

HOUSE OF REPRESENTATIVES

H. No. 9785

BY REPRESENTATIVES SIAO, BAGATSING, SAVELLANO, OLIVAREZ, RODRIGUEZ, NIETO, PANOTES, SAULOG, CABOCHAN, VILLANUEVA (E.), RIVERA, PIMENTEL, ERIGUEL, SY-ALVARADO, VILLARICA, ROMUALDEZ (F.M.), FERRER (J.M.), YAP (E.), DALIPE, CUA AND BARBA, PER COMMITTEE REPORT No. 1069

**AN ACT
STRENGTHENING THE COMMISSION ON ELECTIONS BY INCREASING THE
MANPOWER COMPLEMENT IN ITS FIELD OFFICES, PROVIDING OFFICE
SPACES SEPARATE AND INDEPENDENT FROM LOCAL GOVERNMENT
UNITS, AND APPROPRIATING FUNDS THEREFOR AMENDING FOR THE
PURPOSE BATAS PAMBANSA BLG. 881, AS AMENDED, OTHERWISE
KNOWN AS THE "OMNIBUS ELECTION CODE OF THE PHILIPPINES"**

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

1 **SECTION 1.** The State hereby affirms and recognizes the independence of the
2 Commission on Elections as guaranteed under Article IX, Part A, Section 1 of
3 the Constitution. As such, the Commission shall ensure and preserve its
4 integrity and independence by increasing the manpower complement in its field
5 offices, and providing office spaces separate and independent from local
6 government units.

7
8 **SEC. 2.** Section 53 of Batas Pambansa Blg. 881, as amended, is hereby
9 amended to read as follows:

1 **"Section 53.** Field offices of the Commission. - The Commission shall
2 have the following field offices:

3 (1) Regional Election Office, headed by the Regional Election Director and
4 assisted by the Assistant Regional Director and such other subordinate
5 officers or employees as the Commission may appoint[.], **IN**
6 **ACCORDANCE WITH THE ORGANIZATION, STAFFING, POSITION**
7 **CLASSIFICATION AND COMPENSATION STANDARDS.**

8 (2) [Provincial Election Office, headed by the Provincial Election
9 Supervisor and assisted by such other subordinate officers or employees
10 as the Commission may appoint] **PROVINCIAL ELECTION OFFICE,**
11 **HEADED BY THE PROVINCIAL ELECTION SUPERVISOR FOR EACH**
12 **PROVINCE. EACH PROVINCIAL ELECTION SUPERVISOR SHALL BE**
13 **ASSISTED BY AT LEAST ONE (1) ELECTION ASSISTANT AND SUCH**
14 **NUMBER OF ASSISTANTS AND SUBORDINATE OFFICERS OR**
15 **EMPLOYEES AS THE COMMISSION MAY APPOINT, IN ACCORDANCE**
16 **WITH THE ORGANIZATION, STAFFING, POSITION CLASSIFICATION**
17 **AND COMPENSATION STANDARDS. A PROVINCIAL ELECTION**
18 **SUPERVISOR IS AUTHORIZED TO HIRE CONTRACTUAL PERSONNEL**
19 **TO PERFORM ADMINISTRATIVE OR CLERICAL WORKS FOR THE**
20 **EXPEDIENCY OF SERVICE AND IN ACCORDANCE WITH CIVIL**
21 **SERVICE LAWS.**

22 (3) [City, Municipal Election Office, headed by the City, Municipal
23 Registrar who shall be assisted by an election clerk and other employees
24 as the Commission may appoint] **CITY, MUNICIPAL OR ELECTORAL**
25 **DISTRICT ELECTION OFFICE, HEADED BY THE CITY, MUNICIPAL**
26 **OR ELECTORAL DISTRICT ELECTION OFFICER FOR EACH CITY,**
27 **MUNICIPALITY OR ELECTORAL DISTRICT. THE CITY, MUNICIPAL**
28 **OR ELECTORAL DISTRICT ELECTION OFFICER SHALL BE**
29 **ASSISTED BY AT LEAST ONE (1) ELECTION ASSISTANT AND SUCH**
30 **NUMBER OF ASSISTANTS AND SUBORDINATE OFFICERS OR**
31 **EMPLOYEES AS THE COMMISSION MAY APPOINT IN ACCORDANCE**
32 **WITH THE ORGANIZATION, STAFFING, POSITION CLASSIFICATION**
33 **AND COMPENSATION STANDARDS. AN ELECTION OFFICER IS**
34 **AUTHORIZED TO HIRE CONTRACTUAL PERSONNEL TO PERFORM**
35 **ADMINISTRATIVE OR CLERICAL WORK FOR THE EXPEDIENCY OF**
36 **SERVICE AND IN ACCORDANCE WITH THE CIVIL SERVICE LAWS.**

37 The Commission may delegate its powers and functions or order the
38 implementation or enforcement of its orders, rulings, or decisions
39 through the heads of its field offices.

