



YOUR Guide to Election Day For Electoral Boards, Voters and Pollwatchers

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A. Overview of Elections

1. When is Election Day?

Synchronized and regular elections will be on Monday, May 9, 2022.

2. Can the elections in a polling place or local government unit be postponed?

The Commission on Elections (COMELEC) En Banc can postpone an election if there are serious grounds such as (1) Force majeure, (2) Violence, (3) Terrorism, (4) Loss or Destruction of Election Paraphernalia, and (5) Analogous Causes, and it would be impossible to have free and orderly elections.

3. What are the elective positions this May?

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| <p><i>Nationally-Elected</i></p> <ul style="list-style-type: none"> o 1 President o 1 Vice-President o 12 Senators o 1 Party-List Organization | <p><i>Locally-Elected</i></p> <ul style="list-style-type: none"> o District Representatives o Provincial, City and Municipal: <ul style="list-style-type: none"> ▪ Local Chief Executives ▪ Vice-Local Chief Executives ▪ Members of Legislative Councils |
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4. What kind of elections will we have?

A Paper-based Automated Election System under Republic Act No. 9369 amending RA 8436.

COMELEC in the counting of votes and canvassing of results shall use machines – Vote Counting Machines (VCMs) for counting and transmission, and Consolidation and Canvassing System (CCS) for canvassing and transmission. Casting of votes shall be manual – voters vote by fully shading the ovals across names of candidates.

5. Has COMELEC issued the General Instructions for the Voting, Counting and Transmission of Election Results?

Yes, this is COMELEC Resolution No. 10727 promulgated on November 10, 2021.

B. Electoral Boards

6. Who will conduct the elections at the precinct level?

The Electoral Boards or EBs, formerly known as the Boards of Election Inspectors. The EBs shall be under the control and supervision of COMELEC.

The EBs are composed of 3 officers – the Chairperson, Poll Clerk, and Third Member. The members of the EBs for every clustered precinct have already been appointed/ designated last January 31, 2022.

7. Who can be a member of an EB?

Preference shall be given to Public School Teachers who are: (1) qualified, (2) willing, and (3) available to render election service with permanent appointments, and (4) those who served in previous elections.

Qualifications	Disqualifications
<ul style="list-style-type: none"> o A registered voter in the city or municipality o Of good moral character and irreproachable reputation o Of known integrity and competence o Has never been convicted of any election offense or of any crime punishable by more than 6 months of imprisonment, or has no pending Information for any election offense o Able to speak and write Filipino, English, or the local dialect 	<p>When related, within the 4th civil degree of consanguinity or affinity to:</p> <ul style="list-style-type: none"> o any member of the same EB o any candidate to be voted for in the polling place of assignment o candidate's spouse

If sufficient, the substitutes can be:

- o Private school teachers
- o National government employees
- o Members of the COMELEC-accredited citizens' arms
- o Any registered voter of the city or municipality of known integrity and competence who is not connected with any candidate or political party

8. What are the general protocols that must be observed by the EBs?

- o EB meetings shall be public
- o EB activities must be held only in the polling place
- o EB decides by majority vote
- o EB cannot engage in any partisan political activity
- o EB cannot postpone or reschedule the elections
- o EB must follow all COMELEC regulations and instructions

9. Who are allowed inside Polling Places?

Allowed	Not Allowed
<ul style="list-style-type: none"> o Voters casting their votes and their assistors o Voters waiting for their turn to cast their vote o Jail/ Prison Escorts escorting Person Deprive of Liberty (PDL) voters o Members of the EB o EB support staff o Pollwatchers o COMELEC Representatives o Department of Education and Ministry of Basic, Higher and Technical Education of the Bangsamoro Autonomous Region in Muslim Mindanao Supervisor Official (DESO) Technical Support Staff o Emergency Accessible Polling Place (EAPP) Support Staff o Other COMELEC-authorized persons 	<ol style="list-style-type: none"> 1. Armed Forces of the Philippines (Military) 2. Philippine National Police (Police) 3. Peace Officer 4. Barangay Official 5. Sangguniang Kabataan Official 6. Barangay Tanod 7. Extra-Legal Police

