

SENATE

SENATE BILL NO. 3312

*AW*

---

Prepared by the Committee on Electoral Reforms and People's Participation with  
Senators Francis G. Escudero, Ramon Bong Revilla, Jr. and Aquilino "Koko" L.  
Pimentel III, as authors

---

AN ACT  
AMENDING REPUBLIC ACT NO. 9189 OTHERWISE KNOWN AS "THE  
OVERSEAS ABSENTEE VOTING ACT OF 2003"

*Be it enacted by the Senate and House of Representatives of the Philippines in  
Congress assembled:*

1           **SECTION 1.** Section 3 of Republic Act No. 9189 is hereby amended to read  
2 as follows:

3           *"Sec. 3. Definition of Terms. - For purposes of this Act:*

4           a. xxx

5           b. xxx

6           c. *"Certified List of Overseas Absentee Voters" (CLOAV)* refers to the list of  
7 registered overseas absentee voters whose applications to vote in absentia  
8 have been approved by the Commission, said list to be prepared by the  
9 Committee on **OVERSEAS** Absentee Voting (**COAV**) of the Commission, on  
10 a country-by-country **AND POST BY POST** basis. The list shall be approved  
11 by the Commission in an *en banc* resolution;

12           d. xxx

1 E. "DFA-OVERSEAS ABSENTEE VOTING SECRETARIAT (DFA-OAVS)"  
2 REFERS TO THE SECRETARIAT BASED AT THE DEPARTMENT OF  
3 FOREIGN AFFAIRS (DFA) HOME OFFICE TASKED TO DIRECT,  
4 COORDINATE AND OVERSEE THE DEPARTMENT'S PARTICIPATION IN  
5 THE IMPLEMENTATION OF THE OVERSEAS ABSENTEE VOTING LAW  
6 (OAVL);

7 F. "MUNICIPALITY/CITY/DISTRICT REGISTRY OF OVERSEAS  
8 ABSENTEE VOTERS (ROAV)" REFERS TO THE CONSOLIDATED LIST  
9 PREPARED, APPROVED AND MAINTAINED BY THE COMMISSION FOR  
10 EVERY MUNICIPALITY/CITY/DISTRICT, OF OVERSEAS ABSENTEE  
11 VOTERS WHOSE APPLICATIONS FOR REGISTRATION AS SUCH,  
12 INCLUDING THOSE REGISTERED VOTERS UNDER REPUBLIC ACT NO.  
13 8189 WHO APPLIED FOR CERTIFICATION AS OVERSEAS ABSENTEE  
14 VOTERS, HAVE BEEN APPROVED BY THE ELECTION REGISTRATION  
15 BOARD AND/OR RESIDENT ELECTION REGISTRATION BOARD;

16 [e.] G. "National Registry of Overseas Absentee Voters (NROAV)" refers to  
17 the consolidated list prepared, approved and maintained by the Commission,  
18 of overseas absentee voters whose applications for registration as  
19 OVERSEAS absentee voters, including those registered voters UNDER  
20 REPUBLIC ACT NO. 8189 who have applied to be certified as absentee  
21 OVERSEAS voters, have been approved by the RESIDENT Election  
22 Registration Board, INDICATING THE POST WHERE THE OVERSEAS  
23 ABSENTEE VOTER IS REGISTERED;

24 H. "POSTS" REFER TO THE PHILIPPINE EMBASSIES, CONSULATES,  
25 FOREIGN SERVICE ESTABLISHMENTS AND OTHER PHILIPPINE  
26 GOVERNMENT AGENCIES MAINTAINING OFFICES ABROAD AND  
27 HAVING JURISDICTION OVER THE PLACES WHERE THE OVERSEAS  
28 VOTERS RESIDE;

1 I. **"RESIDENT ELECTION REGISTRATION BOARD" (RERB)** REFERS TO  
2 THE IN-HOUSE ELECTION REGISTRATION BOARD IN EVERY POST  
3 AND IN THE COAV, WHICH PROCESSES, APPROVES OR  
4 DISAPPROVES ALL APPLICATIONS FOR REGISTRATION AND/OR  
5 CERTIFICATION AS OVERSEAS ABSENTEE VOTERS, INCLUDING THE  
6 DEACTIVATION, REACTIVATION AND CANCELLATION OF  
7 REGISTRATION RECORDS;

