



INTEGRATED BAR OF THE PHILIPPINES  
MAKATI CITY CHAPTER  
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**2019-2021  
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**RESOLUTION ON THE  
GENERAL INSTRUCTIONS ON THE PROCESS OF  
VOTING, COUNTING OF VOTES AND  
PROCLAMATION, IN CONNECTION WITH THE  
27 FEBRUARY 2021 CHAPTER ELECTIONS**

WHEREAS, on 5 January 2021, the Supreme Court *en banc* issued A.M. No. 21-01-02-SC where it resolved to approve the Guidelines for the 2021 Elections of Chapter Officers (“Guidelines”) adopted by the 24<sup>th</sup> Board of Governors of the Integrated Bar of the Philippines (“IBP”);

WHEREAS, to effectively implement the Guidelines without compromising the integrity of the elections, there is a need to issue further instructions on the process of voting, counting of votes, and proclamation for the Chapter Elections.

**NOW, THEREFORE, BE IT RESOLVED AS IT IS  
HEREBY RESOLVED**, by the Board of Officers and Directors of the Integrated Bar of the Philippines – Makati Chapter, to promulgate the following General Instructions on the Process of Voting, Counting of Votes, and Proclamation in Connection with the 27 February 2021 Chapter Elections.

**ARTICLE I  
DEFINITION OF TERMS**

**Section 1. Definition of Terms.** – As used in the General Instructions, the following terms shall mean:

- a. **BOG** shall refer to the Board of Governors of the IBP.
- b. **Candidate** shall refer to a qualified Member who was nominated to an elective position and has accepted said nomination in connection with the Chapter Elections.
  - i. **Chapter** shall refer to the IBP Makati Chapter.
  - ii. **Chapter Elections** shall refer to the Chapter Elections to be held on 27 February 2021, unless cancelled and rescheduled to a later date by the IBP National Office due to pandemic or force majeure.
  - iii. **Chapter’s Official E-mail Address** shall refer to the e-mail address of the Chapter for election purposes which shall be [IBPMakatiElection2021@gmail.com](mailto:IBPMakatiElection2021@gmail.com).

- c. **ELECOM** shall refer to the Election Committee of the IBP Makati Chapter.
- d. **Election Day** shall refer to date of 27 February 2021 unless cancelled and rescheduled to a later date by the National Office due to pandemic or force majeure.
- e. **Member** shall refer to a lawyer-member of the IBP Makati Chapter.
- f. **National Guidelines** refers to the Guidelines for the 2021 Elections of Chapter Officers adopted by the 24<sup>th</sup> Board of Governors and approved by the Supreme Court.
- g. **National Office** shall refer to the National Office of the IBP.
- h. **Online Voter** shall refer to a qualified voter who submitted a written notice of “Intent to Vote Online or Through E-Mail” to the Chapter Secretary and whose name is included in the Official List of Online Voters issued by the ELECOM.
- i. **Polling Place** refers to the place or venue where the ELECOM conducts its proceedings and where the voters cast their votes physically. In accordance with the National Guidelines, the venue must be spacious enough to allow the observance of the government’s social distancing protocol / other relevant health regulations and can adequately receive internet/broadband signal to allow online voting and remote communications.
- j. **Spoiled ballot** refers to a ballot which is considered stray or void under the National Guidelines and these General Instructions, or such ballot as ruled or considered by the ELECOM as a spoiled ballot;
- k. **Voter** shall refer to a voter whose name is included in the Chapter’s Voters List from the National Office and approved by the Chapter Board of Officers.

## **ARTICLE II GENERAL PROVISIONS**

**Section 2. Election Day.** – The election shall be held on 27 February 2021 (Saturday) in accordance with the IBP By-Laws.

**Section 3. Election Proceedings.** – The ELECOM shall convene and start the election proceedings. The Chairman may begin by stating the house rules or procedures to be observed during the election proceedings.

