

1
2 Republic of the Philippines
3 Bangsamoro Autonomous Region in Muslim Mindanao
4 **BANGSAMORO TRANSITION AUTHORITY**
5 Cotabato City
6

7 Second Parliament
8 *First Regular Session*
9

10 Parliament Bill No. 29
11 (Cabinet Bill)
12
13

14 Introduced by:

15
16 **THE GOVERNMENT OF THE DAY**
17
18
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20 **ARTICLE I**
21 **INTRODUCTORY PROVISIONS**
22
23
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25 **SECTION 1. Title.** - This Act shall be known and cited as the “Bangsamoro Electoral
26 Code of 2023.”

27 **SECTION 2. Purpose.** – Pursuant to the Bangsamoro’s right to self-governance to freely
28 pursue its political, economic, social, and cultural development, the Bangsamoro Government
29 hereby promulgates this Code to prescribe the structural, functional, and procedural principles in
30 the conduct of elections, plebiscites, initiatives, referenda, recall proceedings, and encourage the
31 formation of genuinely principled political parties in the Bangsamoro Autonomous Region in
32 Muslim Mindanao (BARMM).

33 **SECTION 3. Declaration of Principles and Policies.** – This Code shall be governed by
34 the following principles and policies:

- 35
- 36 a. The Bangsamoro Government, in pursuit of genuine and meaningful autonomy for the
37 Bangsamoro, shall adopt an electoral system that is consistent with national election
38 laws, allows democratic participation, and ensures accountability;
 - 39 b. The Bangsamoro Government shall have a democratic political system that allows its
40 people to freely participate in the political processes within its territorial jurisdiction;
 - 41 c. It shall be the declared policy of the Bangsamoro Government to uphold fair election
42 practices. Towards this end, the Bangsamoro Government shall ensure the conduct of
43 free, orderly, honest, peaceful, and credible elections, reflective of the genuine will of
44 the electorate, at all levels of government in the Bangsamoro;
 - 45 d. The Bangsamoro Government recognizes that political parties are the essence of a
46 parliamentary democracy. It shall give life to the letter and spirit of the parliamentary
47 nature of the Bangsamoro Government. A free and open regional party system shall be
48 allowed to evolve according to the free choice of the people;
 - 49
 - 50
 - 51
 - 52

- 1 e. The Bangsamoro Government promotes gender inclusivity and recognizes the
2 important role of women in nation building and in institutionalizing democratic
3 processes.
4

5
6 **SECTION 4. Construction and Interpretation.** - The provisions of this Code shall be
7 given their ordinary meaning. However, in case of ambiguity, that interpretation which realizes
8 the legislative intent of establishing and strengthening the parliamentary nature of the Bangsamoro
9 Government and evolving genuinely principled political parties that veers away from personality-
10 based politics shall be preferred.
11

12
13 **SECTION 5. Definitions.** The specific terms as used in this Code shall have the following
14 meaning:
15

- 16 a. Automated election system (AES) is the system using appropriate technology which has
17 been demonstrated in the voting, counting, consolidating, canvassing, and transmission of
18 election results, and other electoral processes;
19
20 b. Bangsamoro Registration and Accreditation Committee (BRAC) is the body which shall
21 register and accredit regional political parties subject to the approval by the Commission
22 *en banc*;
23
24 c. Bangsamoro Electoral Office (BEO) refers to the office established by the COMELEC in
25 accordance with the provisions of the BOL and this Code;
26
27 d. Book of Voters refers to the compilation of all registration records in a precinct;
28
29 e. Certificate of canvass refers to a document accomplished by the Board of Canvassers
30 containing the total number of votes canvassed, in words and figures, obtained by
31 candidates in barangay and Sangguniang Kabataan elections including referendum,
32 plebiscite and such other special elections which adopts the manual system of election as
33 the case may be;
34
35 f. Election returns refers to a machine-generated document showing the date of the election,
36 the province, municipality and the precinct in which it is held and the votes in words and/or
37 figures for each candidate in a precinct produced by the counting machine.
38

39 For purposes of manual election, election returns refers to a document accomplished by the
40 Electoral Board as a means of recording the votes in words and figures garnered by each
41 candidate in a particular precinct, showing the date of the election, the polling place, the
42 barangay and the city or municipality in which it was held, the total number of ballots
43 found in the compartment for valid ballots, the total number of valid ballots withdrawn
44 from the compartment for spoiled ballots because they were erroneously placed therein,
45 the total number of excess ballots, the total number of marked or void ballots, and the total
46 number of votes obtained by each candidate, writing out the said number in words and
47 figures;
48

- 49 g. Non-Moro Indigenous People or NMIP refers to those individuals who, not having ascribed
50 or self-ascribed to the Moro identity, belong to tribes who have continuously lived as an
51 organized community on communally bounded and defined territory and who have, under
52 claims of ownership since time immemorial, occupied, possessed, and utilized such
53 territories, and who share common bonds of language, customs, traditions, and other
54 distinctive cultural traits. Among others, they include those NMIPs enumerated in Section
55 8, Article VII of Republic Act No. 11054, otherwise known as the Bangsamoro Organic

1 Law (BOL), the Arumanen Manobo tribe residing in the special geographic areas of the
2 Bangsamoro, and such other tribes as may be identified by the Ministry of Indigenous
3 Peoples Affairs;

- 4
- 5 h. Official ballot refers to the ballot, whether printed or generated by the technology applied,
6 where AES is utilized, that faithfully captures or represents the votes cast by a voter
7 recorded or to be recorded in electronic form;
- 8
- 9 i. Parliamentary elections refer to the democratic process of voting for the members of the
10 Bangsamoro Parliament consisting of party, district, and sectoral representatives;
- 11
- 12 j. Parliamentary district seats refer to seats in the Parliament for those to be elected from
13 single-member parliamentary districts apportioned for the areas and in the manner provided
14 for by the Parliament;
- 15
- 16 k. Party representative seats refer to seats in the Parliament for those to be elected under a
17 registered regional political party or coalition through a system of proportional
18 representation;
- 19
- 20 l. Polling place is the structure or place where the Board of Election Inspectors conducts its
21 proceedings and where the voters shall cast their votes.
- 22 m. Regional political parties are organizations formed by a group of citizens in the
23 Bangsamoro on the basis of the same ideology and common aspirations and aims to have
24 members elected to the Parliament and the local constituent units so that they can affect
25 the way autonomy is meaningfully exercised in the governance of the Bangsamoro.
- 26
- 27 n. Reserved seats refer to the eight (8) seats in the Parliament reserved for sectoral
28 representatives as provided in item (p) of this Section;
- 29
- 30 o. Sectoral organizations refer to the duly accredited aggrupation of people belonging to the
31 Non-Moro Indigenous Peoples, settler communities, women, youth, 'Ulama, and
32 traditional leaders who are entitled to the reserved seats in the Parliament;
- 33
- 34 p. Sectoral representation seats refer to seats in the Parliament reserved to the following
35 sectors: Non-Moro Indigenous Peoples, settler communities, women, youth, 'Ulama, and
36 traditional leaders;
- 37
- 38 q. Settlers Communities refer to those who are not native inhabitants of the Bangsamoro
39 Autonomous Region, but who came to permanently reside therein as part of the Philippine
40 Government's resettlement programs or who voluntarily opted to migrate thereto, as well
41 as their descendants who continue to reside in the Bangsamoro;
- 42
- 43 r. Traditional Leaders refer to the Royal Sultanates in the Bangsamoro Autonomous Region
44 in Muslim Mindanao. These shall include the Sultanates of Sulu, Maguindanao,
45 Kabuntalan, Buayan, the Royal Houses of Ranao and of the Iranun;
- 46
- 47 s. Turncoatism refers to the change of political party affiliation by any elective party
48 representative during his/her term of office;
- 49
- 50 t. 'Ulama sector refers to organized groups of Muslim religious scholars and chief religious
51 authorities;
- 52
- 53

- 1
2 u. Women sector refers to organized groups of women whose principal advocacy pertains to
3 special interests and concerns of women; and
4
5 v. Youth sector for sectoral representation refers to organized groups of individuals whose
6 age ranges from eighteen (18) to thirty (30) years old, and whose principal advocacy
7 pertains to special interests and concerns of the youth.
8

9 **ARTICLE II**

10 **THE BANGSAMORO ELECTORAL OFFICE**

11 **SECTION 1. Nature.** There shall be a Bangsamoro Electoral Office (BEO) established by
12 and under the direct control and supervision of the COMELEC, in accordance with the BOL and
13 this Code.
14

15 The BEO supervises all national, regional, and local elections, plebiscites, initiatives,
16 referenda, and recall proceedings within the Bangsamoro Autonomous Region to ensure
17 compliance with election laws and other pertinent rules of the COMELEC, cognizant of the
18 parliamentary system as a vehicle for participative and representative governance.
19

20 **SECTION 2. Organizational Structure.** – The COMELEC shall determine the
21 appropriate organizational structure and staffing pattern for the BEO, in accordance with civil
22 service rules and regulations.

23 **SECTION 3. Powers of the Bangsamoro Electoral Office.** – In addition to powers and
24 functions already exercised by the regional offices of the COMELEC, the BEO shall:

- 25
26 a. Exercise administrative supervision over provincial, city, and municipal election
27 offices under it;
28
29 b. Administer all laws relative to and supervise the conduct of elections in the
30 Bangsamoro for the purpose of ensuring free, orderly, honest, peaceful, and credible
31 elections;
32
33 c. Coordinate all activities of provincial, city, and municipal election offices including in
34 the conduct of elections;
35
36 d. Implement election laws and policies, resolutions, rules, regulations, decisions, and
37 related guidelines of the COMELEC;
38
39 e. Render legal opinion and advice on provisions of election laws and implement
40 resolutions of the COMELEC for the guidance of its field personnel, other concerned
41 government officials and employees, non-government organizations (NGOs), citizens'
42 arms, and other interested parties;
43
44 f. Monitor through the provincial election offices, the implementation of the system of
45 continuing registration of voters by the city and municipal election offices pursuant to
46 Republic Act 8189, otherwise known as the Voter's Registration Act of 1996;
47
48 g. Coordinate and monitor election information drives and voters education programs;
49
50 h. Supervise and monitor the implementation of various projects of the COMELEC and
51 submit required reports thereon;
52

- 1 i. Develop and maintain an efficient communication and transportation network with
2 field subordinates for the effective and faster transmission of information to the various
3 offices/departments of the COMELEC;
4
5 j. Coordinate with other regional government agencies and local government units to
6 ensure the holding of free, orderly, honest, peaceful, and credible elections;
7
8 k. Exercise general housekeeping functions; and
9
10 l. Perform such other powers and functions as the COMELEC may assign for the efficient
11 and effective enforcement of this Code.
12

13 **SECTION 4. Bangsamoro Registration and Accreditation Committee.** – In accordance
14 with the issuance of the COMELEC, the BRAC shall be composed of:
15

- 16 a. the Regional Election Director;
17 b. the Assistant Regional Election Director; and
18 c. The Provincial Election Supervisor of the Province where the principal office of the
19 regional party is located in BARMM, or where the election matter is filed.
20

21 At the discretion of the COMELEC, the BRAC shall be provided the necessary financial
22 and human resources as will allow the efficient and effective performance of its powers and
23 functions.
24

25 **SECTION 5. Powers and Functions of the BRAC.** – The BRAC shall:
26

- 27 a. in relation to applications for registration and/or accreditation of regional and local
28 political parties: (1) receive all such applications and ensure their compliance with the
29 requirements and qualifications prescribed in this Code; and, (2) acting collegially,
30 recommend proper action and forward the same to the COMELEC *en banc*;
31
32 b. upon complaint of any interested party, ascertain the compliance by any regional
33 political party with the continuing requirements for its registration and, acting
34 collegially, submit its recommendation to the COMELEC *en banc*;
35
36 c. monitor the conduct of general assemblies, party conventions, and such other acts and
37 activities as may be required by this Code and other enactments of the Bangsamoro
38 Parliament in the selection of the nominees for elections of each of the regional political
39 parties;
40
41 d. monitor the regional political party's compliance with laws and issuances on the
42 utilization of party subsidies and other assistance received from public funds;
43
44 e. issue *subpoena duces tecum* and *ad testificandum* to parties in controversies; and
45
46 f. perform such other powers and functions as the laws and the COMELEC *en banc* may
47 provide.
48

49 **SECTION 6. BRAC Resolutions.** – Upon concurrence of the majority of the three (3)
50 members, all actions of the BRAC shall be in the form of a Resolution submitted to the COMELEC
51 within the periods prescribed by this Code.

