



Republic of the Philippines  
Senate Electoral Tribunal  
Quezon City

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**Resolution No. 01-18**  
**RULES AND PROCEDURES**  
**GOVERNING THE REVISION**  
**OF BALLOTS**

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Republic of the Philippines  
**Senate Electoral Tribunal**  
Quezon City

## **Resolution No. 01-18**

The Senate Electoral Tribunal, as the sole judge of all contests relating to the election, returns and qualifications of Members of the Senate pursuant to Article VI, Section 17, of the Constitution, adopts and promulgates the following *Rules and Procedures Governing the Revision of Ballots*:

### **RULES AND PROCEDURES GOVERNING THE REVISION OF BALLOTS**

#### **ELECTION PROTEST**

##### **Rule 1. HOW INITIATED**

An election protest is initiated by the filing of a verified petition by any candidate who has duly filed a certificate of candidacy and been voted for the office of Senator, contesting the election of any Member of the Senate within fifteen (15) days after the proclamation of the protestee. (*Rule 14, Revised Rules of the Senate Electoral Tribunal, as amended on 23 April 1999*)

##### **Rule 2. SUMMONS AND ANSWER**

If the petition is not summarily dismissed, the Secretary of the Tribunal shall issue the corresponding summons to the protestee/s, to which a copy of the petition shall be attached,



requiring the latter to file his/their answer within ten (10) days from receipt thereof. (Rule 20, *Ibid*)

### Rule 3. PRODUCTION AND PRESERVATION OF BALLOTS AND ELECTION DOCUMENTS

3.1. *Production of Ballot Boxes and Other Election Documents and Paraphernalia.*— As soon as the issues in the contest have been joined and where the allegations in either the protest, counter protest or cross contest so warrant, or whenever in its judgment the interest of justice so demands, the Tribunal shall order the production of the ballot boxes containing the ballots and their keys, list of voters with voting records, book of voters, and other documents used in the election. (Rule 33, *Ibid*)

3.2. *Preservation of Ballot Boxes and Other Election Documents and Paraphernalia.*— The Senate Electoral Tribunal either *motu proprio* or upon motion of a party shall direct the municipal, city or provincial election officers and treasurers of the municipalities, cities and provinces involved in the protest to hold, safeguard and preserve the integrity and sanctity of the ballot boxes and the other election documents and paraphernalia, until such time that the same are brought before the Tribunal.

### Rule 4. DESIGNATION OF PILOT PRECINCTS

The Tribunal shall direct and require each of the protestant, counter-protestants and cross-protestants, if any, to state and designate in writing, within a fixed period, the provinces, with their municipalities or cities, which correspond to at most twenty-five percent (25%) of the total number involved in the protest, counter protests and cross protests, which said parties deem as best exemplifying or demonstrating the electoral frauds pleaded by each of them. (Rule 59, *Ibid*)

### Rule 5. COLLECTION OF BALLOT BOXES AND ELECTION DOCUMENTS AND PARAPHERNALIA

SET Collection Teams shall be created to collect the ballot boxes and the other election documents and paraphernalia in the parties' identified pilot precincts or areas.

## REVISION PROCEEDINGS

### Rule 6. NECESSITY OF REVISION

When fraud and irregularities are alleged in the protest and the court believes the interest of justice so requires, it should order that the ballots be examined and the votes counted. (See 255, *Omnibus Election Code; Dayo vs. Commission on Elections*, 199 SCRA 449)

### Rule 7. OBJECTIVES OF REVISION

The objectives of revision proceedings are:

- 1) To verify the physical count of the ballots;
- 2) To recount the votes of the parties;
- 3) To record the objections or claims of the parties;
- 4) To mark the ballots objected to or claimed by the parties, for purposes of identification, in preparation for their examination by the Tribunal and for the reception of evidence in support of the parties' objections. (*Asis vs. Ilao*, 4 SCRA 349)

### Rule 8. REVISION TEAMS

8.1. *Creation of Revision Teams.*— Upon receipt of the ballot boxes and other election documents and paraphernalia, the Tribunal shall create such number of revision teams as may be necessary for the revision of the ballots and other election documents and paraphernalia used in the election. (Rule 34, *supra*)

8.2. *Composition of a Revision Team.*— Each revision team shall be composed of a Head Revisor, who shall be designated by the Tribunal, and one (1) representative for each of the parties to be designated by them respectively. The Tribunal shall designate one of its officials to supervise the revision. (Rule 34, *supra*)

8.3. *Duty of Head Revisors/Alternate Head Revisors.*— The Head Revisors/Alternate Head Revisors are the representatives of the Tribunal in the revision of ballots. They shall, therefore, discharge their duties with the highest degree of confidentiality and absolute loyalty to the Tribunal, conducting the proceedings with the same dignity and discipline as if undertaken in the presence of the Tribunal itself. They shall exercise extraordinary



diligence and strict precautionary measures to prevent the loss, disappearance, destruction, or impairment of the integrity of the ballots and other documents. They shall see to it that revision rules and procedures are properly observed.