**Section 4. Period of Nomination.** – The Chairman shall open the floor for nomination of candidates at any time from 9:00AM to 10:00AM only.

**Section 5. Voting Hours.** – The casting of votes shall start not later than 10:00AM or immediately after the Official List of Candidates is posted and shall continue without break or interruption until 12:00PM only unless otherwise extended by the ELECOM.

Voters who have not yet cast their votes but are within thirty (30) meters from the Polling Place by 12:00PM (or at such time as may be extended by the ELECOM) of the Election Day shall still be allowed to cast their votes. A designated support staff shall promptly prepare a complete list containing the names of the said Voters numbered consecutively.

**Section 6. Polling Place.** – The place of voting where Voters shall cast their votes shall be at the Ground Floor of the Makati Sports Club.

### **ARTICLE III COMPOSITION AND APPOINTMENT OF THE ELECTION COMMITTEE AND SUPPORT STAFF**

**Section 7. Composition of the Election Committee.** – The ELECOM shall be composed of a Chairman and two (2) Members. The Outgoing Chapter President shall automatically be the Chairman of the ELECOM, provided, that he is not a candidate for any elective position in connection with the Chapter Elections.

**Section 8. Appointment of Members of the Election Committee.** – The Chairman is herein authorized by the Chapter Board of Officers to appoint the two (2) Members of the ELECOM who must be members in good standing of the Chapter and not a candidate for any elective position in connection with the Chapter Elections.

**Section 9. Secretariat of the Election Committee.** – The Chapter Legal Aid Clerk shall serve as the secretariat of the ELECOM.

**Section 10. Appointment of Support Staff of the Election Committee.** – The Chairman shall appoint a number of support staff of the ELECOM as he may deem necessary who are not necessarily members of the Bar. The other Chapter clerks/personnel/staff shall be given preference in the appointment of support staff.

The support staff cannot participate in the deliberation of the ELECOM or vote in any issue or question that may arise during the proceedings.

**Section 11. Vacancies in the Election Committee and Appointment of Substitute.** – If, on election day, any ELECOM Member is absent, the Chairman shall appoint any Member of the Chapter in good standing present at the Polling Place as a Substitute. The said appointee shall act as Member of the ELECOM until the absent ELECOM Member appears.

**ARTICLE IV  
POWERS AND FUNCTIONS  
OF THE ELECTION COMMITTEE**

**Section 12. Powers and Functions of the Election Committee.** – The ELECOM shall exercise the following powers and functions:

- a. Enforce and administer all laws, regulations, guidelines and general instructions relative to the conduct of Chapter Elections;
- b. Evaluate the Members who registered to vote online, their written notices and compliance with the required annexes or attachments;
- c. Verify and confirm the identity, signature and e-mail address of those who registered to vote online or through e-mail;
- d. Prepare and finalize the Official List of Online Voters;
- e. Regulate the release and reproduction of the Chapter's Voters List and Official List of Online Voters;
- f. Prepare the regular ballots and e-ballots to be used during the Chapter Elections;
- g. Send via e-mail the e-ballots of Online Voters using the Chapter's official e-mail address for election purposes;
- h. Cause the establishment, activation and operation of a video conferencing via any online platform during the elections;
- i. Responsible in the counting and canvassing of ballots, both regular and e-ballots, and in determining the results of the elections;
- j. Proclaim the winning candidates;
- k. Responsible in the safekeeping of the ballots and other election paraphernalia;
- l. Prepare the Official Chapter Election Results and send the same to the IBP National Office (Attention: IBP National Secretary) together with the tally sheets of votes garnered by each and every candidate during the Chapter Elections;
- m. Prepare the Confirmatory Certificate on the results of the Chapter Elections to be sent via e-mail to the National Office;
- n. Resolve all protests before the adjournment of the conduct of election proceedings;
- o. Adopt measures to ensure the sanctity and secrecy of ballots;
- p. Exercise such other functions as may be necessary or as circumstances may warrant in order to ensure free, orderly, honest, peaceful, and credible Chapter Elections.

