



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

SUPPLEMENTAL RULES TO
RESOLUTION NO. 11086,
REGARDING THE
PUBLICATION OF ELECTION
SURVEYS IN CONNECTION
WITH THE 2025 NATIONAL
AND LOCAL ELECTIONS AND
BARMM PARLIAMENTARY
ELECTIONS AND
SUBSEQUENT ELECTIONS
THEREAFTER

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Chairman
Commissioner
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Promulgated: February 19, 2025

RESOLUTION No. 11117

WHEREAS, under the 1987 Philippine Constitution, the Commission on Elections (COMELEC) is mandated to enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, referendum, and recall;

WHEREAS, Section 52 (b) of the Omnibus Election Code (OEC) states that the COMELEC shall have exclusive charge of the enforcement and administration of all laws relative to the conduct of elections for the purpose of ensuring free, orderly and honest elections;

WHEREAS, Republic Act No. 9006 (RA 9006), otherwise known as the "Fair Elections Act"¹, as implemented by COMELEC Resolution No. 11086, provides for the holding of free, orderly, honest, peaceful and credible elections through fair election practices;

¹ AN ACT TO ENHANCE THE HOLDING OF FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE ELECTIONS THROUGH FAIR ELECTION PRACTICES

WHEREAS, the said Act allows the publication or broadcast, through mass media, of political advertisements or propaganda for or against any candidate or political party;

WHEREAS, Section 3 of the said Act provides that election propaganda, whether on television, cable television, radio newspapers or any other medium shall be subject to the supervision and regulation of the Commission on Elections;

WHEREAS, Section 5 of the said Act, as implemented by COMELEC Resolution no. 9615², provides:

"Section 5. Election Surveys. - 5.1. Election surveys refer to the measurement of opinions and perceptions of the voters as regards a candidate's popularity, qualifications, platforms or a matter of public discussion in relation to the election, including voters' preference for candidates or publicly discussed issues during the campaign period (hereafter referred to as "Survey").

5.2. During the election period, any person, natural as well as juridical, candidate or organization who publishes a survey must likewise publish the following information:

- a. The name of the person, candidate, party or organization who commissioned or paid for the survey;*
- b. The name of the person, polling firm or survey organization who conducted the survey;*
- c. The period during which the survey was conducted, the methodology used, including the number of individual respondents and the areas from which they were selected, and the specific questions asked;*
- d. The margin of error of the survey;*
- e. For each question for which the margin of error is greater than that reported under paragraph (d), the margin of error for that question; and*

² RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 9006, OTHERWISE KNOWN AS THE "FAIR ELECTION ACT", IN CONNECTION TO THE 13 MAY 2013 NATIONAL AND LOCAL ELECTIONS, AND SUBSEQUENT ELECTIONS

f. *A mailing address and telephone number, indicating it as an address or telephone number at which the sponsor can be contacted to obtain a written report regarding the survey in accordance with Subsection.*

5.3 *The survey together with raw data gathered to support its conclusions shall be available for inspection, copying and verification by the COMELEC or by a registered political party or a bona fide candidate or by any COMELEC-accredited citizen's arm. A reasonable fee sufficient to cover the costs of inspection, copying and verification may be charged,"*

WHEREAS, Section 6.4 of the said Act directs the Commission to supervise the use and employment of press, radio and television facilities insofar as the placement of political advertisements is concerned so as to give candidates equal opportunities under equal circumstances to make known their qualifications and stand on public issues;

WHEREAS, Section 13 of the same Act requires the Commission to promulgate the necessary rules and regulations for the implementation thereof;

WHEREAS, the Commission recognizes the significant influence of surveys in shaping voter preferences, highlighting the need for greater transparency in their conduct and publication;

WHEREAS, the Commission recognizes the need for stringent regulatory measures given the significant public interest in election surveys and the fundamental right to information on matters of public concern;

WHEREAS, the Supreme Court, in *Social Weather Stations, Inc. and Pulse Asia, Inc. v. COMELEC*³, upheld the validity of Resolution No. 9674, affirming that the names of individuals or entities that commission or pay for election surveys, including subscribers of survey firms, must be disclosed pursuant to Section 5.2(a) of the *Fair Election Act*. This requirement neither infringes on petitioners' free speech rights nor violates the constitutional prohibition against the impairment of contracts;

WHEREAS, the Commission likewise reiterates that the amount spent by candidates and political parties for surveys, including subscriptions, forms part of

³ G.R. No. 208062. April 7, 2015

their campaign expenditure which must be disclosed by the candidates and reported by the survey firms to COMELEC pursuant to Resolution no. 9476⁴;

NOW, THEREFORE, the Commission, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act Nos. 6646, 7166, 9006 and other related laws has **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following guidelines:

SECTION 1. *Scope and Applicability.* This Resolution shall apply during the election period for the national and local candidates for the 12 May 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE). This Resolution shall likewise be considered as an addendum to COMELEC Resolution No. 11086, or the implementing Rules and Regulations of Republic Act No. 9006 for the 2025 National, Local, and Bangsamoro Parliamentary Elections.

SECTION 2. *Pre-Registration.* During the election period, any person, whether natural or juridical, candidate, or organization that conducts and publicly disseminates an election survey must register with the Political Finance and Affairs Department (PFAD) of the Commission using the Registration Form in **Annex A**.

