



COMMISSION ON ELECTIONS

POLYTECHNIC UNIVERSITY OF THE PHILIPPINES - MANILA



2022

A large circular inset image showing a modern, multi-story building with a red roof and white walls, likely the Polytechnic University of the Philippines - Manila campus. In front of the building is a paved area with a fountain, some trees, and a few people walking. A yellow directional sign is visible on the right side of the inset.

IMPLEMENTING
**RULES AND
REGULATIONS**



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**RULES AND REGULATIONS IMPLEMENTING THE STUDENT COUNCIL ACT
NO. 002 SERIES OF 2022 OTHERWISE KNOWN AS ELECTION CODE OF THE
PUP STUDENT COUNCIL**

**ARTICLE I
GENERAL PROVISIONS**

Section 1. **Title** – These rules and regulations shall be referred to as “Implementing Rules and Regulations of Student Council Act No. 002 Series of 2022” (Rules).

Section 2. **Scope**

- 2.1 These Rules shall govern and regulate election of all officers of the PUP Student Council. These Rules shall continue to be applicable unless otherwise amended by the incumbent Commissioners.
- 2.2 These Rules be promulgated by COMELEC shall have jurisdiction on the registered candidates, political parties, political coalitions, PUP administration, and bona fide student voters only.

**ARTICLE II
THE STUDENT COUNCIL COMMISSION ON ELECTIONS**

Section 1. **Composition** – The Commission shall be composed of one (1) Commissioner per College or Institute within the PUP regular university system that offers undergraduate or diploma programs, duly appointed by the Student Council Assembly.

Section 2. **Qualifications of COMELEC Commissioners** – The qualifications to be a Commissioner of COMELEC are as follows:

- 2.1 Must be a bona fide student of PUP;



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- 2.2 Must be non-partisan and does not represent or abide to any political organization and/or formation inside and outside the University;
- 2.3 Must be well-informed about the processes and functions of the electoral platforms;
- 2.4 Must be able to handle and assist all technical workloads of the Commission during the electoral process.

Section 3. **Appointment** – The Commissioners, in accordance with the PUP Student Council Constitution, shall be nominated by the SKM President and elected by the SCA.

Section 4. **COMELEC Executive Committee** – The Commissioners shall elect among themselves their Executive Committee, composed of a Chairman, Vice Chairman, Secretary General and Treasurer.

- 4.1 Chairperson – shall preside and oversee the COMELEC *en banc* and shall serve as the Commission's primary spokesperson.
- 4.2 Vice Chairperson – shall assist the Chairperson in facilitating the activities of the commission. In the vacancy of the Chairperson's Office due to reasons of their death, resignation, removal, suspension, illness, absence, or incapacity, the Vice Chairperson shall take upon their function.
- 4.3 Secretary-General – shall ensure that meetings are effectively organized and noted in minutes, shall ensure the proper recording, organizing, safekeeping of the important files, documents that concern the Commission, and operationalize and oversee the Secretariat Committee.
- 4.4 Treasurer – shall act as custodian of the Commission manage all the commission's financial accounts, keep the records of its funds, disburse the same in accordance with an appropriation of the student council, and submit a financial report at the end of the operations and/or per semester to the SC Commission on Audit.

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Section 5. Powers and functions of the Commission – In addition to the powers and functions conferred upon it by the PUP Student Council Constitution, the Commission shall:

- 5.1 Pass and promulgate implementing rules other than this Code and exercise all other powers necessary to administer and ensure a fair, orderly and honest conduct of elections;
- 5.2 Keep and preserve all election materials, documents, and other election paraphernalia;
- 5.3 Inspect and approve campaign materials within the prescribed date as stipulated in the election calendar;
- 5.4 Regulation of online election campaign activities;
- 5.5 Establish a central command center. The nature or platform of the central command center shall either be a physical facility in coordination with the PUP administration, subject to the availability of resources, or through online platforms, in order to effectively implement the online elections;
- 5.6 Prohibit and stop illegal campaign practices including but not limited to:
 - (a) Destruction of campaign materials by individuals or candidates as per Title 9, Section 3.22;
 - (b) Black Propaganda. – Any form of falsified or malicious propaganda from an unidentified source, especially propaganda purporting to come from an enemy's own sources and designed to lower morale, spread lies and fabricated statements, with the intention to deceive audiences, which include, but is not limited to:
 - b.1. Online Attacks – Any false or malicious act or statement, using any online platform, these attacks include, but are not limited to:

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- b.1.1. Cyber-bullying – Any act of using any electronic device to send messages that might cause intimidation to another party or to be perceived as a threat to one's welfare;
 - b.1.2. Cyber-libel – As stipulated in Article 353 of the Revised Penal 20 Code, it is the public and malicious imputation or accusation of a crime, or of a vice or defect, real or imaginary, or any act, omission, condition, status, or circumstance tending to cause the dishonor, discredit, or contempt of a natural or juridical person, or to blacken the memory of one who is dead; as amended by Chapter II Section C(4) of Republic Act No. 10175, it is committed through a computer system or any other similar means which may be devised in the future. During the university student council elections, it is any published statement, conversation, story, that causes damage to the reputation of the candidate or political party;
 - b.1.3 Malicious Statements in Public Social Media Fora. – These include, but are not limited to, comment sections on Facebook statuses and posts, and/or replies on Twitter posts and threads, containing baseless accusations attacking the Commission, any candidate, slate, political party, and/or coalition;
 - b.2. Red-tagging – The act of labeling, branding, naming, and accusing individuals and/or organizations of being subversives, communists, or terrorists, usually used as a strategy by state agents, particularly law enforcement agencies and the military, against those perceived to be 'threat' or 'enemies' of the state;