52 **SECTION 7. Budget.** – The budget of the BEO shall form part of the yearly budget of the
53 COMELEC without prejudice to any financial and other forms of support that may be appropriated
54 by the Bangsamoro Parliament to augment the BEO's operational requirements, including

1 expenses for the conduct of assemblies in relation to the election of sectoral representatives, during
2 an election year in the form of an election reserve fund; *Provided*, that the reserve fund shall not
3 exceed the allocated maintenance and other operating expenses of the BEO for that election year.
4

5 Notwithstanding the foregoing, local governments shall continue to appropriate funds to
6 defray necessary and reasonable expenses of the Electoral Board, Board of Canvassers, and the
7 printing of election forms and procurement of other election paraphernalia, and the installation of
8 voting centers.
9

10 ARTICLE III

11 REGIONAL POLITICAL PARTIES IN THE BANGSAMORO

12
13
14 **SECTION 1. Establishment of Regional Political Parties.** – Regional political parties in
15 the Bangsamoro, hereinafter “parties” or “party,” shall be established by at least ten thousand
16 (10,000) members who are residents and registered voters therein. The members shall be
17 distributed throughout the different provinces and cities comprising the Bangsamoro territory,
18 *Provided*, that all parties shall establish provincial and city chapters in all provinces and cities, and
19 municipal chapters in the majority of the municipalities comprising each province, in the
20 Bangsamoro. *Provided further*, that a provincial chapter is required to have municipal chapters in
21 majority of the municipalities in that province.
22

23 **SECTION 2. Registration of Regional Political Parties.** – All parties intending to
24 register as political parties under this Code shall submit applications to the BEO through the
25 BRAC.
26

27 The BRAC shall receive all petitions for registration and forward the same to the
28 COMELEC with its recommendation either for approval or disapproval. *Provided*, that the BRAC
29 shall submit the petition along with its recommendation not later than sixty (60) days from receipt
30 of the same.
31

32 Only those which comply with the requirements and qualifications for parties, in
33 accordance with this Code and the relevant rules and regulations issued by the COMELEC, shall
34 be registered by the latter.
35

36 **SECTION 3. Accreditation of Political Parties Already Registered with COMELEC.**
37 Regional Political Parties already registered with the COMELEC prior to the effectivity of this
38 Code are not required to register anew; *Provided*, however that the party complies with the
39 additional requirements provided in this Code in relation to registration.
40

41 **SECTION 4. Requirements for Registration of Regional Political Parties.** – A party
42 must submit:
43

- 44 a. a verified petition for the registration of the party, signed by its head or any duly authorized
45 representative, containing the following:
46
- 47 1. full name of the party, organization, or coalition of parties;
 - 48 2. principal place of business and postal address for election purposes, including those of
49 its provincial, city, and municipal chapters;
 - 50 3. the date and place of its organization;
 - 51 4. the date and manner of election or selection of its officers;
 - 52 5. the extent of its constituency or membership
 - 53 6. that it is not a religious sect or denomination;
 - 54 7. that it shall not pursue its goals through violence or other unlawful means;

- 1 8. that it shall uphold and adhere to the Constitution and shall obey all laws and legal
2 orders promulgated by the duly constituted authorities;
- 3 9. that it is not supported by, nor does it accept financial contribution from, any foreign
4 government or other agencies; and
- 5 10. other information that may be material and relevant, as may be determined by the
6 COMELEC.

7
8 b. a verified list of the members of its executive, general party, and membership committees,
9 as well as the heads of its provincial, city, and municipal chapters, and their respective
10 addresses;

11
12 c. a notarized list of at least ten thousand (10,000) members of the party, wherein they
13 manifest their collective decision to register the party, by affixing their names, signatures,
14 and other pertinent details as determined by the COMELEC.

15
16 d. its constitution and by-laws, that contain:

17
18 1. the party's full name, its abbreviation, if any, and its principal place of business,
19 which must be in any one of the provinces in the Bangsamoro.

20
21 The name of the party must be clearly distinct from the name of any other party
22 already in existence, including its abbreviation. Throughout the electoral process, only
23 the registered name or its abbreviation may be used by the party, omitting any additional
24 descriptive designations;

25
26 2. rules and procedure for joining and leaving the party which must abide by the
27 requirement of notice and hearing and the proscription on compulsion either in becoming
28 a member or in leaving the party;

29
30 3. the rights and duties of its members;

31
32 4. permissible sanctions against members, including the grounds for their exclusion
33 from the party;

34
35 5. the party's structure;

36
37 6. the powers of the executive committee and its other bodies;

38
39 7. matters exclusively subject to the decision-making of the assemblies of members
40 or delegates;

41
42 8. the schedule of convening members' and delegates' assemblies, and official
43 recording of the resolutions passed. The holding of these activities must be done annually
44 or more often depending on the decision of the party;

45
46 9. the manner of nominations of candidates in parliamentary elections subject to the
47 provisions of this Code;

48
49 10. basic policy vote by all members and the procedures to be followed when a party
50 convention or a general assembly is held; and

51
52 11. procedure for the dissolution of the party or any of its local chapters or for the
53 merger with another party or other parties.

54
55 e. its program of government, platform, policies, and principles;

- 1 f. its declaration of political creed or code of political ethics;
- 2
- 3 g. the party's statutes;
- 4
- 5 h. the party's women's agenda;
- 6
- 7 i. the minutes of its constituent meetings; and
- 8
- 9 j. proof of payment of proper fees, as may be prescribed by the COMELEC.
- 10

11 **SECTION 5. Mandatory Bodies or Mechanisms in the Party.** – The organizational
12 structure of a party shall provide for mandatory bodies or mechanisms that will ensure the
13 performance of the following functions:

- 14 a. a general party committee, which acts as the lawmaking body of the party, including
15 the promulgation of its policies, programs, and platforms;
- 16 b. an executive committee, which sets the organizational direction of the party,
17 implements its policies, programs, and platforms, and effectuates its principles;
- 18 c. a membership committee, which is responsible for the recruitment of members and
19 the processing of withdrawal of membership, pursuant to the party's constitution
20 and by-laws;
- 21 d. a nomination committee, which receives applications for nomination from party
22 members, comes up with the shortlist for the selection of the final party nominees
23 for the elections, and ensures the party's compliance with Article III, Section 9 (b)
24 of this Code;
- 25 e. a finance committee, which formulates policies, rules and regulations on finance,
26 fund sourcing, and party spending, and ensures the party's compliance with
27 accounting, auditing, and reportorial requirements of government agencies,
28 including timely submission of Statement of Contribution and Expenditures
29 (SOCE) to COMELEC;
- 30 f. an arbitral committee, which hears and decides matters of membership, issues
31 relating to party nominations, and other disputes arising from intra-party relations;
32 and
- 33 g. local chapters in the province, city, and majority of the municipalities per province,
34 which serve as the grassroots of the party and elect representatives to the general
35 party committee and nomination committee.

36 **SECTION 6. Election of Party Officers.** – The election of the members of the different
37 bodies or mechanisms in the previous section must be conducted through secret ballot. An *ad hoc*
38 body may be created periodically to administer the election process, which body shall ensure the
39 sanctity of the election, the secrecy of the vote, and the integrity of the results.

40 **SECTION 7. Membership in Regional Political Parties.** –

41 (1) A party, subject to the provisions of this Code, shall determine its own rules on the
42 recruitment of its members and may not be compelled by any authority on the matter.

43 (2) No individual shall be a member of more than one (1) regional political party. Violation
44 of this provision shall be a ground for party disciplinary action.

45 **SECTION 8. Rights of Members.** – In addition to those provided in the party's
46 constitution and by-laws, each member of a party shall:

- 1
2 a. have voting rights in all the elections determined during the general assembly;
3
4 b. have the right to voluntarily withdraw from the party, without need of citing the reason
5 therefor. *Provided*, that the withdrawal shall take effect in accordance with the rules
6 provided in the constitution and by-laws of the party;
7
8 c. have the right to information and access to financial records and reports, subject to party
9 internal rules or by-laws; and
10
11 d. have the right to be notified and be heard in cases of disciplinary actions instituted against
12 him or her.
13

14 **SECTION 9. Nomination of Candidates; Limitations and Sanctions. -**
15

- 16 a. In the nomination and selection of candidates in parliamentary and local elections
17 in the Bangsamoro, the regional political party must adhere to democratic processes
18 and may, at its discretion, adopt its own criteria in the selection of nominees taking
19 into account the educational qualifications, track record, and known probity,
20 integrity and loyalty of its aspiring nominees.
21
22 b. Regional political parties shall ensure that at least thirty percent (30%) of the party
23 nominees are women;
24
25 c. No political party shall be allowed to nominate candidates in excess of the number
26 of positions contested for the elections, nor shall any candidate be allowed to accept
27 nominations from more than one registered political party, except in cases of
28 aggrupation or coalition.
29
30 d. Nominees submitted by a political party shall not be related to each other within
31 the second degree of consanguinity and affinity. Violation of this provision shall
32 disqualify one of the nominees in a manner to be determined by the party.
33
34 e. Nominations in violation of paragraphs (b) and (c) above shall be denied due course
35 by the BEO.
36

37 **Section 10. Mandatory Party Activities.** The following are mandatory party activities:
38

- 39 a. **General Assembly.** - Regional political parties shall conduct regular general assemblies
40 as provided for in their respective by-laws, *provided*, that such assemblies shall be
41 conducted at least once in three (3) years.
42
43 b. **Party Convention** - One (1) year immediately before a parliamentary, national and local
44 elections, a party must hold a convention for the purpose of selecting their nominees in the
45 different elective posts. Any member who seeks nomination must, forty-five (45) days
46 prior to the scheduled convention, submit to the nomination committee his/her intent in
47 writing, providing therein his/her reason for seeking nomination. Any member who fails
48 to submit his/her written intent is disqualified to be nominated during the party convention.
49
50 c. **Voters Education Program.** - Regional political parties are required, on its own or in
51 partnership with COMELEC, other political parties, organizations, institutions, civil
52 society or individuals, to engage in activities that educate voters in the communities,
53 schools and institutions about this Code and other election laws, rules, and guidelines.
54

1 All regional political parties shall continue to conduct general assemblies, party conventions,
2 and voters education programs even if they fail to win seats in the previous elections. Failure to
3 comply with this requirement shall bar the party from participating in the next elections.
4

5 Regional political parties shall provide the manner of conduct of their assemblies and party
6 conventions, *provided*, that the same allows all members to be present and cast their vote, if
7 necessary.

8 **SECTION 11. Remedies.** - An applicant-nominee who feels aggrieved by the adverse
9 decision of the nomination committee or any party member who disagrees with the decision of the
10 nomination committee may contest such decision before the arbitral committee in accordance with
11 procedures to be provided in its by-laws.

12 **SECTION 12. Manner of Voting for Nominees in Party Conventions** – In the party
13 convention, the delegates shall cast their votes by secret ballot. The delegates shall be given
14 sufficient time to cast their votes in the designated enclosed voting area to ensure secrecy of the
15 casting of votes. No member, either applicant-nominee or member should campaign during the
16 process of nomination. Any member or applicant-nominee who violates this prohibition shall be
17 subject to disciplinary action.
18

19 After casting of the votes, the executive committee shall order the canvassing of the same. The
20 results of the nominations shall be read aloud by an authorized official of the party.
21

22 **SECTION 13. Continuing requirements.** - Compliance with the minimum number of
23 members, mandatory bodies or mechanisms, and mandatory party activities as provided in the
24 provisions of this Article shall be continuing requirements on all regional political parties. Failure
25 to comply with the pertinent provisions is a ground for disqualification to participate in the
26 parliamentary elections and/or the dissolution of the party as may be determined by the
27 COMELEC through the BRAC.
28

29 ARTICLE IV

30 ELECTIVE POSITIONS IN THE PARLIAMENT

31

32 **SECTION 1. Composition of the Parliament.** The Parliament shall be composed of
33 eighty (80) members, unless otherwise increased by the Congress of the Philippines. The 80-
34 member parliament shall be composed of fifty percent (50%) Party Representatives, forty percent
35 (40%) District Representatives, and ten percent (10%) Sectoral Representatives.

