



Republic of the Philippines
COMMISSION ON ELECTION
M a n i l a

GENERAL INSTRUCTIONS FOR THE PILOT TESTING OF EARLY VOTING HOURS FOR PERSONS WITH DISABILITIES (PWDs), SENIOR CITIZENS (SCs) AND HEAVILY PREGNANT VOTERS IN NAGA CITY, CAMARINES SUR PROVINCE AND MUNTINLUPA CITY, NATIONAL CAPITAL REGION (NCR), IN CONNECTION WITH THE OCTOBER 30, 2023 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS (2023 BSKE)

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Promulgated : September 6, 2023

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RESOLUTION No. 10947

WHEREAS, Sections 10 and 11 of Article II (Declaration of Principles and State Policies) of the 1987 Constitution of the Republic of the Philippines state that, *"The State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights"*, respectively;

WHEREAS, the 2nd paragraph of Section 2, Article V (Suffrage) of the 1987 Constitution of the Republic of the Philippines states that, *"The Congress shall also design a procedure for the disabled and the illiterates to vote without the assistance of other persons. Until then, they shall be allowed to vote under existing laws and such rules as the Commission on Elections may promulgate to protect the secrecy of the ballot"*;

WHEREAS, Article 29 (Participation in Political and Public Life) of the United Nations Conventions on the Rights of Persons with Disabilities (UNCRPD) states that, *"States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to, among others, ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected"*;

WHEREAS, Section 36 (Programs and Projects Related to Senior Citizens and Persons with Disabilities) of Republic Act (R.A.) 11936¹ states that *"All agencies of the government shall formulate plans, programs and projects intended to address the concerns of senior citizens and persons with disabilities, insofar as it relates to their mandated functions, and integrate the same in their regular activities"*.

WHEREAS, Section 1 (Declaration of Policy) of R.A. No. 10366² states that *"The State shall ensure that persons with disabilities and senior citizens are able to exercise their right to political participation without discrimination or restrictions. Towards this end, the State shall design systems and procedures that will enable persons with disabilities and senior citizens to register and vote by themselves"*;

WHEREAS, Heavily Pregnant voters, who are six (6) months on the family way, are likewise members of the vulnerable sector and are in need of convenience and accessibility to voting;

WHEREAS, it is provided in Strategic Pillar 1 (convenient, credible and well-managed election day services) of the Strategic Goals of the Commission on Elections (COMELEC) the following: a) To ensure convenience and complete information for all voters on election day; and b) To ensure that voting centers/ polling places and voting are convenient and accessible to members of the vulnerable sectors; and

WHEREAS, on May 5, 2023, the Commission En Banc in Minute Resolution No. 23-0342 approved the Operational Plan for Early Voting Hours in Naga City, Camarines Sur Province and Muntinlupa City, National Capital Region for the October 30, 2023 BSKE and hereinafter referred to as the "Early Voting Hours Project".

NOW, THEREFORE, pursuant to the powers vested in it by the 1987 Constitution, the Omnibus Election Code (BP Blg. 881), and other related election laws, the COMELEC **RESOLVED**, as it hereby **RESOLVES** to promulgate the following **GENERAL INSTRUCTIONS FOR THE PILOT TESTING OF EARLY VOTING HOURS FOR PERSONS WITH DISABILITIES (PWDs), SENIOR CITIZENS (SCs) AND HEAVILY PREGNANT VOTERS IN NAGA CITY, CAMARINES SUR PROVINCE AND MUNTINLUPA CITY, NATIONAL CAPITAL REGION (NCR), IN CONNECTION WITH THE OCTOBER 30, 2023 BARANGAY AND SANGGUNIAN KABATAAN ELECTIONS (2023 BSKE)**.

PART I

INTRODUCTORY PROVISIONS

SECTION 1. General Principles – In accordance with R.A. No. 7277³, as amended, and R.A. No. 10366, the COMELEC shall be guided by the following principles in implementing this Resolution:

¹ General Appropriations Act of 2023.

