



GD  
Law

# GIALOGO DELA FUENTE & ASSOCIATES

## 2018 Barangay & SK Elections

### Watchers' Guide

# Discussion Flow

1 Electoral Board

2 Watchers

3 Casting of Votes

4 Counting of Votes

5 Ballot Appreciation

6 Canvass & Proclamation

# **GENERAL INSTRUCTIONS** to **Electoral Boards** and **Barangay Board of** **Canvassers**



# Electoral Board

01

# THE ELECTORAL BOARD

*EO shall give preference to public school teachers who are qualified, **WILLING** and available to render election - related service.*

# THE ELECTORAL BOARD

## Composition of Electoral Board

- The Electoral Board has 3 members:
  1. Chairperson;
  2. Poll Clerk; and
  3. Third Member.

# THE ELECTORAL BOARD

## Qualifications of Electoral Board

1. Of good moral character and irreproachable reputation;
2. Of known integrity and competence;
3. A REGISTERED VOTER;
4. Has never been convicted of any election offense or of any **crime punishable by more than six (6) months of imprisonment**, or has **no pending information for any election offense filed** against him or her; and
5. Able to speak and write Filipino, English or the local dialect.

*The requirements apply whether the appointment is regular, temporary or as a substitute*

# THE ELECTORAL BOARD

## Disqualifications of Electoral Board

- **RELATED** within the fourth (4th) civil degree of consanguinity or affinity to any
  - ❖ member of the same **ELECTORAL BOARD** or
  - ❖ **CANDIDATE** to be voted for in the polling place of assignment or
  - ❖ said candidate's **SPOUSE**.

*May not engage in any partisan political activity*



# THE ELECTORAL BOARD

## Appointment of PNP personnel as member of Electoral Board

- The **peace and order** situation in the area requires the appointment of PNP uniformed personnel; and
- There are **no other qualified, willing and available persons to render election service in the affected area** based on the certification issued by :
  - Private school;
  - DepEd;
  - Other national government agencies; and
  - Local chapter of Commission-accredited citizens' arm

# THE ELECTORAL BOARD

## *Proceedings of the Electoral Board.*

- The Electoral Board shall act through its Chairperson and shall **decide**, without delay and by **majority vote**, all questions which may arise in the performance of their duties.

# THE ELECTORAL BOARD

## *Powers and Functions of the Electoral Board.*

- Conduct the voting and counting of votes;
- Act as deputies of the Commission;
- Maintain order within the polling place;
- Prohibit the use of cellular phones and camera by the voters;
- Furnish watchers copies of the Certificate of Votes **upon request**; and

# THE ELECTORAL BOARD

## *Securing Election Forms, Documents and Supplies*

- The Electoral Board members shall get the forms, documents and supplies **early in the morning of election day** from the Office of the City/Municipal Treasurer except, when authorized to do so earlier by the Commission

# THE ELECTORAL BOARD

## • Guidelines in the approval of any request for early delivery

1. That there is **considerable distance** between the Office of the City/Municipal Treasurer and the location of the polling place;
2. That there is lack or difficulty of **means of transportation** in the area;
3. That the total number of precincts in the city or municipality is such that **not all the Electoral Board members may be able to receive** said documents and paraphernalia in time for the opening of polls at seven (7:00) o'clock in the morning of election day; or
4. That the **peace and order** conditions in the area, justify such advance delivery

02

## WATCHERS

# WATCHERS

## Official watchers

- **Every candidate** for the Barangay and/ or SK Elections shall be entitled to **one (1) watcher in every polling place or canvassing center.**
- Preference shall be given to the watchers of the citizens' arms and Punong Barangay/SK Chairperson candidates, in case the space reserved for watchers is not enough.

# WATCHERS

## Qualification of watcher

- **REGISTERED VOTER** of the barangay or a member of the Katipunan ng Kabataan;
- of good reputation;
- has not been convicted by final judgment of any election offense or of any other crime;



# WATCHERS

## Qualification of watcher (cont.)

- knows how to read and write Filipino, English, or any of the prevailing local dialect; and
- not related within the fourth (4th) civil degree of consanguinity or affinity to the Chairperson or any Electoral Board members in the polling place where the watcher seeks appointment.