36 COMMON PROVISIONS

37 **SECTION 2. Terms of Office.** - The term of office of members of the Parliament shall be
38 three (3) years; *Provided*, that no member shall serve for more than three (3) consecutive terms.
39 Voluntary renunciation of office for any length of time or dissolution of the Parliament by the Wali
40 shall not be considered as an interruption in the continuity of the service for the full term for which
41 the members were elected.
42

43 The term of office of the incumbent members of Parliament of the Bangsamoro Transition
44 Authority (BTA) shall not be counted for the purpose of this term-limit requirement.
45

1 **SECTION 3. Qualifications.** - No person shall be a member of the Parliament unless the
2 person is a citizen of the Philippines, at least twenty-five (25) years of age on the day of the
3 election, able to read and write, and a registered voter in the Bangsamoro Autonomous Region.
4

5 A candidate for youth representative shall be not less than eighteen (18) years of age nor
6 more than thirty (30) years of age at the time of election.
7

8 A candidate for district representative must be a registered voter of the district in which the
9 person is a candidate and has resided in the district for at least one (1) year immediately preceding
10 the day of the election.
11

12 **SECTION 4. Vacancy in the Parliament.** – The Parliament shall, in its internal rules or
13 in a special law, establish a body that will decide upon all issues relating to the continuing
14 qualification of Members of the Parliament. This body, in a resolution, shall decide whether the
15 removal of a Member of the Parliament is in order, based on the following grounds:
16

- 17 a. those provided in Section 19, Article VII of the BOL;
- 18
- 19 b. changing of political party affiliation during the party representative's term of office shall
20 *ipso facto* forfeit the seat in the Parliament. The elected party representative who changes
21 political party affiliation within six (6) months before an election shall not be eligible for
22 nomination as party representative under the new party or organization.
23
- 24 c. dissolution or disqualification of a political party as provided in Section 13, Article III of
25 this Code, in relation to a member of Parliament who sits as a party representative;
26
- 27 d. if sitting as a party representative, failure of the regional political party to comply with the
28 continuing requirements for their registration as determined by the COMELEC *en banc*;
29 and
30
- 31 e. such other grounds as may be determined by law enacted by the Bangsamoro Parliament.
32
33

34 **SECTION 5. Filling of Vacancy.** - In case of a permanent vacancy in the party representative
35 seat, the party to which that seat belongs shall, within thirty (30) days from the occurrence of
36 such vacancy, nominate another member to fill the vacancy, subject to examination of his/her
37 qualifications by COMELEC.
38

39 In case of vacancy of a district seat by an affiliated member of the Parliament, the party to
40 which the member belongs shall, within thirty (30) days from the occurrence of such vacancy
41 nominate another member who shall be appointed by the Chief Minister, subject to examination
42 of his/her qualifications by COMELEC.
43

44 In both of the above instances, the vacant seat shall be filled by a nominee of the same sex.
45

46 In case of a vacancy in the seat occupied by an unaffiliated member of the Parliament
47 occurring at least one (1) year before the expiration of the term of office, a special election may be
48 called to fill such vacancy.
49

50 The BEO shall be officially informed of the need to conduct such an election within ten
51 (10) days from the occurrence of the vacancy or the finality of the resolution of the body referred
52 to in the preceding section. The BEO shall conduct the special elections within one hundred twenty
53 (120) days from receipt of this information.
54

55 The successor shall serve the unexpired term of the vacant office.
56

1 **SECTION 6. Limitations on Political Parties** - Only regional political parties duly
2 registered and/or accredited by the BRAC, as approved by the COMELEC, shall participate in the
3 parliamentary elections in the Bangsamoro Autonomous Region.
4

5 A regional political party applying for registration shall receive no financing from national
6 parties nor have any alliance with a national party for the purpose of participating in parliamentary
7 elections in the Bangsamoro. Such fact shall be declared under oath by an authorized representative
8 of the applicant-party.
9

10 **SECTION 7. Coalitions; Limitations.** - Coalition means an alliance based on the
11 agreement of two or more registered and accredited regional political parties, local political parties
12 and sectoral organization or party either for election or political purposes.

13 A coalition of two or more regional political parties can only field nominees and candidates
14 for the parliamentary elections except for the sectoral representatives.

15 A coalition composed of a regional political party and a local political party can only field
16 candidates for the local elections.

17 A coalition of a regional political party and a sectoral organization or party can only field
18 candidates for the sectoral representatives.
19

20 **A. Party Representatives**

21 **SECTION 8. Effect of Acceptance of Nomination.** - Nominees of political parties for party
22 representative seats who are holding appointive or elective offices may continue to hold office
23 even after acceptance of their nomination and shall not be considered resigned. The one (1) year
24 prohibition from being hired or rehired in a public office after their political party fails to secure
25 the needed votes to qualify them for a seat in the Bangsamoro Parliament, shall not apply to them.

26 **SECTION 9. Party Representatives.** Party representatives are members of registered
27 regional political parties that are able to receive at least four percent (4%) of the total valid votes
28 cast for the party system election.
29

30 Considering the total number of seats in the Parliament, there shall be forty (40) party
31 representatives therein.
32

33 **SECTION 10. Manifestation to Participate.** Registered political parties shall, no later than
34 the last working day of April of the year preceding the next parliamentary elections, submit to the
35 COMELEC, through the BEO, a manifestation of their intent to participate in the parliamentary
36 election of party representatives in the Bangsamoro. They shall attach to their respective
37 manifestations their list of nominees, ranked from one (1) to forty (40), in accordance with Section
38 9, Article III of this Code.
39

40 In the case of a coalition, a common list of nominees together with the manifestation shall be
41 submitted; *Provided*, that authorized representatives of each member-party that forms part of the
42 coalition shall sign said manifestation, *provided further*, that all nominees shall be members of any
43 of the political parties forming the coalition.
44

45 At least thirty percent (30%) of the nominees of a party or coalition shall be party or coalition
46 members who are women.
47

48 **SECTION 11. Nominee in More than One List.** - No person shall be nominated in more
49 than one (1) list. Any such nomination shall disqualify the nominee in the event the nominating
50 party or parties garner the required number of votes for party representation.

1 **SECTION 12. Manner of Allocation of the Party Representation Seats. -**
2

- 3 a. Parties receiving at least four percent (4%) of the total valid votes cast for the party
4 representation elections shall be entitled to one (1) guaranteed seat each.
5
6 b. The winning parties that are entitled to guaranteed seats shall be ranked from highest to
7 lowest according to the number of valid votes they obtained. Additional seats shall be
8 allocated to them in proportion to the total number of votes of all winning parties.
9
10 c. The winning parties shall enjoy priority in the allocation of additional seats according to
11 their ranking from the highest down to the lowest until all the remaining seats are allocated.
12

13 **B. Parliamentary District Seats**

14 **SECTION 13. Parliamentary District Seats.** - Not more than forty percent (40%) of the
15 members of the Parliament shall be elected from single-member parliamentary districts
16 apportioned for the areas and in the manner provided for by the Parliament. The district
17 representatives shall be elected through direct plurality vote by the registered voters in the
18 parliamentary districts.
19

20 **SECTION 14. Redistricting for Parliamentary Membership.** - The Parliament shall have
21 the power to reconstitute, by law, the parliamentary districts apportioned among the provinces,
22 cities, municipalities, and geographical areas of the Bangsamoro Autonomous Region to ensure
23 equitable representation in the Parliament. The redistricting, merging, or creation of parliamentary
24 districts shall be based on the number of inhabitants and additional provinces, cities,
25 municipalities, and geographical areas, which shall become part of the Bangsamoro territorial
26 jurisdiction. For the purpose of redistricting, parliamentary districts shall be apportioned based on
27 population and geographical area; *Provided*, that each district shall comprise, as far as practicable,
28 contiguous, compact, and adjacent territorial jurisdiction, and shall have at least a population of
29 one hundred thousand (100,000).
30

31 **C. Sectoral Representatives**

32 **SECTION 15. Reserved Seats for Sectoral Representatives.** - Reserved seats for sectoral
33 representatives shall constitute at least ten percent (10%) of the members of the Parliament, which
34 shall include two (2) seats each for Non-Moro Indigenous Peoples and settler communities.
35 Women, youth, traditional leaders, and the 'Ulama shall have one seat each: *Provided*, that the
36 sectoral representatives shall in no case be less than eight (8) seats.

37 **SECTION 16. Qualifications of Sectoral Representatives.** - In addition to the minimum
38 qualifications for Members of the Parliament provided under Section 3, Article IV of this Code, a
39 sectoral representative shall be:

- 40
41 a. a *bona fide* member of the sector he/she seeks to represent; and
42
43 b. a member of either a regional political party or regional sectoral party or organization duly
44 registered and accredited by the COMELEC, through the BEO.
45

46 A candidate for youth representative shall not be less than eighteen (18) years and not more
47 than thirty (30) years of age at the time of election.
48

49 Sectoral representatives of Non-Moro Indigenous Peoples shall also have additional
50 qualifications as provided in Section 24, Article IV of this Code.

51 **SECTION 17. Manner of Election of Sectoral Representatives.** - Except for the Non-Moro
52 Indigenous Peoples, 'Ulama, and traditional leaders representatives, the sectoral representatives

1 shall be elected through direct plurality of votes cast for the respective sectors. For this purpose,
2 the COMELEC, through the BEO, shall conduct registration of voters that shall include the
3 identification of the sector(s) that they are members of. A voter who identifies as belonging to
4 more than one (1) sector that has reserved seats may register to be a voter for a maximum of three
5 (3) such sectors.

6
7 The candidates for sectoral representatives shall be members of a regional political party, or a
8 sectoral party or organization, duly accredited by the COMELEC, after having been certified by
9 the appropriate ministry or regional agency or office on the basis of their track record in their
10 advocacy for the respective sectoral concerns.

11
12 The election of sectoral representatives shall commence in the national and local elections in
13 2028. For the 2025 election, Section 1 of Article X, shall apply.

14
15 **SECTION 18. Registration Requirement for Regional Sectoral Parties or Organizations,**
16 **or Political Parties Fielding Candidates for Sectoral Representation Elections.** - Regional
17 sectoral parties or organizations, duly registered with the COMELEC, through the BRAC, may
18 participate in the sectoral representative elections. *Provided,* that regional sectoral parties or
19 organizations for indigenous peoples, including their indigenous political structures (IPS), shall be
20 certified by the Ministry of Indigenous Peoples' Affairs; regional sectoral parties or organizations
21 for women shall be certified by the Bangsamoro Women Commission; regional sectoral parties or
22 organizations for the youth shall be certified by the Bangsamoro Youth Commission; regional
23 sectoral parties or organizations for the 'Ulama shall be certified by the Bangsamoro Darul Ifta';
24 regional sectoral parties or organizations by the settler communities shall be certified by the Office
25 of Settler Communities; and the regional sectoral parties or organizations of traditional leaders
26 shall be certified by the Bangsamoro Commission for the Preservation of Cultural Heritage.

27
28 Within one hundred twenty (120) days from promulgation of this Code, the appropriate
29 certifying ministries and offices shall issue corresponding guidelines for the process of
30 certification, copies of which shall be furnished to the Parliament.

31
32 **SECTION 19. Requirement for Candidates for Sectoral Representation.** - The nominees
33 for the regional sectoral representatives shall, upon filing their candidacy, declare under oath that
34 they belong to their respective sectors and have a track record of advocacy for their respective
35 sectors.

36
37 **SECTION 20. Petition for registration; Posting of Petitions for registration.** Sectoral
38 organizations shall submit a verified petition for registration to the BEO not later than nine (9)
39 months before the next election. The petition shall contain the following:

- 40
41 a. Constitution and by-laws;
42 b. Name of the sectoral party or organization;
43 c. Principal address;
44 d. Names and addresses of its officers;
45 e. The total number of its members;
46 f. The organizational structure;
47 g. The branches and the geographical location thereof;
48 h. Evidence of the advocacies and campaigns undertaken in relation to the sector under which
49 the organization is registering; and
50 i. Platform of government, anchored on its sectoral advocacies.

51
52 The petitioning sectoral party or organization shall attach the certification coming from the
53 appropriate ministry or agency, as provided in Section 18 of this Article.

54
55 The BRAC shall cause the posting of each application within two (2) working days upon
56 receipt thereof in at least three (3) conspicuous public places designated as BEO Bulletin Board,

1 including in the provincial offices thereof, as well as on its website, for at least ten (10) consecutive
2 days.

3 **SECTION 21. Manifestation as Sectoral Wing.** - Any registered regional political party may
4 submit a Manifestation stating that it intends to participate in the sectoral representation election
5 by way of its sectoral wing, and when appropriate, attach thereto its Certificate of Registration, as
6 issued by the COMELEC. The BRAC shall receive said Manifestation and shall make a
7 recommendation thereon and elevate the same to the COMELEC within ten (10) days from receipt
8 thereof.

9
10 A regional political party's Manifestation shall show its sectoral wing's organizational
11 structure, sectoral agenda, and track record in accordance with Section 20 (h) of this Article.

12
13 The COMELEC shall act on the Manifestation within 15 days from receipt of the
14 recommendation from the BRAC.

15
16 Regional political parties, or sectoral parties or organizations may opt to submit its Petition for
17 Registration, together with its Manifestation.

18
19 **D. Election of Non-Moro Indigenous Peoples (NMIPs)**

20 **SECTION. 22. Operating Principles.** In the implementation of this Code, the following
21 principles shall be observed:

- 22
23 a. **Consensus-building.** NMIPs shall employ their own traditional decision-making
24 processes in resolving issues and concerns affecting them.
25
26 b. **Primacy of customary laws and practices.** Customary laws and practices shall prevail
27 over mainstream mechanisms in the manner of electing the NMIP Sectoral
28 Representatives.
29
30 c. **Inclusivity and full participation.** It shall be ensured that all NMIPs residing within the
31 political jurisdiction of the Bangsamoro shall be informed of the importance of their active
32 participation in the election process.
33
34 d. **Acceptability to the community.** The process for the election of the representatives shall
35 be exclusive to non-Moro IPs and there shall be no intervention from any group,
36 government or otherwise.
37
38 e. **Representation of the collective interests and aspirations of non-Moro indigenous**
39 **peoples.** All NMIPs shall have equal opportunity to elect and represent their sector.
40
41 f. **Sustainability and strengthening of indigenous political structures.** The representative
42 of the NMIP to the parliament shall provide support in sustaining the constitution and
43 operation of the IPs, and NMIP people's organizations at his/her level of representation
44 either at the barangay, municipal, city, or provincial levels in the Bangsamoro.
45

46
47 **SECTION 23. Qualifications for Election of Non-Moro Indigenous Peoples Sectoral**
48 **Representative.** - In addition to the qualifications set forth under this Code for the Members of
49 Parliament, the NMIP sectoral representative must be:

- 50
51 a. a *bona fide* member of the NMIP community by consanguinity and conversant with the
52 culture of the community he/she represents;
53
54 b. an acknowledged leader of the NMIP tribe where he/she is a member; and
55

1 c. a resident of the community for at least one (1) year immediately preceding the day of the
2 election.

