluding the dominant majority and minority parties, in accordance with a voluntary agreement among them.
- (12) Two (2) accredited major local parties in accordance with a voluntary agreement among them. If no such agreement is reached, the Commission shall decide which parties shall receive the copies on the basis of the criteria analogous to that provided in Section 26 of Republic Act No. 7166;
- (13) Four (4) 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;
- (14) Two (2) 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
- (15) Two (2) major citizens' arms, including the accredited citizens' arm, and other non-partisan groups or organizations enlisted by the Commission, excluding PPCRV and NAMFREL. Such citizens' arms, groups, and organizations may use the two (2) certified copies of election returns for the conduct of citizens' quick counts at the local or national levels.

The remaining copies shall be given to other accredited citizens' arms other than NAMFREL and PPCRV.

SEC. 97. Disposition of ACM, Ballot Boxes, Election Returns and Other Documents. - When the counting of votes has ended and the results of the election in the polling place have already been announced, the EB shall:

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- (b) Close the flap of the ballot box with a security seal;
- (c) Deliver the ballot box, accompanied by watchers, to the city/ municipal treasurer. For this purpose, the city/municipal treasurer shall, at its own expense, provide at the voting center the necessary personnel and transportation facilities for the retrieval.

In case the ballot box delivered by the EB is not sealed, the treasurer shall seal the ballot box, and include such fact, together with the serial number of the plastic seal used, in his/her report to the Commission; and

(d) Deliver to the EO the following documents or papers:

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- (4) The envelope containing the <u>main USB device</u> for use by the city/municipal board of canvassers through the Reception and Custody Group (RCG); and
- (5) Other pertinent papers and documents.
- (e) Turn over the ACM box, including all other AES-related equipment to the concerned EO for verification using the same checklist provided for the purpose. In case there are lacking items in the checklist, the EB shall be required to produce the same, otherwise, they shall be held liable for their equivalent cost, without prejudice to the filing of civil, criminal and/or administrative charges.

After the counting of votes, the EO or the city/municipal treasurer shall require the EB, which failed to turn over the election documents or paraphernalia to deliver them immediately and inform him/her that failure to do so may constitute an election offense."

- **Sec. 2. ACM Operations Procedure.** The ACM Operations Procedure (Annex "B") of Resolution No. 11076 is hereby replaced with the ACM Operations Procedure attached to this resolution as Annex "A".
- **Sec. 3. Effectivity -** This resolution shall take effect on the seventh (7th) day after its publication in two (2) newspapers of general circulation in the Philippines and in the Comelec website.
- Sec. 3. Publication and Dissemination. The Education and Information Department (EID), this Commission, shall cause the immediate publication of this Resolution in two (2) daily newspapers of general circulation in the Philippines. Further, EID shall furnish copies thereof to all Regional Election Directors, Provincial Election

Supervisors, Election Officers, the concerned offices and departments in the Main Office of the Commission, all Departments, Bureaus, Offices and Agencies concerned, including the Department of Foreign Affairs, and other government agencies maintaining offices abroad. The Information Technology Department shall post a copy of this Resolution on the website of the Commission.

SO ORDERED.

GEORGE ERWIN M. GARCIA Chairman

SOCORRO B. INTING

Commissioner

MARLON S. CASQUEJO

Commissioner

AIMEE P. FEROLINO

Commissioner

REY E. BULAY Commissioner

ERNESTO FERDINAND P. MACEDA, JR.

Commissioner

NELSON J. CELIS
Commissioner

CERTIFICATION

APPROVED for publication on January 21, 2025.

Director IV
Office of the Commission Secretary

This Resolution can be verified at this number (02) 8527-2987 and email address at comsec@comelec.gov.ph.