1 **SEC. 3.** New sections to be denominated as Sections 53-A and 53-B are hereby
2 inserted after Section 53 of the same Act to read as follows:
3

4 **"SECTION 53-A. AUTOMATIC CREATION OF POSITIONS OF**
5 **ELECTION OFFICERS AND ELECTION ASSISTANTS. - IF A NEW**
6 **CITY, MUNICIPALITY OR ELECTORAL DISTRICT IS CREATED, THE**
7 **POSITIONS OF ELECTION OFFICER AND ELECTION ASSISTANTS**
8 **ARE AUTOMATICALLY CREATED, IN ACCORDANCE WITH THE**
9 **ORGANIZATION, STAFFING, POSITION CLASSIFICATION AND**
10 **COMPENSATION STANDARDS AND SUBJECT TO THE SUBMISSION**
11 **TO THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) OF A**
12 **RESOLUTION STATING THE CHANGES IN THE ORGANIZATION AND**
13 **STAFFING. THERE MUST BE ONE (1) ELECTION ASSISTANT FOR**
14 **EVERY TWENTY THOUSAND (20,000) REGISTERED VOTERS.**
15

16 **SECTION 53-B. ASSIGNMENT IN FIELD OFFICE. - NO OTHER**
17 **PERSONNEL, EXCEPT THOSE MENTIONED IN SECTION 53- OF THIS**
18 **ACT OR EXPRESSLY AUTHORIZED BY LAW, MAY BE ASSIGNED,**
19 **DESIGNATED OR DETAILED AT ANY FIELD OFFICE OF THE**
20 **COMMISSION. ANY PERSONNEL PERFORMING ADMINISTRATIVE OR**
21 **CLERICAL WORK MAY ONLY BE HIRED BY THE HEAD OF THE**
22 **FIELD OFFICE. VIOLATION OF THIS PROVISION CONSTITUTES AN**
23 **ELECTION OFFENSE."**
24

25 **SEC. 4.** Section 55 of the same Act is hereby amended to read as follows:
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27 "Section 55. Office space. - [The local government concerned shall
28 provide a suitable place for the office of the provincial election
29 supervisor and his staff and the election registrar and his staff:
30 Provided, That in case of failure of the local government concerned
31 to provide such suitable place, the provincial election supervisor or
32 the election registrar, as the case may be, upon prior authority of
33 the Commission and notice to the local government concerned, may
34 lease another place for office and the rentals thereof shall be
35 chargeable to the funds of the local government concerned.] **THE**
36 **COMMISSION SHALL PROVIDE SEPARATE AND INDEPENDENT**
37 **OFFICE SPACES FOR ITS FIELD OFFICES, THE COST OF**
38 **WHICH SHALL BE CHARGED TO ITS YEARLY**
39 **APPROPRIATIONS."**
40

41 **SEC. 5.** The initial amount for the implementation of this Act shall be charged
42 against the current available appropriations of the Commission. Thereafter, the
43 funding of which shall be included in the annual General Appropriations Act.
44

1 **SEC. 6.** Within one (1) year from the effectivity of this Act, the Commission
2 shall formulate a plan to transfer its field offices from the facilities of local
3 government units to the facilities owned or leased by the Commission. The
4 plan shall provide for a complete transfer of all field offices of the Commission
5 within five (5) years from the effectivity of this Act.

6
7 **SEC. 7.** Within ninety (90) days from the effectivity of this Act, the Chairperson
8 of the Commission shall, in coordination with the Secretary of the Interior
9 and Local Government and the Secretary of Budget and Management,
10 promulgate the rules and regulations implementing the provision of this Act.

11
12 **SEC. 8.** If any portion or provision of this Act is declared unconstitutional, the
13 remainder of this Act or any provision not affected thereby shall remain in force
14 and effect.

15
16 **SEC. 9.** All other laws, acts, presidential decrees, executive orders, issuances,
17 presidential proclamations, rules and regulations or parts thereof, which are
18 contrary to and inconsistent with any provision of this Act, are hereby
19 repealed, amended or modified accordingly.

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21 **SEC. 10.** This Act shall take effect fifteen (15) days after its publication in the
22 *Official Gazette* or in a newspaper of general circulation.

Approved,