**Section 13. Meetings of the Election Committee prior to Election Day.** – The ELECOM may meet anytime at the instance of the Chairman. The said meeting can either be in person or online using any available platform or electronic means.

**ARTICLE V  
REGISTRATION OF ONLINE VOTERS**

**Section 14. Qualifications to Vote Online.** – Due to logistical constraints, the slots for online voting shall be limited to 100 voters only.

**Section 15. Registration to Vote Online.** – From 18 February 2021 to 22 February 2021, any qualified Member may register to vote online by submitting a written notice of “Intent to Vote Online or Through E-Mail” addressed to the Chapter Secretary. After 22 February 2021, a qualified Member may no longer avail of the option to vote online or through e-mail.

**Section 16. Mandatory Contents of the Written Notice.** – The written notice of “Intent to Vote Online or Through E-Mail” must be signed by the Member and shall state/contain the following:

- a. Member’s present home address;
- b. Member’s personal e-mail address;
- c. Member’s personal mobile number for verification and confirmation purposes;
- d. A statement of the Member that he/she is allowing the data provided to be processed, recorded and utilized by the Chapter and/or ELECOM to prepare a list of qualified members who have opted to vote online;
- e. A statement that he/she is waiving the secrecy of his/her ballot;
- f. A digital copy of a current photo of the Member with the face fully visible;
- g. A clear copy of either the IBP ID or any valid government-issued ID with photo and signature of the Member;
- h. A clear copy of the Official Receipt as proof of payment of IBP Annual Dues for Calendar Year 2021. For Lifetime Members, a clear copy of the IBP Certificate of Life Membership or any other similar certification; and
- i. A declaration that under his/her Lawyer’s Oath, all of the foregoing information are true and correct.

Non-compliance with any of the foregoing requirements shall be a ground to deny the registration of a qualified Member to vote online.

**Section 17. Verification and Confirmation.** – The ELECOM shall verify the authenticity of the written notice by calling the concerned Member to ascertain his/her identity, signature and personal e-mail address as indicated in the Member’s written notice and intent to vote online or through e-mail. No Member can vote online if his/her name is not included in the Chapter’s Voters List.

**Section 18. Preparation of Official List of Online Voters.** – The ELECOM shall prepare the Official List of Online Voters not later than 23 February 2021. The said list containing the names and personal e-mail addresses of the Online Voters shall be attested to by the Chairman and Members of the ELECOM.

Members who registered to vote online but were not included in the Official List of Online Voters or have subsequently decided to vote in person, can still vote physically or in person on election day but are reminded to strictly observe health protocols.

**Section 19. Declaration of Policy on Online Voting.** – The provisions in this Article V of the General Instructions are hereby declared to be fair and reasonable considering the current pandemic crisis and the logistical challenges of the Chapter. The foregoing provisions are not undue restrictions and limitations to the option of a Member in good standing to vote online or through e-mail.

## **ARTICLE VI CANDIDATES AND TERM OF OFFICE**

**Section 20. Members Qualified to Become Candidates.** – Only a Member in good standing may become a Chapter Officer. Only members who are up to date in the payment of dues, assessments, and charges due and payable to IBP National and the Chapter concerned as of 10 February 2021 and not under suspension from the practice of law or from membership privileges shall be considered as members in good standing.

**Section 21. Ineligibility of Certain Members From Becoming Officers.** – No Member holding an elective, judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof shall be eligible for election or appointment to any position in the Integrated Bar or any Chapter thereof.

**Section 22. Term of Office.** – The term of office of all elective officers of the Chapter shall be two (2) years beginning 1 April 2021 and ending 31 March 2023. In no case may any Member be elected to the same office or position for two (2) consecutive terms.