3
4 **Section 24. Non-Moro Indigenous Peoples Committee.** - There is hereby created a Non-
5 Moro Indigenous Peoples Committee, composed of the representatives of the Indigenous Political
6 Structures of the various tribes. The NMIP Committee shall convene and organize the Tribal
7 Assemblies and the Inter-Tribal Convention and determine the manner, process, and procedures
8 for the election of their two (2) representatives in the Parliament in accordance with this Code and
9 the schedule set by the BEO.

10
11 The Ministry of Indigenous Peoples' Affairs shall facilitate the organization of the NMIP
12 Committee.

13
14 **SECTION 25. Tribal Assembly; Selection of Nominees.** - The selection of nominees for the
15 NMIPs shall be conducted in two levels, namely the:

- 16
17 a. tribal assembly; and
18 b. regional inter-tribal convention, in accordance with the schedule to be set by the
19 COMELEC.

20
21 The IPS of each of the respective tribes shall have the authority to choose their delegates that
22 will participate in the inter-tribal convention and set the criteria for participation, taking into
23 consideration the track record of the delegates, and, as much as possible, ensure that the delegates
24 come from different perspectives, locales, and persuasions. *Provided*, the tribal assemblies must
25 also consider gender concerns in their process of selection.

26
27 Each tribal assembly shall have the authority to draft their own proposed ground rules in
28 accordance with their respective customary laws and practices within their respective
29 communities. At the commencement of the tribal assembly, the elder/s and/or the traditional
30 leaders shall open the assembly, present the draft proposed ground rules to be observed by the
31 assembly, and facilitate the selection of the delegates to the inter-tribal convention.

32
33 The tribal assemblies formed by and among the members of each of the NMIP tribes shall
34 respectively nominate two (2) of its members to the position of sectoral representative. In addition,
35 the respective tribal assemblies shall nominate ten (10) delegates among themselves to participate
36 and vote in the inter-tribal convention; *Provided*, that to ensure proportional gender representation,
37 at least fifty percent (50%) of both the delegates and the nominees to the inter-tribal convention
38 shall be non-Moro indigenous women. The list of nominees and delegates shall be submitted to
39 the BEO.

40
41 **SECTION 26. Inter-Tribal Convention.** The regional inter-tribal convention shall be the
42 venue wherein all the NMIP tribes shall determine, through a consensus, as to the two (2) members
43 among the list of nominees, who must be a male and a female, that will serve as their sectoral
44 representatives in the Parliament. The inter-tribal convention shall exercise inclusivity and full
45 participation and shall adhere to customary laws and indigenous processes.

46 **SECTION 27. Monitoring of Assemblies and the Inter-Tribal Convention.** - The BEO
47 shall monitor and observe the conduct of the assemblies and the inter-tribal convention, to ensure
48 that the principles and the guidelines for the conduct of the election are observed.

49
50 **SECTION 28. Election of Non-Moro Indigenous Peoples Sectoral Representative.** The
51 election of the representatives for NMIP shall be based on the results of decision made at the
52 regional inter-tribal convention based on a consensus among the delegates thereof. The delegates
53 shall, by and among themselves, agree upon two (2) nominees from among the nominees presented
54 by the different highest assemblies per NMIP tribe.

1 The participation of the nominees from the highest assemblies per NMIP tribe shall be limited
2 only insofar as persuading the convention delegation to choose for him/her by sharing his/her
3 intended flagship programs, and addressing issues and questions propounded to him/her by the
4 delegation affecting the collective interest and aspirations of NMIPs.

5
6 **SECTION 29. NMIP Sectoral Representative Proclamation.** The names of the two (2)
7 sectoral representatives determined at the regional inter-tribal convention shall be submitted to the
8 COMELEC, through the BEO within seven (7) calendar days before the parliamentary elections.

9
10 **SECTION 30. Vacancy in the Sectoral Representative Seat.** - In case of death, permanent
11 disability, incapacity, or refusal to perform duties and responsibilities of the elected NMIP
12 representative, the nominating NMIP assembly of the representative shall convene within fifteen
13 (15) days after the vacancy to nominate one (1) representative to serve the unexpired term. The
14 name of the successor shall be submitted to the COMELEC through the BEO. The COMELEC
15 shall proclaim the successor as the new representative, who shall sit as such until the end of the
16 unexpired term of the original representative.

17 18 **E. Election of Traditional Leaders**

19 **SECTION 31. Manner of Election of Traditional Leaders.** – Traditional Leaders shall
20 be given equal opportunity to become a member of the Parliament as a sectoral representative on
21 a rotational basis.

22 In coordination with the BEO, the Bangsamoro Commission on the Preservation of
23 Cultural Heritage shall hold a regional convention of Traditional Leaders for the purpose of
24 electing the Sultanate that shall represent the sector in the Parliament for the immediately
25 succeeding term. *Provided*, that the Sultanate which has already served a term in the Parliament is
26 automatically disqualified unless all the other Sultanates have previously served their terms.

27 The elected Sultanate shall, thereafter, hold an intra-Sultanate assembly to elect from
28 among its members the traditional leaders sectoral representative in the Parliament.

29 **SECTION 32. Traditional Leaders Representative Proclamation.** - The name of the
30 traditional leaders' representative determined at the Intra-Sultanate Assembly shall be submitted
31 to the COMELEC, through the BEO within seven (7) calendar days before the parliamentary
32 elections.

33 **F. Election of 'Ulama in the Bangsamoro Parliament**

34 **SECTION 33. Election of 'Ulama Sectoral Representative.** - The 'Ulama sectoral
35 representative shall be selected through a process that upholds the principle of *Shura*
36 (consultation).

37 The Bangsamoro Darul Ifta' shall create an 'Ulama Council within ninety (90) days from
38 the promulgation of this Code. The council shall be composed of seven (7) respected and
39 knowledgeable religious leaders coming from the six (6) provinces of the Bangsamoro
40 Autonomous Region and one (1) from the Special Geographic Area.

41 The Council will convene and organize the 'Ulama Assemblies and the Regional Ulama
42 Convention and determine the manner, process, and procedures for the election of their
43 representative in the Parliament in accordance with this Code and the schedule set by the BEO.

44 **SECTION 34. 'Ulama Assembly; Selection of Nominees.** - The selection of nominees
45 for the Ulama shall be conducted in two levels, namely the:

- 46 a. Provincial 'Ulama assembly; and

1 b. Regional ‘Ulama convention, in accordance with the schedule to be set by the
2 COMELEC.

3 Each of the provincial assemblies shall have the authority to choose their delegates that will
4 participate in the regional ‘Ulama convention and set the criteria for participation, taking into
5 consideration the track record of the delegates.

6 **SECTION 35. ‘Ulama Representative Proclamation.** - The name of the ‘Ulama
7 representative determined at the ‘Ulama Convention shall be submitted to the COMELEC,
8 through the BEO within seven (7) calendar days before the parliamentary elections. The
9 COMELEC shall proclaim the said sectoral representative.

10 **G. Common Provisions for Election of NMIPs, Traditional Leaders, and ‘Ulama**
11 **Representatives**

12 **SECTION 36. Opposition.** - Oppositions to the manner of election of sectoral
13 representatives and/or the qualifications of the candidates therein shall be filed with the
14 COMELEC within fifteen (15) days from their respective election.

15 **SECTION 37. Failure of Election of NMIPs, Traditional Leaders, and ‘Ulama**
16 **Sectoral Representatives.** - In case of failure of the NMIPs, Traditional Leaders, and ‘Ulama
17 to elect their respective representative/s in the parliament within the period provided by the
18 BEO, the seat/s reserved for their particular sector shall remain vacant until such time that a
19 representative is elected.

20 **SECTION 38. Submission of Sectoral Election Mechanisms.** - The mechanisms
21 adopted by the NMIP, Traditional Leaders, and ‘Ulama sectors on the election of their
22 respective representatives in the Parliament shall be submitted to the COMELEC within the
23 period it may prescribe.

24 **SECTION 39. Proclamation of Sectoral Representatives.** - The elected sectoral
25 representatives shall be proclaimed by COMELEC simultaneously with the other elected
26 Members of the Parliament.

27
28 **ARTICLE V**

29 **ELECTIONS UPON DISSOLUTION OF PARLIAMENT**

30 **SECTION 1. Dissolution of Parliament Upon a Vote of No Confidence.** - Upon
31 dissolution of the Parliament as declared by the Wali, the latter shall call for a new parliamentary
32 election. Such call shall be transmitted in writing to the Parliament as well as to the COMELEC,
33 through the BEO.
34

35 **SECTION 2. Elections Upon Dissolution of the Parliament.** - The COMELEC, through
36 the BEO, shall set the date of special elections, which shall not be later than one hundred twenty
37 (120) days from the date of dissolution.

38 It shall receive manifestations from registered regional political parties, registered sectoral
39 parties or organizations stating their intent to participate in the elections.
40

41 **SECTION 3. Conduct of Special Elections.** - The COMELEC shall conduct the elections
42 on the date set therefor, and shall ensure that laws, rules, and guidelines pertaining to said elections
43 are enforced and administered.
44

1 It shall thereafter proclaim the winners of the said elections.
2

3
4 **ARTICLE VI**

5
6 **THE VOTERS**

7
8 **SECTION 1. Right of Suffrage.** - Suffrage may be exercised by all citizens of the
9 Philippines in the Bangsamoro not otherwise disqualified by law, who are at least eighteen (18)
10 years of age, and who shall have resided in the Philippines for at least one (1) year, and in the place
11 in the Bangsamoro wherein they propose to vote, for at least six (6) months immediately preceding
12 the election. No literacy, property, or other substantive requirement shall be imposed on the
13 exercise of suffrage.

14 **SECTION 2. Who May Register.** - Any Filipino citizen in the Bangsamoro who is not
15 yet a registered voter may apply for registration, provided he/she possesses the following
16 qualifications:

17 a. National, regional, and local elections/ barangay elections:

- 18
19
20 1. At least eighteen (18) years of age on or before the day of the elections;
21 2. A resident of the Philippines for at least one (1) year and in the place wherein he/ she
22 proposes to vote, for at least six (6) months immediately preceding the elections; and
23 3. Not otherwise disqualified by law.

24
25 b. Sangguniang Kabataan elections:

- 26
27 1. At least fifteen (15) but not more than thirty (30) years of age and residing in the barangay
28 for at least six (6) months on or before Sangguniang Kabataan Elections; and
29 2. Not otherwise disqualified by law.

30
31 Any person who transfers residence to another city, municipality, or country solely by reason
32 of his/her occupation; profession; employment in private or public service; educational activities;
33 work in military or naval reservations; service in the army, navy, or air force; the national police
34 force; or confinement or detention in government institutions in accordance with law, shall be
35 deemed not to have lost his/her original residence.
36

37 **SECTION 3. Who Are Disqualified to Register.** - The following are disqualified to register
38 as a voter:

- 39
40 a. Any person who has been sentenced by final judgment to suffer imprisonment for not less
41 than one (1) year, such disability not having been removed by plenary pardon or amnesty;
42
43 b. Any person who has been adjudged by final judgment by a competent court or tribunal of
44 having committed any crime involving disloyalty to the duly-constituted government, such
45 as rebellion, sedition, violation of the firearms laws, or any crime against national security
46 unless restored to his/her full civil and political rights in accordance with law; and
47
48 c. Insane or incompetent person as declared by competent authority unless subsequently
49 declared by proper authority that such person is no longer insane or incompetent.
50

51 Any person disqualified to register under paragraphs (a) and (b) above shall automatically
52 reacquire the right to vote upon expiration of five (5) years after service of sentence.
53

1 **SECTION 4. Registration Requirements.** Any person desiring to be registered as a voter
2 shall accomplish in triplicate a voter's affidavit in which shall be stated the following data:

- 3 a. Name, surname, middle name, and maternal surname;
- 4 b. Sex;
- 5 c. Date and place of birth;
- 6 d. Citizenship;
- 7 e. Civil status, if married, and name/s of spouse/s;
- 8 f. Periods of residence in the Philippines and in the place of registration;
- 9 g. Exact address with the name of the street and house number or, in case there is none, a
10 brief description of the locality and the place;
- 11 h. Membership in any of the following sectors, but not more than three (3):
 - 12 1. Women
 - 13 2. Youth
 - 14 3. Settler Communities
 - 15 4. Ulama
 - 16 5. Traditional Leaders
 - 17 6. Non-Moro IP
- 18 i. A statement that the applicant has not been previously registered, otherwise he/she shall
19 be required to attach a sworn application for cancellation of his/her previous
20 registration; and
- 21 j. Such other information or data which may be required by the BEO.