8 J. **"SEAFARERS"** REFER TO SHIP OFFICERS AND RATINGS MANNING  
9 SHIPS, INCLUDING OFFSHORE WORKERS, SERVICE PROVIDERS AND  
10 FISHERMEN, AS DEFINED IN THE REVISED RULES ON THE ISSUANCE  
11 OF SEAFARER'S IDENTIFICATION AND RECORD BOOK OF THE  
12 MARITIME INDUSTRY AUTHORITY;

13 K. **"VOTING PERIOD"** REFERS TO A CONTINUOUS THIRTY-DAY (30)  
14 PERIOD, THE LAST DAY OF WHICH IS THE DAY OF ELECTION,  
15 INCLUSIVE OF ESTABLISHED HOLIDAYS IN THE PHILIPPINES AND OF  
16 SUCH OTHER HOLIDAYS IN THE HOST COUNTRIES.

17 **SECTION 2.** Section 5 of the same Act is hereby amended to read as follows:

18 *"Sec. 5. Disqualifications.* - The following shall be disqualified from  
19 **REGISTERING AND** voting under this Act:

20 a) Those who have lost their Filipino citizenship in accordance with  
21 Philippine laws;

22 b) Those who have expressly renounced their Philippine  
23 citizenship and who have pledged allegiance to a foreign country, **EXCEPT**  
24 **THOSE WHO HAVE REACQUIRED OR RETAINED THEIR PHILIPPINE**  
25 **CITIZENSHIP UNDER REPUBLIC ACT NO. 9225, OTHERWISE KNOWN**  
26 **AS THE "CITIZENSHIP RETENTION AND REACQUISITION ACT OF**  
27 **2003";**

1           c) Those who have committed and are convicted in a final  
2 judgment by a **PHILIPPINE** court or tribunal of an offense punishable by  
3 imprisonment of not less than one (1) year, [including those who have  
4 committed and been found guilty of Disloyalty as defined under Article 137 of  
5 the Revised Penal Code] such disability not having been removed by plenary  
6 pardon or amnesty: *Provided, however,* That any person disqualified to vote  
7 under this subsection shall automatically acquire the right to vote upon **THE**  
8 expiration of five (5) years after service of sentence, **AND;** [*Provided, further,*  
9 That the Commission may take cognizance of final judgments issued by  
10 foreign courts or tribunals only on the basis of reciprocity and subject to the  
11 formalities and processes prescribed by the *Rules of Court* on execution of  
12 judgments;]

13           ["d) An immigrant or a permanent resident who is recognized as such  
14 in the host country, unless he/she executes, upon registration, an affidavit  
15 prepared for the purpose by the Commission declaring that he/she shall  
16 resume actual physical permanent residence in the Philippines not later than  
17 three (3) years from approval of his/her registration under this Act. Such  
18 affidavit shall also state that he/she has not applied for citizenship in another  
19 country. Failure to return shall be the cause for the removal of the name of  
20 the immigrant or permanent resident from the National Registry of Absentee  
21 Voters and his/her permanent disqualification to vote in *absentia*.]

22           [e] **D)** Any citizen of the Philippines abroad previously declared insane  
23 or incompetent by competent authority in the Philippines or abroad, as  
24 verified by the Philippine embassies, consulates or foreign service  
25 establishments concerned, unless such competent authority subsequently  
26 certifies that such person is no longer insane or incompetent.

27           **SECTION 3.** Section 8 of the same Act is hereby is amended to read as  
28 follows:

29           "Sec. 8. *Requirements for Registration.* Every Filipino registrant shall  
30 be required to furnish the following documents:

1 a. A valid Philippine passport. In the absence of a valid passport, a  
2 certification of the Department of Foreign Affairs that it has reviewed the  
3 appropriate documents submitted by the applicant and **HAS** found them  
4 sufficient to warrant the issuance of a passport, or that the applicant is a  
5 holder of a valid passport but is unable to produce the same for a valid  
6 reason;

7 b. Accomplished registration form prescribed by the Commission; **AND**  
8 [containing the following mandatory information:

9 [i. Last known residence of the applicant in the Philippines before  
10 leaving for abroad;

11 [ii. Address of applicant abroad, or forwarding address in the case  
12 of seafarers;

13 [iii. Where voting by mail is allowed, the applicants mailing address  
14 outside the Philippines where the ballot for absentee voters will be sent, in  
15 proper cases; and;

16 [iv. Name and address of applicants authorized representative in  
17 the Philippines for purposes of Sec. 6.7 and Sec. 12 hereof.]