*Incumbent Barangay Officials including Barangay Tanods shall not be appointed as watchers of any candidate or citizens' arms.*

*At least **FIFTEEN (15) DAYS** before election day, candidates shall provide the EO with a list of names and signatures of their watchers.*

# WATCHERS

## Rights and duties of a watcher

1. **Stay in the space reserved** for them inside the polling place;
2. **Witness the proceedings** of the Electoral Board;
3. **Take note** of what they may see or hear;
4. **Take photographs** of the proceedings and incidents, if any, **during the counting of votes**, as well as of the Election Returns (ERs), tally board and ballot boxes;

# WATCHERS

## Rights and duties of a watcher

5. **File a protest** against any irregularity or violation of law;
6. **Obtain** from the Electoral Board a **certificate as to the filing of such protest** and/or of the **resolution thereon**;
7. Have an **unimpeded view of the ballot being read** by the Chairperson, of the **ER and the tally board without touching** any of these election documents; and
8. **Be furnished**, upon request, with **Certificate of Votes**.

# Casting of Votes

03

# CASTING OF VOTES

## Rules to be observed- the Electoral Board shall see to it that:

1. The voters shall **vote in the order of their arrival** in the polling place;
2. **No watcher enters the places reserved for the voters** and the Electoral Board, nor mingle and talk with the voters;
1. **No person carrying any firearm** or other deadly weapon, except those expressly authorized by the Commission, **enters the polling place**;
2. **No crowding of voters** and disorderly behavior inside the polling place shall occur; and
3. The **interior cover of the ballot box shall remain locked** until the voting is finished and the counting begins, except when it becomes necessary to make room for more ballots

# CASTING OF VOTES

## Prohibition on voting

1. **Bring the ballot and/or the ballot secrecy folder outside** the polling place, except voting involving
  - Persons with Disabilities (PWDs),
  - Senior Citizens (SCs),
  - heavily pregnant women and
  - Detainee Voters;
2. **Speak with anyone** while inside the polling place;
3. Prepare the ballot **without using a ballot secrecy folder or exhibit its contents** to any person;

# CASTING OF VOTES

## Prohibition on voting (cont.)

4. Erase any printing from the ballot or place any distinguishing mark thereon;
4. Use carbon paper, paraffin paper or other means of making a copy of the contents of the ballot, or otherwise make use of any other scheme to identify the vote, including the use of digital cameras, cellular phones or similar gadgets;
5. Intentionally tear or deface the ballot; and
6. Disrupt or attempt to disrupt the proceedings of the Electoral Board.

# CASTING OF VOTES

Persons not allowed in and around (w/in 50 meters) the polling place

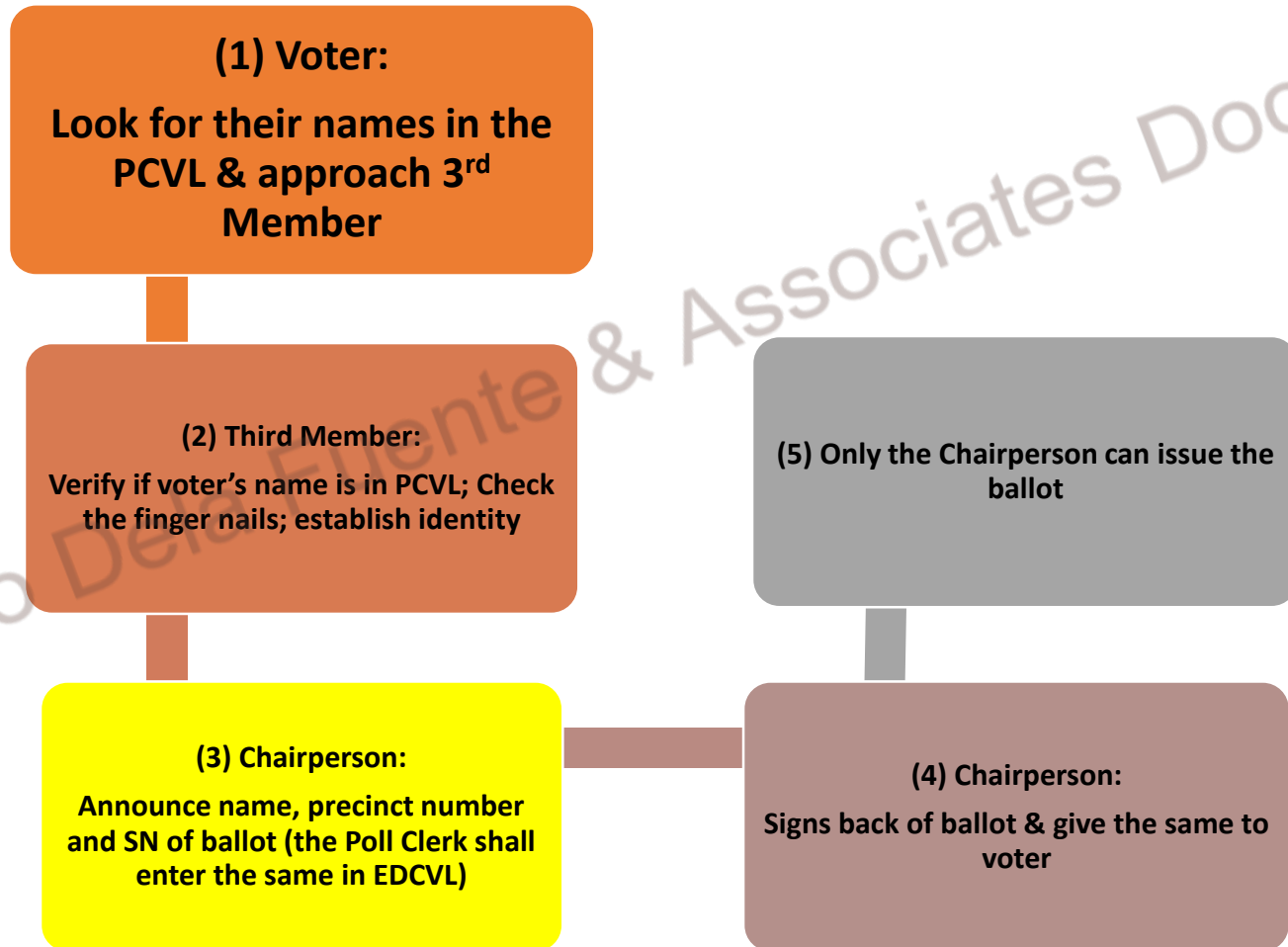
1. Any officer or member of the AFP or PNP, unless said PNP personnel is duly appointed as Electoral Board members;
2. Any peace officer or armed person belonging to any extra-legal police agency, special forces, reaction forces, strike forces, Civilian Armed Force Geographical Units (CAFGUs), Barangay Tanods, or other similar forces or paramilitary forces, including special forces, security guards, special policemen;
3. All other kinds of armed or unarmed extra legal police forces; and
4. Incumbent Barangay officials, whether elected or appointed.

