Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

IN THE MATTER OF DEPUTIZING THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), THE NATIONAL POLICE COMMISSION (NAPOLCOM) AND OTHER LAW ENFORCEMENT AGENCIES, CERTAIN DEPARTMENTS UNDER THE EXECUTIVE BRANCH, OTHER GOVERNMENT AGENCIES, GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS AND FINANCIAL INSTITUTIONS, FOR THE PURPOSE OF ENSURING FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE CONDUCT OF THE MAY 11, 2020 BARANGAY AND SANGGUNIANG KABATAAN (SK) ELECTIONS

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ABAS, Sheriff M.	Chairman
PARREÑO, Al A.	Commissioner
GUIA, Luie Tito F.	Commissioner
GUANZON, Ma. Rowena Amelia V.	Commissioner
INTING, Socorro B.	Commissioner
CASQUEJO, Marlon S.	Commissioner
KHO, Jr., Antonio T.	Commissioner

Promulgated: August 23, 2019

RESOLUTION NO. 10584

WHEREAS, Article IX-C, Section 2(4) of the 1987 Constitution empowers the Commission on Elections (Commission) to deputize, with the concurrence of the President, law enforcement agencies and instrumentalities of the Government for the exclusive purpose of ensuring free, orderly, honest, peaceful and credible elections;

NOW, THEREFORE, the Commission, by virtue of the powers vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code and other related election laws, has **RESOLVED**, as it hereby **RESOLVES**, to deputize the following law enforcement agencies and instrumentalities of the Government, in connection with the conduct of the May 11, 2020 Barangay and Sangguniang Kabataan Elections:

SECTION 1. Deputation of the Department of the Interior and Local Government (DILG) and the National Police Commission (NAPOLCOM), Duties and Functions. - The DILG and NAPOLCOM are hereby deputized to:

a) Provide security to polling places, polling centers/voting centers, canvassing/ consolidation centers, and such other places or buildings, including election paraphernalia, equipment, forms and supplies, that will be used in connection with the elections;

b) Provide security to the personnel of the Commission, its deputies and other persons performing election-related functions;

c) Deploy, at the least time possible, troops for election duty in coordination with the concerned Regional Election Director, Provincial Election Supervisor, and Election Officer;

d) Make available, at the least time possible, land, air and water-craft assets, communication systems and other equipment, in connection with the conduct of the elections;

e) Look into the existence of any armed group organized to commit, or which is committing or attempting to commit, acts of terrorism, or threats to intimidate or coerce any person to vote for or against a candidate, and to suppress or prevent said acts of terrorism or threats;

f) Assist the Commission in implementing more effectively election laws and/or rules and regulations, particularly the laws governing prohibition against military, policemen and provincial guards acting as bodyguards or security guards for the candidates, the use of armored vehicles and air or water-craft, and the prohibition on bearing, carrying or transporting firearms and other deadly weapons in public places;

g) Provide security escorts to candidates, subject to the conditions and restrictions on the Resolution imposing the ban on the carrying of firearms and other deadly weapons and the ban on the use of security personnel or bodyguards;

h) Conduct a periodic assessment of the peace and order conditions in critical areas and recommend measures which may be adopted by the Commission in the interest of free, orderly, honest, peaceful and credible elections;

i) Comply with and/or implement directives or resolutions of the Commission, which shall take precedence over and above the orders and directives issued by any other office or agency of the Government, except the Supreme Court and those issued in *habeas corpus* proceedings; and

j) Render periodic reports on action taken in accordance with this Resolution.

SECTION 2. Deputation of other Law Enforcement Agencies, Duties and Functions. - The Bureau of Jail Management and Penology (BJMP), the Bureau of Corrections (BuCor), the National Bureau of Investigation (NBI) and other law enforcement agencies are hereby deputized in connection with the conduct of the May 11, 2020 Barangay and Sangguniang Kabataan Elections.

