

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL 18 1916

SENATE
S. B. No. 1286

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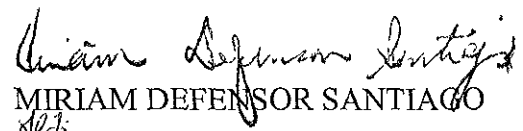
Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The accuracy, transparency, and accessibility of the results of the vote-counting and canvassing procedures are essential to the conduct of fair, orderly, and honest elections. Thus, existing laws provide for the distribution of election results documents containing the records of votes of candidates and political parties.

Two of such election results documents mentioned are the Election Returns (ERs) and the Certificate of Votes (CoV). Of the two, the ERs contain the more useful basic electoral data that can be used by candidates and political parties to detect frauds since these contain precinct-level breakdowns. Unfortunately, the present distribution scheme of ERs make this basic document inaccessible to all the candidates and political parties.

The bill seeks to make the basic electoral data more accessible. The suggested legal and administrative remedies consist of : (1) revision of the format of C. C. Form No. 13, otherwise known as the Certificate of Votes (CoV), to make it more comprehensive and similar to the ERs; (2) allowing the accredited party watchers to prepare the CoV in duplicate; and (3) authentication of the document by all the BEI members and at least three accredited party watchers as a necessary safeguard.*


MIRIAM DEFENSOR SANTIAGO
Def

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL 18 1977

SENATE
S. B. No. 1286

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 REQUIRING THE PREPARATION AND ISSUANCE OF THE CERTIFICATE OF VOTES
3 AS REPLICA OF THE ELECTION RETURNS AND PRESCRIBING A REVISED C. E.
4 FORM NO. 13, AMENDING FOR THAT PURPOSE SECTION 215 OF THE OMNIBUS
5 ELECTION CODE, AS AMENDED BY R. A. NO. 6646, SECTION 16

6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
7 *assembled.*

8 SECTION 1. Section 215 of Batas Pambansa Bilang 881, which reads:

9 "Section 215. [Board of election inspectors to issue a certificate of the
10 number of votes polled by the candidates for an office to the watchers. After the
11 announcement of the results of the election and before leaving the polling place, it
12 shall be the duty of the board of election inspectors to issue a certificate of the
13 number of votes received by the candidate upon request of the watchers. All the
14 members of the board of election inspectors shall sign the certificate.];"

15 as amended by Republic Act No. 6646 Section 16, which reads:

16 "Section 16. [Certificate of votes. – After the counting of the votes cast in
17 the precinct and announcement of the results of the election, and before leaving
18 the polling place, the board of election inspectors shall issue a certificate of votes
19 upon request of duly accredited watchers. The certificate shall contain the
20 number of votes obtained by each candidate written in words and in figures, the
21 number of the precinct, the name of the city or municipality and province, the
22 total number of voters who voted in the precinct, and the date and time issued,
23 and shall be signed and thumbmarked by each member of the board.];"

24 is hereby amended to read as follows:

1 “CERTIFICATE OF VOTES. – BEFORE THE START OF THE
2 VOTING, THE BOARD OF ELECTION INSPECTORS SHALL ISSUE
3 BLANK FORMS OF CERTIFICATE OF VOTES TO ALL THE DULY
4 ACCREDITED WATCHERS OF CANDIDATES/PARTIES.

5 THE CERTIFICATE OF VOTES SHALL CONTAIN:

- 6 1.) THE NAME OF THE PROVINCE
- 7 2.) LEGISLATIVE DISTRICT
- 8 3.) CITY OR MUNICIPALITY
- 9 4.) BARANGAY
- 10 5.) PRECINCT NUMBER
- 11 6.) ELECTION RETURNS NUMBER
- 12 7.) NUMBER OF REGISTERED VOTERS
- 13 8.) NUMBER OF VOTERS WHO ACTUALLY VOTED
- 14 9.) NUMBER OF VALID BALLOTS
- 15 10.) NUMBER OF SPOILED BALLOTS
- 16 11.) NAMES OF ALL CANDIDATES
- 17 12.) TOTAL NUMBER OF VOTES OBTAINED BY ALL CANDIDATES
18 WRITTEN IN WORDS AND IN FIGURES
- 19 13.) THE DATE AND TIME ISSUED
- 20 14.) SIGNATURE AND THUMBMARK OF ALL THE MEMBERS OF THE
21 BOARD OF ELECTION INSPECTORS
- 22 15.) SIGNATURE AND THUMBMARK OF AT LEAST THREE (3) OF
23 THE ACCREDITED PARTY WATCHERS, INCLUDING THE WATCHER
24 WHO PREPARED THE CERTIFICATE.