8.4. *Additional Duty of Alternate Head Revisors.*— The Alternate Head Revisors shall assist the Tribunal employees in the performance of their functions during revision, particularly in the preparation of forms and materials and the distribution thereof to the revision teams.

8.5. *Compensation of Head Revisors and Alternate Head Revisors.*— The Tribunal shall fix the compensation of the Head Revisors and Alternate Head Revisors. (Rule 35, *supra*)

#### Rule 9. ACCREDITATION OF REVISORS, COUNSEL AND SUPERVISORS

9.1. *Who are Allowed in the Revision Area.*— During revision, only the Members of the Tribunal, the Secretary and Deputy Secretary of the Tribunal, the Tribunal employees supervising or assisting in the revision, the Revisors or their alternates, and the parties, their counsel or duly authorized representatives, shall have access to the area where the revision is taking place. (Rule 38, *supra*)

9.2. *Who May Participate in/Observe Revision Proceedings.*— Only duly accredited party revisors, alternate party revisors, party counsel and supervisors shall be allowed to participate in or observe the revision proceedings, as the case may be. Only one (1) counsel and one (1) supervisor per party are allowed in the Revision Area. At no instance shall there be more than two (2) representatives (counsel and supervisors) per party inside the revision area.

9.3. *Accreditation by the Tribunal.*— At least five (5) days before the start of the revision, the parties shall submit to the Secretary of the Tribunal, the names of their respective revisors (equal in number to the revision teams to be formed), the names of alternate revisors (one [1] for every five [5] revisors), as well as the names of their counsel and supervisor and their alternates for accreditation by the Tribunal (Rule 34, *supra*)

9.4. *Protestants/Protestees Allowed to Observe Revision.*— The Protestants or the Protestees who wish to observe the on-going revision may be allowed to do so.

9.5. *Change in Revision Team Composition.*— The Head Revisor shall notify the Revision Supervisor of any change in the composition of the team before the start of the session. Party counsel/supervisors should know who among their revisors are absent and who among the alternates are to be fielded in the former's absence.

#### Rule 10. ORDER TO START REVISION

10.1. *Tribunal to Set Start of Revision.*— The Tribunal either *motu proprio* or upon motion of any of the parties shall set the date for the start of the revision of ballots. Except for failure of a party to make additional cash deposit required by the Tribunal, the revision, once started, shall continue without interruption until completion. (Rule 36, *supra*)

10.2. *Revision to Continue Despite Absence of Party Revisors.*— The revision of ballots shall not be delayed or postponed by reason of the absence of any party revisor or his alternate as long as the Head Revisor and one (1) member of the revision team are present. Neither shall the revision be delayed or postponed by reason of the ouster or removal of a party revisor under Rule 34 of the Revised Rules of the Tribunal; *provided, however,* that the Head Revisor and one (1) member of the revision team shall remain present after said ouster or removal. Failure of the party concerned to immediately replace the ousted party revisor shall be considered a waiver of his right to be represented in the said revision team for the revision day. (Rule 36, *supra*)

#### Rule 11. VENUE AND SCHEDULE OF REVISION

11.1. *Venue of Revision.*— The revision of ballots shall be undertaken in the offices of the Tribunal, or at such other place as the Tribunal shall designate. (Rule 38, *supra*)

11.2. *Schedule of Revision.*— Each revision team shall work from 8:00 a.m. to 12:00 noon for the morning session and from 1:00 to 4:30 p.m. for the afternoon session, Monday to Friday,



except on holidays, *provided, however*, that the revisors may take a fifteen (15) minute break during each session. The fifteen (15) minute break shall be at 10:00-10:15 a.m. and at 3:00-3:15 p.m.

11.3. *Official Time.*— A bell will be rung at 8:00 a.m., 10:15 a.m., 1:00 p.m., and 3:15 p.m., at which times all revision team members should already be seated in the revision area. A second bell will be rung to indicate that the revision should start. However, should all members of the revision team be present and a majority decides to start with the revision ahead of the ringing of the second bell, they are allowed to so.

11.4. *Revision Team Members to Observe Full Revision Hours.*— No revision team member will be allowed to leave the premises earlier than the official time for the break or dismissal. Everybody is expected to maximize the full official hours to ensure a fair and speedy proceeding.

11.5. *Undertime.*— The Head Revisor shall seek the approval of the Revision Supervisor should he/she desire to leave earlier than the time of dismissal in order that an Alternate Head Revisor may be fielded in his/her place. In the case of party revisors, the Revision Supervisor shall likewise be informed and the Head Revisor shall note the change in revisor in the Revision Report. Should the party concerned fail to replace the party revisor who went undertime, he shall be deemed to have waived his right to be represented in that particular phase of the revision proceeding.

11.6. *Emergency/Personal Necessities.*— Should there be a need for a revision team member to go to the rest room or to go out of the revision area for a short duration, an alternate revisor shall take over. If no alternate party revisor takes over, the revision shall nonetheless continue.

## Rule 12. ISSUANCE/DISTRIBUTION AND SURRENDER OF IDS

12.1. *Issuance of IDs.*— Only counsel/supervisors/revisors and their alternates included in the list officially submitted to and duly accredited by the Tribunal shall be issued identification cards (IDs). The parties are required to submit an updated list in case of additions and/or deletions thereto.