SECTION 2.1 The Bureau of Jail Management and Penology and the Bureau of Corrections, Duties and Functions. - The BJMP and BuCor are hereby deputized to:

a) Enforce the following provision of the Omnibus Election Code:

"Sec. 261 (n). Illegal release of prisoners before and after election. - The Director of the Bureau of Prisons, any provincial warden, the keeper of the jail or the person or persons required by law to keep prisoner in their custody who illegally orders or allows any prisoner detained in the national penitentiary, or the provincial, city or municipal jail to leave the premises thereof sixty days before and thirty days after the election. The municipal or city warden, the provincial warden, the keeper of the jail or the person or persons required by law to keep prisoners in their custody shall post in three conspicuous public places a list of the prisoners or detention prisoners under their care. Detention prisoners must be categorized as such."; and

b) Comply with all orders, directives and resolutions which the Commission may issue or promulgate.

SECTION 2.2 The National Bureau of Investigation, Duties and Functions. - Upon prior order of the Commission, the NBI is hereby deputized to perform the following duties and functions:

a) Deploy its agents to designated areas in order to effectively carry out the objective of this Resolution, furnishing the Commission with the list of said agents;

b) Direct its agent to arrest any person who violates the provisions of the Omnibus Election Code and other pertinent election laws and the rules and regulations promulgated by the Commission;

c) Report from time to time to the Commission actions it has taken pursuant to this Resolution; and

d) Comply with the orders, and directives of the Commission, which shall be given priority over orders and directives from other sources, except the Supreme Court and those issued in habeas corpus proceedings.

SECTION 3. Deputation of Certain Departments Under the Executive Branch. - The Department of Education (DepEd), the Department of Finance (DOF), Department of Transportation (DOTr), Department of Information and Communications Technology (DICT), The Department of Public Works and Highways (DPWH) along with the Metropolitan Manila Development Authority (MMDA) are hereby deputized in connection with the conduct of the May 11, 2020 Barangay and Sangguniang Kabataan Elections.

SECTION 3.1. The Department of Education, Duties and Functions. - The DepEd shall have the following duties and functions:

a) Comply with and enforce all orders and instructions of the Commission relative to the election duties and functions of its personnel;

b) Allow the use of public school buildings for election purposes;

c) Not to hold, during the election period, conferences, seminars or any school activity, which might interfere, restrict, or prevent the performance of election duties of its personnel, except upon prior written authority from the Commission; and

d) Perform such other duties and functions which the Commission may prescribe from time to time.

SECTION 3.2. The Department of Finance, Duties and Functions. - The DOF shall have the following duties and functions:

a) Comply with and enforce all orders and instructions of the Commission relative to the election duties and functions of its personnel;

b) Ensure that all provincial, city, and municipal treasurers remain in their present assignments and neither transferred/ detailed, reassigned, whether temporary or permanently, to another province, city or municipality, except upon prior written authority of the Commission, nor allowed to go on leave of absence from office during the period starting two weeks before and two weeks after election day, except upon prior written approval of the Commission;

c) Not to designate temporary or casual employee as Officer-in-Charge of the Office of the Treasurer; and

d) Perform such other duties and functions which the Commission may prescribe from time to time.

SECTION 3.3. The Department of Transportation and the Department of Information and Communications, Duties and Functions. - The DOTr and DICT, including its attached agencies, shall perform the following duties and functions in connection with their respective mandates:

a) Circularize to all owners and operators of land and air transportation facilities and telecommunications services, holders of certificates of public convenience, franchises or other forms of authorization, that the following provisions under the Omnibus Election Code are election offenses:

i. Sec. 89, which prohibits any candidate, political party or organization or any person from giving or accepting transportation, free of charge, directly or indirectly during the five (5) hours before and after a public meeting, on the day preceding the election and on election day;

ii. Sec. 95, which prohibits contributions for partisan political activity given directly or indirectly by natural or juridical persons operating a public utility; or by natural or juridical persons who hold contracts or subcontracts to supply the government or any of its agencies, subdivisions or