18 [c. In the case of immigrants and permanent residents not otherwise  
19 disqualified to vote under this Act, an affidavit declaring the intention to  
20 resume actual physical permanent residence in the Philippines not later than  
21 three (3) years after approval of his/her registration as an overseas absentee  
22 voter under this Act. Such affidavit shall also state that he/she has not applied  
23 for citizenship in another country.]

24 **“C.) APPLICANTS WHO AVAILED THEMSELVES OF THE**  
25 **CITIZEN RETENTION AND REACQUISITION ACT (R.A. 9225) SHALL**  
26 **PRESENT THE ORIGINAL OR CERTIFIED TRUE COPY OF THE ORDER**  
27 **OF APPROVAL OF THEIR APPLICATION TO RETAIN OR REACQUIRE**  
28 **THEIR FILIPINO CITIZENSHIP ISSUED BY THE POST OR THEIR**  
29 **IDENTIFICATION CERTIFICATE ISSUED BY THE BUREAU OF**  
30 **IMMIGRATION.”**

1           "The Commission may also require additional data to facilitate  
2 registration and recording. No information other than those necessary to  
3 establish the identity and qualification of the applicant shall be required.

4           **"ALL APPLICATIONS FOR REGISTRATION AND/OR**  
5 **CERTIFICATION AS AN OVERSEAS ABSENTEE VOTER SHALL BE**  
6 **CONSIDERED AS APPLICATIONS TO VOTE *IN ABSENTIA*. AN**  
7 **OVERSEAS ABSENTEE VOTER IS PRESUMED TO BE ABROAD UNTIL**  
8 **SHE/HE APPLIES FOR TRANSFER OF HER/HIS REGISTRATION**  
9 **RECORDS OR REQUESTS THAT HER/HIS NAME BE CANCELLED FROM**  
10 **THE NROAV."**

11           **SECTION 4.** Section 9 of the same Act is hereby is amended to read as  
12 follows:

13           *"Sec. 9. National Registry of Overseas Absentee Voters (NROAV). -*  
14 The Commission shall maintain a National Registry of Overseas Absentee  
15 Voters (**NROAV**) **CONTAINING THE NAMES OF REGISTERED OVERSEAS**  
16 **ABSENTEE VOTERS AND THE POSTS WHERE THEY ARE REGISTERED.**  
17 [Approved applications of overseas absentee registrants shall also be included  
18 in the permanent list of voters of the city or municipality where the registrant is  
19 domiciled, with the corresponding annotation that such person has been  
20 registered or will be voting as an overseas absentee voter. The registry shall  
21 also include those registered under Republic Act No. 8189 and who have been  
22 issued certifications as overseas absentee voters. The entries in the National  
23 Registry of Overseas Absentee Voters and the annotations as overseas  
24 absentee voters in the Certified Voters' List shall be permanent, and cannot be  
25 cancelled or amended except in any of the following cases:

26           "[9.1. When the overseas absentee voter files a letter under oath  
27 addressed to the Commission that he/she wishes to be removed from the  
28 Registry of Overseas Absentee Voters, or that his/her name be transferred to  
29 the regular registry of voters; or,

1            "[9.2. When an overseas absentee voter's name was ordered removed  
2 by the Commission from the Registry of Overseas Absentee Voters for his/her  
3 failure to exercise his/her right to vote under this Act for two (2) consecutive  
4 national elections.]

5            "LIKEWISE, THE COMMISSION SHALL MAINTAIN A REGISTRY OF  
6 OVERSEAS ABSENTEE VOTERS (ROAV) PER MUNICIPALITY, CITY OR  
7 DISTRICT CONTAINING THE NAMES OF REGISTERED OVERSEAS  
8 ABSENTEE VOTERS DOMICILED THEREIN. TOWARDS THIS END, THE  
9 COMMISSION SHALL PROVIDE EACH AND EVERY MUNICIPALITY, CITY  
10 OR DISTRICT WITH A ROAV FOR THEIR REFERENCE."