By majority vote the Electoral Board may order the detail of PNP or AFP personnel.



# CASTING OF VOTES

## Manner of obtaining the ballots:





# CASTING OF VOTE

## Barangay Ballot

## SK Ballot

Nº \_\_\_\_\_

**OFFICIAL BALLOT**  
**BARANGAY ELECTIONS**  
October 23, 2017  
MATALAM, NORTH COTABATO  
XXXX

Fill out the ballot secretly using a ballot secrecy folder. Do not put any distinctive mark on any part of this ballot.



**PUNONG BARANGAY:**  
پونونج بارانگاي

**KAGAWAD, SANGGUNIANG BARANGAY:**  
کاغواد سائونگيونج بارانگاي

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Nº \_\_\_\_\_ Voter's Thumbmark

Nº \_\_\_\_\_

**OFFICIAL BALLOT**  
**SANGGUNIANG KABATAAN ELECTIONS**  
October 23, 2017  
MATALAM, NORTH COTABATO  
XXXX

Fill out the ballot secretly using a ballot secrecy folder. Do not put any distinctive mark on any part of this ballot.

**CHAIRPERSON, SANGGUNIANG KABATAAN**

**MEMBER, SANGGUNIANG KABATAAN**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Nº \_\_\_\_\_ Voter's Thumbmark

# CASTING OF VOTES

## Number of Ballots to be Given

AGE GROUP	NUMBER OF BALLOTS
15-17 years old	1 ballot (SK only)
<b>18-30 years old</b>	<b>2 ballots (SK and Brgy.)</b>
31 years old and above	1 ballot (Brgy. only)

# CASTING OF VOTES

- **Illiterate, PWDs or Senior Citizens may vote with the assistance of**

1. A relative within the fourth (4th) civil degree of consanguinity or affinity;
2. A person of the voter's confidence who belongs to the same household as that of the voter.
  - *the person who usually assists the PWD, such as personal assistant, caregiver, or a nurse shall be considered a member of the voter's household; and*
3. Any Electoral Board members.

# CASTING OF VOTES

## Illiterate, PWDs or Senior Citizens (cont.)

- All assistors must be of voting age.
- No person, except the Electoral Board members, may assist an illiterate, PWD or SC more than three (3) times.
- In all cases, the Poll Clerk shall first verify from the illiterate, PWD or SC whether the latter had authorized the assistor to help in filling-up the ballot/s.
- The assistor shall, in the presence of the illiterate, PWD or SC, prepare the ballot/s using a ballot secrecy folder.

