

 BUREAU OF CUSTOMS
Provident Fund, Inc.

2nd Floor, CRIC Building
BUREAU OF CUSTOMS
Port Area, Manila

June 22, 2017

DIR. HENRY ANTHONY M. TORRES
OIC, Deputy Commissioner
Internal Administrative Group, IAG
Bureau of Customs
Port Area, Manila

THRU : **MR. JOSEPH G. ESCASIO**
OIC Director, Administrative Office
Chief, HRMD

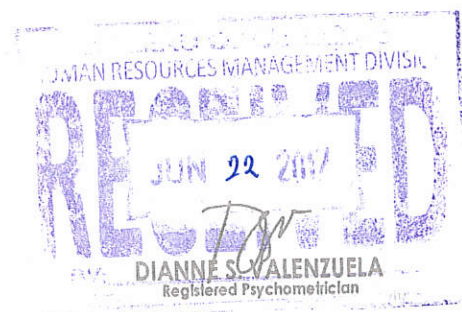
Dear Sir/s:

Anent the forthcoming Elections of the Bureau of Customs Provident Fund, Inc. (BOC-PFI), Board of Directors (BOD) and Referendum schedule to be held on August 14, 2017 (Monday), may we request for the posting of attached Schedule of Activities and rules and Regulations governing the conduct of election for the members of the Board of Directors of the Bureau of Customs Provident Fund, Inc. (BOC-PFI) for the information of the BOC-PFI's members nationwide.

Thank you, very much

Very truly yours,

M. Sebastian
Atty. **MARIA LIZA SEBASTIAN**
Chairman, ELECOM



**RULES AND REGULATIONS GOVERNING THE CONDUCT OF
ELECTION & REFERENDUM FOR THE MEMBERS OF THE
BOARD OF DIRECTORS OF THE BUREAU OF CUSTOMS
PROVIDENT FUND, INC. (BOC-PFI) FOR THE YEAR- 2017**

I. OBJECTIVE:

To ensure an honest, fair and orderly conduct of the 2017 Election & Referendum for the members of the Board of Directors (BOD) of the Bureau of Customs Provident Fund, Inc. (BOC-FPI).

II. GENERAL PROVISIONS:

1. The duly constituted Election Committee (ELECOM) shall be responsible for an honest, fair and orderly conduct of the BOC-FPI Election and Referendum. As such, the ELECOM may deputize customs officials and employees to ensure the attainment of a clean and honest election.

The Committee shall hold Office at the BOC-Provident Fund, Inc., 2nd Floor CRIC Building, Bureau of Customs, Port Area, Manila.

2. The election & referendum of the members of the Board of Directors shall be held simultaneously at the designated polling places. Notice of all election related activities shall be properly and fully disseminated to all the members of the Bureau of Customs Provident Fund, Inc. (BOC-PFI).
3. Each member shall be entitled to one (1) vote. He may cast his vote either personally or by proxy, duly authorized by him, in the prescribed Proxy Voting Sheet (PVS) provided by the ELECOM which is hereto attached as Annex "A".

III. FUNCTIONS OF THE ELECOM:

The ELECOM shall perform the following functions:

1. Exercise direct supervision and control over the conduct of the election for the members of the Board of Directors.

2. Prescribe the rules and regulations regarding the conduct of the said activity.
3. Determine whether or not there was a quorum or failure of election taking into consideration the number of members who voted plus the number of PVS received as against the membership list.
4. Provide all election paraphernalia, including the pre-numbered PVS which shall be distributed to interested members at least fifteen (15) days before the election. The following ELECOM officials/authorized representatives shall distribute/issue the PVS in their respective Offices and shall authenticate the signature of the members who want to be represented by proxy, as follows:

Office of the Commissioner	-	Chief, HRMD
ESS	-	Director or his authorized Representative
CIIS	-	Director or his authorized Representative
Port of Manila, MICP, NAIA	-	Deputy Collector for Administration of the Port on his authorized Representative
Collection Districts/Sub-ports-		District/Sub-port Collector on his authorized Representative

The above designated officials shall ensure the proper distribution of the PVS to the members, and the timely submission of the same to the ELECOM. The duly executed PVS must be received by the above-designated officials for authentication of signature and for recording purposes, to avoid possible confusion and/or duplication.

5. Receive duly executed PVS. For offices located in Metro Manila (OCOM, POM, MICP and NAIA), the PVS shall be submitted to the ELECOM pursuant to the schedule of activities approved by the ELECOM. In case of Collection Districts outside of Metro Manila, where the PVS are sent thru mail or courier, the PVS shall be submitted or received by the ELECOM on or before the deadline set for the same in accordance with the schedule of activities approved by the ELECOM.
6. Check and verify the names of the members who executed the PVS against the list of the members provided by the Board Secretary, and indicate therein the names of their designated proxy. The ELECOM

shall likewise prepare the List of Proxies, showing the corresponding number of PVS issued in their favor.