Only pre-registered entities shall be authorized to conduct and publicly disseminate election surveys. *Provided*, however, that this requirement shall be applied prospectively. Survey firms that have already been conducting and disseminating election surveys prior to the publication of this resolution shall be given a grace period of fifteen (15) days from the date of effectivity to complete their registration with the COMELEC. During this period, they may continue their operations, but failure to register within the prescribed timeframe shall result in the suspension of their authority to conduct and publish election surveys.

SECTION 3. *Comprehensive Reporting to the Commission.* Poll companies or any entity conducting election surveys shall submit a comprehensive report to the Commission on Elections, through the PFAD, within five (5) days from the publication of the survey. This report must include details on

⁴ RULES AND REGULATIONS GOVERNING CAMPAIGN FINANCE AND DISCLOSURE IN CONNECTION WITH THE 13 MAY 2013 NATIONAL AND LOCAL ELECTIONS AND SUBSEQUENT ELECTIONS THEREAFTER

where the results were published and all other information required under Section 26 of Resolution No. 9615 and Resolution No. 9674.

If applicable, the total amount spent by candidates on such surveys must also be disclosed. The Commission may use this data to verify the candidate's reported expenses in the Statement of Contributions and Expenditures (SOCE).

To facilitate effective monitoring, reports shall be submitted to the PFAD, which will oversee the monitoring of candidate expenditures. The reports shall also be submitted to the Education and Information Department (EID) to verify whether published results align with official communications submitted to the Commission.

Submissions shall be made electronically to the PFAD at pfad@comelec.gov.ph and EID at eid@comelec.gov.ph.

SECTION 4. *Verification and Monitoring of Election Survey Data.* To ensure the authenticity and reliability of election survey results, the PFAD is immediately directed to develop and provide a standardized template for the comprehensive reports required under Section 4. This template shall include all necessary fields to ensure consistency and completeness in reporting. This template shall include all necessary fields to ensure consistency and completeness in reporting. The template shall be made available for download via the official COMELEC website within seven (7) days from the publication of this resolution.

The Commission, through the Education and Information Department (EID), shall also establish a verification mechanism to authenticate election survey results and prevent the dissemination of fraudulent surveys falsely attributed to legitimate pollsters. Any entity found disseminating falsified survey data shall be referred to Task Force Katotohanan, Katapatan, Katarungan sa Halalan. The Task Force, in coordination with the EID, shall develop a dedicated public advisory system to promptly alert voters about potential fake surveys, ensuring access to verified and credible election information.

SECTION 5. *Mandatory Disclosure of Survey Sponsors and Details Prior to Publication.* Broadcast media providers shall only publish an election survey if it contains the name of the entity which conducted the survey along with the name/s of the person, candidate, party or organization that commissioned or paid for the survey, if any. This requirement shall also

apply to survey firms publishing their materials online, including through social media platforms.

This shall likewise apply to survey firms who will publish their materials online, particularly in social media.

SECTION 6. *Publication of Disclosures and Mandatory Reports.* To promote transparency and public trust in the conduct of election surveys, all disclosures and comprehensive reports required under this regulation and COMELEC Resolutions No. 11086, 9615, and 9674 shall be published on the official COMELEC website.

In cases where certain details involve sensitive personal information or legally protected data, COMELEC may publish a redacted version of the reports while ensuring compliance with data privacy and election laws. However, no entity, candidate, or organization shall have the discretion to withhold the publication of required disclosures, as these are mandated under election regulations.

SECTION 7. *Non-Compliance.* Survey firms and media organizations that fail to comply with disclosure or reporting requirements shall be subject to strict penalties, which may include fines, suspension of accreditation, or legal action in cases of deliberate misrepresentation of survey data.

To implement this policy, Section 7 of Resolution No. 9615 is hereby amended to include as unlawful the publication of pre-election surveys through broadcast, internet, or print media without disclosing the required information under the Fair Election Act and its implementing rules. Additionally, the last paragraph of Section 7 is hereby revised to include survey firms, editors-in-chief, and owners of survey firms as entities criminally liable for publishing surveys without the required disclosures or in violation of these rules.

Failure to comply with Sections 2, 3, 4, and 5 of this Resolution, as well as the unlawful publication of pre-election surveys through broadcast, internet, or print media without the required disclosures under the *Fair Election Act* and its implementing rules, shall constitute an election offense pursuant to Section 13 of *Republic Act No. 9006*, and related issuances.

SECTION 8. Effectivity. - This Resolution shall take effect **five (5) days** after its publication in two (2) daily newspapers of general circulation in the Philippines.

SECTION 9. Publication and Dissemination. - The Education and Information Department shall immediately cause the publication of this Resolution in at least two (2) daily newspapers of general circulation in the Philippines, post the resolution in the COMELEC website, and furnish copies thereof to all field offices of the COMELEC.

Let the Political Finance and Affairs Department and the Education and Information Department implement this resolution.


SO ORDERED.


GEORGE ERWIN M. GARCIA
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Chairman


AIMEE P. FEROLINO
Commissioner


REY E. BULAY
Commissioner


ERNESTO FERDINAND P. MACEDA, JR.
Commissioner


NELSON J. CELIS
Commissioner


MARIA NORINA S. TANGARO-CASINGAL
Commissioner


NOLI R. PIPO
Commissioner

CERTIFICATION

APPROVED for publication on February 19, 2025.


CONSUELO B. DIOLA
Director IV

Office of the Commission Secretary

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