



Republic of the Philippines
Commission on Elections
Manila

**IN THE MATTER OF PRESCRIBING
THE UNIFORM PROCEDURE AND
PAYMENT OF FEES ON THE
TECHNICAL EXAMINATION OF
DOCUMENTS RELATED TO
ELECTION PROTEST CASES FILED
BEFORE THE COMMISSION ON
ELECTIONS**

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Promulgated on: September 14, 2017

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RESOLUTION NO. 10200

RULE 1 – PROCEDURE ON TECHNICAL EXAMINATION

SECTION 1. Title. These Rules shall be known as “*The Uniform Procedure and Payment of Fees on the Technical Examination of Election Documents Related to Election Protest Cases Filed Before the Commission on Elections.*”

SECTION 2. Order for Technical Examination. The Commission, either sitting *en banc* or in Division, may, *motu proprio* or upon motion, order the conduct of the technical examination of Election Day Computerized Voters Lists (EDCVL) and Voters Registration Records (VRR) involved in Election Protest Cases filed before it. For this purpose, only the body before which the Election Protest Case is pending can issue the order for technical examination.

SECTION 3. Date, Time and Place of Delivery of Documents. The ERSD shall notify the parties, in writing of the date and time of the conduct of the technical examination, and the transmittal/delivery of the documents for examination.

SECTION 4. Rights of Party During Technical Examination. During the technical examination, the parties or their authorized representatives shall be allowed to observe the proceedings. However, they are prohibited to (1) interfere in any procedure; (2) propose changes; (3) touch any document; and (4) take photos or videos of the proceedings. No document shall be brought out of the designated place for technical examination.

For this purpose, parties may submit the names of their authorized representatives during the proceedings, but due to the limited space, only one (1) representative shall be allowed at any given time.

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Only the parties or the authorized representatives whose names are submitted to the ERSD shall be allowed to enter the place of the technical examination. They shall only be allowed access to area/s as may be designated by the Voters Identification Division (VID).

SECTION 5. Procedure During the Delivery and Receipt of Documents. The entire proceedings of the delivery and receipt of the documents at the designated date, time and place shall be recorded in a logbook and minutes thereof shall be taken. The condition of the documents as received; the name and signature of the person making the delivery; the name and signature of the person receiving the documents, among other notable observations during the delivery and receiving of the documents shall likewise be recorded.

In order to ensure completeness and accuracy of the documents transmitted by the Election Contests Adjudication Department (ECAD), comparison between the entries in the letter of transmittal and entries/data available from the VID shall be made.

The copies of the Minutes of the Proceedings from the VID attesting that the documents have been duly received and recorded shall be furnished to all parties concerned.

All the documents received shall then be turned over to the VID Custodian for accounting and inspection.

SECTION 6. Accounting and Inspection by Custodian. The EDCVLs and the VRRs shall be inventoried in order to determine their completeness as to the number of established precincts and as to the number of pages.

SECTION 7. Reproduction/Photocopying of the EDCVLs. The EDCVL shall be reproduced/photocopied for use by the Examiner to note the findings. The cost of reproduction/photocopying shall be borne by the requesting party.

Any form of writing in the original EDCVLs is prohibited.

SECTION 8. Sorting. The VID Custodian shall turn over the documents to the Sorter after accounting and inspection. The Sorter shall thereafter alphabetically arrange and number the VRRs prior to matching the entries contained therein with the EDCVLs. The Sorter shall record the date and time of his/her receipt of the documents from the Custodian in the logbook. The date and time of return of the documents to the Custodian shall likewise be recorded.

SECTION 9. Security. In order to ensure safety of the documents and security of the designated place of the technical examination, one (1) organic security personnel must be present during the conduct of the examination.

SECTION 10. Recording of Documents for Technical Examination. The Document Examiner shall record the date and time of receipt of the documents subject of technical examination from the Custodian in the logbook. The date and time of return of the documents to the Custodian shall likewise be recorded.

SECTION 11. Document Examination. Technical Examination may either be through (1) Signature Identification or (2) Handwriting Examination.

(a) In *Signature Identification*, the Document Examiner shall determine:

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- i. Whether the signature is simple or spurious;
- ii. Whether the signature is a traced forgery;
- iii. Whether the signature is simulated or freehand imitation;
- iv. Whether the signature is genuine, authentic or known signature.

(b) In *Handwriting Examination*, the Document Examiner shall determine:

- i. Whether the questioned and standard specimen of handwriting in question has similarity in handwriting as:
 - Block Style
 - Cursive Writing
 - Script Writing
- ii. Whether the handwriting was written by one and the same person or written by another person.

After completion of the examination of every established precinct, the Document Examiner shall submit a report for submission to the Document Verifier.

In the event that fingerprints appearing in the EDCVLs in any particular established precinct are likewise examined, the EDCVL of such established precinct with the corresponding report shall be forwarded to the Fingerprint Examiner for examination.

SECTION 12. Document Verification. The Document Verifier evaluates and examines the findings of the Document Examiner. The Document Verifier may revise, if necessary, the findings of the Document Examiner.

After verification, all documents subject of technical evaluation shall be returned to the VID Custodian. The VID Custodian shall thereafter forward the same to the Division Chief of the VID for review and further evaluation.