7. Act as the Board of Inspectors and Canvassers during the election; and
8. Perform other related functions.

IV. FILING OF CANDIDACY AND/OR NOMINATION OF CANDIDATES:

1. Only bonafide members of good standing shall be qualified for candidacy, provided, they do not possess any of the disqualifications as provided under Section 2, Article II of the BOC-Provident Fund, Inc. BY-LAWS.
2. Any member of good standing may file his/her Application for Candidacy with the ELECOM in accordance with the Schedule of Activities approved by the ELECOM, attached as Annexes "B" and "C" respectively. The member must, in addition to the Application for Candidacy, also submit a "Certificate of No Pending Case" from the Legal Service, this Bureau, and a "Certificate of Employment" duly issued by the BOC's Human Resources Management Division.
3. The Certificate of Candidacy shall be filed under oath in three (3) legible copies, the original of which shall be retained by the ELECOM, the second copy to be submitted to the Board Secretary and the third copy to be retained by the candidate. Candidates should indicate in their Certificate of Candidacy their nicknames in order for the same to be counted or appreciated in their favor.
4. In no case shall a candidate be allowed to act as proxy.

V. CAMPAIGN PERIOD:

1. Campaign period shall be in accordance with the Schedule of Activities approved by the ELECOM. Campaign materials such as leaflets, posters or banners may only be posted on existing Bulletin Boards in all customhouse throughout the country, or in any other conspicuous place as maybe designated by the District Collector.

2. All qualified candidates shall be formally presented to the members during the Monday Flag- Raising Ceremony in accordance with the Schedule of Activities used by the ELECOM.

VI. CONDUCT OF VOTING:

1. The voting shall be conducted through secret balloting using the official ballot issued by the ELECOM. The designated polling places shall be as follows:

OCOM	-	President's Room, 4 th Floor, POM Building
POM and NAIA	-	Conference Room of the respective ports
MICP	-	Multi-Purpose Hall
Proxy Vote for outports	-	President's Room, 4 th Floor, POM Building

2. ESS and CIIS personnel assigned at the outports shall be allowed to cast their votes through proxies, subject to submission of the required PVS. Those who are assigned at the POM, NAIA and MICP shall cast their votes in the voting precincts where they are respectively assigned. To prevent any incidence of multiple voting, all voting precincts shall be provided with a master list of all CIIS and ESS personnel and their present place of assignment by their respective administrative officers.
3. The voting period shall be from 8:00 am until 3:00 pm of the Election Day. After the lapse of the voting period, no member/voter shall be allowed to cast his vote, unless he is within the five (5) meter-distance from the designated polling place, in which case he shall be allowed to cast his vote. No member shall be allowed to vote after the polling place has been declared officially closed.
4. No candidate shall be allowed within the polling place at the date of the Election except when he/she shall cast his/her vote.
5. No campaign flyers shall be allowed to be distributed during the day of the Election except on the place provided by the ELECOM at the voting precincts. In no case shall such designated place for distribution of campaign flyers be located within ten (10) meter radius from the polling place.

6. Votes for the Referendum shall be numbered for control purposes and shall be dropped in the Referendum Box provided for the purpose.

VII. PROXY VOTING:

1. Proxy Voting Sheet (PVS) shall be filed in the manner and in the form prescribed by the ELECOM in three (3) legible copies. The PVS must be filed together with a photocopy of the BOC-issued Identification Card and three (3) specimen signatures of the member who wishes to vote by proxy.
2. All PVS must be subscribed before any of the following officials:
 - i. District Collector;
 - ii. Lawyers from the Legal Service or Law Division of the Port;
 - iii. Administrative Officer of the Port or Service in the case of ESS and CIIS personnel
3. PVS without the accompanying photocopy of the ID and/or specimen signature of the member or not subscribed shall not be considered and deemed invalid.
4. No member shall appoint more than one (1) proxy. Should it be found that more than one proxy represents a particular member, all PVS submitted to the ELECOM in his behalf shall be invalidated.
5. Duly authorized proxy/ies shall be allowed a maximum of fifty (50) PVS issued in his favor and shall be issued only one (1) ballot. The ELECOM shall indicate and sign in the upper right corner of the ballot issued the total votes to be counted for the particular ballot, in accordance with the List of Proxies previously prepared by the ELECOM, plus his own vote, in case the same has not yet been cast.
6. Except for proxy votes from ports outside of Metro Manila, designation of Proxies shall be limited to the ports from which the PVS were accomplished.
7. Duly accomplished PVS in the Port of Manila, MICP, NAIA and the Office of the Commissioner received by the authorized ELECOM representative, shall be submitted to the ELECOM in accordance with the approved schedule of activities.