instrumentalities with goods or services or to perform construction or other work; or by natural or juridical persons who have been granted franchise, incentives, exemptions, or allocations or similar privileges or concessions by the government or any of its agencies, subdivisions or instrumentalities including government-owned or controlled corporations; or by natural or juridical persons who within one (1) year prior to the date of the election have been granted loans or other accommodations in excess of P100,000.00 by the government or any of its agencies, subdivisions or instrumentalities government-owned or controlled corporations;

iii. Sec. 97, which makes it unlawful for any person or organization, whether civic or religious, to directly or indirectly solicit and/or accept from any candidate for public office or from his campaign manager, agent or representative, or any person acting in their behalf, any gift, food, transportations, contribution or donation in cash or in kind from the commencement of the election period up to and including election day;

iv. Sec. 261 (o), which prohibits the use under any guise whatsoever, directly or indirectly of any printing press, radio or television station or audio-visual equipment operated by the government or by its subdivisions, instrumentalities, agencies or instrumentalities, including government-owned or controlled corporations, or any equipment, facility, apparatus, paraphernalia or vehicle owned by the government or by its political subdivisions, agencies or instrumentalities, including government-owned or controlled corporations or by the Armed Forces of the Philippines for any election campaign of for any partisan political activity; and

v. Sec. 261 (dd), which penalizes any operator or employee of a public utility or transportation company operating under a certificate of public convenience who refuses to carry official election mail matters free of charge during the election period.

b) Require all transportation companies engaged in the operation of transportation facilities to report within thirty (30) days following the day of the election, the use, rental or hiring of their facilities by any candidate in connection with the election campaign, including the amount paid for such use, rental or hiring, as provided for and in accordance with Comelec Resolution No. 10585 which governs campaign finance and disclosure in connection with the May 11, 2020 Barangay and Sangguniang Kabataan Elections.

c) Perform such other duties and functions which the Commission may prescribe from time to time.

SECTION 3.4. The Philippine Coast Guard (PCG), as a Sectoral Office of the DOTr, Duties and Functions. - The PCG shall perform the following duties and functions:

a) Provide security to, and render assistance in the deployment of:

   i. personnel and deputies of the Commission as well as other persons performing elections related duties; and/or

   ii. election paraphernalia, equipment, forms and supplies;

b) Assist the Commission in implementing election laws and/or rules and regulations especially within the maritime jurisdiction of the country, including ports;

c) At the least time possible, deploy within the maritime jurisdiction of the country, troops for election duty in coordination with the concerned Regional Election Director, Provincial Election Supervisor and Election Officer;

d) Make available, at the least time possible, land, air and water-craft assets, communication systems and other equipment, in connection with the conduct of the elections;

e) Look into the existence of any armed group organized to commit, or which is committing or attempting to commit, acts of terrorism, or threats to intimidate or coerce any person to vote for or against a candidate, and to suppress or prevent said acts of terrorism or threats;

f) Conduct a periodic assessment of the peace and order conditions in the maritime jurisdiction of the country and recommend measures which may be adopted by the Commission in the interest of free, orderly, honest, peaceful and credible elections;

g) To render aid, including rescue operations, to (a) personnel and deputies of the Commission as well as other persons who, in the performance of election-related duties, are in distress at sea, and/or (b) vessels in distress which are carrying election paraphernalia, equipment, forms and supplies;

h) To conduct inspections and emergency readiness evaluation on ships and vessels which will carry (a) personnel and deputies of the Commission as well as other persons, performing election-related functions; and/or (b) election paraphernalia, forms and supplies;

i) Render periodic reports on action taken in accordance with this Resolution; and

j) Comply with and/or implement directives or resolutions which the Commission may issue or promulgate from time to time.

Despite being deputized, the PCG shall continue its own functions and responsibilities.

SECTION 3.5. The Department of Public Works and Highways and the Metropolitan Manila Development Authority, Duties and Functions. - The DPWH, along with the MMDA shall perform the following duties and functions:

a) Assist the Commission in removing and tearing down all unlawful election materials and perform such other duties and functions as the Commission may prescribe from time to time.

b) Provide facilities and/ or equipment necessary in the tearing down of illegal propaganda materials and perform such other duties and functions as the Commission may prescribe from time to time.