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- (c) Pre and Post Campaigning Activities;
 - (d) Room-to-room campaigning during the campaign period of non-PUPians to a certain candidate, political party, and/or coalition;
 - (e) Any form of physical threat or harassment as per Title 9, Sec. 3.33;
 - e.1. Coercion of election officials and employees. – Any person who, directly or indirectly, threatens, intimidates, terrorizes, or coerces any election official or employee, through explicit action with intent, in the performance of their election functions or duties;
 - (f) Sexual harassment including catcalls, sexually explicit comments, sexist remarks, and homophobic insults;
- 5.7 Administer, govern, and carry out the necessary electronic election process and platform through commission deliberation;
- 5.8 Recommend the removal of any officer of the PUP Student Council for violations or disregard of disobedience to its decisions, orders or directives to the SCA. (Article XII-A Section 3 of the Constitution).

Section 6. **The Commission *En Banc*** – In accordance with Section 2, Article XII A of PUP Student Council Constitution, the Commission may sit *en banc* or in two Divisions. The Commission shall sit *en banc* in cases hereinafter specifically provided, or in pre-proclamation cases upon a vote of a majority of the members of the Commission, or in all other cases where a division is not authorized to act, or where upon a unanimous vote of all the Members of a Division, an interlocutory matter or issue relative to an action or proceeding before it is decided to be referred to the Commission *en banc*.

- 6.1 ***En Banc* Cases.** The Commission *En Banc* shall act on the following matters and cases:
- (a) Cases in which the constitutionality or validity of any policy that affects election rules and administrative standard of student

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council officers, and qualifications of students in holding public office;

- (b) Cases raising novel questions of election law and policy;
- (c) Cases from the Commission's divisions where appeals are requested;
- (d) Cases where a doctrine or principle laid down by the Commission *En Banc* or by a division may be modified or reversed;
- (e) Cases involving conflicting decisions of two or more divisions;
- (f) Cases that the Commission *en banc* deems of sufficient importance to merit its attention; and
- (g) All matters involving policy decisions in the administrative supervision of the commission and their personnel Decisions. All decisions of the Commission *En Banc* shall be final and executory. However, interested parties can still file their motion for reconsideration and shall be deliberated again by the Commission *En Banc*.

Section 7. **The Commission Sitting in Divisions** – In accordance with Section 2 of Article XII A of PUP Student Council Constitution, the Commission may sit *en banc* or in two Divisions. The Commission shall sit in two (2) Divisions to hear and decide protests or petitions in ordinary actions, special actions, special cases, provisional remedies, and contempt.

- 7.1 Composition of a Division – Each Division shall be composed of half of the Commissioners, one of whom shall be the Presiding Commissioner. The Commission *en banc* shall determine through a raffle who shall compose a Division.
- 7.2 Presiding Commissioner – The presiding commissioner for each division shall be elected by the simple majority vote of the present members of their respective divisions.



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- 7.3 Division cases – All cases and matters under the jurisdiction of the Commission *en banc* not otherwise provided for by law, by this Code to be cognizable by the Commission *en banc* shall be cognizable by the Divisions.

Section 8. Cases

- 8.1 Assignment of Cases – The assignment of cases of the two (2) Divisions herein constituted shall be done strictly through raffle to be conducted regularly by the Chairman of the Commission in the presence of at least a majority of the Commissioners; Provided, that the assignment of cases shall be made as evenly as possible.
- 8.2 Consolidation of Cases – When an action or proceeding involves a question of law and fact which is similar to or common with that of another action or proceeding, the same may be consolidated with the action or proceeding bearing the lower docket number.
- 8.3 Decision or Resolution – When a case is submitted for decision or resolution, the Member-in-Charge shall have the same place in the agenda of the Commission for deliberation. A report that shall contain the facts, the issue or issues involved, the arguments of the contending parties, and the laws and jurisprudence that can aid the Commission in deciding or resolving the case. In consultation, the Members of the Commission shall agree on the conclusion or conclusions in the case.
- 8.4 Majority Opinion – Immediately upon arriving at a conclusion regarding the issue or issues in the case, the Commission shall assign a Member to write the opinion of the Division or *En Banc*. Should the majority vote of the Division or *En Banc* on such a conclusion be different from or contrary to the conclusion arrived at by the ponente, the writing of the new opinion shall be assigned to a ponente chosen by the majority.
- 8.5 Separate opinions – A commissioner may write a dissenting or concurring opinion other than the majority opinion as the decision is presented for the signature of the members.