10. What are the functions of the EBs?

- o Conduct the Final Testing and Sealing of the VCM
- o Verify the identity of a voter using the Election Day Certified Voters List (EDCVL)
- o Conduct the voting in the polling place and administer the electronic counting of votes
- o Digitally sign and print the Election Returns (ERs) and transmit electronically the election results, through the use of the VCM
- o Act as deputies of the COMELEC in the supervision and control of the conduct of elections in the polling place
- o Maintain order within the polling place and its premises to keep an open and unobstructed access thereto
- o Furnish copies of the Certificate of Votes (CoV) upon request of the watchers
- o Prohibit the use of cellular phones, cameras, or any recording device by the voters during voting
- o Implement minimum public health standards
- o Enforce obedience to its lawful orders (Note: If any person refuses to obey the lawful orders of the EB or conducts in a disorderly manner in its presence or within its hearing and thereby interrupts or disturbs its proceedings, the EB may issue an order in writing directing any peace officer to take such person into custody until the adjournment of the meeting)
- o Resolve challenges on voters
- o Direct police officers and peace officers to be stationed within a 30-meter radius from polling place if EB deems it necessary for its protection and protection of election paraphernalia
- o No premature announcement of state of polls before close of polls (e.g. if a Voter has voted or not; number of voter who voted)

C. Pollwatchers

11. Who are pollwatchers?

They are engaged by candidates and political parties to guard their votes and show them proof of the results in their assigned precincts/ polling centers.

The following can deploy pollwatchers:

- o Candidates
- o Duly-registered political party or coalition of political parties
- o Party-List Groups
- o Duly accredited citizens' arms
- o Other civic, religious, professional, business, service, youth, and any other similar organizations, with prior authority of the COMELEC

At least 15 days before May 9, the Election Officers (EOs) must be informed of the names and signatures of the representatives who can appoint pollwatchers.

12. Who can be pollwatchers (qualifications)?

- o Registered voter of the city or municipality
- o Of good moral character
- o Has not have been convicted by final judgment of any election offense or of any other crime
- o Knows how to read and write Filipino, English or the prevailing local dialect
- o Is not related within the 4th civil degree of consanguinity or affinity to the chairperson, or any other member of the EB in the polling place where such person seeks appointment as a watcher

13. How many pollwatchers can be assigned per precinct?

- o Only 2 for every polling place, serving alternately
- o Only 1 for candidates for Senate belonging to same party
- o Only 1 for candidates for Sanggunians belonging to same party
- o Only 1 watcher for all civic groups

If there is insufficient space inside the polling place, preference shall be given to watchers of:

- o Dominant majority and dominant minority parties
- o Citizens' arm (given preferential position closest to the EB)

14. What can pollwatchers do and cannot do?

- o Stay in the space reserved for them inside the polling place
- o Witness and inform themselves of the proceedings of the EB
- o Take note of what they may see or hear
- o Take picture, image, photo, or video of the proceedings and incidents
- o File a protest against any irregularity or violation of law
- o Obtain from the EB a certificate as to the filing of such protest and/ or the Resolution thereof
- o Position themselves near the chairperson of the EB, observing the one-meter physical distancing requirement, while the chairperson is publicly announcing the precinct results
- o Ask for ERs if entitled or CoVs
- o Not talk/ mingle with voters

D. Preliminaries to Casting of Votes/ Voting

15. What happens from 5:00 to 6:00 a.m. of Election Day?

- o EB sets up Polling Place
- o Pollwatchers present credentials (appointment papers and proof of LGU registration) to EB
- o EB posts Precinct Certified Voters List (PCVL)
- o EB shows sealed then opens VCM
- o EB empties Ballot Box to public then locks
- o EB turns on VCM and logs in

E. Voting Proper

16. What is the voting period?

6:00 a.m. to 7:00 p.m. of Monday, May 9.

If there are Voters within a 30-meter radius from the polling place, they will be allowed to vote. The EB will prepare a list of voters who will numbered consecutively and will be called to vote based on the sequence.

17. Can a voter who registers a temperature of 38 °C be allowed to vote?

Yes. The voter will vote inside the Isolation Polling Place (IPP).

18. How about Illiterate Voters?

Yes. Illiterates, Persons with Disability and Senior Citizens, as indicated in their voting records, can be assisted by a relative within 4th degree (maximum of 3x), person of confidence/ household (maximum of 3x) or by a member of the EB (as many times). They are called assistors.

