



15 May 2019

CUSTOMS MEMORANDUM CIRCULAR

NO. 129-2019

To: All Deputy Commissioners
All Directors and Division Chiefs
All District/Port Collectors
And Others Concerned

Subject: COMELEC Resolution No. 10505

Attached is a copy of COMELEC Resolution No. 10505 entitled: "Amendment to the Omnibus Rules and Regulations Governing Campaign Finance and Disclosure", promulgating amendments to COMELEC Resolution No. 9991.

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

REY LEONARDO B. GUERRERO

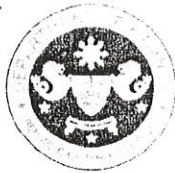
Commissioner

MAY 20 2019



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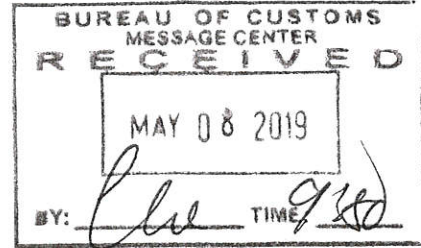
CMC 129-2019 p.2



Republic of the Philippines
DEPARTMENT OF FINANCE

Roxas Boulevard Corner Pablo Ocampo, Sr. Street
Manila 1004

Received by **MASTER COPY**
Date: 05/10/19
Time: 11:05
27-883



MEMORANDUM

FOR : **HEADS OF OFFICES**
This Department

HEADS OF BUREAUS/ATTACHED AGENCIES
Department of Finance

FROM : 
ALVIN P. DIAZ
Director IV
Central Administration Office

SUBJECT : **COMELEC Resolution No. 10505 entitled "AMENDED TO THE
OMNIBUS RULES AND REGULATIONS GOVERNING
CAMPAIGN FINANCE AND DISCLOSURE"**

DATE : May 7, 2019

Attached for information and guidance is a copy of COMELEC Resolution No. 10505 promulgated on 28 February 2019 from Chairman Sheriff M. Abas, Commission on Elections on the above-captioned subject.

CMC 129-2019P3



Prada
MASTER COPY

REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
INTRAMUROS, MANILA

EDUCATION AND INFORMATION DEPARTMENT

Republic of the Philippines
COMMISSION ON ELECTIONS

Intramuros, Manila

RECEIVED

DATE: 3/1/19 TIME: 4:40

AMENDMENT TO THE OMNIBUS RULES	Abas, S.M.,	Chairman
AND REGULATIONS GOVERNING	Parreño, A.A.,	Commissioner
CAMPAIGN FINANCE AND DISCLOSURE	Guia, L.T.F.,	Commissioner
	Guanzon, M.R.A.V.,	Commissioner
	Inting, S.B.,	Commissioner
	Cascuejo, M.S.,	Commissioner
	Kho, A.T. Jr.,	Commissioner

Promulgated: February 28, 2019

x ----- x

RESOLUTION NO. 10505

upheld

This pertains to the implementation of COMELEC Resolution No. 9991, as amended, entitled "Omnibus Rules and Regulations Governing Campaign Finance and Disclosure in Connection with the 09 May 2016 National and Local Elections and All Subsequent National and Local Elections Thereafter";

Considering that after its implementation in the said elections, there are subsequent important resolutions issued on matters relating to campaign finance, the policy on the Data Privacy Act, and the need to amend provisions and procedure in subject resolution to effectively carry-out the Commission's constitutional mandate;

WHEREFORE, the Commission En Banc, by virtue of the powers vested in it by Constitution, Batas Pambansa Bilang 881, Republic Act Nos.

✓

7166, 9006, and other election laws, the Commission on Elections as it hereby to promulgate the following amendments:

SECTION 1. Section 4, Rule 1 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"Section 4. Definition of Terms. - Whenever used in these Rules, the following words shall mean:

(a)

(p) Contractor and Business Firm - refers to any person, natural or juridical, or firm, including but not limited to media entities, internet and social media platforms, advertising agencies, public relations firms, event organizers, talent endorsers and their managers, digital influencers, printing press, to whom any electoral expenditure is made.

.....
(t) Mass media - refers to diversified technologies, operating on various platforms, that have for their primary purpose the transmission of information and communication to a large audience. These platforms include broadcast, internet and mobile, print, and outdoor. 'Mass Media Entities' refer to individuals and organizations that exercise control over these technologies and determine, whether directly or indirectly, the content being distributed using these technologies. 'Social media' is a form of mass media."

SECTION 2. Section 9, Rule 1 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"Section 9. Efficient Use of Paper Rule and Submission of Soft Copy. -

.....

.....
For submissions to COMELEC Field Offices, three (3) hard copies are required, which will be used as follows:

- (1) One (1) copy to be retained at the Field Office to serve as that office's file copy;*
- (2) One (1) copy to be forwarded to the Office of the Provincial Elections Supervisor or the Office of the Regional Election Director;*
- (3) One (1) copy to be returned to the person submitting the same as proof of submission after the receiving date and time stamp of the COMELEC Field Office has been affixed thereon.*

In every case, the soft or electronic copy of the submitted form must accompany the hard copy or paper submission, in its final encoded version, in Excel file format, except when the submitted form was generated using the CFORS with a unique document identification number at the upper right-hand corner of the form. Image files showing the scanned or photographed hard copy submission of the forms shall likewise be included in the submission of the soft or electronic copy.

This rule shall be without prejudice to any online, web-based or electronic filing system that the Commission may develop and use for this same purpose."