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- (a) A Member who disagrees with the majority opinion, its conclusions, and the disposition of the case may submit to the Chairman or Presiding Commissioner a dissenting opinion, setting forth the reason for such dissent.
 - (b) A Member who agrees with the result of the case but based on different or additional reasons from the majority opinion may submit a concurring opinion; a concurrence "in the result" should state the reason for the qualified concurrence.
 - (c) A Member may submit an opinion concurring in part and dissenting in part.
- 8.6 Per curiam decisions. Any decision or resolution shall be rendered per curiam upon request by the Commissioner assigned to write the opinion.
- 8.7 Execution of judgment. Except where the judgment or final order or resolution, or a portion thereof, is ordered to be immediately executory, the motion for its execution may only be filed in the proper court after its entry.
- 8.8 Motion for Reconsideration.
- (a) Period for filing. A party may file a motion for reconsideration of a judgment or final resolution to the Commission *en banc* within one (1) day from notice thereof.
 - (b) Second motion for reconsideration. No second motion for reconsideration shall be entertained.
- Section 9. Validity of Decisions** – All decisions, rules and regulation and resolutions shall be valid upon approval by the majority of the Commissioners, signed copies of which shall be posted in the official social media platforms of the Commission and shall be given to all local student councils and interested parties and the Central Student Council.
- Section 10. Decisions** – All decisions of the Commission shall be final and executory. However, interested parties can still file their motion for reconsideration and shall be deliberated again by the Commission. Further, after the election period

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any pending appeal on any decision of the Commission shall be filed to the Student Tribunal. Provided that the Tribunal shall decide based on the facts of the case, such power is vested to the Commission alone. In special case/s to which the Election Code fails to provide any provision that will suffice to resolving such case/s, the COMELEC reserves the right to decide and resolve case/s based on factual basis and investigation.

Section 11. Deputy Commissioners – Each COMELEC commissioner shall select and appoint one (1) Deputy Commissioner from their respective College/Institute. They may act as administrator, and administrator assistant or other positions needed for the conduct of the elections. However, they cannot vote on *en banc* sessions and participate in decisions of the Commission. They shall have a term coterminous with the members of the Commission and can be renewed upon the discretion of the succeeding Commissioners.

11.1 Qualifications of Deputy Commissioners:

- (a) Must be a Bona fide student of PUP;
- (b) Must be non-partisan and does not represent or abide to any organization and/or formation inside and outside the university;
- (c) Must be well-informed about the processes and functions of the electoral platforms; and
- (d) Must be able to handle and assist all technical workloads of the Commission during the electoral process.

11.2 The functions and responsibilities of the Deputy Commissioners are the following:

- (a) Instruct and answer all inquiries and questions relating on voting;
- (b) Raise all the pending inquiries and questions relating on voting that were unanswered by the Deputy Commissioner to the members of the Commission;

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- (c) Act as online administrator, online administrator assistant, and other positions;
- (d) Other functions and responsibilities the Commission may delegate;
- (e) The Deputy Commissioners are allowed to observe all the proceedings of the COMELEC *en banc* and its Divisions and join the discussion upon the simple majority approval of the present members, but they shall not have any voting power; and
- (f) In the case of the Commissioner's death, incapacity, resignation or removal of office, the Deputy Commissioner shall automatically assume the Commissioner position, which must be formalized by SCA through a resolution.

Section 12. Secretariat of the Commission – The Commission shall appoint a secretariat among the Deputy Commissioners for the *En Banc*, and a secretariat for each of the Division to act as secretary. The secretariat shall have no vote nor say in any of the discussions.

- 12.1 Aid the Secretary-General and the Treasurer in executing their duties and responsibilities;
- 12.2 Keep track and archive of the Commission's initiatives legal documents, and assets; and
- 12.3 Uphold and ensure the transparency of the Commission.

Section 13. Office – The Commission shall hold office at Constitutional Commissions Office, 2nd Floor, Charlie Del Rosario Building and/or other office designated by the Student Council Assembly for election purposes. Provided that said office shall be known to all interested parties. The Commission shall have official social media platforms which are:

- 13.1 Facebook (<https://www.facebook.com/comelecpupmain>);
- 13.2 Twitter (<https://twitter.com/comelecpupmain>);
- 13.3 Instagram (<https://www.instagram.com/comelecpupmain/>) only.

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The management and responsibility of these accounts of these platforms is delegated to authorized members and staff of the Commission only.

- Section 14.** **Term of Office** – The term of office of the newly-appointed officers for the Commission on Elections shall be coterminous to the term of the incumbent Student Council Assembly, unless renewed upon the discretion of the succeeding term of Student Council Assembly.

ARTICLE III
QUALIFICATION OF CANDIDATES

- Section 1.** **Qualifications of Candidates** – No student may be elected to any position on the Student Council unless he/she/they is a bona fide student of this University at the time of his/her/their filing of candidacy, and the party and/or coalition he/she/they falls under must be legitimate unless of course the candidate is independent.

- 1.1 Bona fide defined – For election purposes, a student shall be enrolled in the most recent regular semester of any college or institute within the PUP regular university system that offers undergraduate or diploma programs. Students who are not enrolled for the term, terminated its enrollment, taken a Leave of Absence (LOA), or expelled from the University are not included.
- 1.2 Legitimate Student Political Party - If a candidate runs under a particular banner or party, the party he/she/they is representing must either be an accredited organization duly screened/approved by the COSOA or an organization, recognized by the Commission through a party registration certificate, who will support and field candidates for the elections.
- 1.3 Legitimate Student Political Coalitions - Coalition refers to a conglomerate of independent candidates, slates, and/or other political parties running under a particular name or banner. Coalitions differ from Political Parties in the aspect that they have not been duly accredited by

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COSOA or COMELEC. All formed coalitions shall submit a declaration of their formation and the official list of all the candidates running under them to the COMELEC.