12.2. *Distribution of IDs.*— IDs of the Head and party revisors and their alternates shall be distributed starting at 7:30 a.m. up to 8:30 a.m. After 8:30 a.m., the ID custodian shall submit the remaining IDs of the Head and party revisors and their alternates to the Human Resources Management Service of the Tribunal. Except for the party counsel/supervisor and their alternates, no ID shall be distributed after such time.

12.3. *Surrender of IDs.*— The ID shall be surrendered to the ID custodian at the end of the day at 4:30 p.m. Head and party revisors who are unable to complete a whole day of service because of illness or other emergencies shall surrender their IDs to the ID custodian. Should there be a need for the counsel/supervisor inside the Revision Area to leave the same, he/she shall surrender his/her ID to the ID custodian or guard on duty.

12.4. *Failure to Surrender Counsel/Supervisor ID.*— No alternate counsel/supervisor shall be allowed inside the Revision Area at the same time as the main counsel/supervisor. The alternate counsel/supervisor shall be issued his/her ID only upon surrender of the ID of the main counsel/supervisor. Failure to surrender his/her ID will preclude the counsel/supervisor's alternate to substitute for him/her.

12.5. *ID Replacement.*— Lost IDs will be replaced only upon submission of an Affidavit of Loss to the Human Resources Management Service of the Tribunal. The cost of replacement in the amount of Fifty Pesos (P50.00) shall be borne by the party concerned.

### Rule 13. PROPER DECORUM

13.1. *Observance of Proper Decorum.*— The revision of ballots, being a Tribunal proceeding, all persons involved therein are required to observe proper decorum and due respect to the Tribunal's authority, rules and procedures, Tribunal personnel, party counsel or supervisors as well as the revision team members.

13.2. *Withdrawal of Accreditation, Ouster/Removal from Revision Proceedings.*— The Tribunal may, *motu proprio* or upon motion of any of the parties, withdraw the accreditation of a party revisor, alternate party revisor, party counsel or supervisor, and/or, through its duly authorized representative, remove or oust a



party revisor, alternate party revisor, party counsel or supervisor from the revision proceedings for disorderly conduct, unruly behavior or for such acts as would tend to delay, disrupt and/or disturb the revision proceedings. (Rule 34, *supra*)

13.3. *Contempt of the Tribunal.*— Any disorderly conduct, deliberate attempt to delay the revision proceedings and other similar acts on the part of the revisors, party counsel, representatives and/or supervisors as would tend to disrupt and/or disturb the orderly and speedy conduct of the revision proceedings shall constitute contempt of the Tribunal and subject the person responsible therefor to prompt disciplinary proceedings.

13.4. *Prohibited Acts.*— Party counsel/supervisors are prohibited from:

- a) arguing with the Head Revisors and/or other party revisors;
- b) sitting as an alternate party revisor;
- c) handling the ballots or any other election documents and paraphernalia;
- d) instructing other party revisors on what to do; and
- e) bringing any item/document inside the Revision Room, except in their designated area.

While revision is going on, Head Revisors and party revisors are prohibited from going to tables not assigned to them. Alternate Head or party revisors, who may be allowed to observe the revision proceedings, shall not be allowed to take part in the revision proceedings.

The tables in the revision area must be kept clear of things other than those required in the revision. Recording of data by the party revisors for the party's own use shall be done on colored paper based on the color assigned to each party.

Under no circumstances may Head Revisors and party revisors eat or drink while handling the ballots. Head Revisors shall see to it that party revisors who are handling ballots have clean hands. Other than the marking of Exhibit Numbers on contested/claimed ballots, Head Revisors shall see to it that no other markings

are made on the ballots.

13.5. *Complaints Against Revisors.*— Complaints against any Head Revisor and party revisor shall be made in writing and under oath specifying the acts complained of and must be filed immediately on the next succeeding revision day.

#### Rule 14. TARDINESS AND ABSENCES AND EFFECTS THEREOF

14.1. *Grace Period.*— A grace period of fifteen (15) minutes at the start of the morning session shall be allowed the Head and party revisors. However, it is understood that alternates should already be fielded in within this period, as revision shall nevertheless commence, provided that the Head Revisor and one (1) party revisor are present. The fifteen (15) minutes grace period shall not apply to the afternoon or the break periods.

14.2. *Designation of Alternate Revisor; Effects.*— In case the Head Revisor is tardy, the Tribunal shall designate another Head Revisor or any Alternate Head Revisor to take his/her place. Such designated Head Revisor shall act as such during the day and the Head Revisor who arrives late shall serve as Alternate Head Revisor for the day.

In case the party revisor is tardy, the party counsel/supervisor should designate an alternate within the grace period. As in the case of the designated Head Revisor, the alternate party revisor shall continue the revision of unfinished ballot boxes with the same authority and power as the regular party revisor. Claims, objections, and comments made by the alternate party revisor shall be binding upon the party represented and shall not be allowed to be reviewed, corrected, changed or questioned by the regular party revisor. Each will start where the other left off.