11            **SECTION 5.** A new Section 26 is hereby inserted to read as follows:

12            ***"SEC. 26. RESIDENT ELECTION REGISTRATION BOARD (RERB);***  
13 ***COMPOSITION, DISQUALIFICATIONS AND COMPENSATION. – THE***  
14 ***RERB SHALL BE A THREE (3) PERSON BOARD COMPOSED OF: A) A***  
15 ***CAREER OFFICIAL OF THE DEPARTMENT OF FOREIGN AFFAIRS***  
16 ***(DFA) AS CHAIRPERSON; B) THE MOST SENIOR OFFICER FROM THE***  
17 ***DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) OR ANY***  
18 ***GOVERNMENT AGENCY OF THE PHILIPPINES MAINTAINING OFFICES***  
19 ***ABROAD AS MEMBER; AND C) A REGISTERED OVERSEAS VOTER OF***  
20 ***KNOWN PROBITY, AS MEMBER.***

21            **IN CASE OF DISQUALIFICATION OR NON-AVAILABILITY OF THE**  
22 **MOST SENIOR OFFICER FROM THE DOLE OR ANY GOVERNMENT**  
23 **AGENCY OF THE PHILIPPINES MAINTAINING OFFICES ABROAD, THE**  
24 **COMMISSION SHALL DESIGNATE A CAREER OFFICIAL FROM THE**  
25 **EMBASSY OR CONSULATE CONCERNED.**

26            **THE RERB IN MANILA SHALL HOLD OFFICE IN THE MAIN OFFICE**  
27 **OF THE COMMISSION IN INTRAMUROS, MANILA. THE RERB SHALL BE**  
28 **COMPOSED OF ANY SENIOR OFFICIAL OF THE COMMISSION ON**  
29 **ELECTIONS AS THE CHAIRPERSON AND THE TWO (2) OTHER**

1 MEMBERS SHALL BE FROM THE DFA AND THE DOLE, WHOSE RANK  
2 SHALL NOT BE LOWER THAN A DIVISION CHIEF OR ITS EQUIVALENT.

3 26.1. *DISQUALIFICATION OF MEMBERS OF THE RERB.* – NO  
4 MEMBER OF THE RERB SHALL BE RELATED TO EACH OTHER OR TO  
5 THE INCUMBENT PRESIDENT, VICE-PRESIDENT OR SENATOR OF  
6 THE PHILIPPINES OR ANY INCUMBENT MEMBER OF THE HOUSE OF  
7 REPRESENTATIVES REPRESENTING THE PARTY-LIST SYSTEM OF  
8 REPRESENTATION, WITHIN THE FOURTH CIVIL DEGREE OF  
9 CONSANGUINITY OR AFFINITY.

10 26.2 *COMPENSATION OF THE MEMBERS OF THE RERB* – EACH  
11 MEMBER OF THE RERB SHALL BE ENTITLED TO AN HONORARIUM AT  
12 RATES APPROVED BY THE DEPARTMENT OF BUDGET AND  
13 MANAGEMENT (DBM).”

14 SECTION 6. A new Section 27 is hereby inserted to read as follows:

15 “*SEC. 27. DUTIES AND FUNCTIONS OF THE RERB.* – THE RERB  
16 SHALL HAVE THE FOLLOWING DUTIES AND FUNCTIONS:

17 A. POST IN THE BULLETIN BOARDS OF THE EMBASSY OR  
18 CONSULATES, AS THE CASE MAY BE, AND IN THEIR RESPECTIVE  
19 WEBSITES, THE NAMES OF THE APPLICANTS AND THE DATES WHEN  
20 THEIR APPLICATIONS SHALL BE HEARD, AS WELL AS THE PLACE  
21 WHERE THE RERB WILL HOLD ITS HEARING;

22 B. NOTIFY, THROUGH THE COAV, ALL POLITICAL PARTIES AND  
23 OTHER PARTIES CONCERNED OF THE PENDING APPLICATIONS  
24 THROUGH A WEEKLY UPDATED PUBLICATION IN THE WEBSITE OF  
25 THE COMMISSION;