22
23 The voter's affidavit shall also contain three (3) specimens of the applicant's signature and
24 clear and legible prints of his/her left and right hand thumb marks and shall be sworn to and filed
25 with the electoral office together with four copies of the latest identification photograph to be
26 supplied by the applicant.

27
28 The oath of the applicant shall include a statement that he/she does not have any of the
29 disqualifications of a voter and that he/she has not been previously registered in the precinct or in
30 any other precinct.

31
32 Before the applicant accomplishes his/her voter's affidavit, the applicant shall be apprised
33 of the qualifications and disqualifications prescribed by law for a voter. It shall be ascertained that
34 the accomplished voter's affidavit contains all the data therein required and that the applicant's
35 specimen signatures, the prints of his/her left and right hand thumb marks, and his/her photograph
36 are properly affixed in each of the voter's affidavit.

37
38 **SECTION 5. Proof of Membership in a Sector.** Any person who, for purposes of the
39 previous section, declares himself/herself to be a member of a particular sector/s, shall present a
40 certification attesting to the fact of such membership:

- 41 a. from the Ministry of Indigenous Peoples' Affairs, for members of the Non-Moro
42 Indigenous Peoples;
- 43 b. from the Office of Settler Communities, for members of the settler communities;
- 44 c. from the Bangsamoro Darul Ifta', for the Ulama; and,
- 45 d. from the Bangsamoro Commission on the Preservation of Cultural Heritage, for
46 traditional leaders.

47
48
49 The aforementioned offices shall work with the Ministry of the Interior and Local
50 Government through its Municipal Local Government Operations Officer (MLGOO) for the
51 purpose of issuance of the certifications under this section.

52
53 For one declaring himself/herself to be a member of the women and/or youth sector, the
54 submission of the birth certificate, any valid government ID, or a certification from the barangay
55 of his/her residence reflecting the sex or date of birth, respectively, of the holder will suffice.

1 appropriate Office of the Provincial Election Supervisor within the period fixed by the
2 COMELEC for filing of candidacy.

- 3
4 b. For party representation elections, the registered regional political parties shall file their
5 certificates of candidacy, together with their closed lists of nominees and the latter's
6 certifications of nomination and acceptance (CONA). The political party's COC shall be
7 sworn to by its authorized representative, as provided in its constitution and by-laws.

8 In addition, parties shall likewise declare in the COC that it has complied with the thirty percent
9 (30%) women nominees requirement and that no nominees are related to each other within the
10 second degree of consanguinity or affinity.

11 The COC shall be under oath, in five (5) legible copies, in the form prescribed by the
12 COMELEC, and to be submitted together with the CONA within the period fixed therefor.

13 **SECTION 3. Contents and Form of Certificate of Candidacy.** – The COC shall be
14 under oath and shall state:

- 15 a. Office aspired for;
16 b. Name of the aspirant;
17 c. Age on election day;
18 d. Sex;
19 e. Civil Status;
20 b. Place and date of birth;
21 c. Citizenship, whether natural-born or naturalized;
22 d. The duly registered regional political party to which the aspirant belongs, or a
23 coalition of parties one of which the aspirant belongs to, or, in the case of the
24 sectoral representative candidate, the sectoral organization to which the aspirant
25 belongs;
26 e. If married, the name/s of the spouse/s;
27 f. Complete address for election purposes;
28 g. Contact number and email address, if any;
29 h. Residence, giving the exact address and the number of years residing in the place
30 where the aspirant intends to be elected up to the day before the election;
31 i. The barangay, city, municipality and province where the aspirant is a registered
32 voter or will be a registered voter;
33 j. Profession or occupation or employment;
34 k. That the aspirant is eligible for said office;
35 l. That the aspirant is not a permanent resident or an immigrant to a foreign country;
36 m. That the aspirant has executed a sworn renunciation of foreign citizenship (if
37 applicable);
38 n. That the aspirant will file, with the COMELEC, within 30 days after Election Day,
39 a full, true and itemized Statement of Contributions and Expenditures (SOCE) in
40 connection with the election;
41 o. That the aspirant will support and defend the Constitution of the Republic of the
42 Philippines and will maintain true faith and allegiance thereto;
43 p. That the aspirant will obey the laws, legal orders, decrees, resolutions, rules and
44 regulations promulgated and issued by the duly constituted authorities;
45 q. That the aspirant assumes the foregoing obligations voluntarily without mental
46 reservation or purpose of evasion;
47 r. That the aspirant gives consent to the COMELEC to collect, disclose or share, and
48 process the personal data provided for election and other lawful purposes in
49 accordance with the Privacy Notice and as may be authorized by existing laws;

- 1 s. That the facts stated in the certificate are true and correct to the best of the aspirant's
2 knowledge; and
3 t. Whether the aspirant has been found liable for an offense/s which carries with it the
4 accessory penalty of perpetual disqualification to hold public office, which has
5 become final and executory.
6

7 Unless there was an official change of name through a court approved proceeding, an
8 aspirant shall use in the COC:
9

- 10 a. the name registered in the Office of the Local Civil Registrar;
11 b. the name by which such aspirant has been baptized or
12 c. any other name under the provisions of existing law or in the case of a Muslim, a
13 Hadji name after performing the prescribed religious pilgrimage. However, when
14 there are two or more aspirants for an office with the same name and surname, each
15 aspirant, shall need to state a paternal and maternal surname, except the incumbent
16 who may continue to use the name and surname stated in the COC when last
17 elected. An aspirant may include one nickname or stage name by which aspirant is
18 generally or popularly known in their locality; Provided that, no aspirant shall use
19 the nickname or stage name of another. Only one nickname or stage name shall be
20 considered. An aspirant shall also affix a passport-size photograph taken within the
21 last six (6) months, and shall attach a bio-data and the program of government not
22 exceeding one hundred (100) words.
23

24 A documentary stamp tax shall be attached to the COC in the amount to be set by the
25 COMELEC.

26 **SECTION 4. Filing of Certificate of Candidacy by a Representative.** – Filing of COC by a
27 representative may only be done through a person who possesses a sworn Authority to File COC.

28 **SECTION 5. Notice of Denial of Due Course.** - A notice that the received and filed COC has
29 been denied due course shall be posted on the bulletin board of the Election Officer within three
30 (3) days from discovery. Furthermore, the Office of the Election Officer shall notify the candidate
31 of such denial through the candidate's contact number or e-mail address provided in his/her
32 certificate of candidacy.

33 **SECTION 6. Withdrawal of Certificate of Candidacy.** The individual or political party
34 representative who filed the COC as provided in Section 2, may, prior to the election, withdraw
35 the same by submitting a written declaration under oath stating said withdrawal to the same office
36 to which the COC was submitted.

37 **B. Certificate of Nomination and Acceptance**

38 **SECTION. 7. Filing of Certificate of Nomination and Acceptance of Nominees of**
39 **Regional Political Parties/Coalition.** - Certificates of Nomination and Acceptance (CONAs)
40 shall be filed by:

- 41 a. Party nominees of the duly registered political party or coalition of political parties;
42 b. District representative candidates affiliated and nominated by a duly registered regional
43 political party;
44 c. Candidates affiliated to and nominated by sectoral organizations or duly registered regional
45 parties.

46 **SECTION 8. Contents and Form of the Certificate of Nomination.** - The Certificate of
47 Nomination of a Political Party or a coalition thereof shall contain the following:

- 1 a. Name of the registered political party or a coalition thereof;
- 2 b. Name of the Chairperson/President/Secretary-General of the nominating political party or
- 3 in the case of a coalition, the respective names of said official of each political party
- 4 comprising the coalition;
- 5 c. Name and address of all nominees, according to rank;
- 6 d. A certification that the nominees have all the qualifications and none of the
- 7 disqualifications for the elective office;
- 8 e. A documentary stamp in the amount to be set by the COMELEC;
- 9 f. The signature and attestation under oath, either by the party's Chairperson, President,
- 10 Secretary-General, or any other duly authorized officer of the nominating party or coalition.
- 11 In the case of the coalition, the appropriate officers of the respective parties that comprise
- 12 the coalition.

13 **SECTION 9. Contents and Form of the Certificate of Acceptance.** The Certificate of
14 Acceptance of nominees of a registered regional political party or a coalition thereof shall contain
15 the following:

- 16 a. Name of the nominee;
- 17 b. Name of the political party or a coalition thereof;
- 18 c. Date and place of birth of the nominee;
- 19 d. Age;
- 20 e. Gender;
- 21 f. Civil status;
- 22 g. Profession or occupation;
- 23 h. Address or residence;
- 24 i. Contact number and email address, if any;
- 25 j. Number of years residing in the Philippines immediately preceding the election;
- 26 k. A statement of the nominee that he/she: (a) is a citizen of the Philippines; (b) registered
- 27 voter in the Bangsamoro region; (c) eligible for the office for which he/she is nominated; (d)
- 28 possesses all the qualifications and none of the disqualifications; (e) will support and defend
- 29 the Constitution of the Republic of the Philippines and will maintain true faith and allegiance
- 30 thereto; (f) will obey the laws, legal orders, decrees, resolutions, rules and regulations
- 31 promulgated and issued by the duly constituted authorities; (g) assumes the foregoing
- 32 obligations voluntarily without mental reservation or purpose of evasion and the facts stated
- 33 therein in the Certificate are true and correct to the best of the nominee's personal knowledge;
- 34 l. Original signature of the nominee;
- 35 m. Passport-size photograph of the nominee taken within the last six (6) months;
- 36 n. Thumb mark of the nominee; and
- 37 o. A documentary stamp in the amount prescribed by the COMELEC.

38
39
40

C. Election Campaign

1 plebiscite, including the period within which the clustering shall be prepared and submitted by the
2 Election Officer. The clustering shall be reflected in the POPs, which shall be submitted to the
3 COMELEC for final approval.

4 Any changes in the clustering of POPs shall be carried out in consultation with voters
5 directly affected to avoid disenfranchisement and prevent undue advantage of any candidate.

6 No changes in clustering shall proceed in violation of this mandatory requirement.
7 *Provided further*, that no changes in clustering shall be done within 30 days from the scheduled
8 election.

9
10 **SECTION 3. Creation of Precincts for Persons with Disabilities, Senior Citizens, and**
11 **Pregnant and Lactating Women.** –The COMELEC - BEO shall establish precincts of a non-
12 territorial nature, exclusively for persons with disabilities and senior citizens who in their
13 registration records manifest their intent to avail of their right to a separate precinct, as well as for
14 pregnant and lactating women, whose mobility on the day of the election may be restricted such
15 as would necessitate them to vote at the created precincts as hereunder provided. Pursuant hereto,
16 the COMELEC shall establish at least one (1) such precinct, assigned to accessible polling places,
17 for every voting center. Such precincts shall be provided with assistive devices as well as the
18 services of experts in assisting persons with disabilities.

19
20 **SECTION 4. Arrangement and Contents of Polling Places.** - Each polling place shall
21 conform as much as possible to the sketch as may be prescribed by the BEO, in conformity with
22 the instructions of the COMELEC, if any, and which shall be posted on the bulletin board of the
23 election officers, at least thirty (30) days prior to any election.

24
25 **SECTION 5. Voting Booth.** - There shall be in each polling place at least ten (10) voting
26 booths of such size, specifications and materials as the COMELEC may provide to enable the
27 voters to fill out their ballots secretly.

28
29 **SECTION 6. Electoral Board, Constitution and Composition.** – The COMELEC
30 through the Election Officer, shall constitute and appoint the members of the Electoral Boards for
31 every clustered or grouped precinct in the district, city or municipality.

32
33 Should there be a lack of public school teachers willing, available or qualified to serve, the
34 COMELEC may instead appoint the following persons in this order of preference:

- 35
36 a. Private school teachers;
37 b. National government employees:
- 38 1. MBHTE nonteaching personnel;
 - 39 2. Other national government officials and employees holding regular or
40 permanent positions, excluding uniformed personnel of the Department of
41 National Defense and all its attached agencies;
- 42 c. Members of the COMELEC-accredited citizen arms or other civil society
43 organizations and nongovernmental organizations duly accredited by the
44 COMELEC; and
45 d. Any registered voter of the city or municipality of known integrity and competence
46 who is not connected with any candidate or political party.

47
48 In cases where the peace and order situation so requires as determined by the COMELEC
49 and where there are no qualified voters willing to serve, uniformed personnel of the Philippine
50 National Police shall be deputized to render election service as a last resort.

1 The Electoral Board shall be composed of a Chairperson, Poll Clerk and Third Member,
2 all of whom shall be public school teachers who are willing and available to render election
3 service.

4
5 In case of an automated election system (AES), at least one (1) member of the Electoral
6 Board shall be an information technology-capable person trained for the purpose and as certified
7 by the Ministry of Science and Technology (MOST) to use the AES.

8
9 **SECTION 7. Qualifications of the Members of the Electoral Board.** – No person shall
10 be appointed as Member of the Electoral Board, whether regular, temporary or as a substitute,
11 unless such person is:

- 12
13 a) Of good moral character and irreproachable reputation;
14 b) Of known integrity and competence;
15 c) A registered voter;
16 d) Has never been convicted of any election offense or of any crime punishable by more
17 than six (6) months of imprisonment, or has no pending information for any election
18 offense files against him; and
19 e) Able to speak and write Filipino, English or any of the languages in the BARMM.