Any regular or alternate party revisor joining a revision team after the latter has started the revision proceeding shall be deemed to have waived his/her right to witness and/or participate in the phase of the revision proceeding already had or finished at the time he/she joined the revision team.

14.3. *Failure to Designate Alternate Revisor; Effects.*— If the revisor of any party should be late for fifteen (15) minutes and



no alternate appears to substitute for him/her, the revision shall nevertheless commence and the defaulting party shall be deemed to have waived his/her right to appear and to object to any ballot examined during his/her absence.

14.4. *Failure of Revisor to Appear: Effects.*— If all of the parties' revisors and their alternates in a revision team fail to appear for no justifiable reason within thirty (30) minutes after the fixed hours for the start of the revision, the ballot box, together with the corresponding keys in the possession of the Head Revisor shall be returned to the Ballot Box Custodian of the Tribunal and shall not be revised, it being understood that the parties waive their right to revise the same, and the Head Revisor concerned shall state such fact in the Revision Report. Any party or parties who may thereafter claim or demand the revision of said ballot box have to file the appropriate motion with the Tribunal.

14.5. *Time Allowed to Complete Revision Teams.*— If, after all the available Head and Alternate Head Revisors had been fielded, the number of revision teams is still less than the number constituted, Head and Alternate Revisors arriving between 8:16 a.m. to 8:30 a.m., shall be fielded to complete the number of revision teams. No completion of the number of teams shall be allowed after 8:30 a.m. Such completion may only be done at the start of the afternoon session. Head and Alternate Revisors arriving after 8:30 a.m. shall not be allowed to enter the revision area.

14.6. *Time Allowed to Complete Party Representation.*— If, after all available regular and alternate party revisors had been fielded, the party concerned remains unrepresented in some revision teams, the regular or alternate party revisor who arrives between 8:16 a.m. and 8:30 a.m. shall be allowed to enter the revision area to sit in the incomplete team. No fielding of regular or alternate party revisors shall be allowed after 8:30 a.m. as no regular or alternate party revisors shall be allowed to enter the revision area after such time. The fielding of regular and alternate party revisors to complete their representation in the revision teams may be done at the start of the afternoon session.

## Rule 15. REPORT ON THE RESULT OF REVISION

15.1. *Submission of Report on Revision.*— The revision teams shall submit a report on the result of their revision for every ballot box the contents of which they have examined, on a form to be provided by the Tribunal. Copies of such report, duly signed by the members of the revision team, shall be furnished to the parties represented at the revision (Rule 39, *supra*) upon payment of the cost of reproduction or photocopying.

15.2. *Completeness and Accuracy of Report.*— The Head Revisors shall see to it that all pages of the Revision Report are complete, properly filled up and signed by the party revisors. Accuracy of the report is very important. The commission of any palpable error on the part of the Head Revisor is sufficient ground for his/her relief or dismissal.

15.3. *Recording of Data on Color-Coded Paper for Party's Own Use.*— As a precautionary measure to prevent the loss or disappearance of ballots and other documents, the Tribunal shall assign each of the parties a particular color code. Party revisors and their alternates shall only be allowed to bring inside the revision area the assigned colored paper where recording of data for the party's own use shall be made.

## Rule 16. REVISION PROCEDURE AND ACCOMPLISHMENT OF THE REVISION REPORT

16.1. *Team Number.*— The Head Revisor must know his/her team assignment. Each team shall occupy one revision table, which shall be numbered consecutively. The number of the table to which a team is assigned shall be its team number. The Head Revisor as well as the Protestant's and Protestee/s' revisors shall be seated at the revision table in such manner that each is able to observe the other's activity.

16.2. *Receipt of Ballot Box.*— The Revision Team shall acknowledge receipt of the ballot box and its corresponding keys from the Ballot Box Custodian. The padlocks and keys shall be the exclusive responsibility of the Head Revisor until the revision proceeding is finished and the ballot box repadlocked and returned



to the Ballot Box Custodian together with the keys provided for each box.

16.3. *Distribution of Forms and Annexes.*— The Head Revisor shall be furnished with the necessary forms (Revision Report Form, Tally Sheet Form and Annex Forms), ball pens, markers, and other paraphernalia. To avoid disruption of proceedings, the Head Revisor shall see to it that the forms, supplies and materials are complete before starting with a new ballot box. The Head Revisor shall retain the Revision Form and Tally Sheet Form and distribute to the party revisors the corresponding Annex Forms.

16.4. *Preliminary Entries.*— The Head Revisor shall write down on the appropriate spaces of the Report, the Team Number, Precinct Number, Municipality, City and the Province to which the ballot box pertains, the date and time of the start of the revision, his/her name and the names of the parties' revisors in printed form.

16.5. *External Condition of Ballot Box.*— The Revision Team shall examine the external condition of the ballot box. The ballot box is uniformly and solidly constructed. It is closed with three (3) different padlocks, which cannot be opened except by means of three (3) distinct keys, as well as by numbered security locks or metal seals, which cannot be opened except by destroying the metal seals. One side of the box has a glass window and is, therefore, transparent.