26 C. ACT ON ALL APPLICATIONS RECEIVED;



1 D. NOTIFY ALL APPLICANTS, WHOSE APPLICATIONS HAVE  
2 BEEN DISAPPROVED, STATING THE REASONS FOR SUCH  
3 DISAPPROVAL;

4 E. PREPARE A LIST OF ALL APPROVED APPLICATIONS DURING  
5 EACH HEARING AND POST THE SAME ON THE BULLETIN BOARDS OF  
6 THE EMBASSY OR CONSULATES OR AT THE OFFICE OF THE COAV,  
7 AS THE CASE MAY BE, AND IN THEIR RESPECTIVE WEBSITES;

8 F. DEACTIVATE THE REGISTRATION RECORDS OF OVERSEAS  
9 ABSENTEE VOTERS; AND

10 G. PERFORM SUCH OTHER DUTIES AS MAY BE CONSISTENT  
11 WITH ITS FUNCTIONS AS PROVIDED UNDER THIS ACT.”

12 SECTION 7. A new Section 28 is hereby inserted to read as follows:

13 “SEC. 28. PETITION FOR EXCLUSION, MOTION FOR  
14 RECONSIDERATION, PETITION FOR INCLUSION -

15 28.1. PETITION FOR EXCLUSION. - IF THE APPLICATION HAS  
16 BEEN APPROVED, ANY INTERESTED PARTY MAY FILE A PETITION  
17 FOR EXCLUSION NOT LATER THAN ONE HUNDRED EIGHTY (180)  
18 DAYS BEFORE THE START OF THE OVERSEAS ABSENTEE VOTING  
19 PERIOD WITH THE PROPER MUNICIPAL/METROPOLITAN TRIAL  
20 COURT, IN THE CITY OF MANILA OR WHERE THE OVERSEAS  
21 ABSENTEE VOTER RESIDES IN THE PHILIPPINES, AT THE OPTION OF  
22 THE PETITIONER.

23 THE PETITION SHALL BE DECIDED ON THE BASIS OF THE  
24 DOCUMENTS SUBMITTED WITHIN FIFTEEN (15) DAYS FROM ITS  
25 FILING, BUT NOT LATER THAN ONE HUNDRED TWENTY (120) DAYS  
26 BEFORE THE START OF THE OVERSEAS ABSENTEE VOTING PERIOD.  
27 SHOULD THE COURT FAIL TO RENDER A DECISION WITHIN THE

1           PRESCRIBED PERIOD, THE RULING OF THE RERB SHALL BE  
2           CONSIDERED AFFIRMED.

3           **28.2. MOTION FOR RECONSIDERATION.** - IF THE APPLICATION  
4           HAS BEEN DISAPPROVED, THE APPLICANT OR THE AUTHORIZED  
5           REPRESENTATIVE SHALL HAVE THE RIGHT TO FILE A MOTION FOR  
6           RECONSIDERATION BEFORE THE RERB WITHIN A PERIOD OF FIVE (5)  
7           DAYS FROM RECEIPT OF THE NOTICE OF DISAPPROVAL. THE  
8           MOTION SHALL BE DECIDED WITHIN FIVE (5) DAYS AFTER ITS FILING  
9           ON THE BASIS OF DOCUMENTS SUBMITTED BUT NOT LATER THAN  
10          120 DAYS BEFORE THE START OF THE OVERSEAS ABSENTEE  
11          VOTING PERIOD. THE RESOLUTION OF THE RERB SHALL BE  
12          IMMEDIATELY EXECUTORY, UNLESS REVERSED OR SET ASIDE BY  
13          THE COURT.

14          **28.3. PETITION FOR INCLUSION.** - WITHIN TEN (10) DAYS FROM  
15          RECEIPT OF NOTICE DENYING THE MOTION FOR RECONSIDERATION,  
16          THE APPLICANT MAY FILE A PETITION FOR INCLUSION WITH THE  
17          PROPER MUNICIPAL/METROPOLITAN TRIAL COURT, IN THE CITY OF  
18          MANILA OR WHERE THE OVERSEAS ABSENTEE VOTER RESIDES IN  
19          THE PHILIPPINES, AT THE OPTION OF THE PETITIONER.