- 1.4 Discernment - The COMELEC shall clearly discern and declare all the student political parties and coalitions, and their respective candidates participating in the election.

Section 2. **Registered** – One who is registered for formal academic credits and who carries the academic loads required in a given semester by his/her curriculum, he/she may be regular or irregular (sec. 7.2 PUP Student Handbook) provided he/she is not a graduating student.

Section 3. **Candidates Holding Elective Office** – Candidates holding elective office shall exercise their powers and duties until a new set of officers are proclaimed and sworn in, however, the Student Council Assembly cannot institute actions concerning the manner of the conduct of the elections; such actions are vested only to the Commission during the election period.

Section 4. **Candidates Holding Appointive Office** – Students appointed as members or officers of Constitutional Commissions, such as Student Commission on Audit, Commission on Student Organizations and Accreditation, Student Tribunal and other Commissions created by the Student Council Assembly, shall be considered to resign from their office upon the filing of their Certificate of Candidacy.

ARTICLE IV
CERTIFICATE OF CANDIDACY

Section 1. **Certificate of Candidacy** – No student shall be eligible for any elective office unless he/she/they files a sworn certificate of candidacy stated in the Calendar for the Period of Election as prescribed by the SCA. The COMELEC can adjust the calendar given there is a possibility of Force Majeure or Failure of Election. A person who has filed a certificate of candidacy may, prior to the



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election, withdraw the same by submitting to the Commission a written declaration.

Section 2. **Limitations for Filing Candidacy** – No student shall be eligible to file for more than one office to be filed in the same election, and if he/she/they files his certificate of candidacy for more than one office, he shall not be eligible for any of them.

Section 3. **Filing Period** – the period of filing of certificate of candidacy shall be prescribed by the Student Council Assembly. Further, the Commission *motu proprio* or by petition of any interested party can extend the filing period. Provided that such extension is necessary, with just cause, for the conduct of a widely participated, fair and orderly elections. Provided further, that the copies of the announcement of the filing period and any extension shall be posted on the Commission's official social media platform and shall be sent to all student councils and interested parties.

Section 4. **Requirements** – A certificate of candidacy shall be awarded to a candidate who has submitted the following:

4.1 Original Certification of Enrollment from ARO or Registration Certificate for the most recent regular semester of the candidate. In cases that the Registration Card is unavailable, the candidate may provide either of the following as an alternative:

- (a) A copy of official Certification of Enrollment/Attendance through Online Document Request System (ODRS) within the specified election timeline.
- (b) Confirmation Slip of the most recent regular semester;
- (c) A certificate of grades which reflects the most recent regular semester. The certificate may contain or not contain the student number, provided that this was issued and/or validated by the candidate's respective chairperson, dean, and/or registrar.

4.2 A certificate or clearance from the Internal Audit Office or OSS stating that the candidate has no financial liabilities. The PUP SC COA in

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coordination with COMELEC, shall be the main coordinator for the collective request of all the candidates' certificate or clearance;

- 4.3 Other documents deemed necessary by the Commission for election purposes;
 - (a) Digital copy of picture, in formal attire, with a white background. No name tag shall be included in the picture, sized 2"X2".
 - (b) Duly-signed Certificate of Nomination from his/her/their political party and/or coalition he/she/they wishes to run under its banner, excluding individual independent candidates.

Section 5. Ministerial Duty of Receiving and Acknowledging Receipt – The Commission through the Secretariat shall have the ministerial duty to receive and acknowledge receipt of the certificate of candidacy.

Section 6. Candidates in Case of Disqualification or Withdrawal of Another – If within the period of filing of certificate of candidacy, an official candidate of a registered or accredited political party withdraws or is disqualified for any cause, only a person belonging to, and certified by, the same political party may file a certificate of candidacy to replace the candidate who withdrew or was disqualified. The substitute candidate nominated by the political party concerned may file his/her/their certificate of candidacy with the Commission not later than a day after the last day of filing of candidacy.

Section 7. Official List and Publicization of Candidates – The official list of candidates shall be publicized and disseminated physically and/or online by the Commission on its official social media platforms. This, along with other publicization initiatives, shall be sensitized and be responsive to the lived name, preferred pronouns, and public identity of the candidates. Further, copies of which shall also be forwarded to the Campus Publications accredited by Student Publication Office, Office of the Student Services, Office of the Vice President for Student Services and to all student councils, on the same consideration.



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ARTICLE V
ELECTION AND CAMPAIGN PERIODS

Section 1. **Commencement of Election Period** – Unless otherwise fixed by the Student Council Assembly through a resolution, the election period shall commence on the first day of filing of certificate of candidacy and shall end ten days after the final casting of ballots and resolution of post-election disputes.

Section 2. **Calendar for the Period of Election** – The calendar or timeframe of the PUP Student Council Election Period shall be prescribed by SCA through a resolution. The start of the Period of Election shall commence at least forty-five (45) days before the start of a new academic year. The COMELEC can adjust the calendar given there is a possibility of Force Majeure or Failure of Election.

Section 3. **Postponement of Election** – The rules for declaring and resolving a petition for a Postponement of election are as follows:

3.1 Criteria for Declaring a Postponement of Election – The postponement of elections can be declared on account of:

- (a) violence;
- (b) terrorism;
- (c) loss or destruction of election paraphernalia;
- (d) force majeure;
- (e) PUP administration intervention;
- (f) non-PUPian Intervention; and
- (g) other analogous causes of such nature that the holding of a free, orderly and honest election should become impossible, COMELEC, motu proprio or upon a verified petition by any interested parties are afforded equal opportunity to be heard, shall postpone the election therein to a date which should be

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reasonably close to the date of the election not held, suspended or which resulted in a failure to elect but not later than ten (10) days after the cessation of the cause for such postponement or suspension of the election.