20 **SECTION 8. Disqualification of Members of the Electoral Board.** – No person shall be
21 appointed as Member of the Electoral Board if said person is related within the fourth civil degree
22 of consanguinity or affinity to any member of the same Electoral Board or to any candidate to be
23 voted for in the polling place of assignment or to the said candidate's spouse.

24
25 **SECTION 9. Powers and Functions of the Electoral Board.** – In addition to the powers
26 and functions prescribed by law or by the rules and regulations issued by the COMELEC, the EBs
27 shall:

- 28
29 a. Verify the identity of a voter using the Election Day Computerized Voters' List (EDCVL);
30
31 b. Conduct the voting in the polling place and administer the counting of votes;
32
33 c. Act as deputies of the COMELEC in the supervision and control of the conduct of elections
34 in the polling place;
35
36 d. Maintain order within the polling place and its premises to keep an open and unobstructed
37 access thereto;
38
39 e. Prohibit the use of cellular phones, cameras or any recording device by the voters during
40 voting; and
41
42 f. Perform such other functions as may be prescribed by the COMELEC.

43
44 **SECTION 10. Relief and Substitution of Members of the Electoral Board.** - The members
45 of the Electoral Board shall not be relieved unless disqualified as provided in laws and/or rules
46 promulgated by the COMELEC.

47
48 **SECTION 11. Grounds for Appointment of Qualified Substitutes.** - In case there are not
49 enough public school teachers, who are qualified, willing and available, qualified substitutes may
50 be appointed by the COMELEC, through the EO, in either of the following cases:
51

- 1 a. There is a lack of public school teachers to be constituted as Members of the EBs based on
2 the certified list submitted by the MBHTE official to the EO vis-a-vis the number of
3 clustered or grouped precincts in the district, city or municipality; or
- 4 b. One or more of the public school teachers in the certified list has or have been disqualified
5 by the EO and there are no other public school teachers in the locality who are qualified,
6 willing and available to be appointed as substitute/s.

7 Substitutes shall be on-call on election day. The EO shall cause the deployment of
8 substitute in case any member of the EB fails to report in their designated polling place, except in
9 the following instances where the members of the EB present, may appoint a registered voter as
10 temporary member, until the regular member appears:

- 11
- 12 a. There is considerable distance between the residence of the substitute and the location of
13 the polling place;
- 14 b. Lack or difficulty of means of transportation; and
- 15 c. Inability of the EB to inform the EO of the non-appearance of any member.

16 **SECTION 12. Voting Privilege of the Electoral Board.** – Members of the EB may vote in
17 the polling places where they are assigned on election day provided that:

- 18
- 19 a. They are registered voters of the city within the same legislative district, or municipality
20 where they are assigned; and
- 21
- 22 b. They shall add in the EDCVL their names and precinct numbers and the place where they
23 are actually registered and shall note such fact in the Minutes.

24

25 Any member of the EB, who is not registered in the city or municipality where they are
26 assigned, or registered in the city of another legislative district, may vote in the polling place where
27 they are registered, provided that:

- 28
- 29 a. The voting in their place of assignment is light;
- 30 b. Their absence shall not be for more than thirty (30) minutes;
- 31 c. The members of the EB shall schedule the voting so that only one (1) member shall leave
32 at any given time;
- 33 d. They must be given priority in voting; and
- 34 e. The fact that they exercised their voting privilege shall be noted in the Minutes.

35

36 In the alternative, the EB may avail of local absentee voting, the rules thereon shall be
37 provided by the COMELEC.

38

39 **SECTION 13. Proceedings of the Electoral Board.** - The meetings of the EB shall be public
40 and shall be held only in the polling place authorized by the COMELEC.

41

42 The EB shall act through its chairperson, and without delay, decide by majority vote, all
43 questions that may arise in the performance of its duties.

44

45 **SECTION 14. Prohibition of Political Activity.** - No member of the EB shall engage in any
46 partisan political activity or take part in the election except to vote and discharge his/her duties as
47 such and to vote.

48

49 **SECTION 15. Watchers** - Each candidate, duly registered political party or coalition of
50 political parties, or organizations participating in the Bangsamoro Parliament Election, and duly

1 accredited citizens' arms, may appoint in every polling place two (2) watchers who shall serve
2 alternately. However, candidates for Senator, Member of the *Sangguniang Panlalawigan*,
3 *Sangguniang Panlungsod*, and *Sangguniang Bayan* belonging to the same party or coalition, shall
4 collectively be entitled to one (1) watcher.

5
6 Other civic, religious, professional, business, service, youth, and any other similar
7 organizations in the BARMM, with prior authority of the COMELEC, shall be entitled collectively
8 to appoint one (1) watcher in every polling place.

9
10 If the space in a polling place reserved for watchers is insufficient, preference shall be given
11 to the watchers of the dominant majority and dominant minority parties, as determined by the
12 COMELEC. Watchers of the citizens' arm shall be given preferential position closest to the EB.

13
14 **SECTION 16. Qualification of Watchers.** - No person shall be appointed as a watcher unless
15 said person:

- 16
17 a. Is a registered voter of the city or municipality where such person is assigned;
18
19 b. Is of good moral character;
20
21 c. Has not been convicted by final judgment of any election offense or of any other crime;
22
23 d. Knows how to read and write Filipino, English or any of the languages in the BARMM;
24
25 e. Is not related within the fourth civil degree of consanguinity or affinity to the chairperson,
26 or any other member of the EB in the polling place where such person seeks appointment
27 as a watcher.

28 **SECTION 17. Rights and Duties of Watchers.** - Upon entering the polling place, the
29 watchers shall present to the chairperson of the EB their appointments as watchers and proof that
30 he/she is a registered voter of the city or municipality where he/she is assigned. Their names shall
31 be recorded in the Minutes with a notation under their signatures that they are not disqualified to
32 serve as such under the immediately preceding Section.

33
34 The appointments of the watchers shall bear the signature of the candidate or duly authorized
35 representative of the party, organization or coalition of parties, or organizations participating in
36 the Bangsamoro Parliament Election that appointed them. At least fifteen (15) days before election
37 day, independent candidates, and duly registered parties, organizations, or coalitions, coalition of
38 parties, associations or organizations participating in the Party-List System and Bangsamoro
39 Parliament Election shall provide the EO concerned with the names and signatures of their
40 representatives authorized to appoint watchers in the city or municipality of the polling place.

41
42 The watchers shall have the right to:

- 43
44 a. Stay in the space reserved for them inside the polling place;
45 b. Witness and inform themselves of the proceedings of the EB;
46 c. Take note of what they may see or hear;
47 d. Take picture, image, photo, or video of the proceedings and incidents, if any, during
48 Final Testing and Sealing, counting of votes, transmission and printing of election
49 returns provided the secrecy of the ballot shall be maintained at all times. *In no case*
50 shall taking of pictures, images, photos, or videos while the voter is shading the ballot
51 and feeding the same in the VCM be allowed. Violation of this paragraph shall constitute
52 an Election Offense;
53 e. File a protest against any irregularity or violation of law which they believe may have
54 been committed by the EB or by any person present;
55 f. Obtain from the EB a certificate as to the filing of such protest and/or the Resolution
56 thereof; and

1 g. Position themselves near the chairperson of the EB, observing the one-meter physical
2 distancing requirement, while the chairperson is publicly announcing the precinct
3 results.

4 Watchers are not allowed to speak to any member of the EB or to any voter, or among
5 themselves, in a manner that would disrupt the proceedings of the EB.
6

7 The watchers representing the dominant majority and dominant minority parties, and the
8 citizens' arm shall, if available, affix their signatures and thumbmarks in the election returns.
9

10 CASTING OF VOTES

11
12 **SECTION 18. Voting Hours.** - The casting of votes shall be from six (6) o'clock in the
13 morning up to seven (7) o'clock in the evening of election day, or as may be provided by the
14 COMELEC.
15

16 Voters who have not yet cast their votes but are within thirty (30) meters in front of the
17 polling place by seven (7) o'clock in the evening of the Election Day shall still be allowed to cast
18 their votes. The poll clerk shall promptly prepare a complete list in duplicate containing the names
19 of said voters numbered consecutively. The voters so listed shall be called to vote by the poll clerk
20 by announcing near the door of the polling place, in a tone loud enough to be heard throughout the
21 polling place, each name three (3) times in the order in which they are listed. Any voter in the list
22 who is not present or does not respond when called shall no longer be allowed to vote. The said
23 list shall be attached to the Minutes.
24

25 **SECTION 19. Place of Voting.** - Subject to Section 3 of this Chapter, voters shall cast
26 their votes in the polling place designated by the COMELEC. The poster indicating the clustered
27 precinct number shall be prominently posted near or on the door of the polling place. In no case
28 shall there be a closed circuit television (CCTV) inside the polling place.
29

30 **SECTION 20. Voters' Assistance Desk (VAD).** - To avoid gathering, crowding and
31 huddling around the PCVL, there shall be in each voting center, a Voters' Assistance Desk (VAD)
32 administered by any duly accredited citizens' arm under the supervision and control of the Ministry
33 of Basic, Higher, and Technical Education Supervisor Official (MBHTESO). The VAD shall assist
34 voters in ascertaining their precinct number, sequence number and direction to their polling place.
35

36 In the event that there is no available accredited citizens' arm to administer the VAD, the
37 EO may enter into a Memorandum of Agreement with a non-partisan NGO, CSO, or other
38 organizations available in their respective areas of responsibility to administer the VAD.
39

40 **SECTION 21. Final Testing and Sealing (FTS) of Vote Counting Machines (VCM).** -
41 The Final Testing and Sealing of Vote Counting Machines shall be conducted in the manner and
42 schedule provided by the COMELEC.
43

44 **SECTION 22. VCM Box to be Opened on Election Day.** - After Final Testing and
45 Sealing, the VCM box shall be opened again only on the Election Day in the manner provided by
46 COMELEC.
47

48 **SECTION 23. Persons allowed in and around the polling place.** - Only the following
49 persons shall be allowed inside the polling place:
50

- 51 a. Members of the EB and support staff, if any;
- 52 b. Watchers who shall stay only in the space reserved for them;
- 53 c. Representatives of the COMELEC;
- 54 d. MBHTESO Technical Support Staff assigned in the voting center;
- 55 e. Emergency Accessible Polling Place Support Staff;
- 56 f. Voters casting their votes and their assistors, if any;

- 1 g. Voters waiting for their turn to cast their vote;
- 2 h. Jail/ Prison Escorts escorting PDL voters; or
- 3 i. Other persons who may be specifically authorized by the COMELEC.

4 **SECTION 24. Persons Not Allowed to Enter the Polling Place.** - Unless specifically
5 authorized by the COMELEC, it is unlawful for the following persons to enter the polling place,
6 or to stay within a radius of fifty (50) meters from the polling place, except to vote:

- 7
- 8 a. Any officer or member of the Armed Forces of the Philippines or the Philippine National
- 9 Police;
- 10 b. Any peace officer or any armed person belonging to any extralegal police agency, special
- 11 forces, reaction forces, strike forces, Civilian Armed Force Geographical Units, *barangay*
- 12 *tanods* or other similar forces or para-military forces, including special forces, security
- 13 guards, and special policemen;
- 14 c. All other kinds of armed or unarmed extra-legal police forces; or
- 15 d. Any *barangay and SK* official, whether elected or appointed.
- 16

17 However, the EB may, by a majority vote if it deems necessary, order in writing the detail of
18 policemen or peace officers for its protection or for the protection of the election documents and
19 paraphernalia. In which case, the said policemen or peace officers shall stay outside the polling
20 place within a radius of thirty (30) meters near enough to be easily called by the EB at any time,
21 but never at the door, and in no case shall the said policemen or peace officer hold any conversation
22 with any voter or disturb or prevent or in any manner obstruct the free access of the voters to the
23 polling place. Such order shall be recorded in the Minutes.

24

25 **SECTION 25. Holding Area and Order of Voting.** - The EB, whenever necessary, in
26 coordination with the MBHTESO, may designate an adjacent room with ample space and
27 accessible to wheelchair users, if available, to be used as holding area. The holding area shall be
28 used by the voters waiting for their turn to vote. The voters shall sit and arrange themselves on a
29 first-come, first-served basis, such that they will vote according to the sequence of their arrival.

30

31 Gender segregation, whenever necessary, shall be observed in respect to religious practices
32 or in order to protect women voters.

33

34 Giving numbers to the voters to determine their sequence of voting is strictly prohibited.
35 Voters in the holding area shall be assisted by EB support staff.

36

37 **SECTION 26. Manner of Obtaining Ballots.** - Rules and regulations, as may be
38 promulgated by the COMELEC, shall be observed in obtaining ballots during election day.

39

40 **SECTION 27. Manner of Voting.** - Unless otherwise provided, the COMELEC may, at the
41 start of every parliamentary election in the BARMM, prescribe the means, methods, and manner
42 of voting, which shall guarantee that the secrecy of the ballot is secured and the independence of
43 the voter is protected at all times.