16.6. *Recording of External Condition.*— The main purpose of the inspection of the external condition of the ballot box is to find out if there are positive signs that the same has been forcibly opened or tampered with. Lack of or broken padlocks and metal seals, loose or lack of hinges, broken glass window, and resoldered or rewelded bottoms are some positive indications of tampering or abnormal external condition of the ballot box which need to be recorded in the Comments and Observations portion of the Report.

The Head Revisor shall also record the Ballot Box Serial Number, Outer Metal Seal Serial Number, Number of Padlocks and their Type and Number of Keys on the appropriate spaces of the Report.

16.7. *Opening of Ballot Box.*— After observations have been

made on the outer condition of the ballot box, the Head Revisor shall proceed to open the same by using the keys and breaking or cutting the metal seal (if ballot box had previously been revised) with a tool to be provided by the Ballot Box Custodian. The padlocks may be cut by bolt-cutter or similar tool as provided for in Rule 17.1 and such fact must be noted in the Comments and Observations portion of the Report.

16.8. *Ballot Box Compartments.*— There are two (2) compartments inside the ballot box, which are also covered and secured by another numbered metal seal. The Inner Metal Seal Number and its condition must likewise be recorded in the Revision Report.

The bigger compartment contains the Tally Sheet, Minutes of Voting, envelope containing a copy of the Election Return with a numbered paper seal, envelope containing the valid ballots, envelope containing marked ballots and envelope containing the unused blank ballots. An envelope labeled "Excess Ballots" may also be found therein. The smaller compartment contains the spoiled ballots and the detachable coupons.

16.9. *Condition of the Contents.*— Any suspicious abnormality or irregularity in the inner condition of the ballot box or of its contents shall also be reported in the Comments and Observations portion of the Report. In some instances, the external condition of the ballot box may appear normal, but when opened, the contents may either be totally or partially ruined as the ballot box may have been dipped in water, or because kerosene, gasoline, acid, or other substances may have been introduced inside.

16.10. *Exclusive Task of the Head Revisor.*— Once the ballot box is opened, the Head Revisor shall alone take out all its contents, which he/she shall neatly arrange on the revision table. During the breaktime, the Head Revisor shall see to it that the ballots/documents are properly stored before leaving the revision room.

16.11. *Data from Election Documents.*— The Head Revisor, in the presence of the parties' revisors, shall open one after the other the Minutes of Voting, Tally Sheet and Election Return, in that order, and record exactly the data required in the appropriate spaces of the Report. Any discrepancy as to the number of votes



appearing either in tara bars, words or figures must be properly recorded.

16.12. *Return of Election Documents and Metal Seals.*— After recording the data, the Head Revisor shall put back the above-mentioned election documents as well as the outer and inner metal seals inside the ballot box.

16.13. *Recording of Paper Seals.*— The Head Revisor shall then take the envelope for valid ballots and the envelope for spoiled, marked or excess ballots and write down the corresponding seal numbers on the appropriate spaces of the Report.

16.14. *Valid Ballots.*— The Head Revisor shall open the envelope for valid ballots and proceed to count the same and record the total number on the spaces provided for in the Report. Thereafter, he/she shall classify or segregate the valid ballots in two (2) sets: (1) ballots on which any of the Protestant's and Protestees' names appear and (2) ballots on which none of the Protestant's and Protestees' names appear.

16.15. *Tallying of Votes.*— Using the Tally Sheet, the Head Revisor shall count the ballots for the Protestant and each of the Protestees and likewise record the corresponding number of votes on the spaces provided for in the Report.

16.16. *Contested and Uncontested Ballots.*— The Head Revisor shall turn over the ballots on which any of the Protestees' names appear to the Protestant's revisor. Upon receipt of the ballots, the Protestant's revisor shall examine and segregate such ballots according to which ballots he/she would like to contest or object (contested ballots) and those which he/she admits or has no objections (uncontested ballots). The same procedure shall be followed with respect to the ballots on which the Protestant's name appears which shall be turned over to the Protestees' revisors.

The Head Revisor shall count the contested as well as the uncontested ballots and record the corresponding numbers in the appropriate spaces of the Report.

16.17. *Marking of Exhibits.*— The ballots for the Protestee(s) contested or objected to by the Protestant's revisor shall be marked by the Head Revisor (according to the Exhibit Number assigned)

with red ball pen on the left uppermost part of the ballot. The ballots for the Protestant contested or objected to by the Protestees' revisors shall be marked by the Head Revisor (according to the Exhibit Number assigned) with red ball pen on the right uppermost part of the ballot.

16.18. *Recording of Objections.*— Protestant's revisor and Protestees' revisors shall proceed to accomplish their respective Annexes. The Head Revisor shall remind the parties' revisors to write down only a brief or concise statement of the objections raised against the contested ballot.

16.19. *Ballots Valid for Others.*— The Protestant's revisor shall segregate those ballots (valid for the Protestee or other candidates) which he/she would like to claim for Protestant. The Protestees' revisors shall likewise do the same.