19. What are the basic steps of the voting process?

Voting Process 8 Basic Steps



20. Outline the Election Process at the Polling Place.

- 1) Voter subjected to temperature check and pass through foot bath
- 2) Voter approaches Voter's Assistance Desk (VAD) to secure precinct and sequence numbers and assigned clustered precinct
- 3) Voters vote in the order of arrival
- 4) Voter approaches EB/ Support Staff
- 5) EB (Poll Clerk) verifies Voter identity
- 6) EB checks if fingers unstained with Indelible Ink (if stained, cannot vote)
- 7) Chair announces name of Voter

- 8) A voter may be challenged by another voter or pollwatcher for:
 - a. Being an Illegal Voter (i.e., not registered; using name of another name; disqualified; multiple registrant (Note: can be allowed to vote if show proof of registration or if identified by an EB member)
 - b. Committing an Illegal Act (i.e., vote-buying; vote-selling; vote-betting; promising to induce or withhold vote (Note: can be allowed to vote if take oath before EB)
- 9) If no challenge or challenged dismissed, voter signs in EDCVL
- 10) EB Chair:
 - a. Authenticates and signs Ballot in space provided
 - b. Gives Ballot inside Secrecy Folder and Marking Pen to voter
 - c. Instructs Voter how to accomplish ballot
- 11) Voter votes by fully shading the ovals across names of candidates
- 12) Voter inserts Ballot in the VCM
- 13) Ballot is accepted or rejected (given another Ballot):
 - a. Misread Ballot (re-fed in 4 different orientations)
 - b. Previously Read Ballot (placed in envelope for "Rejected Ballots")
 - c. Invalid Ballot (verified and Voter given another/ correct ballot)
- 14) Voter deposits Voter Verifiable Paper Audit Trail (VVPAT) in receptacle (If Voter has an objection on VVPAT, s/he affixes signature and objection placed in Minutes)
- 15) EB applies Indelible Ink on Voter's finger
- 16) Voter returns Secrecy Folder and Marking Pen
- 17) Voter departs

21. What are the Don'ts/ Prohibitions on Voting?

- o Bring the ballot, ballot secrecy folder or marking pen outside of the polling place
- o Speak with anyone
- o Prepare the voter's ballot without using the ballot secrecy folder
- o Exhibit ballot contents
- o Fill out the ballot of another voter (unless assistor)
- o Erase any printing from the ballot
- o Put any distinguishing mark on the ballot
- o Use of capturing devices such as but not limited to digital cameras, cellular phones with camera, or other means to copy the contents of the ballot
- o Use any scheme to identify vote
- o Intentionally tear or deface the ballot
- o Disrupt or attempt to disrupt the normal operations of the VCM
- o Violate Health Protocols

F. Post-Voting

22. What happens at 7:00 p.m.?

Closing of Polls.

23. What must the EB do (activities)?

- o Unused Ballots shall be disposed of (torn lengthwise and placed in Envelopes)
- o VCM transmits results
- o VCM prints 30 ERs
- o EB signs and distributes ERs
- o EB shall post 1 copy of ER in a conspicuous place inside polling place
- o EB removes main SD card (Slot A), placed inside Envelope and delivered to EO through the Reception and Custody Group (RCG) for use by City/ Municipal Boards of Canvassers (C/M BoCs) in canvassing (Back-up SD in Slot B not removed)
- o VCM turned over to Logistics Provider or EO
- o Deliver Ballot Box to the Local Treasurer

24. Who gets the 30 ERs?

Nationally-Elected	Locally-Elected
1) C/ M BoC	1) C/ M BoC
2) Congress	2) COMELEC
3) COMELEC	3) P BoC
4) Accredited Citizen's Arm	4) Accredited Citizen's Arm
5) Dominant Majority Party	5) Dominant Majority Party
6) Dominant Minority Party	6) Dominant Minority Party
7) Ballot Box	7) Posted on Wall
8) P BoC	8) Ballot Box
9) Posted on Wall	9) 10 Accredited Major National Parties
10) 10 Accredited Major National Parties	10) 2 Accredited Major Local Parties
11) 2 Accredited Major Local Parties	11) 4 National Broadcast/ Print Media Entities
12) 4 National Broadcast/ Print Media Entities	12) 2 Local Broadcast or Print Media Entities
13) 2 Local Broadcast or Print Media Entities	13) 3 Major Citizen's Arm
14) 4 Major Citizen's Arm	

25. What happens next?

The results will be canvassed and winning candidates proclaimed.



About the Author. **Atty. Alberto C. Agra** is an Election Law-for-All Advocate and an Election Law, Local Government Law, Administrative Law and Law on Public Officers Professor and Bar Reviewer. He teaches at the Ateneo de Manila Law School, Pamantasan ng Lungsod ng Maynila Law School and University of the Philippines Diliman Law School. He has produced and shared close to 100 Election Law-for-All Infographics some of which are featured by CNN Philippines The Filipino Votes.

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