20          THE PETITION SHALL BE DECIDED ON THE BASIS OF THE  
21          DOCUMENTS SUBMITTED WITHIN FIFTEEN (15) DAYS FROM FILING,  
22          BUT NOT LATER THAN ONE HUNDRED TWENTY (120) DAYS BEFORE  
23          THE START OF THE OVERSEAS ABSENTEE VOTING PERIOD. SHOULD  
24          THE COURT FAIL TO RENDER A DECISION WITHIN THE PRESCRIBED  
25          PERIOD, THE RERB RULING SHALL BE CONSIDERED AFFIRMED.

26          QUALIFIED PHILIPPINE CITIZENS ABROAD WHO HAVE  
27          PREVIOUSLY REGISTERED AS VOTERS PURSUANT TO REPUBLIC  
28          ACT NO. 8189, OTHERWISE KNOWN AS THE "VOTERS REGISTRATION  
29          ACT OF 1996" SHALL APPLY FOR CERTIFICATION AS OVERSEAS  
30          ABSENTEE VOTERS AND FOR INCLUSION IN THE NROAV. IN CASE OF

1 APPROVAL, THE ELECTION OFFICER CONCERNED SHALL ANNOTATE  
2 THE FACT OF REGISTRATION/CERTIFICATION AS OVERSEAS  
3 ABSENTEE VOTER BEFORE THE VOTER'S NAME AS APPEARING IN  
4 THE CERTIFIED VOTERS LIST AND IN THE VOTER'S REGISTRATION  
5 RECORDS."

6 SECTION 8. A new Section 29 is hereby inserted to read as follows:

7 "SEC. 29. TRANSFER OF REGISTRATION RECORD. - IN THE  
8 EVENT OF CHANGE OF VOTING VENUE, AN APPLICATION FOR  
9 TRANSFER OF REGISTRATION RECORD MUST BE FILED BY THE  
10 OVERSEAS ABSENTEE VOTER WITH THE COAV, THROUGH ITS  
11 CHAIRPERSON, AT LEAST ONE HUNDRED EIGHTY (180) DAYS PRIOR  
12 TO THE START OF THE OVERSEAS ABSENTEE VOTING PERIOD:  
13 PROVIDED, THAT THOSE WHO WOULD EVENTUALLY VOTE IN THE  
14 PHILIPPINES SHOULD REGISTER WITHIN THE TIME FRAME PROVIDED  
15 FOR LOCAL REGISTRATION IN THE MUNICIPALITY, CITY OR DISTRICT  
16 WHERE THEY INTEND TO VOTE AND; PROVIDED: FURTHER, THAT  
17 THOSE WHO HAVE REGISTERED IN THE MUNICIPALITY, CITY OR  
18 DISTRICT WHERE THEY RESIDED PRIOR TO THEIR DEPARTURE  
19 ABROAD NEED NOT REGISTER ANEW; PROVIDED: FINALLY, THAT  
20 TRANSFEREES SHALL NOTIFY THE COAV, THROUGH ITS  
21 CHAIRPERSON, OF THEIR TRANSFERRING BACK TO THE  
22 PHILIPPINES AT LEAST ONE HUNDRED EIGHTY (180) DAYS PRIOR TO  
23 THE NEXT NATIONAL ELECTIONS FOR PURPOSES OF CANCELLING  
24 THEIR NAMES FROM THE CLOAV AND OF REMOVING THEIR  
25 OVERSEAS ABSENTEE VOTER'S REGISTRATION FROM THE BOOK OF  
26 VOTERS".