Section 4. Failure of Election – The rules for declaring and resolving a petition for a Failure of Elections are as follows:

- 4.1 Criteria for Declaring a Failure of Election – The failure of elections can be declared on account of:
- (a) force majeure;
 - (b) violence;
 - (c) fraud;
 - (d) PUP Administration Intervention;
 - (e) other analogous causes;
 - (f) the election in any polling precinct has not been held on the date;
 - (g) cyber threats before, during or after electronic voting such as data loss, espionage, data manipulation, technical failures, or any threats that compromise the integrity of data;
 - (h) suspension before the hour fixed by this Code for the closing of the voting; 9.1.9. after the voting and during the preparation and the transmission of the election returns or in the custody or canvass thereof, such election result in a failure to elect;
 - (j) any of such cases the failure or suspension of election would affect the result of the election; and
 - (k) the simple majority of the Commission, wherein both the Commissioner and Deputy Commissioner positions, being vacant.
- 4.2 Procedure of the Commission on Declaring a Failure of Elections – Any concerned party or individual may file a petition for a failure of elections

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to the Commission. It is the duty of the Commission to receive, conduct a hearing with the petitioners and all parties involved in the process of the elections, duly notified by the COMELEC, and decide, whether to nullify or approve such a petition.

Section 5. Media and Publications – All student publications in PUP shall enjoy the privilege of having access and freely covering all activities within the election and campaign period like Miting de Avance, public hearings, and canvassing of votes. They shall also have the freedom to conduct their own election-related programs, but it is encouraged that the COMELEC becomes a partner for these and vice versa.

Section 6. Administration Intervention – Refers to direct campaign and indirect command of any faculty member, administrative employees or administration officials to vote in favor of or against any political party or individual candidate. This also includes, but not limited to: involvement of any faculty member, administrative employees or administration officials, in entering and managing the technical and online platforms utilized for the elections, Administration officials personally giving documents needed by any candidate, slate, and/or party.

ARTICLE VI
CAMPAIGN AND ELECTION PROPAGANDA

Section 1. Campaign Period – The campaign period shall be prescribed by SCA through a resolution. The COMELEC can adjust the calendar given there is a possibility of Force Majeure or Failure of Election. Unless otherwise provided, the campaign period shall be conducted for exactly ten (10) consecutive days.

Section 2. Miting de Avance – The Miting de Avance shall be held on the last day of the campaign period. Provided that the Commission on Election shall release guidelines for the Miting de Avance. The Commission shall encourage and provide support to colleges who will conduct their own Miting de Avance.



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Section 3. **Campaign Materials** – All campaign materials to be used by the candidates, political parties, and coalitions may be posted and disseminated without prior approval from the COMELEC, provided that these are in accordance with this Election Code.

- 3.1 Physical campaign materials. – These include but are not limited to tarpaulins and flyers. The COMELEC may prescribe a standardized size for all the physical campaign materials.
- 3.2 Virtual campaign materials. – These include but are not limited to posts, images, videos, and captions being posted or disseminated on online platforms like Facebook. All candidates, political parties, and coalitions shall provide COMELEC a list of all the official online platforms they will be using for the dissemination like Facebook page, Facebook personal account, and Twitter account.
- 3.3 All campaign material promotions online shall be organic (unpaid and/or unsponsored promotional material boosting). Facebook ads, Instagram ads, Twitter ads, and the likes are prohibited.
- 3.4 Any material, regardless of the format, that promotes voting of any particular candidate, political party, coalition, and their electoral platforms preceding election. Any material containing malicious content or attacks towards any candidate, political parties, and/or coalitions shall not constitute as campaign materials, but rather as black propaganda.
- 3.5 All campaign materials shall be preserved and must not be compulsorily removed even after the campaign and election period. Further, the Commission may set-up a public archive containing all independently collated campaign materials. This public archive shall be made available even after the election period.

Section 4. **Election Campaign Activities** – Election Campaign Activities, as defined in Article II of Election Code, shall be allowed provided that the candidates, political parties, and or coalitions are not violating any provisions stated in this Election Code, and they have sent a notice to the Commission.



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- 4.1 Protocol – The Commission shall establish a protocol of monitoring and ensure all election campaign activities. The COMELEC shall make sure that the election campaign activities are not violating any provisions in this Election Code.
- 4.2 Face-to-face Campaign Activities. – For physical election campaign activities, the Commission shall allow the official slate and campaign team provided that they observe IATF guidelines and minimum health protocols during the activity.
- 4.3 Room-to-room Campaign. – Room-to-room campaigns shall be allowed during the campaign period provided that the candidates/campaign managers make the necessary arrangements with the class and/or organization president and/or representative present using official letters. Official letters shall be acknowledged by the COMELEC.

Section 5. Prohibited to Campaign – The following shall be prohibited from campaigning for and/or against any candidate, political party, and/or coalition.