## **ARTICLE VII NOMINATION**

**Section 23. Nomination of Candidates on Election Day.** – Only Members physically present at the Polling Place on Election Day can nominate and may be nominated for election. After a nomination is made, the Chairman shall immediately require the nominee to manifest publicly, whether he/she accepts the nomination.

**Section 24. Order of Nomination.** – The Chairman shall open the floor for nomination for each Chapter position in the following order:

- a. President;
- b. Vice President;
- c. Secretary;
- d. Treasurer;
- e. Auditor;
- f. Public Relations Officer; and
- g. Directors (not more than 5).

## **ARTICLE VIII VOTING**

**Section 25. General Policy.** – Voting for Chapter Officers shall be done by secret ballot, except for those who registered and were approved to vote online in accordance with the pertinent provisions of these General Instructions. The Chapter shall provide official ballots for the purpose. Voting by proxy, either in person or online, shall be allowed but only with a notarized Special Power of Attorney.

**Section 26. Voting In Person.** – A Member who is physically present at the Polling Place and is included in the Chapter’s Voters List shall be given a ballot, which he/she shall fill-up, and after which, such ballot shall be dropped by the Voter in the designated ballot box.

Members who are voting in person must bring his/her own pen (preferably blue or black ink), valid ID (preferably an unexpired IBP ID with QR Code), face mask, face shield (must be clear enough to see the face), and must observe social distancing at the Polling Place.

**Section 27. Rules to be Observed During the Voting.** – During the voting, the ELECOM shall see to it that:

- a. Voters shall fall in line in the order of their arrival at the Polling Place and cast their votes in the same order;
- b. There shall be no crowding of voters and disorderly behavior inside the Polling Place;
- c. Voters shall immediately depart the area where actual voting is taking place to give way for other voters;
- d. ELECOM shall give priority to persons with disabilities, senior citizens and pregnant women; and
- e. The ballot box shall remain closed/locked during the voting. However, if it should become necessary to make room for more ballots, the ELECOM shall, in the presence of candidates or their watchers, open the ballot box. The Chairman shall press down the ballots contained therein without removing any of them, after which the ELECOM shall close the ballot box. Such fact of opening must be recorded in the Minutes.

**Section 28. Prohibitions During the Voting at the Polling Place.** –The following acts shall be prohibited:

- a. To bring the ballot outside of the polling place;
- b. Intentionally tear or deface the ballot; and
- c. Disrupt or attempt to disrupt the election proceedings.

**Section 29. Manner of Obtaining Ballots.** –The manner of obtaining ballots is as follows:

- a. The Voter shall:
  - i. Register his/her name upon arrival at the entrance of the Polling Place;

- ii. Approach the ELECOM and show his/her valid ID, preferably the IBP ID with QR Code;
  - iii. Upon instruction of the Chairman, remove his/her facemask for not more than ten (10) seconds but without removing his/her face shield in order to show his/her face to the ELECOM; and
  - iv. Show to the ELECOM that he/she has a pen to avoid sharing of pens and unintended transmission of the COVID-19 virus.
- b. The ELECOM Member or Designated Support Staff shall:
- i. Verify if the name of the Member is in the Chapter's Voters List;
- c. The ELECOM Chairman shall:
- i. Establish the identity of the Voter by comparing the face of the Voter with the photo as shown in the latter's valid ID;
  - ii. If satisfied with the Voter's identity, give the regular ballot to the Voter.

**Section 30. Spoiled Ballots.** – If a ballot is accidentally spoiled or defaced in such a way that it cannot be used, the Voter shall surrender it folded to the ELECOM in the same way when it was issued. Then the ELECOM Chairman shall write the word “SPOILED” on top of the ballot. The Chairman shall then give the Voter a second ballot. In no case, however, that a Voter be allowed to change spoiled/defaced ballot more than once.

The spoiled ballot shall, without being unfolded, be distinctly marked with the word “SPOILED”, signed by the ELECOM Chairman and deposit in a brown envelope dedicated for spoiled ballots. Such fact must be recorded in the Minutes.