SECTION 13. Review and Evaluation of Reports. The Division Chief of the VID shall record the date and time of receipt of the documents subject of technical examination from the Custodian in the logbook. The date and time of return of the documents to the Custodian shall likewise be recorded.

The Division Chief of the VID shall also maintain a logbook containing records of established precincts that have been completely examined, verified and reviewed.

After review and further evaluation, the Division Chief of VID shall return the documents to the Custodian.

SECTION 14. Encoding. The Custodian shall forward the documents that have been completely examined, verified and reviewed to the Encoder. The Encoder shall record the date and time of receipt of the documents subject of technical examination from the Custodian in the logbook. The date and time of return of the documents to the Custodian shall likewise be recorded.

The Encoder shall encode all the names of registrants/voters listed in the EDCVLs and the corresponding findings rendered/provided.

After completion of encoding for each established precinct, the Encoder shall return the documents together with the encoded report/s to the Custodian.

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SECTION 15. *Corrections in the Report/s.* The Custodian shall forward the encoded report/s to the Sorter who shall proofread the same.

After proofreading, the Sorter shall return the report/s to the Custodian together with the correction/s, if any.

Should there be any correction/s, the Custodian shall thereafter return the report/s to the Encoder for re-encoding of the correction/s. The Encoder shall forward the corrected report/s to the Custodian.

SECTION 16. *Final Report/s.* The Custodian shall record in the logbook the Final Report/s.

All the Final Report/s are compiled for photocopying in five (5) sets:

- One copy for the Commission (Division)
- One copy for the Protestant
- One copy for the Protestee
- One copy for the Division Chief of the VID
- One copy for the Document Examiners

All the five (sets) of the Final Report shall then be forwarded to the Document Examiner, Document Verifier, Fingerprint Examiner and the Division Chief of the VID for signature.

SECTION 17. *Summary Report.* The Division Chief of the VID shall prepare the Summary Report in five (5) copies to be attached in all five (5) sets of the report.

The Division Chief of the VID shall thereafter submit a Memorandum to the Commission forwarding therewith three (3) sets of the Final Report/s.

SECTION 18. *Partial Report.* No partial report shall be issued by the VID to the parties.

SECTION 19. *Testimony During Hearing.* If so required in accordance with law, the Document Examiner or the Fingerprint Examiner may testify as to the genuineness and accuracy of the findings based on the Final Report/s.

SECTION 20. *Supplies and Materials.* The requesting parties shall provide for the supplies/materials necessary in the conduct of the technical examination as specified by the ERSD.

RULE 2 – PAYMENT OF FEES

SECTION 1. *Cash Deposit for Technical Examination.* The party requesting for technical examination shall make a cash deposit with the Commission either in cash or in Postal Money Orders payable to the Cash Division at the rate of Philippine Pesos: Five Thousand Two Hundred Fifty Pesos (PhP5,250.00) per clustered precinct, within five (5) days from notice of the Order granting the technical examination.

The cash deposit shall be applied by the Commission to the payment of the fees of the personnel involved in the technical examination proceedings.

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Any unused cash deposit shall be returned to the party after final termination of the case.

Failure to make the required cash deposit within the prescribed period shall be deemed a waiver by the requesting party to conduct technical examination unless otherwise ordered by the Commission. No other motion for technical examination filed by such party may be granted thereafter.

SECTION 2. Compensation of the Personnel Involved in the Technical Examination. The compensation of the personnel involved in the technical examination shall be as follows:

PERSONNEL	FEE PER CLUSTERED PRECINCT
a. Document Verifier	P 1,250.00
b. Document Examiner	P 1,200.00
c. Fingerprint Examiner/Verifier	P 500.00
d. Encoder	P 400.00
e. Custodian	P 300.00
f. Sorter	P 300.00
g. Organic Security Personnel	P 50.00

The Chief of the Division shall act as the over-all supervisor of the technical examination with the following duties and responsibilities:

1. Supervise the conduct of the technical examination;
2. Review and evaluate the findings of the examiners; and
3. Prepare a summary report for submission to the Commission.

As the over-all supervisor, the Chief of the Division shall also receive an honorarium equivalent to the highest honorarium that maybe received by any of the Document Verifier.

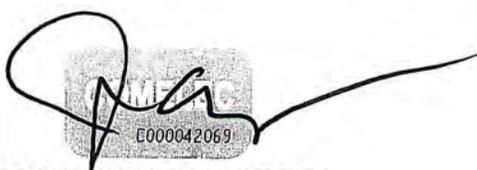
The foregoing notwithstanding, the monthly honorarium of the personnel involved in the technical examination shall not exceed twenty five percent (25%) of their monthly salary.

SECTION 3. Publication. These Rules shall take effect seven (7) days after publication in two (2) newspapers of general circulation.

The Information Technology Department (ITD) is likewise directed to publish the same in the COMELEC website.

Let the Election Records and Statistics Department, Electoral Contests Adjudication Department, Administrative Services Department and Finance Services Department implement this Resolution.

SO ORDERED.


 J. ANDRES D. BAUTISTA
 Chairman

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