- 5.1 PUP SC Student Tribunal;
- 5.2 Constitutional Commissions;
- 5.3 PUP administration;
- 5.4 Physical campaigning of Non-PUPians. They are not allowed to enter the University premises (in connection with this University's protocols), unless with valid reasons. Campaigning is not considered as valid reason for the University to entertain these said outsiders and will be prohibited to do such.
- 5.5 Face-to-face Campaign Activities. – For physical election campaign activities, the Commission shall allow the official slate and campaign team provided that they observe IATF guidelines and minimum health protocols during the activity.

Section 6. Propaganda – Any form of propaganda is not prohibited by the Commission unless it addresses any of the given prohibitions such as Black Propaganda, as



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defined in Article II 5.6 (b) of these Rules and a complaint has been filed. The Commission shall then investigate the complaint.

- Section 7.** **Post-campaign procedure** – All forms of campaigning shall be prohibited after the campaign period and Article VI Section 3.5 shall apply.

ARTICLE VII
POLL WATCHERS, PRECINCTS, AND POLLING PLACES

- Section 1.** **Precincts** – Unless otherwise deemed by the Commission to increase the numbers of precincts on every college based on the student population, there shall be at least one (1) precinct on every college.
- Section 2.** **Person allowed in and around the virtual or polling place** – During the voting, no person shall be allowed inside the virtual polling place, except the members and staff of the Commission, official watchers of every political party and candidates, the voters casting votes, and the voters waiting to turn to vote.
- Section 3.** **Poll Watcher** – Poll watchers and campaign personnel are subject to disciplinary action to be meted out by the COMELEC Commissioners in case of misconduct. Prior to there, candidates or parties should submit a list of their campaign personnel and their substitutes and their respective Certificate of Registration or any proof of enrollment. The personnel, however, are limited to the following positions:
- 3.1 Prior to there, independent candidates should submit a list of their campaign personnel and their substitutes.
- (a) Candidates running in the Central Student Council are entitled to three (3) legal representatives, three (3) campaign managers, one (1) spokesperson, and two (2) poll watchers.
- (b) 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.



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- 3.2 Political parties and independent slates should submit a list of their campaign personnel and their substitutes.
- (a) Parties and independent slates running in the Central Student Council are entitled to three (3) legal representatives, three (3) campaign managers, one (1) spokesperson, and three (3) poll watchers.

Section 4. All personnel shall be bona fide students of this University.

ARTICLE VIII
SYSTEM OF ELECTIONS

- Section 1.** **Voting hours** – The casting of votes starts at eight (8) o'clock in the morning and shall end at six (6) o'clock in the evening
- Section 2.** **Bona Fide Student-Voter** – For election purposes, this refers to a student who is enrolled in the most recent regular semester of any college or institute within the PUP regular university system that offers undergraduate or diploma programs. Students who are not enrolled for the term, terminated their enrollment, taken a Leave of Absence (LOA), or expelled from the University in the most recent regular semester are excluded.
- 2.1 In case of the graduation day precedes the date for Casting of Votes based on the Calendar for the Period of Election, the newly-graduated students are still considered as bona fide student-voters and shall still be allowed to cast their vote for the PUP SC Election provided that they were enrolled in the most recent regular semester.
- Section 3.** The voters shall proceed to their respective online and electronic polling precincts and shall present their registration cards.
- 3.1 In the absence of the registration card, the student ID issued on or earlier academic year 2019 shall be presented to be able to cast his vote to

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prohibit multiple casting of vote. Provided, their name shall be specially marked in the list of voters who cast their votes on using an ID.

- 3.2 The system shall be doubled checked every time a voter cast his/her vote to prohibit multiple casting votes.

Section 4. **Student Council Voting** – The voter is advised to select the name of candidates for the Student Council, found in the list provided by the Commission in every precinct.

Section 5. **Ballot** – Each voter is entitled to one electronic ballot, consisting of two (2) sections: the College Student Council (CSC); and the Sentro ng Konseho ng Mag-aaral (SKM).

- 5.1 College Student Council Voting – Each voter is entitled to vote among the official candidates only for their respective College Student Council (CSC).

- (a) Each voter is entitled to one (1) vote for the position of CSC President, who shall be elected by direct vote.
- (b) Each voter is entitled to one (1) vote for the position of CSC Vice President, who shall be elected by direct vote.
- (c) Each voter is entitled to up to six (6) votes for the position of CSC Councilors, who shall be elected by direct vote.

- 5.2 Sentral na Konseho ng Mag-aaral Voting - Each voter is entitled to vote among the official candidates for the Sentral na Konseho ng Mag-aaral (SKM).

- (a) Each voter is entitled to one (1) vote for the position of SKM President, who shall be elected by direct vote.
- (b) Each voter is entitled to one (1) vote for the position of SKM Vice President, who shall be elected by direct vote.
- (c) Each voter is entitled to up to twelve (12) votes for the position of SKM Councilors, who shall be elected by direct vote.