# CASTING OF VOTES

## Spoiled Ballots

- If the ballot is accidentally **spoiled or defaced** in such a way that it cannot lawfully be used
  - the voter shall surrender it;
  - The Electoral Board Chairperson shall write the word "spoiled" beside the ballot SN previously recorded in the EDCVL.
  - The Electoral Board Chairperson shall then give the voter a second authenticated ballot.
- No voter shall be allowed to change spoiled/ defaced ballot more than once.

# CASTING OF VOTES

## Procedures after voting

1. After the voter has filled up the ballot/s, **fold it in the same manner as it was received;**
2. The voter shall then **proceed to the Poll Clerk who shall verify the SN/s against the number/s previously entered in the EDCVL** to determine whether it is the same ballot/s given to the voter.
  - If the **same** as that recorded in the EDCVL, the voter shall **affix thumbmark in the ballot coupon/s, and return** the ballot to the Poll Clerk;
  - If the serial numbers (SN/s) **does not coincide** with the SN/s as entered in the EDCVL, the ballot/s shall be considered **"spoiled"**
3. Any ballot/ s returned to the Poll Clerk, the **detachable coupon/s of which was not removed in the presence of the other Electoral Board members and the voter, shall be considered "spoiled"**

# CASTING OF VOTES

## Procedures after voting (*cont.*)

4. The Poll Clerk shall then **apply indelible ink** at the base of the right forefinger nail of the voter;
5. The **Chairperson shall detach the ballot coupon/s** in the presence of the voter and deposit the folded ballot/s in the compartment of the ballot box for valid ballots and the detached coupon/s in the compartment for spoiled ballots.
6. **If the voter refuses to have the fingernail stained with indelible ink, the voter shall be informed that such refusal shall render the ballot/s spoiled.**  
*If the voter still refuses despite being informed thereof, the Chairperson shall, without unfolding the ballot/s and without removing the detachable coupon/s, **distinctly mark the ballot/s with the word "spoiled" sign the same at the back thereof and immediately place said ballot/ s in the compartment for spoiled ballots.***
7. The Electoral Board shall ensure that the EDCVL is properly accomplished.



# CASTING OF VOTES

## *Challenge against illegal voters-*

**Any voter or watcher may challenge** any person offering to vote for:

1. not being registered;
2. using the name of another;
3. suffering from existing disqualification; or
4. being a double/multiple registrant.

The Electoral Board shall satisfy itself as to whether the ground for the challenge is true by requiring proof of registration, identity or qualification.

# CASTING OF VOTES

## *Challenge against illegal voters (cont.)*

- No voter shall be required to present voter's identification card or any other valid identification cards, **unless the identity is doubted or challenged.**

However, the failure or inability to present an authentic identification document upon being challenged shall not preclude the voter from voting if **identified under oath by:**

- Any Electoral Board member; or
- By another registered voter of the same barangay.

A barangay and/or SK voter **can only be identified by another voter of the same barangay.**

# CASTING OF VOTES

## *Challenge based on illegal acts*

Any voter or watcher may challenge any voter offering to vote on the ground that the challenged person has:

- Received or expected to receive, paid, offered or promised to pay, contributed, offered or promised to contribute money or anything of value in consideration for his vote or for the vote of another;
- Made or received a promise to influence the giving or withholding of any such vote; or
- Made a bet or is interested directly or indirectly in a bet which depends upon the results of the election.

# CASTING OF VOTES

## ***Challenge based on illegal acts (cont.)***

- The challenged person shall take an oath before the Electoral Board that he/she has not committed any of the acts alleged in the challenge.
- Upon the taking of such oath, the challenge shall be dismissed and the voter shall be allowed to vote.
- In case the voter refuses to take such oath, the challenge shall be sustained and the voter shall not be allowed to vote.

# CASTING OF VOTES

## **Prohibition against premature announcement of voting.**

**Before the termination of the voting, no Electoral Board members shall make any announcement**

- whether a certain **registered voter has already voted**;
- **how many have already voted**; or
- **how many so far have failed to vote**; or
- any **other fact tending to show or showing the state of the polls**.

# COUNTING OF VOTES 04

# COUNTING OF VOTES

## ***Preliminaries to the counting of votes- The Electoral Board shall***

- Unlock the padlock, open the ballot box and take out the ballots from the compartment for valid ballots;
- Segregate the ballots cast for barangay elections from those cast for the SK elections;
- Examine the ballots to determine whether there are:
  - a. Excess ballots;
  - b. Ballots with detachable coupon;
  - c. Ballots with the word “spoiled”; and
  - d. Marked ballots;



# COUNTING OF VOTES

## ***Manner of Counting of Votes:***

- The Electoral Board shall unfold the ballots and form separate piles of one hundred (100) ballots each.
- The Chairperson shall take the ballots of the first pile one by one and read the names of the candidates voted for.
- Without touching any election documents, watchers and the public should have an unimpeded view of:
  - the ballot being read by the Chairperson,
  - the ER and the tally board being simultaneously accomplished by the Poll Clerk and the Third Member respectively.



