



Republic of the Philippines
Polytechnic University of the Philippines
Student Council Constitutional Commissions
Commission on Elections

RESOLUTION NO. 18, SERIES OF 2022

**A RESOLUTION TO NULLIFY DECISION NO. 01 SERIES OF 2022, TO
ABROGATE RESOLUTION NO. 015 SERIES OF 2022, AND TO RATIFY
IMPLEMENTING RULES AND REGULATIONS WITH FINALITY**

WHEREAS, the Commission on Elections (COMELEC) stands as the highest policy-making body for all election matters in the Polytechnic University of the Philippines (PUP) - Main Campus;

WHEREAS, the Commission convened online on September 16, 2022 with the following agenda:

- (1) To revisit the following documents:
 - a) Resolution No. 15, series of 2022
 - b) Decision No. 01, series of 2022
 - c) SAMASA PUP's Petition to Repeal the Resolution No. 015, Series of 2022, Without Replacement on The Grounds of Violation of Article IV, Section 12 of The PUP Student Council Constitution
- (2) To resolve issues that arose to the aforementioned documents.
- (3) To finalize the Implementing Rules and Regulations of Student Council Act No. 002 series of 2022;

WHEREAS, Commissioners from the following Colleges were present:

- College of Accountancy and Finance (CAF)
- College of Arts and Letters (CAL)
- College of Business Administration (CBA)
- College of Computer and Information Sciences (CCIS)
- College of Human Kinetics (CHK)
- College of Communication (COC)
- College of Education (CoEd)

- College of Political Science and Public Administration (CPSPA)
- College of Engineering (CE)
- College of Science (CS)
- College of Social Studies and Development (CSSD)
- College of Tourism, Hospitality, and Transportation Management (CTHTM)

WHEREAS, the Commissioners from the following Colleges were not present:

- College of Architecture, Design, and the Built Environment (CADBE)
- Institute of Technology (ITECH)

WHEREAS, on September 9, 2022, the Commission passed Resolution No. 015, series of 2022, adding the following provisions:

Article VII

Section 3.2b Candidates running in their College Student Council are entitled to one (1) legal representative, one (1) campaign manager, one (1) spokesperson, and two (2) poll watchers.

Article XIV

Section 2.5 If there is only one (1) official candidate running for a particular position, whether it be in the Sentral na Konseho ng Mag-aaral (SKM) or in the College Student Council (CSC), he/she/they must obtain 2/3 of the voters' turnout in order to be proclaimed elected.

- a. Voters' Turnout defined - it shall include all votes casted on the ballot provided by the Commission, whether the vote is in favor of a candidate or abstain. People who did not vote at all in the elections shall be considered separate from the 'abstain' vote and not be considered as a part of the voters' turnout.*

WHEREAS, on September 9, 2022, SAMASA PUP filed a petition before the Commission to Repeal the Resolution No. 015, Series of 2022, Without Replacement on The Grounds of Violation of Article IV, Section 12 of The PUP Student Council Constitution;

WHEREAS, on September 14, 2022, the Commission has DENIED the petition;

WHEREAS, on September 16, 2022, the Commission revisited the following documents:

- a) Resolution No. 15, series of 2022

- b) Decision No. 01, series of 2022
- c) SAMASA PUP's Petition to Repeal the Resolution No. 015, Series of 2022, Without Replacement on The Grounds of Violation of Article IV, Section 12 of The PUP Student Council Constitution

WHEREAS, on the same date, after hearing the sentiments of the students, the Commission reopened the discussion regarding the above documents;

WHEREAS, the Commissioners in quorum acknowledges the unconstitutionality of Article XIV Section 2.5;

WHEREAS, the Commissioners in quorum agreed that Resolution No. 015, series of 2022 misconceived the nature and characteristics of the abstain vote;

WHEREAS, the Commissioners in quorum agreed that Resolution No. 015, series of 2022 lacks sufficient legal foundation in order to be implemented;

WHEREAS, the Commissioners in quorum, upon discussion, voted unanimously to NULLIFY Decision No. 01, series of 2022. In effect, the Commission REVERSES its previous Decision to deny SAMASA PUP's petition;

WHEREAS, the Commissioners in quorum, pursuant to the reversal of the Decision, voted unanimously to abrogate Resolution No. 015, series of 2022;

WHEREAS, the Commission shall proclaim candidates, contested or uncontested, in accordance to the principle of plurality excluding abstentions, since a plurality of abstentions does not nullify the elections;

WHEREAS, the Commissioners in quorum, upon discussion, ratifies the IMPLEMENTING RULES AND REGULATIONS OF STUDENT COUNCIL ACT NO. 002 SERIES OF 2022, with finality. The Commission agreed unanimously that no further amendments will be made to the IRR upon the release of this Resolution;

NOW, THEREFORE, by virtue of the power vested in the Commission on Elections (COMELEC) being the highest electoral policy-making body hereby (a) nullifies Decision No. 01, series of 2022 (b) abrogates Resolution No. 015, series of 2022 (c) ratifies the Implementing Rules and Regulations of Student Council Act No. 002 Series of 2022 otherwise known as Election Code of the PUP Student Council with finality, **BE IT RESOLVED AS IT HEREBY RESOLVES:**

THAT, nullification of Decision No. 01, series of 2022 shall take effect immediately.

THAT, the abrogation of Resolution No. 015, series of 2022 shall take effect immediately.

THAT, the Implementing Rules and Regulations of Student Council Act No. 002 Series of 2022 is ratified with finality.

THAT, this will continue being implemented until another contradicting resolution is created.

THAT, the Commission shall inform their constituents, primarily prospective candidates and their respective paralegals, of the revised Implementing Rules and Regulations in order to provide guidance and ensure a well-organized election.

THAT, there shall be a furnished copy of this resolution, including any changes made hereto, to the official addresses of Local Student Councils residing in the Polytechnic University of the Philippines -Main Campus.

SO, ORDERED.

(SGD) RJ O. SALAMERA

Chairperson

College of Political Science and Public Administration Commissioner

(SGD) GAD THOMAS DEUEL S. MENDIOLA

Vice Chairperson

College of Arts and Letters Commissioner

(SGD) MARY JOY B. DAGDAG

Secretary-General

College of Science Commissioner

(SGD) ANN SHIRLEY M. BENITEZ

Treasurer

College of Education Commissioner

(SGD) MARL NICO MARI M. DE VERA

College of Accountancy and Finance Commissioner

(SGD) APPLE JOY A. BUEN

College of Architecture, Design, and the Built Environment Commissioner

(SGD) JOYCE MARIE L. TOLENTINO

College of Business Administration Commissioner

(SGD) LORIELYN Y. BELMONTE

College of Communications Commissioner

(SGD) CARLOS JUDE G. MAMINTA

College of Computer and Information Sciences Commissioner

(SGD) CARLOS JAIRO L. TIAGA

College of Engineering Commissioner

(SGD) AUGUST B. ANTONIO

College of Human Kinetics Commissioner

(SGD) DENISE JOYCE B. ALMARIO

College of Social Sciences and Development Commissioner

(SGD) ARVIE EIN P. AMOGUIS

College of Tourism, Hospitality and Transportation Management Commissioner

(SGD) JOHN RAY C. AYES

Institute of Technology Commissioner