The ballots claimed by the Protestant shall be marked by the Head Revisor (according to the Exhibit Number assigned) with red ball pen on the left uppermost part of the ballot below any previous markings. The ballots being claimed by the Protestees' revisors shall be marked by the Head Revisor (according to the Exhibit Number assigned) with red ball pen on the uppermost right part of the ballot below any previous markings. The party revisors shall proceed to accomplish the corresponding Annexes.

16.20. *Marked, Spoiled or Excess Ballots.*— The Head Revisor shall then open the envelope for marked, spoiled or excess ballots, proceed to count them and record the total number thereof on the proper spaces of the Report.

The Head Revisor shall turn over to Protestant's revisor the marked, spoiled or excess ballots for the latter to examine and segregate those ballots which he/she would like to claim for the Protestant. The same marking procedure of the Exhibit Number shall be followed by the Head Revisor. The Protestant's revisor shall then proceed to accomplish the corresponding Annexes.

Thereafter, the Head Revisor shall deliver to the Protestees' revisors one after the other the marked, spoiled or excess ballots, including those claimed by the Protestant for them to examine and segregate the ballots they would want to claim for their Protestees. The Head Revisor shall accordingly mark the ballots being claimed



by the Protestees after which the revisors shall accomplish their respective Annexes.

16.21. *Number of Official Ballots and Detachable Coupons.*— The Head Revisor shall enter the total number of official ballots on the proper spaces of the Report. He/she shall likewise count and enter the total number of detachable coupons on the proper spaces of the Report.

16.22. *Proper Arrangement of Ballots.*— After the revisors of all parties have completed their respective work, the Head Revisor shall take possession of all the ballots. The ballots objected to as well as those claimed by the Protestant's revisor shall be consecutively arranged (according to their Exhibit Numbers) and folded together by the Head Revisor. The ballots objected to and those claimed by the Protestees' revisors shall also be arranged consecutively (according to their Exhibit Numbers) and folded together by the Head Revisor. The Head Revisor shall then place all the contested and claimed ballots in one envelope and seal the same with masking tape. The Head Revisor and the revisors of all parties shall affix their signatures across the flap of the envelope and the tape.

The Head Revisor shall place the uncontested valid ballots and unclaimed marked, spoiled or excess ballots inside their respective original envelopes and put them back inside the ballot box. The envelope containing the contested and claimed ballots shall also be placed inside the ballot box.

16.23. *Signatures of Team Members.*— The Head Revisor and the parties' revisors shall affix their signatures at the spaces provided for in the Report as well as in the Annexes accomplished by the revisors of all parties. The Head Revisor shall attach the Annexes to the Revision Report. The Head Revisor shall indicate on the Report the time the revision was finished.

16.24. *Appraisal of Report.*— The Report with its Annexes shall be submitted by the Head Revisor to the authorized Tribunal personnel (Appraiser), who, after having satisfied himself/herself that the Report is complete, shall affix his/her signature thereto.

16.25. *New Metal Seal and Return of Ballot Box.*— The Head Revisor shall secure a new metal seal from the Ballot Box

Custodian and record the new serial number of the metal seal on the Report. The Head Revisor shall not lock or attach the new metal seal until and unless the Appraiser had already affixed his/her signature on the Report. Before closing the ballot box, the Head Revisor shall see to it that all ballots/documents are placed inside the ballot box. After the ballot box shall have been closed and locked, the Head Revisor shall return the same together with the keys to the Ballot Box Custodian.

16.26. *Surrender of Forms and Supplies.*— At the end of the day, the Head Revisor shall surrender all supplies including unused Forms and Annexes to the authorized Tribunal personnel.

#### Rule 17. GUIDELINES IN THE CONDUCT OF REVISION

17.1. *Forcible Opening of Ballot Boxes.*— The Head Revisors are authorized to force open during the revision proceedings, ballot boxes the keys to which are either missing or do not fit. The padlocks may be cut by bolt-cutter or similar tool, provided that the circumstances necessitating such action are duly noted in the Report on Revision.

17.2. *Time Allowed for Viewing and Examination of Ballots.*— Each party revisor is given a maximum of thirty (30) minutes to view and examine each batch of ballots presented to him/her by the Head Revisor for said purpose and to note down his/her objections or claims thereto; *provided, however,* that in case the number of ballots so presented exceed one hundred (100), an extension of not more than ten (10) minutes may be granted by the Head Revisor, upon proper application by the concerned party revisor. The Head Revisor shall take note of the time that each party revisor started to view or examine the ballots given to him/her to ensure strict observance of the time allotted under this Section.

In instances where the batch of ballots presented for viewing, examination and noting down of objections and claims, consists of less than fifty (50) ballots, the Head Revisor is authorized to prescribe a shorter time limit than the thirty (30) minutes provided under the foregoing paragraph.



The time limits imposed under this Section shall exclude the time consumed by the Head Revisor in marking the contested ballots.