# COUNTING OF VOTES

## ***Manner of Counting of Votes:***

- The Poll Clerk and Third Member shall record each vote on the ERs and tally board respectively as the name of the candidate voted for is read.
- Each vote for a candidate shall be recorded by a vertical line, except every fifth vote for the same candidate, which shall be recorded by a diagonal line crossing the previous four vertical lines.

# COUNTING OF VOTES

## ***Manner of Counting of Votes (cont.)***

- After completion of the counting of the votes cast for the barangay elections,
  - the Electoral Board shall announce the result of the elections of barangay officials in the precinct, then proceed to unlock the padlock,
  - open the ballot box, take out the ballots for the SK elections,
  - place the accomplished barangay ERs and barangay tally board inside the ballot box, lock the same, and
  - proceed with the counting of the votes cast for the SK elections, announcement of results and safekeeping of ERs and tally board, using the same procedure above stated.

# APPRECIATION OF BALLOTS

05

# BALLOT APPRECIATION

## ***First name or surname only***

- ▶ *Where only the first name or surname of a candidate is written, the vote for such candidate is valid, if there is no other candidate with the same first name or surname for the same office;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Andres Bonifacio 2. Jose Rizal	<u>Rizal</u>
<b>RULING:</b>	Valid vote for Jose Rizal

# BALLOT APPRECIATION

## ***Only first name with sound similar to surname of another candidate***

- ▶ *Where only the first name of a candidate is written on the ballot which when read has a sound similar to the surname of another candidate,*

*the vote shall be counted in favor of the candidate with such surname.*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Migel Ramos 2. Joselito Miguel	<u>Migel</u>
<b>RULING:</b>	Valid vote for Joselito Miguel

# BALLOT APPRECIATION

## ***Same name, one is incumbent***

*If there are two (2) or more candidates with the same full name, first name or surname and one of them is the incumbent, and on the ballot is written only such full name, first name or surname, the vote shall be counted in favor of the incumbent;*



# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Jose P. Cruz 2. Jose L. Cruz (incumbent)	<u>Jose Cruz</u>
<b>RULING:</b>	Valid vote for Jose <b>L.</b> Cruz

# BALLOT APPRECIATION

***2 or more words are written on the same line, all of which are the surnames of 2 or more candidates***

*When two (2) or more words are written on the same line on the ballot, all of which are the surnames of two (2) or more candidates,*

*the same shall not be counted for any of them*

*unless one is a surname of an incumbent who has served for at least one (1) year, in which case it shall be counted in favor of the latter;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Pedro Santos 2. Emilio Aguinaldo	<u>Aguinaldo Santos</u>
<b>RULING:</b>	Not valid for any candidate;  unless one them is incumbent who has served for at least 1 year; valid vote for incumbent

# BALLOT APPRECIATION

- *When two (2) or more words are written on different lines on the ballot, all of which are surnames of two (2) or more candidates bearing the same surname for an office*
- *for which the law authorizes the election of more than one and there are the same number of such surnames written as there are candidates with that surname,*
- *the vote shall be counted in favor of all the candidates bearing the surname;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- Sanguniang Barangay	WORD/S WRITTEN ON THE BALLOT
<ol style="list-style-type: none"><li>1. Antonio P. Cruz</li><li>2. Jose L. Cruz</li><li>3. Juan Luna</li><li>4. Antonio Bernardo</li><li>5. Andres Reyes</li><li>6. Rene Corona</li><li>7. Lourdes Maria</li></ol>	<ol style="list-style-type: none"><li>1. <u>Cruz</u></li><li>2. <u>Cruz</u></li></ol>
<b>RULING:</b>	Valid votes for Antonio Cruz and Jose Cruz

# BALLOT APPRECIATION

- *When on the ballot is written a single word, which is the first name of a candidate and which is at the same time the surname of his opponent, the vote shall be counted in favor of the latter;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Francisco Bernardo 2. Antonio Francisco	<u>Francisco</u>
<b>RULING:</b>	Valid vote for Antonio Francisco

# BALLOT APPRECIATION

- *When two (2) words are written on the ballot, one of which is the first name of a candidate and the other is the surname of his opponent, the vote shall not be counted for either one;*



# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Ferdinand Marcos 2. Corazon Aquino	<u>Ferdinand Aquino</u>
<b>RULING:</b>	Not valid for any candidate

# BALLOT APPRECIATION

- *A name or surname incorrectly written which, when read, has a sound similar to the name or surname of a candidate when correctly written shall be counted in favor of such candidate;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Federico Cruz	<u>Pedirico Cruz</u>
<b>RULING:</b>	Valid vote for Federico Cruz

# BALLOT APPRECIATION

➤ *When a name of a candidate appears in a space of the ballot for an office for which he is a candidate and in another space for which he is not a candidate,*

*it shall be counted in his favor for the office for which he is a candidate and the vote for the office for which he is not a candidate shall be considered as stray,*

*except when it is used as a means to identify the voter, in which case, the whole ballot shall be void;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	VOTE FOR PUNONG BARANGAY
1. Juan Luna 2. Andres Bonifacio	<u>Punong Barangay: Juan Luna</u>
LIST OF CANDIDATES- SANGUNIANG BARANGAY	VOTE FOR SANGUNIANG BARANGAY
(Juan Luna is not a candidate)	<u>Juan Luna</u>
<b>RULING:</b>	Valid vote for Juan Luna as Punong Barangay but NOT as SB member

# BALLOT APPRECIATION

- *When in a space in the ballot there appears a name of a candidate that is **erased** and another clearly written, the vote is valid for the latter;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Joseph Estrada 2. Alfredo Lim	<u>Joseph Estrada</u> Alfredo Lim
<b>RULING:</b>	Valid vote for Alfredo Lim

# BALLOT APPRECIATION

➤ *The erroneous initial of the first name which accompanies the correct surname of a candidate,*

*the erroneous initial of the surname accompanying the correct first name of a candidate,*

*or the erroneous middle initial of the candidate*

*shall not annul the vote in favor of the latter;*



# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Joseph E. Estrada 2. Alfredo Lim	<u>J. P. Estrada</u>
<b>RULING:</b>	Valid vote for Joseph Estrada (wrong initial is disregarded)

# BALLOT APPRECIATION

- *The fact that there exists another person who is not a candidate with the first name or surname of a candidate shall not prevent the adjudication of the vote of the latter (Self Explanatory/S.E.);*

# BALLOT APPRECIATION

- *Ballots which contain prefixes such as "Sir", "Mr.", "Datu", "Don", "Ginoo", "Hon.", "Gob". Or suffixes like "Hijo", "Jr.", "Segundo", are valid; (S.E.)*

# BALLOT APPRECIATION

- *The use of **nicknames** and appellations of **affection and friendship**, if accompanied by the first name or surname of the candidate, does not annul such vote,*

*Provided, that if the **nickname used is unaccompanied by the name or surname of a candidate** and it is the **one by which he is generally or popularly known in the locality,***

*the name shall be counted in favor of the said candidate for the same office with the same nickname;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Joseph "Erap" E. Estrada 2. Alfredo Lim	<u>"Pareng Erap" "Kumpadre Joseph" or "Erap"</u>
<b>RULING:</b>	Valid vote for Joseph Estrada

# BALLOT APPRECIATION

- *Any vote containing initials only or which is illegible or which does not sufficiently identify the candidate for whom it is intended shall be considered as a stray vote but shall not invalidate the whole ballot;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Joseph "Erap" E. Estrada	<u>"JEE" or "josbhbdnfdsfb" or "Jojo"</u>
<b>RULING:</b>	Stray vote

# BALLOT APPRECIATION

➤ *If on the ballot is correctly written the first name of a candidate but with a different surname, or the surname of the candidate is correctly written but with a different first name,*

*the vote shall not be counted in favor of any candidate having such first name and/ or surname, but the ballot shall be considered valid for other candidates;*



# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Emilio Aguinaldo 2. Ricardo Dalisay	<u>"Emilio Jacinto"</u>
<b>RULING:</b>	Shall not be counted

# BALLOT APPRECIATION

- *Any ballot written with crayon, lead pencil, or ink, wholly or in part, shall be valid; (S.E.)*

# BALLOT APPRECIATION

- *Where there are two (2) or more candidates voted for in an office for which the law authorizes the election of only one, the vote shall not be counted in favor of any of them, but this shall not affect the validity of the other votes therein;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- PUNONG BARANGAY	WORD/S WRITTEN ON THE BALLOT
1. Emilio Aguinaldo 2. Ricardo Dalisay	<u>Emilio Aguinaldo Ricardo Dalisay</u>
<b>RULING:</b>	Not valid for any candidate