25 IMMEDIATELY UPON RECEIPT OF THE BLANK FORMS OF THE
26 CERTIFICATE AND BEFORE START OF VOTING THE POLL CLERK
27 SHALL PROVIDE THE INFORMATION AND HELP THE ACCREDITED
28 PARTY WATCHERS SHALL FILL UP THE SPACES FOR:

- 29 1.) PROVINCE

- 1 2.) LEGISLATIVE DISTRICT
- 2 3.) CITY OR MUNICIPALITY
- 3 4.) BARANGAY
- 4 5.) PRECINCT NUMBER
- 5 6.) NUMBER OF REGISTERED VOTERS
- 6 7.) NAMES OF ALL CANDIDATES

7 AFTER THE CLOSE OF VOTING, THE ACCREDITED PARTY WATCHERS
8 WITH THE HELP OF THE POLL CLERK SHALL FILL UP THE SPACES
9 FOR:

- 10 1.) NUMBER OF VOTERS WHO ACTUALLY VOTED
- 11 2.) NUMBR OF USED, SPOILED, AND UNUSED BALLOTS.

12 IMMEDIATELY AFTER THE COUNTING OF VOTES, THE ACCREDITED
13 PARTY WATCHERS SHALL FILL UP THE SPACES FOR THE TOTAL
14 NUMBER OF VOTES FOR EACH CANDIDATE, WRITTEN IIN WORDS
15 AND FIGURES, FROM THE TALLY BOARD AFTER COMPARISON WITH
16 THE FIGURES WRITTEN IN THE ELECTION RETURNS.

17 BEFORE LEAVING THE POLLING PLACE, THE POLL CLERK SHALL
18 COMPARE THE FIGURES WHICH APPEAR IN THE CERTIFICATES OF
19 VOTES AS AGAINST THOSE IN THE ELECTION RETURNS, AS PROOF
20 OF AUTHENTICATION, THE BOARD OF ELECTION INSPECTORS SHALL
21 AFFIX THEIR SIGNATURES AND THUMBMARKS ON THE SPACES
22 PROVIDED THEREIN. THE CERTIFICATE SHALL ALSO BE SIGNED
23 AND THUMBMARKED BY AT LEAST THREE (3) OF THE ACCREDITED
24 PARTY WATCHERS, INCLUDING THE WATCHERS WHO PREPARED
25 THE CERTIFICATE. THE ABSENCE OF CERTIFICATE SHUMBMARKS
26 OF THE MEMEBERS OF THE BOARD OF ELECTION INSPCTORS AND
27 AT LEAST THREE (3) OF THE ACCREDITED PARTY WATCHERS,
28 INCLUDING THE WATCHERS WHO PREPARED THE CERTIFICATE,
29 SHALL VOID THE CERTIFICATE OF VOTES.

1 THE CERTIFICATE OF VOTES SHALL BE PREPARED AND
2 ACCOMPLISHED IN DUPLICATE. THE ORIGINAL COPY SHALL BE
3 KEPT BY THE WATCHER WHO PREPARED THE CERTIFICATE AND THE
4 DUPLICATE SHALL BE RETAINED BY THE POLL CLERK OF THE
5 BOARD OF ELECTION INSPECTORS. IT SHALL BE THE DUTY OF THE
6 POLL CLERK TO MAKE SURE THAT THE INFORMATION CONTAINED
7 IN THE CERTIFICATE OF VOTES ARE VALID AND CORRECT.

8 SECTION 2. *Separability Clause.* – If any provision or part hereof, is held invalid or
9 unconstitutional, the remainder if the law or provision not otherwise affected shall remain valid
10 and subsisting.

11 SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive
12 order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby
13 repealed, modified, or amended accordingly.

14 SECTION 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspapers of general circulation.

16 Approved,