27 SECTION 9. A new Section 30 is hereby inserted to read as follows:

28 "SEC.30. DEACTIVATION OF REGISTRATION. - THE RERB SHALL  
29 DEACTIVATE AND REMOVE THE REGISTRATION RECORDS OF THE  
30 FOLLOWING PERSONS FROM THE CORRESPONDING BOOK OF

1 VOTERS AND PLACE THE SAME, PROPERLY MARKED AND DATED, IN  
2 THE INACTIVE FILE AFTER ENTERING ANY OF THE FOLLOWING  
3 CAUSES OF DEACTIVATION:

4 A) ANY PERSON WHO HAS BEEN SENTENCED BY FINAL  
5 JUDGMENT BY A PHILIPPINE COURT OR TRIBUNAL TO SUFFER  
6 IMPRISONMENT FOR NOT LESS THAN ONE (1) YEAR, SUCH  
7 DISABILITY NOT HAVING BEEN REMOVED BY PLENARY PARDON OR  
8 AMNESTY: *PROVIDED, HOWEVER,* THAT ANY PERSON DISQUALIFIED  
9 TO VOTE UNDER THIS PARAGRAPH SHALL AUTOMATICALLY  
10 REACQUIRE THE RIGHT TO VOTE UPON THE EXPIRATION OF FIVE (5)  
11 YEARS AFTER SERVICE OF SENTENCE, AS CERTIFIED BY THE  
12 CLERKS OF COURTS OF THE MUNICIPAL, MUNICIPAL CIRCUIT,  
13 METROPOLITAN, REGIONAL TRIAL COURTS OR THE  
14 SANDIGANBAYAN;

15 B) ANY PERSON DECLARED BY COMPETENT AUTHORITY TO BE  
16 INSANE OR INCOMPETENT, UNLESS SUCH DISQUALIFICATION HAS  
17 BEEN SUBSEQUENTLY REMOVED BY A DECLARATION OF A PROPER  
18 AUTHORITY THAT SUCH PERSON IS NO LONGER INSANE OR  
19 INCOMPETENT;

20 C) ANY PERSON WHO DID NOT VOTE IN TWO (2) CONSECUTIVE  
21 NATIONAL ELECTIONS AS SHOWN BY VOTING RECORDS, AND

22 D) ANY PERSON WHOSE REGISTRATION HAS BEEN ORDERED  
23 EXCLUDED BY THE COURTS.

24 THE FACT OF DEACTIVATION SHALL BE ANNOTATED IN THE  
25 NROAV AND THE CORRESPONDING ROAV."

26 SECTION 10. A new Section 31 of the same Act is hereby inserted to read  
27 as follows:

1           **"SEC. 31. REACTIVATION OF REGISTRATION. - ANY OVERSEAS**  
2 **ABSENTEE VOTER WHOSE REGISTRATION HAS BEEN DEACTIVATED**  
3 **PURSUANT TO THE PRECEDING SECTION MAY FILE WITH THE RERB**  
4 **AT ANY TIME, BUT NOT LATER THAN ONE HUNDRED TWENTY (120)**  
5 **DAYS BEFORE THE START OF THE OVERSEAS ABSENTEE VOTING**  
6 **PERIOD, A SWORN APPLICATION FOR REACTIVATION OF**  
7 **REGISTRATION STATING THAT THE GROUNDS FOR THE**  
8 **DEACTIVATION NO LONGER EXIST."**

9           **SECTION 11.** A new Section 32 of the same Act is hereby inserted to read  
10 as follows:

11           **"SEC. 32. CANCELLATION OF REGISTRATION. - THE RERB**  
12 **SHALL CANCEL THE REGISTRATION RECORDS OF THOSE WHO HAVE**  
13 **DIED, AS CERTIFIED BY EITHER THE POSTS OR BY THE LOCAL CIVIL**  
14 **REGISTRAR, AND THOSE WHO HAVE BEEN PROVEN TO HAVE LOST**  
15 **THEIR FILIPINO CITIZENSHIP."**

16           **SECTION 12.** A new Section 33 of the same Act is hereby inserted to read  
17 as follows:

18           **"SEC. 33. VOTING. - VOTING MAY BE DONE EITHER**  
19 **PERSONALLY, BY MAIL, OR BY ANY OTHER MEANS AS MAY BE**  
20 **DETERMINED BY THE COMMISSION. FOR THIS PURPOSE, THE**  
21 **COMMISSION SHALL ISSUE THE NECESSARY GUIDELINES ON THE**  
22 **MANNER AND PROCEDURES OF VOTING.**