8. PVS received at the CRMD of the Bureau must be forwarded to the ELECOM at the BOC-PFI Office, 2nd Floor, CRIC Building on or before 3 o'clock in the afternoon of the date of the Election. No designated Proxy shall be allowed to cast the proxy votes unless and until the PVS has been received by the ELECOM.
9. PVS sent by mail or courier duly accomplished in Collection Districts outside Metro Manila must be received by the ELECOM on or before the deadline for the submission of the same. However, PVS received by the ELECOM after the deadline for their submission shall be considered provided the same were sent on or before the said deadline and received by the ELECOM during the day of the election but not later than 3 o'clock (3:00) in the afternoon of the same day.

VIII. CANVASSING:

1. The Canvassing shall start as soon as the last vote has been cast and the polling place has been officially closed.
2. Before the canvassing, the ELECOM shall account for all unused ballots and the same shall be destroyed in the presence of the candidates and members.
3. The Tally Boards shall be situated as to allow the public to witness the proceedings. Only one watcher per candidate shall be allowed in the official canvassing area.
4. All Election Returns shall be accomplished in duplicate. After the canvassing, the total number of votes obtained by each candidate shall be written in words and figures opposite their names, and shall be signed by all members of the ELECOM.
5. Upon the completion of the canvassing, the Chairman of the ELECOM shall announce publicly the first fifteen (15) candidates who obtained the highest number of votes who will be officially and formally proclaimed as winners during the Flag Raising Ceremony on the Monday immediately after the date of the election.
6. In case of a tie, where two (2) or more candidates obtained the same number of votes for the fifteenth (15th) place, the tie shall be resolved by the drawing of lots, and whoever wins, shall be proclaimed the winner.

7. The original copy of the Election Returns shall be submitted to the newly elected Board of Directors during the first Board meeting by the new set of Board of Directors. The duplicate copy, together with the other election records, shall be kept by the ELECOM until the Board of Directors shall order their proper disposition.

IX. APPRECIATION OF BALLOTS:

1. If only the first name of the candidate is written, or only his surname, the vote shall be counted in his favor if there is no other candidate with the same first name or surname, as the case maybe, otherwise, the same will be considered as a stray vote.
2. If only the first name of the candidate is written or only his surname and there are two or more candidates with the same name or surname, and one is an incumbent, the vote shall be counted in favor of the incumbent.
3. The name or surname incorrectly written which when read has a sound similar to the name or surname of a candidate when correctly written, shall be counted in favor of that candidate.
4. In cases where the name of a particular candidate is erased or cancelled, and on top of it another name is clearly written, the vote shall be counted in favor of the latter.
5. Votes cast in favor of a candidate who has been disqualified shall be considered stray, and shall not be counted, but shall not invalidate the ballots, insofar as the votes cast for the other remaining candidates not otherwise disqualified.
6. Accidental tearing or perforating of ballots shall not invalidate the same.

X. PROTEST:

1. Protest shall pertain only to (a) the QUALIFICATION/S of candidate/s; or (B) the RESULTS of the Election.
2. Protest against the QUALIFICATION/S of any candidate shall be filed with the ELECOM before the announcement of the official candidates.

3. Protest against the RESULTS of the election shall be filed within twenty four (24) hours after the canvassing of the votes has been completed and the official tally has been announced.
4. In either case, protest shall not be a ground to suspend, defer, postpone or to stop the Proclamation of the winning candidates.
5. Any protest shall specifically state the ground/s relied upon and accompanied by affidavits of witnesses and other relevant documents and pieces evidence. The protest must be filed in five (5) legible copies and shall be under oath.
6. The ELECOM shall be the sole judge in all protest/s filed before it and its decision/s or ruling/s is FINAL and UNAPPEALABLE.

These amended Rules and Regulations shall be effective immediately. All rules and regulations inconsistent herewith shall be deemed superseded or amended accordingly.

Done this 01st day of June 2017.

M.L. Sebastian
Atty. MARIA LIZA SEBASTIAN
Chairman

Lilibeth C. Bonifacio
Ms. LILIBETH C. BONIFACIO
Vice-Chairman

Jesus D. Balmores
Atty. JESUS D. BALMORES
Member

Rolando Pacifico F. Tacub, Jr.
Atty. ROLANDO PACIFICO F. TACUB, JR.
Member

Belinda C. Copioso
Ms. BELINDA C. COPIOSO
Member

Carmelito C. Padlan
Mr. CARMELITO C. PADLAN
Member

Gladys C. Cabugawan
Ms. GLADYS C. CABUGAWAN
Member


Ms. ANNALYN V. REYES
Member


Ms. MA. TERESA C. PONAYO
Member