



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

**GUIDELINES ON REQUESTS FOR
CHANGE OF VENUE FOR THE FILING
OF CERTIFICATES OF CANDIDACY
FOR PURPOSES OF THE OCTOBER 30,
2023 BARANGAY AND SANGGUNIANG
KABATAAN ELECTIONS.**

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| GARCIA, George Erwin M.; | <i>Chairman</i> |
| INTING, Socorro B., | <i>Commissioner</i> |
| CASQUEJO, Marlon S., | <i>Commissioner</i> |
| FEROLINO, Aimee P., | <i>Commissioner</i> |
| BULAY, Rey E., | <i>Commissioner</i> |
| MACEDA, Ernesto Ferdinand P., Jr | <i>Commissioner</i> |
| CELIS, Nelson J. | <i>Commissioner</i> |

Promulgated: **April 19, 2023**

RESOLUTION NO. 10904

WHEREAS, Republic Act. No. 11935 entitled “AN ACT POSTPONING THE DECEMBER 2022 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES” was approved on October 10, 2022 by President Ferdinand R. Marcos, Jr., postponing the Barangay and Sangguniang Kabataan Elections (BSKE) to **October 30, 2023**

WHEREAS, in relation to the filing of the Certificate of Candidacy (COC) for the conduct of the October 30, 2023 BSKE, the Commission anticipates numerous requests from Election Officers (EOs) for change of venue for the filing of COC as their respective offices are not suitable due to reasons of security of aspirants and/or COMELEC employees, limited space or other valid grounds;

NOW, THEREFORE, the Commission, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, and other related election laws, **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following guidelines on requests for change of venue for purposes of filing of COCs:

Section 1. Who may file. - The concerned Election Officer may file a request for transfer of venue on the filing of certificates of candidacy not later than July 28, 2023 due to reasons such as, but not limited to security of aspirants and/or COMELEC employees, limited space, or other valid grounds.

Section 2. Where to file. – The concerned Election Officer shall file the request to the Provincial Election Supervisor. The Provincial Election Supervisor shall, within three (3) days, recommend approval/disapproval on the request to the Regional Election Director. The Regional Election Director shall approve or disapprove the request within three (3) days.

In the case of the National Capital Region, Zamboanga City, and Davao City, the concerned Election Officer shall file the request with the Regional Election Director for approval.

The decision of the Regional Election Director shall be final and executory unless a timely opposition is filed. All approved request for transfer of venue for the filing of COC shall be posted immediately in the bulletin board of the OEO concerned.

Section 3. Requirements for the Transfer of Venue for the Filing of COC. – The venue where the filing of COC may be transferred shall be located in a public building or if none is available, in a private building, provided that either must not be owned, leased, or occupied by any incumbent official or any person who is related to any incumbent official within the fourth civil degree of consanguinity or affinity, or any officer of the government or leader of any political party, group or faction, nor in any building or surrounding premises under the actual control of a private entity, political party or religious organization.

The venue must be, as far as practicable, of sufficient size to admit and comfortably accommodate a reasonable number of aspirants at one time. The venue for the filing of COC shall be located within the territory or jurisdiction of the OEO concerned as centrally as possible, and whenever possible, such location shall be along a public road.

The venue for the filing of COC shall not be located within the perimeter of or inside a military or police camp or reservation or within a prison compound.

Section 4. Notice. - Upon approval of the request, the concerned Election Officer shall notify the aspirants and accredited citizens' arm, by posting a notice of change of venue of filing of COCs, in the bulletin boards of the OEO and of the city or municipal hall, and in at least three (3) conspicuous places in the city or municipality.

Section 5. Opposition to the Transfer of Venue for the Filing of COC. - Any registered voter may, within three (3) days from the approval of the request for the transfer of venue for the filing of COC, file an Opposition with the Regional Election Director who issued such approval.

The Opposition shall be decided by the Regional Election Director within three (3) days from filing. The decision shall be final and executory, and shall be posted in the bulletin board of the OEO concerned.

Section 6. Applicability of Other Resolution of the Commission. – Other relevant resolutions insofar as they are applicable and not inconsistent is hereby adopted, incorporated, and made integral part of this Resolution.

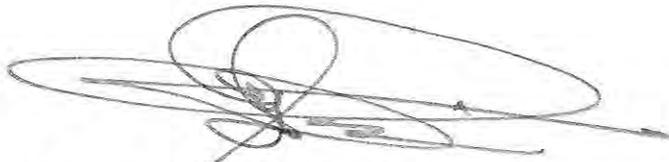
Section 7. Publication- The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspaper of general publication in the Philippines.

The Information and Technology Department shall post a copy of this Resolution in the COMELEC website.

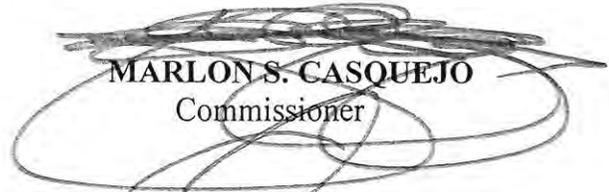
Section 8. Effectivity - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general publication in the Philippines.

Section 9. Dissemination. –The Office of the Deputy Executive Director for Operations shall furnish copies of this Resolution to all Regional Election Directors. All Regional Election Directors shall furnish copies of this Resolution to all of their respective field officials.

SO ORDERED.



GEORGE ERWIN M. GARCIA
COO0111661
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 by the Commission En Banc during the regular meeting on April 19, 2023, pursuant to COMELEC RESOLUTION NO. 10671, promulgated June 9, 2020 entitled: "Supplemental Resolution to COMELEC Resolution 9936 Promulgated March 25, 2015, Rule on the Enactment and Promulgation of Executive Administrative Resolutions providing for other format of meetings to include online meeting applicable in times of COVID-19 pandemic and the imposition of Community Quarantines and similar emergency situations.



CONSUELO B. DIOLA
Director IV
Office of the Commission Secretary

This Resolution can be verified at this number (02)85272987; email address comsec@comelec.gov.ph