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ARTICLE IX
PENAL PROVISIONS AND SANCTIONS

- Section 1.** All violations and infractions committed by candidates, party leaders, members, and other students shall be treated under pertinent provisions of laws, rules, and regulations in the University.
- Section 2.** Deliberate falsification and tampering of any documents such as clearance, application forms, Certificate of Candidacies, certifications, and other documents similar in nature or purpose submitted to the Commission.
- 2.1 First offense – Disqualification
- Section 3.** Campaign violations (as listed in Articles II Section 5 and Article VI).
- 3.1 First offense – Warning. A letter will be sent privately to issue the warning.
- 3.2 Second offense – One (1) day suspension on campaign.
- 3.3 Third offense – Disqualification.
- Section 4.** **Deliberate disruption definition** – Any act by a person affiliated to a candidate and/or to a political party to intentionally disrupt campaigns, casting and canvassing. It is commonly, but not limited to, physical disruption, but other form may exist such as influential disruption. Resulting to disorder or disturbance after canvassing
- 4.1 During the campaign period
- (a) First offense – Warning. A letter will be sent privately to issue the warning.
- (b) Second offense – One (1) day suspension on campaign.
- (c) Third offense – Disqualification if the offender is the candidate while non-candidates and personnel are banned from participating in the election activities excluding their right to

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vote. Officials banned may be replaced by the parties concerned.

- 4.2 During the casting and canvassing of votes
 - (a) First offense – Warning. A letter will be sent privately to issue the warning.
 - (b) Second offense – disqualification if the offender is the candidate while non candidates and personnel are banned from participating in the election activities excluding their right to vote. Officials banned may be replaced by the parties concerned.

Section 5. All acts of disrespect and harassment, in word or in deed, which tends to participants of the election such as the candidates, campaign personnel, and members of the Commission in ridicule or contempt such as, but not limited to, use of foul words, gestures, and among others.

- 5.1 First offense – Warning. A letter will be sent privately to issue the warning.
- 5.2 Second offense – Reprimand. The Commission will issue an official statement concerning the violation through their official social media platforms.
- 5.3 Third offense – personnel shall be suspended from his/her designated position depending on the gravity of the united decision of the Commission with its corresponding resolution.

Section 6. Retribution for Candidates, Party Leaders and its Members with Multiple Offenses – At least three (3) offenses accumulated regardless of its nature and degree, stated in Sections 3 to 5 in this article, are punishable to the extent of disqualification of the candidates, where the basis of retribution shall be the number of offenses committed.

- 6.1 However, if there are vast offenses committed by the candidates of the same party that deliberately disrupts the election process, causes

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confusion to the Commission and to the electorate, the commission may impose the same punishment to the slate or party concerned.

ARTICLE X
GROUNDS FOR DISQUALIFICATION

- Section 1.** **Completion of Requirements** – Failure to submit all the requirements on time shall be subjected to disciplinary action and disqualification to extent.
- Section 2.** **Falsification of Documents** – Tampering with falsifying or causing the falsification of any documents such as clearance, application forms, Certificate of Candidacies, certifications, and other documents similar in nature or purpose submitted to the commission.
- Section 3.** **Certificate of Candidacy** – Failure to file and accomplish the certificate of candidacy on time shall be subjected to disciplinary action and disqualification to extent.
- Section 4.** **Pre and Post Campaign** – Room-to-room and other different forms of campaign that will be held by political parties before and/or after the campaign period, this includes campaigning of Non-PUPians as stated in Article VI Section 5.6 of these Rules, shall be subjected to disciplinary action and disqualification to extent.
- Section 5.** **Destroying Campaign Materials** – Candidates or individuals affiliated to a political party caught destroying campaign material shall be subjected to disciplinary action and disqualification to extent.
- Section 6.** **Black Propaganda** – As defined in Article II Section 5.6 (b) of this Rules.
- Section 7.** Any form of administration intervention that shall favor or disfavor a particular candidate or political party.

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ARTICLE XI
CASTING OF VOTES

Section 1. **Election Day** – Unless deemed necessary by the Commission to increase the days of election, there shall be at least five (5) consecutive days for casting of votes. As soon as the voting is finished, the canvassing of votes shall commence in designated canvassing areas. The canvassing committee shall compose of official representative of the Commission and the watchers of each political party and independent candidates.

Section 2. **Rules for the appreciation of electronic ballots** – In the reading and appreciation of ballots, every ballot shall be presumed to be valid unless there is clear and good reason to justify its rejection. The canvassing committee shall observe the following rules, bearing in mind that the object of the election is to obtain the expression of the voter’s will:

- 2.1 Any vote cast in favor of a candidate who has been disqualified by final judgment shall be considered as stray and shall not be counted but it shall not invalidate the ballot.
- 2.2 The voter form shall be filled out and completed per candidate before being recognized as a verified vote.

Section 3. **Unused ballots** – Any excess blank ballots in all precincts after the last day of casting of votes will be treated as unused ballots. The unused ballots will be destroyed in the presence of all parties through their poll watchers in the precinct before the transmission of election returns.

Section 4. **Casting of Votes duration** – It is highly recommended to the Commission that there must be at least ten (10) minimum hours of duration to cast vote on the designated electronic election precinct. However, the minimum ten (10) hours duration for the casting of votes on the designated area may not be executed depends upon the following, but not limited to, justified reasons and circumstances that may occur which are subjected to the recommendation and/or approval of this Commission.