**Section 31. Printing of E-Ballots.** – The ELECOM shall, in the presence of the Supreme Court-designated Observer, open the e-mail of the Online Voter, and download, and print the e-ballot sent by said Online Voter. The said e-ballot as printed shall be counter-signed by the ELECOM Chairman and the same shall, in the presence of the Supreme Court-designated Observer (if any), be dropped by the Chairman in the designated ballot box for e-ballots.

## **ARTICLE IX WATCHERS**

**Section 32. Official Watchers of Candidates.** – Each candidate may appoint two (2) watchers who shall serve alternately. If the space in the Polling Place designated by the ELECOM for watchers is insufficient, preference shall be given to the watchers of candidates for President and Vice President. In any case, social distancing protocols must be strictly observed by the watchers.



## **ARTICLE X COUNTING OF VOTES**

**Section 33. Counting of Votes to be Public and Without Interruption.** – The ELECOM shall publicly count in the polling place, the votes cast and tally the results. For this purpose, the ELECOM may re-arrange the physical set-up of the polling place for counting and perform any other activity to accomplish an orderly counting. At all times, the ballot box shall be within close view of the watchers and the public.

The ELECOM shall not adjourn or postpone or delay the count until it has been fully completed.

**Section 34. Manner of Recording the Votes.** – In reading the ballots during the counting, the tally sheet and the tally board must be simultaneously accomplished by the secretariat and the designated support staff, respectively.

The secretariat and the designated support staff shall record each vote on the tally sheet and the tally board respectively as the name of the candidate voted for is read. Each vote for a candidate shall be recorded by a vertical line, except every fifth vote for the same candidate, which shall be recorded by a diagonal line crossing the previous four vertical lines.

The same procedure shall be followed with the succeeding piles of ballots. After the ballots have been read, the ELECOM shall record in words and figures, the total votes obtained by each candidate both in the tally sheets and in the tally boards.

**Section 35. Safekeeping of Counted Ballots; and Certification of the Tally Sheets and Tally Boards.** – The counted ballots shall be placed in an envelope provided for the purpose, which shall be sealed and signed by the ELECOM. The tally sheets and the tally boards as accomplished shall be certified and signed by the ELECOM.

**Section 36. Appreciation of Ballots.** – In the appreciation of the ballots, every ballot shall be presumed valid unless there is clear and good reason to justify its rejection.

Any question on the appreciation of ballots shall be decided by the majority of the ELECOM. No watcher, candidate, or any other person shall be allowed to participate in the appreciation of ballots, except that any watcher or candidate may file a protest which shall be recorded in the Minutes.

## **ARTICLE XI ANNOUNCEMENT OF RESULTS AND PROCLAMATION**

**Section 37. Announcement of the Results of Chapter Elections and Proclamation.** – After completion of the counting of the votes cast, the ELECOM, through the Chairman, shall announce the result of the Chapter Elections and proclaim the winning candidates.

**ARTICLE XII**  
**MISCELLANEOUS PROVISIONS**

**Section 38. Pre-proclamation cases.** – Pre-proclamation cases are not allowed.

**Section 39. Applicability of Other Provisions of the National Guidelines.** – The other provisions of the Guidelines for the 2021 Elections of Chapter Officers adopted by the 24<sup>th</sup> Board of Governors and approved by the Supreme Court, FAQs, and other pertinent elections laws or rules of the Republic of the Philippines shall, as far as practicable, apply in a suppletory manner.

**Section 40. Effectivity.** – This resolution on the General Instructions on the Process of Voting, Counting of Votes and Proclamation in Connection with the 27 February 2021 Chapter Elections shall be effective immediately upon its posting in the Chapter Offices located in Makati City Hall and Makati City Hall of Justice. A copy of these General Instructions must be posted and/or published in the official social media Facebook account and Website of the IBP Makati Chapter.

**APPROVED**, this 27<sup>th</sup> day of January 2021.