SECTION 3. Section 10, Rule 1 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"SECTION 10. Guidelines for the Submission of the Soft or Electronic Copy of the Forms and their Attachments. -

(a) How to submit. - Persons required to submit disclosure statements and reports under these Rules may choose to furnish the COMELEC with the soft or electronic copy of their submissions through any of the following means:

- (1) By storing the files in a portable storage device such as a USB flash drive or optical discs such as compact discs (CDs) and digital versatile discs (DVDs); or
- (2) By e-mailing the files to campaignfinance@comelec.gov.ph or comelec.cfo@gmail.com"

SECTION 5. Section 1, Rule 2 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"SECTION 1. Renaming of the Campaign Finance Unit to Campaign Finance Office; Powers, Duties and Functions. -

- (a)
- (b)
- (c)
- (d) Issue writs and subpoenas in relation thereto and submit reports and findings to the Commission En Banc;
- (e) Develop and manage a recording system for all reports, statements, and contracts received by it and to digitize information contained therein;
- (f) Publish the digitized information of the reports, statements and contracts and make them available online;
- (g) Develop a reportorial and monitoring system;
- (h) Initiate before the Law Department, filing of election offense cases and administrative exclusions of candidates for violations of campaign finance laws;
- (i) Inquire into the financial records of candidates and any organization or group of persons, after due notice and hearing;
- (j) Conduct preliminary inquiry or fact-finding investigation;
- (k)"

SECTION 6. Section 3, Rule 2 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"SECTION 3. Campaign Finance Director; Powers, Duties and Functions. -

- (a)
- (b)
- (g) *Initiate, before the Law Department, cases for violations of Article XI (Electoral Contributions and Expenditures) provisions of the Omnibus Election Code that are included as election offenses in Section 262 thereof and administrative exclusion;*
....."

SECTION 7. Section 1, Rule 6 of the COMELEC Resolution No. 9991, as amended, is hereby amended to read as follows:

"SECTION 1. Allowable Amount of Expenses for Candidates and Parties; Expenditure limits. - The aggregate amount that a candidate or party may spend for an election campaign shall be as follows:

- (a)
- (b)
- (c)
- (d)
- (e) Barangay and Sangguniang Kabataan candidates- Five Pesos (P5.00) for every voter currently registered in the constituency where they filed their certificates of candidacy."

SECTION 8. Section 2, Rule 9 of the COMELEC Resolution No. 9991, as amended, is hereby amended to read as follows:

"SECTION 2. Preservation and Inspection of Records at the Commission and its offices. - All statements of contributions and expenditures shall be kept and preserved at the where they are filed and shall constitute part of public records thereat for five (5) years after the conduct of election. They shall not be removed therefrom except upon order of the Commission or of a competent court and shall, during regular office hours, be available to inspection by the public, subject to Data Privacy Act, and existing rules and regulations on access to public records."

SECTION 9. Section 3, Rule 9 of the COMELEC Resolution No. 9991, as amended, is hereby amended to read as follows:

"SECTION 3. Examination of Statements; Parallel Examination by the Field Offices- It shall be the duty of the Commission through the CFO to examine all statements received from candidates and parties to determine compliance with the provisions of these Rules and for this purpose coordinate with other agencies of the government or non-governmental organizations to attain its mandate.

The Office of the Regional Election Director for provincial candidates and parties, and Office of the Provincial Election Supervisor for city/municipal candidates and parties, upon receipt of all disclosure

statements and reports within its area of responsibility, shall conduct a parallel examination to determine overspending by candidates and parties.

The Office of the Regional Election Director or Office of the Provincial Election Supervisor shall immediately transmit to the CFO the records should a candidate or party overspent."

SECTION 10. Section 2, Rule 10 of the COMELEC Resolution No. 9991, as amended, is hereby further amended to read as follows:

"SECTION 2. When and how to file the SOCE and its supporting documents. - Not later than thirty (30) days after the day of election, or by June 12, 2019, Wednesday, all candidates and parties who participated in the May 13, 2019 National and Local Elections, regardless of whether they won or lost, must file their Statements of Contributions and Expenditures (SOCEs) and the relevant Schedules and supporting documents. Filing of these campaign finance disclosure reports and statements must be done in person, whether by the candidates and/or party treasurers personally, or through their duly authorized representatives, before the offices listed in Section 3 of this Rules. Duly authorized representatives of candidates and parties must present a written authorization from their principals, using Form SPA-C in the case of candidates and Form SPA-P in the case of parties, before they can submit the campaign finance disclosure statements and reports of their principals. Submissions via registered mail, courier or messenger services shall not be accepted.

Except for elected candidate and party-list group, the deadline shall be final and non-extendible. Submissions beyond this period shall not be accepted. COMELEC Resolutions Nos. 9849 and 9873, Minute Resolutions Nos. 13-0775 and 13-0823 are hereby repealed, insofar as they allowed the belated submission, amendment and/or correction of campaign finance disclosure statements and reports and the imposition of late penalties for the 2013 National and Local Elections.

In case of special and recall elections, it shall be filed within thirty (30) days from the date of the conduct of elections. "

SECTION 11. Section 3, Rule 10 of the COMELEC Resolution No. 9991, as amended, is hereby amended to read as follows:

"SECTION 3. Where to file statements. - Candidates and electoral parties shall file their SOCL with the following offices:

Office	Elective Positions/Parties
Campaign Finance Office	1. President and Vice President 2. Senators 3. National Political Parties 4. Party-List Groups
Office of the Regional Election Director, National Capital	1. Members of the House of Representatives in the NCR 2. Regional Political Parties with the entire