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ARTICLE XII
COUNTING AND CANVASSING PROCEDURES

- Section 1.** As soon as the voting is finished, the canvassing of votes shall commence immediately through physical or virtual means. The Commission shall decide whether the canvassing of votes shall be broadcasted live only on its official social media platforms or shall be conducted in a private, online meeting, with the designated poll watchers of each political party or candidate, and student publications only. (Article VII Section 46 of the Election Code)
- Section 2.** The board of canvassers, which will be composed of Commissioners and Deputy Commissioners, shall prepare the election returns simultaneously with the counting of votes.
- Section 3.** **Determination of the validity of electronic ballots** – The Board of Canvassers shall determine the validity of the electronic ballots through cross-matching the casted ballots with the information indicated in Article XI of these Rules.
- Section 4.** The returns shall show the date of the election, the precinct numbers and links, the Department and College in which it was held, the total number of electronic ballots cast, the total number of valid electronic ballots, the total number of void ballots, and the total number of votes obtained by each candidate, writing out the said number in figures and, at the end thereof, the Board of Canvassers shall certify that the contents are correct.
- Section 5.** Immediately upon the accomplishment of the election returns, each copy thereof shall be signed in the presence of the watchers and the public and published.
- Section 6.** Proclamation of the result of the election in a college. Upon the completion of the election returns, the Commission shall publicly announce and present the total number of votes received in the election in the college by each and every one of the candidates, stating their corresponding office.
- Section 7.** Alterations and corrections in the election returns. Any correction or alteration made in the election returns by the board of canvassers before the



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announcement of the results of the election in the department shall be duly initialed by all the present parties and the Commission thereof.

- Section 8.** The Commission shall promulgate rules for the speedy and safe delivery of the election returns.

ARTICLE XIII
ELECTION PROTEST

- Section 1.** **Disqualification Protest** – Any disqualification protest against any candidate shall be filed not later than one (1) day, in compliance with the business hours of the Commission (7:00 AM to 7:00 PM) before the Election Day and shall be decided by the Commission immediately before the elections. Failure by the Commission to resolve the issue before the Election Day will hold the disqualification protest pending.
- Section 2.** **Post-Election Protest Period** – any post-election protest on the manner of casting and canvassing of votes or other cases that will affect the results of the election, shall be filed not later than five (5) days after the canvassing of the last votes, in compliance with the business hours of the Commission (7:00 AM to 7:00 PM) and shall be resolved by the Commission not later than five (5) days after the filing such.

ARTICLE XIV
PROCLAMATION OF WINNING CANDIDATES

- Section 1.** **Proclamation** – If there is no post-election protest filed with the Commission, the winning candidates shall be proclaimed after the post-election protest period. Further, the proclamation will be after the resolution of a protest if there is one.
- Section 2.** **Determining the winner of the elections.**



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- 2.1 For the SKM and CSC Presidents and Vice Presidents, the candidate having the highest number of votes shall be proclaimed elected.
- 2.2 For the SKM Council, the twelve (12) candidates having the highest number of votes shall be proclaimed elected.
- 2.3 For the respective CSC Councils, the six (6) candidates having the highest number of votes shall be proclaimed elected.
- 2.4 Election Resulting in Tie. – Unless otherwise resolved in other settlement by the Commission, whenever it shall appear from the canvass that two or more candidates have received an equal and highest number of votes, on in cases where two or more candidates are to be elected for the same position and two or more candidates received the same number of votes for the last place in the number to be elected, the Commission, shall by resolution, upon notice to all the tied candidates, hold a special public meeting at which the board of canvassers shall proceed to the recounting of votes who have tied.
 - (a) Further Ways Forward After Tie. - In cases that the recounting will still result in a tie, two options shall be available that will be voted by the Commission:
 - a.1 Run-off Election – The Commission will hold a separate election that will be conducted within ten (10) days. Only the candidates who tied in the general election shall participate in the run-off.
 - a.2 Lottery – a form of lottery will be held by the Commission to decide the winning candidate. The form of lottery will be decided depending on the number of candidates tied.

Section 3. Start of Term of Office – Proclamation of Winning Candidates shall be the declaration of the Position-Elect of the winning candidates. The start of their term of office would be after their public oath taking, duly-organized by the PUP COMELEC.



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Section 4. **Furnishing Copies** – The Office of the University President, Vice President for Student Affairs and Services, Director of the Office of the Student Services, all student councils of the PUP Mabini Campus, the ANAK Federation, the Office of the Student Regent, the student publications, political parties, and independent candidates shall be furnished of the official list of the proclaimed winning candidates. The Commission shall also post it on its official social media platforms.

ARTICLE XV
FINAL PROVISIONS

Section 1. **Arbitration** – The Student Tribunal shall be mandated to settle all constitutional and legal conflicts regarding these Rules and Regulations that are promulgated by the Commission.

Section 2. **Jurisdiction** – These Implementing Rules and Regulation promulgated by the Commission shall only have jurisdiction on the registered candidates, political parties, political coalitions, PUP administration, and bona fide student-voters.

Section 3. **Separability clause** – If any reason any section or provision of these Rules, or any position thereof, or the application of such section, provision or portion to any person, group, or circumstance is declared invalid or unconstitutional, the remainder of these Rules or the application of such section, provision or portion thereof to other persons, groups, or circumstances shall not be affected by such declaration.

Section 4. **Repealing clause** – All preexisting code, resolutions, rules, and regulations, and/or other legal documents inconsistent with these Implementing Rules and Regulations are hereby repealed or amended accordingly.

Section 5. **Effectivity** – These Implementing Rules and Regulations shall take effect immediately upon its approval by the majority members of the COMELEC *en banc*.



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These Implementing Rules and Regulations of the PUP Commission on Elections is hereby revised through proper deliberation, subjected to the approval of the majority of the members of the Commission on the 17th day of August 2022.

(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



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(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

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