² An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens.

³ An Act Providing For The Rehabilitation, Self-Development and Self-Reliance Of Disabled Person And Their Integration Into The Mainstream Of Society And For Other Purposes.

- a. The COMELEC shall ensure that the voting procedures in polling places participating in the Early Voting Hours Project, including the facilities and materials therein are appropriate, accessible and easy to understand and use, and that reasonable accommodation shall be granted to the persons with disability (PWD), senior citizens (SC) and Heavily Pregnant voters in order that they may fully exercise their right of suffrage;
- b. The right to ballot secrecy of PWDs, SCs, and Heavily Pregnant as provided by law, shall be respected at all times; and
- c. The right of a PWD, SC and Heavily Pregnant voter to be assisted by a person of their own choice shall be enforced and protected.

SECTION 2. Scope of Voters. – This Resolution shall apply to the following in Naga City, Camarines Sur Province (Naga City) and Muntinlupa City, NCR (Muntinlupa City):

- a. Registered voters who are PWDs and SCs of regular polling places and Accessible Polling Places (APPs), including voters who are Heavily Pregnant⁴; and,
- b. One (1) assistor accompanying the PWD and SC or one (1) companion of the Heavily Pregnant voter availing of the Early Voting Hours, if any, and who must be a voter of the same voting center.

If the assistor/companion does not belong to the same clustered precinct as the PWD, SC or Heavily Pregnant voter, the EB Chairman shall issue a note for the EB of the clustered precinct where the assistor/companion will be voting stating therein the name of the SC, PWD or Heavily Pregnant, the clustered precinct number where he/she voted, and the name of the authorized assistor/companion who will be voting in the other clustered precinct. The EB of the clustered precinct shall accommodate the aforementioned assistor/companion and shall take note of this in their Minutes.

PART II

THE ELECTORAL BOARD (EB) FOR THE EARLY VOTING HOURS PROJECT

SECTION 3. EB for Early Voting Hours. – The appointed EB for every clustered precinct in the polling places (regular and APP) in Naga City and

⁴ Heavily Pregnant voters refers to those who are six (6) month on the family way. (COMELEC Reso. No. 10761, General Instructions on Voting of Persons with Disabilities, Senior Citizens and Heavily Pregnant Voters in the Emergency Accessible Polling Places for the May 9, 2022 National and Local Elections, February 9, 2022)

Muntinlupa City shall be the same EB for the Early Voting Hours Project on election day.

SECTION 4. Department of Education Supervisor Official (DESO) and DESO Support Staff (SS). – The DESO and DESO SS appointed in the voting centers in Naga City and Muntinlupa City shall perform their duties as such during the Early Voting Hours.

SECTION 5. Honorarium. – The EB, the DESO and SS shall be entitled to an additional honorarium of Two Thousand Pesos (P2,000.00) each for the conduct of Early Voting Hours in Naga City and Muntinlupa City.

PART III

EARLY VOTING HOURS PROCEDURE

SECTION 6. Place of Voting. – The PWD, SC and Heavily Pregnant voter, including their assistor and companion, if any, shall cast their votes in their designated polling places in the same voting center.

SECTION 7. Early Voting Hours. – The Early Voting Hours shall be from **5:00 AM to 7:00 AM** on election day and shall be exclusive only for PWD, SC and Heavily Pregnant voters of Naga City and Muntinlupa City, including their assistor/companion, if any, as stated in Section 2 hereof.

After the Early Voting Hours, PWD, SC and Heavily Pregnant voters shall continue to enjoy priority lane at the polling places from 7:00 AM to 3:00 PM on election day. PWDs and SCs may also avail of the Emergency Accessible Polling Places (EAPPs)⁵, if established in their voting centers, from 7:00 AM to 1:00 PM.

SECTION 8. First Come, First Serve Basis. – Voting during the Early Voting Hours shall be based on a first come and first serve basis. All PWD, SC and Heavily Pregnant voters availing thereof shall be treated equally and shall vote in the order of their arrival.