Should the viewing and examination, and noting of objections and claims to a batch of ballots not be completed at the end of the revision day or session, and an alternate or substitute party revisor takes over the following day or session, the following rules shall apply:

If the batch of ballots have been substantially revised by the original party revisor, the alternate or substitute party revisor shall have only the remaining time allotted to complete the process of viewing, examining and noting down the objections or claims.

A batch of ballots is deemed to have been substantially revised if the original party revisor had consumed more than one-half ( $1/2$ ) of the time allotted to him/her for the viewing and examination of ballots.

If the original party revisor had consumed less than one-half ( $1/2$ ) of the time allotted to him/her for viewing and examination of the ballots and noting down of his/her objections or claims thereto, the substituting party revisor shall have the full time allotted to the original party revisor for the viewing, examination and noting down of objections or claims to the ballots.

*17.3. Waiver of the Rights to Revise or to View, Count and Examine Ballots.*— If all of the parties' revisors and their alternates in a revision team fail to appear for no justifiable reason within thirty (30) minutes after the fixed hours for the start of the revision, the ballot box, together with the corresponding keys in the possession of the Head Revisor shall be returned to the Ballot Box Custodian of the Tribunal and shall not be revised, it being understood that the parties waive their right to revise the same, and the Head Revisor concerned shall state such fact in the Revision Report. Any party or parties who may thereafter claim or demand the revision of said ballot box may file the appropriate motion with the Tribunal.

A party revisor who has been given the opportunity to view, count and examine the ballots and to note down his/her objections or claims thereto, but refused to do so, will be considered to have waived his/her right to view, count and examine said ballots and to note down his/her objections or claims thereto.

*17.4. Who May Claim or Object to Ballots.*— A party revisor shall be allowed to claim or object to ballots only in behalf of the party he/she is officially representing. No such claims or objections to ballots shall be made by a party revisor in behalf of another party revisor, nor shall a party revisor be allowed to suggest to another party revisor grounds for such claims and/or objections.

In a protest or counter-protest, the protestees shall not be allowed to object to their co-protestee's claims.

*17.5. Grounds to be Set Forth in Annex Forms; Arguments to be Set Forth in Memorandum.*— The grounds for claims and objections to ballots shall be set forth in the Annex Form provided for the purpose. No further arguments in support of, or against, objections to or claims regarding ballots shall be entertained, but such arguments may be made and set forth by the parties in their memoranda. (Rule 37, *supra*)

*17.6. Serializing of Detachable Coupons Not Allowed.*— Serializing of the detachable coupons shall not be allowed. Only a cursory examination thereof shall be done to determine whether or not the stubs belong to the same series.

Any discrepancy in the number of stubs as stated in the election documents and the physical counting shall simply be noted in the Comments and Observations portion of the Report on Revision.

*17.7. Unused Ballots or Stubs.*— Unused ballots or stubs need not be counted.

*17.8. Recording of Data by Party Revisors Simultaneous with Head Revisor.*— Recording of data by the party revisors for their own use and reference shall be done simultaneously with the recording of data on the Revision Report by the Head Revisor to avoid disruption of the proceedings. No verification of the party revisor's recording shall be entertained by the Head Revisor.



17.9. *Changes in Annex Forms.*— After the Annex Forms have been accomplished by the party revisors and submitted to the Head Revisor for attachment to the Revision Report, no request for change of entries therein shall be entertained.

17.10. *Request for Recount, Review and Statement of Claims and Objections or Re-Opening of Ballot Box.*— Provided that all party revisors have witnessed the same, after a particular phase or stage of the revision process had been completed, no further request for recount, review, claims and/or objections to the ballots covered by the particular phase or stage of the revision process shall be allowed or entertained.

If, after the ballot box shall have been closed and locked after the revision thereof, there should exist a need to open the same, the Head Revisor shall, with the conformity of the party revisors present during its revision, file an application with the Revision Supervisor for such reopening stating the reason therefor. The written application and the action taken thereon by the Revision Supervisor shall be attached to the Report on Revision and shall form part thereof.

17.11. *Disputes Among Party Revisors.*— Any dispute among party revisors shall be resolved by the Head Revisor. Should legal questions arise, the parties are required to refer the matter to the Revision Supervisor or Tribunal lawyers whose decisions shall prevail. Questions or issues not resolved or answered may be addressed to the Tribunal in a proper motion.

17.12. *Refusal to Sign Revision Report.*— If, for any reason, a party revisor shall refuse to sign the Revision Report, such refusal shall be noted by the Head Revisor in the Comments and Observations portion of the Revision Report, stating the reason(s) therefor.

## AFTER REVISION

### Rule 18. PROCEDURE AFTER REVISION

18.1. *Procedure After Revision is Completed.*— After completion of the revision process, the following shall be done:

- a) The Head Revisor shall padlock the ballot box in the presence of the party revisors. If the padlocks

had been cut or the metal seal had been cut (if ballot box has previously been revised), the Head Revisor shall ask for an Alternate Revisor to take his/her place;

b) Leaving the ballot box on the revision table, but bringing the keys with him/her, the Head Revisor shall submit the Revision Report to the Appraiser for checking. Should there be any lacking data, the revision team members shall complete the same;

c) After the Appraiser had affixed his/her signature on the Revision Report, the Head Revisor shall get a new metal seal from the Ballot Box Custodian and then return to his/her table. In the presence of the party revisors, he/she shall attach the new metal seal. The Head Revisor shall also put a tape across the ballot box and write "FINISHED" on the tape which shall be signed by all revision team members;

d) The Head Revisor shall surrender the ballot box to the Ballot Box Handler/Custodian and shall sign the Inventory Report.