23           **THE COAV, IN CONSULTATION WITH DFA-OAVS, SHALL**  
24 **DETERMINE THE COUNTRIES WHERE VOTING SHALL BE DONE BY**  
25 **ANY SPECIFIC MODE, TAKING INTO CONSIDERATION THE MINIMUM**  
26 **CRITERIA ENUMERATED UNDER THIS ACT WHICH SHALL INCLUDE**  
27 **THE NUMBER OF REGISTERED VOTERS, ACCESSIBILITY OF THE**  
28 **POSTS, EFFICIENCY OF THE HOST COUNTRY'S APPLIED SYSTEM**

1 AND SUCH OTHER CIRCUMSTANCES THAT MAY AFFECT THE  
2 CONDUCT OF VOTING.

3 THE COMMISSION SHALL ANNOUNCE THE SPECIFIC MODE OF  
4 VOTING PER COUNTRY/POST AT LEAST ONE-HUNDRED TWENTY (120)  
5 DAYS BEFORE THE START OF THE VOTING PERIOD.”

6 **SECTION 13.** A new Section 34 is hereby inserted to read as follows:

7 **“SEC. 34. AUTHORITY TO ADOPT OTHER MODES OR SYSTEMS**  
8 **USING AUTOMATED ELECTION SYSTEM - NOTWITHSTANDING**  
9 **CURRENT PROCEDURES AND SYSTEMS HEREIN PROVIDED, FOR THE**  
10 **PROPER IMPLEMENTATION OF THIS ACT AND IN VIEW OF THE**  
11 **PECULIARITIES ATTENDANT TO THE OVERSEAS ABSENTEE VOTING**  
12 **PROCESS, THE COMMISSION MAY EXPLORE AND ADOPT OTHER**  
13 **MORE EFFICIENT, RELIABLE AND SECURE MODES OR SYSTEMS,**  
14 **ENSURING THE SECRECY AND SANCTITY OF THE ENTIRE PROCESS,**  
15 **WHETHER PAPER-BASED, ELECTRONIC-BASED OR INTERNET-BASED**  
16 **TECHNOLOGY OR SUCH OTHER LATEST TECHNOLOGY AVAILABLE,**  
17 **FOR ONSITE AND REMOTE REGISTRATION AND ELECTIONS AND**  
18 **SUBMIT A REPORT TO THE JOINT CONGRESSIONAL OVERSIGHT**  
19 **COMMITTEE.”**

20 **SECTION 14.** Sections 26, 27, 28 and 29 of Republic Act No. 9189 are  
21 hereby renumbered as Sections 35, 36, 37, and 38, respectively.

22 **SECTION 15.** A new Section 39 is hereby inserted to read as follows:

23 **“SEC. 39. TRANSITORY PROVISION - ALL PRIOR ACTS,**  
24 **RESOLUTIONS, ISSUANCES OF THE COMMISSION UNDER THIS ACT,**  
25 **NOT OTHERWISE INCONSISTENT HEREWITH, INCLUDING THE**  
26 **REGISTRATION OF VOTERS AND MODES OF VOTING, SHALL REMAIN**  
27 **VALID AND EFFECTIVE.”**

1           **SECTION 16.** A new Section 40 is hereby inserted to read as follows:

2                   **“SEC. 40. IMPLEMENTING RULES AND REGULATIONS. – THE**  
3           **COMMISSION SHALL PROMULGATE RULES AND REGULATIONS FOR**  
4           **THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISION OF**  
5           **THIS ACT WITHIN SIXTY (60) DAYS FROM THE EFFECTIVITY**  
6           **THEREOF.”**

7           **SECTION 17.** Sections 30, 31 and 32 of R.A. 9189 are hereby renumbered as  
8           Sections 41, 42, and 43, respectively.

9           **SECTION 18. Repealing/Amending Clause.** - All other laws, orders and  
10          proclamations, rules and regulations or parts thereof, inconsistent with or contrary to  
11          the provisions of this Act or its purposes are hereby revised or modified accordingly.

12          **SECTION 19. Separability Clause.** - If any provision or part hereof, is held  
13          invalid or unconstitutional, the remainder of the law or provision not otherwise  
14          affected shall remain valid and subsisting.

15          **SECTION 20. Effectivity Clause.** - This act shall take effect fifteen (15) days  
16          after its publication in the Official Gazette or in at least two (2) newspapers of general  
17          circulation.

*Adopted,*