SECTION 9. Assistor. – PWD and SC voters who cannot by themselves accomplish the ballot may vote with the assistance of the following:

- a. A relative within the fourth (4th) civil degree of consanguinity or affinity; or
- b. By any person of the voter's confidence who belongs to the same household (e.g., personal assistant, caregiver or a nurse).

For the Heavily Pregnant voter, the companion must be any of the above-specified persons.

No person, except the members of the Electoral Board, may assist a PWD or SC voter more than three (3) times.

⁵ Section 460, COMELEC Resolution 10924.

In all cases, the Poll Clerk shall first verify from the PWD or SC voter whether such voter has authorized the assistor to assist in accomplishing the voter's ballot.

The assistor shall accomplish the ballot using a Ballot Secrecy Folder, and in the presence of the PWD or SC voter being assisted.

The assistor shall be bound in writing and under oath to accomplish the ballot strictly in accordance with the instruction of the voter and not to reveal the contents of the ballot by affixing his/her signature on the appropriate space in the Minutes.

No voter shall be allowed to vote as a PWD unless it is so indicated in the EDCVL, the disability is apparent or has presented proof of disability (i.e., PWD ID Card, Doctor's Certification, and the like).

SECTION 10. Voters' Assistance Desk (VAD)⁶. – The VAD shall assist PWD, SC and Heavily Pregnant voters during the Early Voting Hours in ascertaining their precinct number, sequence number and direction to their polling places.

SECTION 11. Preliminaries to the voting. – The EB shall meet at the polling place at four (4:00) o'clock in the morning of election day and perform all the applicable preliminary activities specified in Section 425 of Resolution 109247:

SECTION 12. Rules on Voting. – The EB shall observe the rules on voting and procedures as provided under Sections 426⁸, 427⁹, 428¹⁰, 429¹¹, 430¹²,

⁶ Section 424, Ibid.

⁷ xxx

1. See to it that they have all the election forms, documents and supplies needed;
2. Post one (1) copy each of the Posted Computerized Voters List (PCVL) for Barangay voters and Sangguniang Kabataan (SK) voters outside the polling place;
3. Display the poster indicating the precinct number and location of the polling place (CE Form No. 3) near or at the door of the polling place;
4. Set-up or arrange the polling place in accordance with the recommended Lay-out of Polling Place provided in Annex "EE" hereof;
5. Staple or paste the Certified Lists of Candidates for the Barangay and SK positions in the ballot secrecy folders or desks/chairs/tables; and
6. Place the ballot secrecy folders on top of the desks/chairs/tables.

B. Before the start of voting, the EB Chairperson shall:

1. Open the ballot box, empty both compartments, and show to the public that they are empty. Then the EB Chairperson shall lock its interior cover with one (1) padlock. The Poll Clerk shall retain the key to the padlock during the voting; and
2. Show to the public and to the watchers' present, the package of official ballots (CEF No.6). Enter in the Minutes the number of pads and the serial numbers (SNs) of the ballots in each pad, and the fact that the package of ballots was shown to the public.

⁸ Rules to be observed during the voting.

⁹ Prohibition on voting.

¹⁰ Persons allowed inside the polling place.

¹¹ Holding Area.

¹² Persons not allowed in and around the polling place.

431¹³, 433¹⁴, 434¹⁵, 435¹⁶, 438,¹⁷ 439¹⁸, 440¹⁹, 441²⁰ and 442²¹ of COMELEC Resolution No. 10924, insofar as applicable to this Resolution.

PART IV

RESPONSIBILITIES AND ACCOUNTABILITIES

SECTION 13. Responsibilities and Accountabilities of Field Officials. -

A. Responsibilities:

1. The Election Officer (EO) shall be primarily responsible in the implementation of this Resolution and shall undertake to send notices to all affected registered SCs and PWDs of the availability of Early Voting Hours as an option for voting on Election Day; and
2. The concerned Provincial Election Supervisor (PES), Regional Election Directors (REDs) and Assistant Regional Election Directors (AREDs) shall be responsible in monitoring the compliance of their concerned EO with this Resolution.