18.2. *Revision Team Members to Stay.*— No revision team members shall be allowed to leave the Revision Room until after the Revision Report had been checked, the ballot box sealed, the tape signed by all revision team members and the ballot box surrendered to the Ballot Box Custodian for safekeeping.

18.3. *Issuance of New Ballot Boxes.*— There shall be no cut-off time for the issuance of new ballot boxes for revision. Team members shall abide by the Head Revisor's decision on the opening of a new ballot box. Everybody is enjoined to maximize revision hours as revision officially ends at 4:30 p.m. However, if at 4:20 p.m., the revision team is just about to start the objection phase, the revision team may end the revision for the day, but the revision team members shall not be allowed to leave the revision area until 4:30 p.m.

18.4. *Procedure for Unfinished Ballot Boxes.*— Should the revision of a ballot box not be completed at the end of the session, the following safeguards shall be adopted:



a) All documents, including the Revision Report Form, and the old metal seals, shall be placed inside the ballot box;

b) The ballot box shall be sealed with masking tape and padlocked if the same had not been cut;

c) The revision team members shall sign their names across the masking tape;

d) The Head Revisor shall surrender the ballot box and the keys to the Ballot Box Custodian.

#### Rule 19. COPYING OF REPORTS

Manual copying of reports and records of the Tribunal shall not be allowed to avoid disruption of the workflow of Tribunal personnel. Official copies of reports to which they are entitled shall be issued to the parties at least two (2) weeks after the first batch of ballot boxes had been revised. Should the parties need advance unofficial copies, they may prepare a written request to the Tribunal to install their own photocopying machine in the premises; *provided, however*, that the following shall be observed:

a) The corresponding electric consumption shall be charged to the party concerned;

b) Photocopying shall be done by authorized Tribunal personnel. In no case shall Tribunal documents be handled by party representatives; and

c) Previously authorized manual copying or recording of data by party revisors shall be disallowed as soon as the party represented shall have installed his/her own copier machine.

#### Rule 20. SECURITY CHECK

To prevent unauthorized removal of ballots or other documents from the revision area, the Tribunal may require a security check, which may include body search or inspection of bags, to be conducted by any of its authorized personnel on all persons entering or leaving the revision area.

**APPLICABILITY AND EFFECTIVITY****Rule 21. APPLICABILITY OF RULES TO  
OTHER CONTESTED PRECINCTS**

Upon the termination of the revision and reception of evidence on the pilot precincts, and based upon what reasonably appears therefrom as affecting or not the officially-proclaimed results of the contested election, the Tribunal may dismiss the protest, any counter protest or cross protest, as the case may be, or all of them, or require the parties to show cause why these should not be dismissed without further proceedings.

However, should the Tribunal find a *prima facie* evidence of electoral frauds and there is cause to proceed with the election protest, the same rules shall be applied in the revision of ballots and election documents pertaining to the other contested precincts.

**Rule 22. EFFECTIVITY**

These rules and procedures shall take effect immediately upon its approval by the Tribunal. The Revision Rules, Revision House Rules, Revision Guidelines and other resolutions relating thereto are hereby superseded, and these rules and procedures shall remain operative until amended or substituted by the Tribunal.

**APPROVED, 06 SEPTEMBER 2001.**



**JOSE N. BELLOSILLO**  
*Senior Associate Justice*  
*Chairman*



**REYNATO S. PUNO**  
*Associate Justice*  
*Member*



**SANTIAGO M. KAPUNAN**  
*Associate Justice*  
*Member*


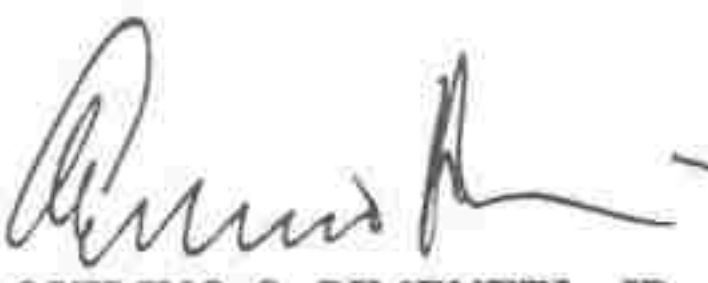


**JUAN M. FLAVIER**  
*Senator*  
*Member*



**FRANCIS N. PANGILINAN**  
*Senator*  
*Member*



  
**MANUEL B. VILLAR, JR.**  
*Senator*  
*Member*
  
**AQUILINO Q. PIMENTEL, JR.**  
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*Member*
  
**VICENTE C. SOTTO III**  
*Senator*  
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**RODOLFO G. BIAZON**  
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