SECTION 3.6. The Philippine Information Agency (PIA), Duties and Functions. - The PIA shall perform the following duties and functions:

a) Assist the Commission in its education and information campaign on the conduct of the May 11, 2020 Barangay and Sangguniang Kabataan Elections;

b) Make available to the Commission its facilities and services of its personnel, as may be necessary to ensure implementation of the programs of activities or operation plans for the Commission's information campaign;

c) Produce such information materials as the Commission may deem necessary to ensure the conduct of free, orderly, honest, peaceful and credible barangay and sangguniang kabataan elections; provided, that in all cases:

i. The Agency shall adhere strictly to the policy of the Commission that the education and information campaign must be absolutely impartial, objective and neutral;

ii. The expenses it may incur as such deputy for the information campaign of the Commission, i.e., production of information materials, shall be for the exclusive account of the agency; and

iii. Any information material which the Agency, as such deputy, shall produce upon the direction of the Commission, shall be published/ distributed/released only upon prior clearance from the Commission to ensure that nothing therein contained shall detract from or violate the policy of impartiality, objectivity and neutrality.

d) Perform such other duties and functions which the Commission may prescribe from time to time.

SECTION 4. Deputation of the Philippine Postal Corporation (PHLPost) and the National Telecommunications Commission (NTC), Duties and Functions. - The PHLPost and NTC are hereby deputized to perform the following duties and functions:

a) Instruct their respective personnel and the management of all private telecommunications firms to give special preference to, and effect immediate transmission and delivery of messages or telegrams of the

Commission, its field personnel and deputies during the election period;

b) Impress upon such personnel and management that non-compliance with the provisions of Sec. 9 of the Omnibus Election Code on preferential transmissions of official mails, messages and telegrams relative to the elections, constitutes an election offense punishable under Sec. 264 of said Code with imprisonment of not less than one (1) year but not more than six (6) years and shall not be subject to probation. In addition, the guilty party shall be sentenced to suffer disqualification to hold public office and deprivation of the right of suffrage;

c) Assign sufficient number of personnel to receive, transmit and deliver election messages ten (10) days before Election Day, on election day, and ten (10) days after election day;

d) Make operational all its stations during election period; and

e) Perform such other duties and functions which the Commission may prescribe from time to time.

SECTION 5. Deputation of Certain Government Financial Institutions, other Government Agencies and other Government-Owned or Controlled Corporations, to Provide Means of Transportation in Connection with the Conduct of Elections. - The Bangko Sentral ng Pilipinas (BSP), the Land Bank of the Philippines (LBP), the Development Bank of the Philippines (DBP), the Government Service Insurance System (GSIS), the Social Security System (SSS), the Philippine National Oil Company (PNOC), the Department of Agriculture (DA), the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the National Irrigation Administration (NIA), the National Food Authority (NFA), the National Electrification Administration (NEA), and the Philippine Ports Authority (PPA) shall place at the disposal of the Commission their land, air and water craft, such as airplanes and helicopters, trucks, jeeps, vans, cars and the like, ships, launches, barges, and speedboats, and communication facilities, as the Commission may need from time to time. Said vehicles shall be used to ferry the personnel of the Commission and its deputized agencies in the performance of their election duties, and to transport election forms, supplies and materials to their places of destination, particularly in areas with inadequate or without regular means of transportation.

For the above purposes, they shall provide the Commission with a list of available vehicles, together with the pilots/ captains, shipmasters, or drivers assigned to said crafts or vehicles. These crafts or vehicles shall be at the disposal of the Commission immediately and until the end of the election period.

SECTION 6. Deputation of Certain Government Agencies to Provide Sufficient Electrical Power Supply in Connection with the Conduct of Elections. - The National Electrification Administration (NEA), the National Power Corporation (NPC), the Local Electrification Cooperatives (LEC), the Department of Energy (DOE), the Department of Environment and Natural Resources (DENR), the Department of Public Works and Highways (DPWH) the

Department of the Interior and Local Government (DILG), the Philippine National Police (PNP), the Department of National Defense (DND), the Armed Forces of the Philippines (AFP) are further deputized to provide sufficient uninterrupted electrical power supply and secure the transmission infrastructure and facilities during the critical days of the elections.