44

45 **SECTION 28. Rules to be Observed During Voting.** - During the voting, the EB shall see
46 to it that:

- 47
- 48 a. Voters shall vote in the order of their arrival in the polling place. Giving numbers to
- 49 the voters to determine their sequence of voting is strictly prohibited;
- 50
- 51 b. No watcher shall enter the place reserved for the voters and the EB, or mingle and talk
- 52 with the voters;
- 53
- 54 c. No person carrying any firearm or any other deadly weapon, except jail/ prison escorts
- 55 and those expressly authorized by the COMELEC, shall enter the polling place. The
- 56 jail/prison escorts may bring firearms inside the polling place to secure the PDL voter

1 who will vote in the polling place as may be authorized by the COMELEC. Said
2 escorts and PDLs shall immediately leave the polling place once the latter have
3 finished voting;

- 4
- 5 d. There shall be no crowding of voters and disorderly behavior inside the polling place;
- 6
- 7 e. The ballot box shall remain locked during the voting. However, if it should become
8 necessary to make room for more ballots, the EB shall, in the presence of the watchers:
- 9
- 10 1. Remove the VCM from the top of the ballot box, and shake the ballot box to wobble
11 the contents therein, and make room for the ballots;
 - 12 2. If still the ballot cannot go through the ballot box, the ballot box may be opened.
13 The Chairperson shall press down the ballots contained therein without removing
14 any of them, after which the EB shall close the box by sealing it.
- 15

16 Such fact shall be recorded in the Minutes.

17

18 **SECTION 29. Prohibition on Voting.** - It shall be unlawful for a voter to:

19

- 20 a. Bring the ballot, ballot secrecy folder or marking pen outside of the polling place;
 - 21
 - 22 b. Speak with anyone other than persons provided in this Resolution while inside the
23 polling place;
 - 24
 - 25 c. Prepare the voter's ballot without using the ballot secrecy folder, or to exhibit its
26 contents;
 - 27
 - 28 d. Fill out the voter's ballot accompanied by another, except in the case of voting by
29 assistor pursuant to immediately succeeding section;
 - 30
 - 31 e. Erase any printing from the ballot, or put any distinguishing mark on the ballot;
 - 32
 - 33 f. Use of capturing devices such as but not limited to digital cameras, cellular phones
34 with camera, or other means to copy the contents of the ballot, or otherwise make use
35 of any other scheme to identify his vote;
 - 36
 - 37 g. Intentionally tear or deface the ballot; or
 - 38
 - 39 h. Disrupt or attempt to disrupt the normal operations of the VCM.
- 40

41 **SECTION 30. Preparation of Ballots for Illiterate, Persons with Disabilities (PWD)**
42 **and Senior Citizens (SC) by an Assistor.** - No voter shall be allowed to vote as an illiterate, PWD
43 or SC unless such fact is indicated in the EDCVL, or although not indicated as PWD in the
44 EDCVL, when the disability is readily apparent. If so, such voter may be assisted in the preparation
45 of the ballot, in the following order:

46

- 47 a. Relative within the fourth civil degree of consanguinity or affinity;
- 48 b. Person of his confidence who belongs to the same household as that of the voter. For this
49 purpose, the person who usually assists the PWD or SC, such as personal assistant,
50 caregiver, or a nurse shall be considered as a member of the voter's household; or
- 51 c. Any member of the EB.

52 A voter with physical impairment may be assisted in feeding the ballot into the VCM by the
53 EB member. The EB member shall ensure that the contents of the ballot are not displayed during
54 its feeding into the VCM. In which case, this fact must be recorded in the Minutes.

55

56 All persons assisting must be of voting age.

1
2 No person, except the members of the EB, may assist an illiterate, PWD or SC more than
3 three (3) times.
4

5 In all cases, the poll clerk shall first verify from the illiterates, PWDs or SCs whether said
6 voters have authorized a person to help them cast their vote. If the voter denies the authority of the
7 assistor, any member of the EB may assist such illiterates, PWDs or SCs. The same shall be
8 recorded in the Minutes.
9

10 The person assisting the illiterates, PWDs or SCs shall:

- 11 1. Prepare in their presence, the ballot using a ballot secrecy folder; and
- 12 2. Bind themselves in writing and under oath to fill out the ballot strictly in accordance
13 with the instructions of the voter and not to reveal its contents, by indicating the
14 appropriate data and affixing their signatures, thumbmark, or any available
15 fingerprint if without a thumb, in the corresponding space in the Minutes.
16
17

18 **SECTION 31. Express Lane for Persons with Disability, Senior Citizens, Heavily**
19 **Pregnant and Lactating Women, Escorted PDL Voters, and Indigenous People.** - PWDs,
20 senior citizens, heavily pregnant and lactating women, escorted PDL and IP voters shall be
21 afforded an express lane and be allowed to vote as soon as they arrive. There shall be a sign inside
22 the polling place indicating the location of the express lane, and who can avail of it.
23

24 **SECTION 32. Challenge Against Illegal Voters.** - Any voter or watcher may challenge
25 any person offering to vote for:

- 26 a. Being not registered;
- 27 b. Using the name of another; or
- 28 c. Suffering from an existing disqualification.
29

30 In such cases, the EB shall determine the truthfulness of the ground for the challenge by
31 requiring proof of registration, identity or qualification. In case the identity of the voter is
32 challenged, the EB shall identify the voter's specimen signature and photo in the EDCVL.
33

34 In the absence of any of the above-mentioned proof of identity, any member of the EB may
35 identify under oath a voter personally known to the former, which act of identification shall be
36 recorded in the Minutes.
37

38 **SECTION 33. Challenge Based on Certain Illegal Acts.** - Any voter or watcher may
39 challenge any person offering to vote on the ground that the voter:

- 40 a. Received or expects to receive, paid, offered or promised to pay, contributed, offered or
41 promised to contribute money or anything of value as consideration for his/her vote or for
42 the vote of another;
- 43 b. Made or received a promise to influence the giving or withholding of any such vote;
- 44 c. Made a bet or is interested directly or indirectly in a bet that depends upon the results of
45 the election.
46
47

48 In such cases, the challenged voter may take an oath before the EB that said voter has not
49 committed any of the acts alleged in the challenge. Upon taking such oath, the challenge shall be
50 dismissed, and the voter shall be allowed to vote. In case the voter refuses to take such oath, the
51 challenge shall be sustained, and the voter shall not be allowed to vote.
52

53 **SECTION 34. Admission of Challenged Vote Immaterial in Criminal Proceedings.** - The
54 admission of the challenged vote under the two preceding sections shall not be conclusive upon
55 any court as to the legality of the registration of the voter challenged or his vote in a criminal action
56 against such person for illegal registration or voting.

1
2 **SECTION 35. Record of Challenges and Oaths.** – The EB shall record in the Minutes all
3 challenges and oaths taken, and its decision in each case.
4

5 **SECTION 36. Disposition of VCM, Ballot Boxes, Election Returns, Spoiled, Unused and**
6 **Rejected Ballots, and Other Documents.** – VCM, ballot boxes, election returns, spoiled, unused
7 and rejected ballots, and other documents shall be disposed of in the manner provided by the
8 COMELEC.
9

10 **SECTION 37. Prohibition Against Premature Announcement of Voting.** - The members of
11 the EB are prohibited from announcing the following matters during the voting period:
12

- 13 a. Whether a certain registered voter has already voted or not;
- 14 b. Number of registered voters who have already voted or failed to vote thus far; or
- 15 c. Any other fact tending to show or showing the state of the polls; neither member of the
16 EB shall make any statement at any time, except as a witness before a court or body as
17 to how many persons voted.

18
19 **COUNTING OF VOTES**
20

21 **SECTION 38. Counting to be Public and Without Interruption.** - As soon as the voting
22 is finished, the Electoral Board shall publicly count in the polling place the votes cast and ascertain
23 the results. The board may rearrange the physical setup of the polling place for the counting or
24 perform any other activity with respect to the transition from voting to counting. However, it may
25 do so only in the presence of the watchers and within close view of the public. At all times, the
26 ballot boxes and all election documents and paraphernalia shall be within close view of the
27 watchers and the public.
28

29 The Electoral Board shall not adjourn or postpone or delay the count until it has been fully
30 completed, unless otherwise ordered by the COMELEC.
31

32 The COMELEC, in the interest of free, orderly, and honest election, may authorize the
33 Electoral Board to count the votes and to accomplish the election returns and other forms
34 prescribed under this Code in any other place within a public structure in the same municipality or
35 city on account of imminent danger of widespread violence or similar causes of comparable
36 magnitude: *Provided*, That the transfer shall be recommended in writing by the Board of Election
37 Inspectors by unanimous vote and endorsed in writing by the majority of watchers present:
38 *Provided, further*, that the said public structure shall not be located within the perimeter of or
39 inside a military or police camp, reservation, headquarters, detachment or field office nor within
40 the premises of a prison or detention bureau or any law enforcement or investigation agency.
41

42 Any violation of this section, or its pertinent portion, shall constitute an election offense
43 and shall be penalized accordingly.
44

45 **SECTION 39. Proclamation of the Result of the Election in the Polling Place.** - Upon
46 the completion of election returns, the chairman of the boards shall then publicly read and
47 announce the total number of registered voters, the total number of voters who actually voted and
48 the total number of votes obtained by each candidate based on the election returns.
49

50 **SECTION 40. Electoral Board to Issue a Certificate of the Number of Votes Polled**
51 **by the Candidates for an Office to the Watchers.** - After the announcement of the results of the
52 election and before leaving the polling place, it shall be the duty of the Electoral Board to issue a
53 certificate of the number of the votes received by a candidate upon request of the watchers. All the
54 members of the Electoral Board shall sign the certificate.
55

1 of the chairman, the BEO shall designate the provincial or city fiscal to act as chairman. Likewise,
2 in case of non-availability, absence, disqualification due to relationship, or incapacity for any
3 cause, of such designee, the next ranking provincial or city fiscal shall be designated by the BEO
4 and such designation shall pass to the next in rank until the designee qualifies. With respect to the
5 other members of the Board of Canvassers, the BEO shall appoint as substitute the provincial, city
6 or municipal officers of other government agencies in the province, city or municipality, as the
7 case may be, and with respect to the representatives of the accredited political parties, the BEO
8 shall appoint as substitutes those nominated by the said political parties.

9
10 **SECTION 48. Supervision and Control Over Board of Canvassers.** - The COMELEC,
11 through the BEO, shall have direct control and supervision over the Board of Canvassers.

12
13 Any member of the Board of Canvassers may, at any time, be relieved for cause and
14 substituted *motu proprio* by the BEO.

15
16 **SECTION 49. Notice of Meeting of the Board.** - At least five (5) days before the meeting
17 of the board, the chairman of the board shall give notice to all members thereof and to each
18 candidate and political party of the date, time and place of the meeting.

19
20 **SECTION 50. Canvass by the Board.** - The Board of Canvassers shall meet not later than
21 six o'clock in the afternoon of election day at the place designated by the BEO to receive the
22 election returns and to immediately canvass those that may have already been received. It shall
23 meet continuously until the canvass is completed, and may adjourn but only for the purpose of
24 awaiting the other election returns from other polling places within its jurisdiction. As soon as the
25 other election returns are delivered, the board shall immediately resume canvassing until all the
26 returns have been canvassed.

27
28 **SECTION 51. Manner of Canvass; Canvassing by Regional, Provincial, City, District**
29 **and Municipal Boards of Canvassers.** - The COMELEC shall prescribe the time, manner and
30 procedure of canvassing of votes by the regional, provincial, district, and municipal Boards of
31 Canvassers for national and local elections, as well as Bangsamoro Parliament Elections.

32
33 The COMELEC shall adopt adequate and effective measures to preserve the integrity of
34 the certificates of canvass transmitted electronically and the results in the storage devices at the
35 various levels of the boards of canvassers.

36
37 The certificates of canvass transmitted electronically and digitally signed shall be
38 considered as official election results and shall be used as the basis for the proclamation of winning
39 candidates.

40
41 **SECTION 52. When the Election Returns Are Delayed or Not Transmitted.** - The
42 Electoral Board shall observe the Continuity Plan to be prescribed by the COMELEC in case of a
43 systems breakdown or such any eventuality which shall result in the delay, obstruction, or
44 nonperformance of the electoral process.

45
46 **SECTION 53. Canvass of Remaining or Unquestioned Returns to Continue.** - The
47 Board of Canvassers shall continue the canvass of the remaining or unquestioned election returns.
48 If, after the canvass of all the said returns, it should be determined that the returns which have been
49 set aside will affect the result of the election, no proclamation shall be made except upon orders of
50 the COMELEC, through the BEO, after due notice and hearing. Any proclamation made in
51 violation hereof shall be null and void.

52
53 **SECTION 54. Watchers During Canvass.** - Each candidate, political party or coalition
54 of political parties shall be entitled to appoint one watcher in the Board of Canvassers. The watcher
55 shall have the right to be present at, and take note of, all the proceedings of the Board of
56 Canvassers, to file a protest against any irregularity in the election returns submitted, and to obtain
57 from the Board of Canvassers a resolution thereon.