B. Accountabilities:

Failure of any of the abovementioned field officials to comply with the provisions of this Resolution shall be charged administratively for dereliction of duty, malfeasance, misfeasance, and/or nonfeasance in office and, if found guilty, the corresponding penalty shall be imposed, after due notice and hearing.

PART V

INFORMATION CAMPAIGN

SECTION 14. Election Officers. - A rigorous information campaign on the Early Voting Hours Project shall be conducted by the Election Officers of Naga City and Muntinlupa City to inform and encourage PWD, SC and Heavily Pregnant voters to vote during the Early Voting Hours on election day with emphasis on the benefits of convenience and accessibility with less waiting time for them, in addition to their existing Express Lane privilege in the polling places and the use of established EAPPs in their voting centers, if any, for the 2023 BSKE during regular voting hours.

The EOs shall likewise disseminate infomaterials developed by the Education and Information Department (EID) and the VSO in their official social media

¹³ Authentication of the ballot.

¹⁴ Manner of obtaining the ballots.

¹⁵ Manner of voting.

¹⁶ Accomplishment of ballots for illiterate, PWD or Senior Citizens (SC).

¹⁷ Spoiled ballots.

¹⁸ Procedures after voting.

¹⁹ Challenge against illegal voters.

²⁰ Challenge based on certain illegal acts.

²¹ Record of challenges, oaths and resolutions.

The EOs shall likewise disseminate infomaterials developed by the Education and Information Department (EID) and the VSO in their official social media platforms.

In line with this, the EOs in coordination with local government officials, mass media, NGOs and other groups in their cities shall conduct barangay assemblies or “pulong-pulong” to inform the PWD, SC and Heavily Pregnant voters of the Early Voting Hours Project.

Thereafter, the EO shall submit to the VSO a report on the number of assemblies held for this purpose in their respective cities within ten (10) days from election day.

SECTION 15. COMELEC Main Office. – The EID and VSO shall likewise conduct the necessary information campaign online, virtual, televised or radio-aired for the most comprehensive information campaign on the Early Voting Hours Project in support of the EOs of Naga City and Muntinlupa City.

The EID and VSO shall develop and share to the EOs the infomaterials relative to this campaign for their widest dissemination in their cities.

PART VI

MISCELLANEOUS PROVISIONS

SECTION 16. Funding Requirement. – The costs for the implementation of the Early Voting Hours Project shall be borne by the Commission subject to auditing rules and regulations.

SECTION 17. Supplementary Clause. – Other Resolutions of the Commission shall in so far as they are applicable and not otherwise inconsistent with this Resolution shall remain in force and shall be supplementary to this Resolution.

SECTION 18. Separability Clause. – If any section or portion of this Resolution is declared illegal or invalid, the remaining provisions shall remain valid and effective.

SECTION 19. Implementation. – The Office of the Deputy Executive Director for Operations (ODEDO) and the VSO, assisted by the OPES of Camarines Sur and the OREDs for Region V and NCR shall implement this Resolution to ensure the holding of an efficient and effective Early Voting Hours Project for the 2023 BSKE. The VSO shall supervise the conduct of this project under the guidance of the Commissioner-in-Charge for VSO and Early Voting Hours Project, Commissioner Aimee P. Ferolino.

SECTION 20. Effectivity. – This Resolution shall be published in the official COMELEC website and shall take effect immediately after such publication.

SECTION 21. Dissemination. – The VSO shall disseminate this Resolution to the OREDs of Region V and NCR, OPES of Camarines Sur and OEOs of Naga City and Muntinlupa City.

The EOs of the Naga City and Muntinlupa City shall give this Resolution the widest dissemination.

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, September 6, 2023.


CONSUELO B. DIOLA
Director IV

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