# BALLOT APPRECIATION

- *If the candidates voted for exceed the number of those to be elected, the ballot is valid, but the votes shall be counted only in favor of the candidates whose names were firstly written by the voter within the spaces provided for said office in the ballot until the authorized number is covered;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- SANGUNIANG BARANGAY	WORD/S WRITTEN ON THE BALLOT
	<ol style="list-style-type: none"><li>1. <u>Emilio Aguinaldo;</u></li><li>2. <u>Ricardo Dalisay;</u></li><li>3. <u>June Catindig;</u></li><li>4. <u>Rene Borja;</u></li><li>5. <u>Sixto Bautista;</u></li><li>6. <u>Marco Polo;</u></li><li>7. <u>Edwin Cosme;</u></li><li><u>Boy Logro</u></li></ol>
<b>RULING:</b>	Vote for Logro is not counted

# BALLOT APPRECIATION

- *Any vote in favor of a person who has not filed a certificate of candidacy or*
- *in favor of a candidate for an office for which he did not present himself*
- *shall be considered as a stray vote, but it shall not invalidate the whole ballot; (S.E.)*

# BALLOT APPRECIATION

- *A ballot containing the name of a candidate printed and pasted on a blank space of the ballot or affixed thereto through any mechanical process is totally null and void; (S.E.)*



# BALLOT APPRECIATION

- *Circles, crosses, or lines put on the spaces on which the voter has not voted shall be considered as signs to indicate his desistance from voting and shall not invalidate the ballot;*

# BALLOT APPRECIATION

LIST OF CANDIDATES- SANGUNIANG BARANGAY	WORD/S WRITTEN ON THE BALLOT
	<ol style="list-style-type: none"><li>1. <u>Emilio Aguinaldo;</u></li><li>2. <u>Ricardo Dalisay;</u></li><li>3. <u>June Catindig;</u></li><li>4. <u>Rene Borja;</u></li><li>5. <u>---00---</u></li><li>6. <u>X x x x</u></li><li>7. <u>-----</u></li></ol>
<b>RULING:</b>	Sign of desistance from voting. Voting for 4 SB members only.

# BALLOT APPRECIATION

- *Unless it should clearly appear that they have been deliberately put by the voter to serve as identification marks,*
- *commas, dots, lines, or hyphens between the first name and surname of a candidate, or in other parts of the ballots,*
- *traces of the letter "T", "J", and other similar ones,*
- *the first letters or syllables of names which the voter does not continue,*
- *the use of two (2) or more kinds of writing and unintentional or accidental flourishes, strokes, or strains,*
- *shall not invalidate the ballot; (S.E.)*

# BALLOT APPRECIATION

- *Any ballot which clearly appears to have been filled by two (2) distinct persons before it was deposited in the ballot box during the voting is totally null and void;*

# BALLOT APPRECIATION

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<b>RULING:</b>	Ballot totally null and void

# BALLOT APPRECIATION

- *Any vote cast in favor of a candidate who has been disqualified by **final judgment** shall be considered as stray and shall not be counted but it shall not invalidate the ballot; (S.E.)*

# BALLOT APPRECIATION

- *Ballots wholly written in Arabic in localities where it is of general use are valid. To read them, the board of election tellers may employ an interpreter who shall take an oath that he shall read the votes correctly; (S.E.)*

# BALLOT APPRECIATION

- *The accidental tearing or perforation of a ballot does not annul it; (S.E.)*



# BALLOT APPRECIATION

- *Failure to remove the detachable coupon from a ballot does not annul such ballot. (S.E.)*

# BALLOT APPRECIATION

## Neighborhood Rule

- *Where the name of a candidate is not written in the proper space in the ballot, but is preceded by the name of the office for which he is a candidate, the vote should be counted as valid for said candidate (Farin v. Gonzales, No. L-36893, September 28, 1973, 53 SCRA 237)*

# BALLOT APPRECIATION

## Neighborhood Rule

LIST OF CANDIDATES- PUNONG BARANGAY	VOTE FOR PUNONG BARANGAY
1. Juan Luna 2. Andres Bonifacio	<u>(blank)</u>
LIST OF CANDIDATES- SANGUNIANG BARANGAY	VOTE FOR SANGUNIANG BARANGAY
(Juan Luna is not a candidate)	<ol style="list-style-type: none"><li>1. <b>Juan Luna</b></li><li>2. Jose L. Cruz</li><li>3. Rene Luna</li><li>4. Antonio Bernardo</li><li>5. Andres Reyes</li><li>6. Rene Corona</li><li>7. Lourdes Maria</li></ol>
<b>RULING:</b>	Valid vote for Juan Luna as Punong Barangay

Writ for general election

*Patsy Reddy*  
Governor-General

To the Electoral Commission:

Pursuant to section 125 of the Electoral Act 1993, I authorise and require the Electoral Commission to make all necessary arrangements for the conduct of a general election.

