



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila



EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 5305

Introduced By:

**HON. MUJIV S. HATAMAN** of the Lone District of Basilan and  
**HON. AMIHILDA J. SANGCOPAN** of Anak Mindanao (AMIN) Party-List

## **AN ACT REORGANIZING THE COMELEC OFFICES**

### **EXPLANATORY NOTE**

The Commission on Elections (Comelec) plays a crucial role in nation-building as it safeguards the constitutional right of our citizens to suffrage, to freely choose - through honest, orderly and peaceful elections - those will represent and govern them.

It is one of the pillars of our democracy and it is an indispensable democratic institution. The 1987 Constitution supplies the poll body's mandate, which is to "Enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall," among others, as embodied in Article IX.

And as such, the State needs to ensure that those who work in Comelec are honest, competent and exhibit the highest standards of accountability and public service. Corollary to this principle is the equal protection clause of the Constitution, which states that it is the State's responsibility to provide adequate and appropriate remuneration to employees, with the ultimate goal of achieving equal pay for equal work in government service.

However, there appears to be a wide gap between the mandated responsibilities of Comelec officials and employees, and the amount of compensation they receive in the fulfilment of such duties. They receive lower salaries than their counterparts in other government agencies.

As an example, a Provincial Election Supervisor I tasked to oversee election matters on a provincial level receives a lower salary than a Division Chief in a government agency.

This low level of compensation is also a factor why some Comelec employees are susceptible to the commission of electoral fraud, although it should never be a justification.

This bill aims to revamp the organizational structure of the Comelec in order to address, among others, the disparity in remuneration of its officials and employees to other government workers of equal rank, duties and responsibilities. This reorganization includes Field Offices of the Comelec, and it involves the upgrade and reclassification of plantilla positions.

In view of the foregoing, the approval of this measure is earnestly sought.



**HON. MUJIV S. HATAMAN**  
*Representative, Lone District of Basilan*



**HON. AMIHILDA J. SANGCOPAN**  
*Representative, Andk Mindanao Party-List*



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**AN ACT REORGANIZING THE COMELEC OFFICES**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

**SECTION 1. Short Title.-** This Act shall be known as “An Act Reorganizing COMELEC Offices”.

**SEC. 2. Declaration of Policy.-** In accordance with the equal protection clause of the Constitution, it is the State’s responsibility to provide adequate and appropriate remuneration to employees with the ultimate goal of achieving equal pay for equal work in government service.

**SEC. 3. Field Offices.-** The Commission shall have the following field offices

1. Regional Election office, headed by the Regional Election Director and assisted by the Assistant Regional Election Director, Regional Election Attorney with the rank of Attorney V, Human Resource Management officer, Budget Officer, Finance Officer, Assistance Election Specialist, Stenographic Reporter III, Process Server, Watchman Office, Administrative Aide, ORED Driver and any such other subordinate officers or employees necessary in the exigency of service for the said office.
2. Provincial Election Office, headed by the Provincial Election Director similar to the rank of Director II regardless of the number of registered voters, Computer Maintenance Technologist/Specialist



(CMT/CMS) with SG-24, Assistant Election Specialist, Administrative Aide, OPES driver and any such other subordinate officers or employees necessary in the exigency of service for the said office.

3. The National Capital Region shall be divided into five (5) administrative districts, such as North, South, East, Central and Manila District, or such number of administrative district as may determined by the Commission, which shall be headed and administratively supervised by a District Election Director with the rank of Director II, Computer Maintenance Technologist/Specialist (CMT/CMS) with SG-24, Administrative Assistant V, Administrative Aide, Driver and any such other subordinate officers or employees necessary in the exigency of service for the said office.
4. City/Municipal Office, headed by the City/Municipal Election Specialist with the rank of Director I regardless of their place of assignment.
5. There shall be a minimum of two Assistant Election specialist (AES) with SG-21 in every city or municipality provided that for every additional 20,000 voters from 50,000 voters additional AES shall be automatically appointed.

The Commission may delegate its powers and function or order the implementation or enforcement of its orders, rulings, or decisions through the heads of its field offices.

SEC. 4. Reclassification and Upgrading of Plantilla Positions in the COMELEC Main and Field Offices.- All the remaining rank and file plantilla positions in the COMELEC main and field offices shall be reclassified and upgraded accordingly by the Commission on Elections.

SEC. 5. Rules and Regulations.- Within ninety (90) days from the approval of this Act, the Department of Budget and the Commission on Elections shall adopt and issue the rules and regulations for the effective implementation of this Act.

SEC. 6. Appropriations.- The amount necessary for the initial implementation of this Act shall be charged against the current fiscal year's appropriations under the budget of the COMELEC. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the Annual General Appropriation Act.

SEC. 7. Separability Clause.- Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SEC. 8. Repealing Clause.- All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 9. Effectivity Clause.- This Act shall take effect fifteen (15) days after publication in the Official Gazette or in one (1) newspaper of general circulation in the Philippines.

Approved,