SECTION 6.1. - Duties and Functions. - As such deputies, they shall have the following duties and functions:

a) Provide and maintain stable and continuous nationwide electric power requirements from the start of voting, until the termination or conclusion of the canvassing of votes and the proclamation of the winning candidates;

b) Provide sufficient personnel to secure the nationwide transmission lines, substations, and other related power facilities;

c) Provide assistance to and coordinate with the National Grid Corporation of the Philippines (NGCP) to implement clearing of the nationwide transmission facilities to include substations, towers and other related power facilities, in support of its systems operations functions. Towards, this end, the DENR shall facilitate the clearing of trees within the required transmission right-of-way;

d) Secure the area of Tower 25 located along the Agus 2 - Kibawe 138kV line, to enable the NGCP to undertake immediate repair, clearing, and restoration of the said transmission line tower so that Agus 1 and 2 can immediately inject power to the grid thereby increasing the supply of electric power in Mindanao; and

e) Provide pertinent information to cause the prosecution of any person or offender for any election offense such as, but not limited to, violation of Section (z)(11) which states that *"Any person who, for the purpose of disrupting or obstructing the election process or causing confusion among the voters, propagates false and alarming reports or information or transmits or circulates false orders, directives or messages regarding any matter relating to the printing of official ballots, the postponement of the election, the transfer of polling place or the general conduct of the election."*

f) Perform such other duties and functions as the Commission may provide.

SECTION 6.2. Support from COMELEC Field Offices. - All Commission field offices are directed to provide whatever support they can extend to the DOE and NGCP in the information dissemination of public awareness materials.

SECTION 7. Deputation of the Department of the Interior and Local Government (DILG) and the Department of Health (DOH). – The DILG and DOH are hereby deputized as follows:

a) The DILG shall, through their Local Government Units (LGUs):

i. Set up, one (1) health station with complete provision of necessary resources, essential medicines, appropriate number of personnel, communication and transportation facility, in all voting centers if possible, on Election Day to provide free, timely and effective first-aid assistance to voters and persons rendering election - related services. In the event, that it is not feasible to set – up one (1) health station for every voting center, cluster or group the voting centers together and establish a health station that is centrally located or most accessible to the clustered/grouped voting centers;

ii. Open their day care center, complete with staff, to cater to the need of voters, who out of necessity, will bring their children at the voting center;

iii. Consult with COMELEC, through the appropriate field officers, for the establishment of the health station;

iv. Coordinate with COMELEC through the appropriate field offices, for the drafting of the operational plan for the identification of specific role/tasking of the DILG in the implementation of this Resolution;

v. Coordinate with all LGU hospitals and health centers for the provision of emergency medical response units should the need arises;

vi. Extend possible, provide free treatment and hospitalization to voters and persons performing election-related services who shall suffer any serious illness or injury, subject to all relevant laws, rules and regulations;

vii. Be responsible for the briefing and deployment of its personnel on Election Day;

viii. Submit to the COMELEC through the appropriate field offices corresponding report for this activity; and

ix. DILG Main shall issue an advisory to all LGUs to refrain from taking advantage of the establishment of the health stations as a vehicle for political propaganda or promotion of one's candidacy.

b) The DOH shall:

i. Coordinate with the DILG, RED CROSS and COMELEC in the implementation of this Resolution;

ii. Provide the necessary resources, essential medicines, appropriate number of personnel, and communication facility, in cities/municipalities where there are established DOH - funded hospitals on Election Day to provide free, timely and effective first-aid assistance to voters and persons rendering election - related services;

iii. Consult with COMELEC through the appropriate field officers, for the stationing of the health station;

iv. Coordinate with the COMELEC through the appropriate field offices, for the drafting of the operational plan for the identification of the specific role/tasking of the DOH in the implementation of this Resolution;

v. Be responsible for the briefing and deployment of its personnel on Election Day; and

vi. Coordinate with all DOH – funded hospitals and government health centers for the provision of emergency medical response units should the need arises;

vii. Provide the necessary assistance for the treatment of persons rendering election-related services, personnel and volunteers of PPCRV and other election volunteer groups who shall suffer any serious illness or injury on the account of the performance of their duties, subject to all relevant laws, rules and regulations; and

viii. Submit to the COMELEC through the appropriate field offices corresponding report for this activity.