1
2 **SECTION 6. Election Protest.** - A petition contesting the election or returns of an elective
3 municipal or barangay official shall be filed with the proper regional trial court or municipal trial
4 court by any candidate who was voted for the same office and who received the second or third
5 highest number of votes or, in a multi-slot position, was among the next four (4) candidates
6 following the last-ranked winner duly proclaimed, as reflected in the official results of the election
7 contained in the Statement of Votes By Precinct. The party filing the protest shall be designated
8 as the protestant; the adverse party shall be known as the protestee.
9

10 Each contest shall refer exclusively to one office; however, contests for offices of
11 Sangguniang Bayan or Sangguniang Barangay may be consolidated in one case.
12

13 **SECTION 7. Quo Warranto.** - A petition for quo warranto against an elective municipal
14 official shall be filed with the proper regional trial court or municipal trial court by any registered
15 voter who has voted in the election concerned. The party filing the petition shall be designated as
16 the petitioner; the adverse party shall be known as the respondent.
17

18 **SECTION 8. Modes of Service and Filing.** - Service and filing of pleadings, including the
19 initiatory petition and other papers, shall be done personally. Except with respect to papers
20 emanating from the court, a resort to other modes of service must be accompanied by a written
21 explanation why the service or filing was not done personally. A violation of this provision shall
22 be cause to consider the pleading or paper as not filed.
23

24 **SECTION 9. Petition Must Be Verified and Accompanied by a Certificate Of Non-**
25 **Forum Shopping.** - An election protest or a petition for quo warranto shall be verified by an
26 affidavit stating that the affiant has read the petition and that the allegations therein are true and
27 correct of affiant's own knowledge or based on authentic records. A verification based on
28 "information and belief" or upon the "knowledge, information and belief" is not a sufficient
29 verification.
30

31 The protestant or petitioner shall sign personally the certificate of non-forum shopping which
32 must be annexed to the election protest or petition for *quo warranto*.
33

34 An unverified petition or one with insufficient verification or unaccompanied by a certificate
35 of non-forum shopping shall be dismissed outright and shall not suspend the running of the
36 reglementary period to file an election protest or petition for *quo warranto*.
37

38 **SECTION 10. Period to File Protest or Petition; Non-Extendible.** - The election protest or
39 petition for quo warranto shall be filed within the non-extendible period of ten days following the
40 date of proclamation.
41

42 **SECTION 11. Pendency of Pre-Proclamation Controversy.** - The pendency of a pre-
43 proclamation controversy involving the validity of the proclamation as defined by law shall
44 suspend the running of the period to file an election protest or petition for quo warranto.
45

46 **SECTION 12. COMELEC Judgment in Disqualification Case.** - A decision of the
47 Commission on Elections, either in division or en banc, in a disqualification case shall not bar the
48 filing of a petition for quo warranto based on the same ground, except when the Supreme Court
49 has affirmed the COMELEC decision.
50

51 **SECTION 13. Rendition of Decision.** - The court shall decide the election contest within
52 thirty days from the date it is submitted for decision, in no case beyond six months after its filing,
53 unless the Supreme Court authorizes an extension in writing. Failure to comply herewith shall be
54 considered a serious offense and shall be ground for disciplinary action against the judge. In
55 addition, after the expiration of six months, the judge shall be relieved of all duties and functions,
56 except to decide the election case.
57

1 An election protest is deemed submitted for decision after completion of the reception of
2 evidence or, if the parties were allowed to submit memoranda, upon submission of such
3 memoranda or the expiration of the period for their filing, whichever is earlier. In an election
4 protest, the winner shall be the candidate who obtained the plurality of the valid votes cast.
5

6 **SECTION 14. Appeal.** - An aggrieved party may appeal the decision to the Commission on
7 Elections, within five days after promulgation, by filing a notice of appeal with the court that
8 rendered the decision, with copy served on the adverse counsel or party if not represented by
9 counsel.
10

11 **SECTION 15. Jurisdiction of the Commission on Elections in Certiorari Cases.** - The
12 Commission on Elections has the authority to issue the extraordinary writs of certiorari, prohibition
13 and mandamus only in aid of its appellate jurisdiction over decisions of the courts in election cases
14 involving elective municipal and barangay officials.
15

16 **SECTION 16. Preferential Disposition of Election Contests.** - The courts shall give
17 preference to election contests over all other cases, except *habeas corpus*.
18

19 ARTICLE VIII

20 ELECTION OFFENSES

21 **SECTION 1. Additional Election Offenses Punishable Under this Code.** - In addition
22 to the election offenses already provided for under the Omnibus Election Code and other national
23 laws, the following shall be guilty of election offenses committed within the autonomous region:

24 a. Any person, candidate, officer or supporter of a political party who nails or hangs any election
25 paraphernalia or campaign material on trees and plants shall be guilty of an election offense;

26 b. Any person, candidate, officer, or supporter of a political party who prints and reproduces
27 campaign paraphernalia using plastics and other non-biodegradable materials;

28 c. Any candidate, officer, member, or supporter of a political party who uses scandalous,
29 inflammatory, foul, abusive and derogatory language in speeches, interviews and on social
30 media in the course of the campaign or during political rallies and meetings;

31 d. On Registration of Political Parties and Sectoral Organizations for Reserved Seats:

32 (1) Any officer of a political party who falsely certifies fictitious or inexistent names in the
33 list of its party members.

34 (2) Any officer of a political party and sectoral organizations who knowingly makes any false
35 or untruthful statement relative to any data or information required in the registration and
36 accreditation of political parties and sectoral organizations.
37

38 **SECTION 2. Persons criminally liable.** - The principals, accomplices, and accessories,
39 as defined in the Revised Penal Code, shall be criminally liable for election offenses. If the one
40 responsible be a political party or an entity, its president or head, the officials and employees of
41 the same, performing duties connected with the offense committed and its members who may be
42 principals, accomplices, or accessories shall be liable, in addition to the liability of such party or
43 entity.
44

45 **SECTION 3. Penalties.** - Any person found guilty of any election offense under this Code
46 shall be punished with imprisonment of not less than one year but not more than six years and shall
47 not be subject to probation. In addition, the guilty party shall be sentenced to suffer disqualification

1 to hold public office and deprivation of the right of suffrage. If he is a foreigner, he shall be
2 sentenced to deportation which shall be enforced after the prison term has been served. Any
3 political party found guilty shall be sentenced to pay a fine of not less than one hundred thousand
4 pesos, which shall be imposed upon such party after criminal action has been instituted in which
5 their corresponding officials have been found guilty.
6

7 Whenever applicable, the penalties provided for violation of specific special laws on
8 election are hereby adopted and incorporated in this Code.
9

10 In the case of prisoner or prisoners illegally released from any penitentiary or jail during
11 the prohibited period, the director of prisons, provincial warden, keeper of the jail or prison, or
12 persons who are required by law to keep said prisoner in their custody shall, if convicted by a
13 competent court, be sentenced to suffer the penalty of *prision mayor* in its maximum period if the
14 prisoner or prisoners so illegally released commit any act of intimidation, terrorism or interference
15 in the election.
16

17 **SECTION 4. Prosecution.** - The COMELEC shall, through its duly authorized legal
18 officers, have the exclusive power to conduct preliminary investigation of all election offenses
19 punishable under this Code, and to prosecute the same. The COMELEC may avail of the assistance
20 of other prosecuting arms of the government: Provided, however, that in the event that the
21 COMELEC fails to act on any complaint within four months from filing, the complainant may file
22 the complaint with the prosecutor's office or with the Department of Justice for proper
23 investigation and prosecution, if warranted.
24

25 **SECTION 5. Arrest in connection with the election campaign.** - No person shall be
26 arrested and/or detained at any time for any alleged offense committed during and in connection
27 with any election through any act or language tending to support or oppose any candidate, political
28 party or coalition of political parties under or pursuant to any order of whatever name or nature
29 and by whomsoever issued except only upon a warrant of arrest issued by a competent judge after
30 all the requirements of due process shall have been strictly complied with.
31

32 To facilitate the apprehension and prosecution of vote buyers and sellers, any law enforcement
33 officer or private person may, without a warrant, arrest a person when in his presence, the person
34 to be arrested has committed, is actually committing, or is attempting to commit the election
35 offense of vote buying and selling.
36

37 **SECTION 6. Prescription.** - Election offenses shall prescribe after five (5) years from the
38 date of their commission. If the discovery of the offense be made in an election contest
39 proceedings, the period of prescription shall commence on the date on which the judgment in such
40 proceedings becomes final and executory.
41

42 **SECTION 7. Jurisdiction of courts.** - The regional trial court shall have the exclusive
43 original jurisdiction to try and decide any criminal action or proceedings for violation of this Code,
44 except those relating to the offense of failure to register or failure to vote which shall be under the
45 jurisdiction of the metropolitan or municipal trial courts. From the decision of the courts, appeal
46 will lie as in other criminal cases.
47

48 **SECTION 8. Preferential disposition of election offenses.** - The investigation and
49 prosecution of cases involving violations of the election laws shall be given preference and priority
50 by the COMELEC and prosecuting officials. Their investigation shall be commenced without
51 delay, and shall be resolved by the investigating officer within five (5) days from its submission
52 for resolution. The courts shall likewise give preference to election offenses over all other cases,
53 except petitions for writ of habeas corpus. Their trial shall likewise be commenced without delay,
54 and shall be conducted continuously until terminated, and the case shall be decided within thirty
55 (30) days from its submission for decision.
56

1
2 **ARTICLE IX**

3 **LEGAL FEES**

4
5 **SECTION 1. Collection of Legal Fees.** - The Commission, through the BEO, or any of
6 subordinate office is hereby authorized to collect fees as follows:
7

- 8 a. For furnishing certified transcript of records or copies of any record, decision or ruling or
9 entry of which any person is entitled to demand and receive a copy, for every page. Php
10 5.00;
11 b. For every certificate or writ or process. Php100.00;
12 c. In appropriate cases, for filing a second and succeeding motions for reconsideration. Php
13 500.00;
14 d. Reproduction of voluminous records such as list of voters, and similar documents, for
15 every page, Php 2.00;
16 e. For every search of any record of more than one year's standing and reading the same,
17 Php 200.00.
18

19 **SECTION 2. Payment of Fees.** - The fees mentioned in the preceding section shall be paid
20 to the cashier of the Commission in BEO, who shall in all cases issue a receipt for the same and
21 shall enter the amount received upon his book specifying the date when received, the fee, and the
22 person from whom it is received.
23

24 The fees collected pursuant to this Code shall serve as operational expenses of the concerned
25 office for office supplies and equipment, and other necessary expenses incurred by the office on
26 official time.
27

28 **ARTICLE X**

29 **TRANSITORY PROVISIONS**

30 **SECTION 1. Manner of Election of Sectoral Representatives in the First Parliamentary**
31 **Election.** - In the first Parliamentary election, the selection of the sectoral representatives for the
32 reserved seats in the Parliament shall be on the basis of election during assemblies especially called
33 for the purpose by accredited sectoral organizations of women, settlers, youth, 'Ulama, traditional
34 leaders and Non-Moro Indigenous Peoples. Thereafter, the election of the sectoral representatives,
35 except the non-Moro IPs, ulama, and traditional leaders, shall be synchronized with the national
36 and local elections and automated in accordance with the automated election system.
37

38 **SECTION 2. Special Registration for Sectoral Voters.** - The Commission, through the
39 Bangsamoro Electoral Office, shall call for a special registration within the autonomous region to
40 adopt a system for the registration of voters and election of candidates for sectoral representatives.
41

42 **SECTION 3. Effect of Filing of COC; Incumbent Members of the BTA.** The incumbent
43 appointed members of the Bangsamoro Transition Authority, whose positions are elective by
44 nature, are not deemed ipso facto resigned upon the filing of their certificates of candidacy for the
45 2025 elections. Those Members of the Parliament who are designated to positions in the Cabinet
46 and other executive offices are likewise not deemed resigned for the same reason.
47

48 **SECTION 4. BARMM Political Party Subsidy Fund.** - The Parliament may, by law,
49 establish a BARMM Political Party Subsidy Fund, which may be used to support voter's education
50 program and augment the operating funds of registered political parties.
51

1 **ARTICLE XI**

2 **FINAL PROVISIONS**

3
4 **SECTION 1. Applicability Clause.** - The COMELEC, consistent with its constitutional
5 mandate to enforce and administer all laws and regulations relative to the conduct of an election,
6 plebiscite, initiative, referendum, and recall, shall perform the same in accordance with existing
7 laws and regulations, except as otherwise provided in this Code.

8
9 **SECTION 2. Separability Clause.** – If any part or provision of this Code is declared
10 invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

11
12 **SECTION 3. Amendments and Revisions.** - Any amendment to, revision, or repeal of
13 this Code shall be made by law enacted by the Bangsamoro Parliament.

14
15 **SECTION 4. Effectivity.** – This Code shall take effect fifteen (15) days after its
16 publication in a newspaper of general and regional circulation.