The last day and time for the nomination of constituency candidates is noon on 19 August 2017.

Polling day is Saturday, 23 September 2017.

The Electoral Commissioner, on behalf of the Electoral Commission, is required to return the name of every constituency candidate who is elected to Parliament on 23 September 2017.

# CANVASS & PROCLAMATION

06

# CANVASS & PROCLAMATION

## ***Board of Canvassers***

- There shall be one (1) BBOC in each barangay to
  - canvass the ERs for both the Barangay and SK elections;  
and
  - thereafter proclaim the winning candidates.

# CANVASS & PROCLAMATION

## ***Board of Canvassers***

- The Commission through the EO shall constitute the BBOC to be composed of a
  - Chairperson,
  - Vice-Chairperson and
  - Member-Secretary.

The BBOCs shall possess the same qualification as that of the Electoral Board.

- In a barangay with only one (1) Electoral Board, said Electoral Board shall convert itself as the BBOC.

# CANVASS & PROCLAMATION

## *Canvassing Procedure*

- The Member-Secretary shall
  - receive the envelopes containing the ERs intended for the BBOC, and
  - record in the Minutes of Canvass the condition and SNs of the envelope and paper seal; and the precinct number(s) comprising the cluster;
- Before opening, the Chairperson shall exhibit the envelope to those who are present;

# CANVASS & PROCLAMATION

## ***Canvassing Procedure (cont.)***

- Open the envelope and retrieve the ERs and proceed to canvass first all the Barangay ERs in accordance with the following procedures:
  - Examine the condition of the inner paper seal of the ERs;
  - Break the inner seal, unfold the ERs and exhibit the same;
  - If there is no objection to the ERs, the BBOC shall proceed to canvass by reading the votes of the candidate and entering the same in the Statement of Votes (SOVs).



# CANVASS & PROCLAMATION

## ***Canvassing Procedure (cont.)***

- If there is an objection to an ER, the Member-Secretary shall note the objection in the Minutes and proceed to canvass the ER;
- Immediately after an ER has been canvassed, the Chairperson shall write on the upper right hand comer the word "CANVASSED" and affix below it the signature and the date of the canvass.

# CANVASS & PROCLAMATION

## *Canvassing Procedure (cont.)*

- When all the ERs have been canvassed:
  - The Vice-Chairperson and Member-Secretary shall compare the entries in their respective copies of the SOVs. If there are discrepancies in the entries, they shall refer to the corresponding ERs and make the necessary corrections on the SOVs.
  - If there are no discrepancies, the members of the BBOC shall affix their signatures above their printed names and imprint their thumbmarks on the certification portion of the SOVs.

# CANVASS & PROCLAMATION

## ***Canvassing Procedure (cont.)***

- After the SOVs has been completed, the BBOC shall prepare the Certificate of Canvass and Proclamation (COCP) and affix their signatures and thumbmarks on the certification portion of COCP and officially proclaim the winning candidates.

# CANVASS & PROCLAMATION

## ***Elections resulting in a tie***

- In cases where two (2) or more candidates for Punong Barangay or SK Chairperson received an equal and highest number of votes, or
- where two (2) or more candidates for Sangguniang Barangay Kagawad or SK Kagawad received the same number of votes for the first or last place

# CANVASS & PROCLAMATION

## *Elections resulting in a tie : drawing of lots*

the BBOC shall, and upon five (5) days notice to all the candidates concerned, hold a special public meeting in which the BBOC shall proceed to the **drawing of lots** between the candidates who have tied and proclaim as elected the candidates who may be favored by luck.

# CANVASS & PROCLAMATION

## ***Elections resulting in a tie :Proclamation***

- If the tie is for the position of Punong Barangay or SK Chairperson or for the seventh place for Sangguniang Barangay Kagawad or SK Kagawad,
  - the one favored by luck and proclaimed as elected shall have the right to assume office in the same manner as it had been elected by plurality vote.
  - The BBOC shall forthwith issue a certificate stating the name of the candidate who had been favored by luck and proclaim on the basis thereof.
- Nothing in this Section shall be construed as depriving the candidate of his right to contest the election.

*Thank you!*

**Gialogo Dela Fuente & Associates**

egialogo.gdlaw@gmail.com

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