SECTION 8. The Civil Service Commission (CSC), Duties and Function. - In connection with the conduct of the May 11, 2020 Barangay and Sangguniang Kabataan Elections, the CSC shall enforce and implement the following:

a) Section 2, Paragraph 4 of Article IX (B) and Section 6 Article IX (B) of the Constitution, which provides that:

"Section 2. (1) xxx
(4) No officer or employee in the civil service shall engage, directly or indirectly, in any electioneering or partisan political campaign.
Xxx"
"Section 6. No candidate who has lost in any election, shall within one year after such election, be appointed to any office in the Government or any government-owned or controlled-corporation or in any of its subsidiaries."

b) Section 261 (h) and (i) of the Omnibus Election Code in relation to Comelec Resolution 10573 promulgated on 8/15/19 insofar as the period of prohibition, and other related provision of law:

"Section 261. Prohibited Acts. - The following shall be guilty of an election offense:
h.) Transfer of officers and employees in the civil service. - Any public official who makes or causes any transfer or detail whatever of any officer or employee in the civil service including public school teachers, within the election period except upon prior approval of the Commission.

i.) Intervention of public officers and employees. - Any officer or employee in the civil service, except those holding political offices; any officer, employee, or member or the Armed Forces of the Philippines, or any police force, special forces, home defense forces, barangay self defense units and all other para-military units that now exist or which may hereafter be organized who, directly or indirectly, intervenes, in any election campaign or engages in any partisan political activity, except to vote or to preserve public order, if he is a peace officer."

c) Section 5 of Republic Act No. 10923 insofar as the prohibition on appointments of government officials and employees:

"SEC. 5. Prohibition on Appointments of Government Officials and Employees. - The appointment of hiring of new employees, creation of new position, promotion, or giving of salary increases, remuneration or privileges in the barangay shall be prohibited for a period of ten (10) days immediately preceding the election, the provisions of Section 261, paragraph (g), of the Omnibus Election Code to the contrary notwithstanding."

SECTION 9. The Commission on Audit (COA), Duties and Functions. - In connection with the May 11, 2020 Barangay and Sangguniang Kabataan Elections, the COA shall enforce and implement Section 4 of R.A. No. 10923:

"SEC. 4. Section 3 of Republic Act No. 6679 is hereby amended to read as follows:
'SEC. 3. Ban on Government Projects. - The construction or maintenance of barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding.'"

SECTION 10. Precedence of Commission Orders. - Orders issued by the Commission in connection with the May 11, 2020 Barangay and Sangguniang Kabataan Elections shall take precedence over and above the orders and directives issued by any other office or agency of the Government.

However, nothing contained herein shall be construed as in any manner affecting or constituting an impairment of the Constitutional powers of the President of the Philippines to conduct and direct the general peace-keeping functions of the PNP.

SECTION 11. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

SECTION 12. Publication and Dissemination. - The Education and Information Department shall cause the publication of this Resolution in at least two (2) daily newspapers of general circulation in the Philippines and disseminate this Resolution for the information of the public.

The Executive Director shall furnish copies of this Resolution to all of the above-named departments, agencies, or offices, and to all Regional Election Directors, Provincial Election Supervisors and Election Officers.

SO ORDERED.

SHERIFF M. ABAS
C000104297
Chairman

AL A. PARREÑO
Commissioner

LUIE TITO F. GUIA
Commissioner

MA. ROWENA AMELIA V. GUANZON
Commissioner

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

ANTONIO T. KHO, JR.
Commissioner