



BUREAU OF JAIL MANAGEMENT AND PENOLOGY
MULTI-PURPOSE COOPERATIVE
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OFFICE OF THE BJMP-MPC 2016 ELECTION COMMITTEE

BJMP-MPC ELECOM
Resolution No. 2015-05

A RESOLUTION PROMULGATING THE 2016 AMENDED ELECTION RULES AND GUIDELINES THAT SHALL GOVERN THE CONDUCT OF 2016 ELECTION FOR THE MEMBERS OF THE BOARD OF DIRECTORS

WHEREAS, under Section 1, Article V of the Amended By-Laws of the BJMP Multi-Purpose Cooperative, the Election Committee (hereinafter referred to as ELECOM) is created composed of three (3) members elected by the general assembly meeting who shall elect from among themselves Chairperson, Vice-Chairperson and Secretary and shall hold office for a term of one (1) year or until their successors shall have been elected and qualified;

WHEREAS, Section 2, Article V of the said Amended By-Laws provides for the functions and responsibilities of the ELECOM which includes among others: formulate and implement election rules and guidelines or amend the same, in consultation with the Board of Directors and approved by the general assembly;

WHEREAS, election rules and guidelines will certainly provide systems and procedures in the conduct of election for the members of the Board of Directors (hereinafter referred to as BOD) of the BJMP Multi-Purpose Cooperative (hereinafter referred to as BJMP-MPC) to promote a free, honest, orderly, peaceful and credible 2016 elections;

NOW THEREFORE, by virtue of the power and authority vested upon the ELECOM, we do hereby promulgate the *2016 Amended Election Rules and Guidelines* in consultation with the BOD for ratification of the 2016 General Assembly.

2016 AMENDED ELECTION RULES AND GUIDELINES

ARTICLE I

SCHEDULE OF ACTIVITIES

Section 1. Election Period.- The Election Period shall commence on February 3, 2016 upon the publication of official candidates and shall end on March 14, 2016 upon the publication of result of counting and canvassing.

Section 2. Schedule of Election Activities.- The following is the schedule of election activities:

❖ January 4 (Monday)

Announcement of Vacancy, Sending of Certificates of Candidacy and Election Schedule to Regions

❖ January 18 (Monday)-February 01 (Monday)

Filing of Certificates of Candidacy [14 days]

❖ February 2 (Tuesday)

Review of Qualifications of Candidates

❖ February 3 (Wednesday)

Publication of Official Qualified Candidates and Printing of Ballots

❖ February 08 (Monday)-February 22 (Monday)

Campaign Period, Distribution of Ballots to Regional Offices, Provincial Offices and Jail Units [14 days]

❖ February 23 (Tuesday) 8:00AM-March 4 (Friday) 5:00PM

Casting of Votes [8 days]

❖ March 7 (Monday)-March 11 (Friday)

Counting and Canvassing of Votes [5 days]

❖ March 14 (Monday)

Publication of the Result of Counting and Canvassing of Votes

❖ March 29 (Tuesday)

Announcement of winners and oath taking ceremony

Section 3. *Announcement of Vacant Position.* - Projected vacancy in the BOD shall be announced to all members nationwide on January 4, 2016 through posting in social media, website and memorandum to all the Regional Offices which shall then be disseminated to all subordinate offices in the field. The vacancy shall be based on the result of the 2015 BOD elections and the information to be provided by the BOD through its secretary or the BJMP-MPC Chief Executive Officer.

ARTICLE II

QUALIFICATIONS AND DISQUALIFICATIONS OF CANDIDATES

Section 4. *Qualifications of the Candidates.* - The ELECOM shall review, deliberate and reject any Certificate of Candidacy (COC) filed before it for the Board of Directors unless the applicant possess the following qualifications:

- a. must be a regular member of the BJMP-MPC and of good standing for the last two (2) consecutive calendar years;
- b. he/she must be of proven integrity, probity, honesty and independence;
- c. he/she must be of good moral character and continuously patronize the goods and services of the Cooperative;
- d. he/she has paid the minimum capital requirements; and
- e. he/she has completed or willing to complete the required education and training as may be provided by law, rules and regulations and policy approved by the General Assembly.

Section 5. *Disqualification of Candidates.*- The following are disqualified to become a candidate for the BOD:

- a. those having a conflict of interest with the business of the BJMP-MPC;
- b. those having been absent for three (3) consecutive board meetings during his/her incumbency as BOD preceding the election or, otherwise, as certified by the incumbent Secretary of the BOD has incurred more than fifty percent (50%) of all the meetings of the Board within the twelve (12) month period. Provided, that such absences are unexcused and unreasonable;
- c. those full time employee/s of the BJMP-MPC;
- d. those having been convicted of a crime involving moral turpitude, of gross neglect of duty, or gross misconduct in the performance of his duties or found culpable in any administrative proceeding or case involving such offenses;
- e. those facing as a defendant or respondent in administrative proceeding or civil suit involving financial and/or property accountability;
- f. those having been associated with any past anomalies in cooperatives;
- g. those having served two (2) consecutive terms as member of the Board of Directors immediately preceding the election under the new 2011 amended bylaws excluding the transition election in 2012;
- h. those having been disqualified pursuant to disqualifications prescribed by the Cooperative Development Act;
- i. those holding any other position directly involved in the day-to-day operation and management of the Cooperative; and

Section 7. *Official Candidates.*- Only those candidates who filed his/her COC until 5:00 o'clock in the afternoon of February 2, 2016, whose COC were reviewed, deliberated on and declared as official candidates by the Election Committee on February 3, 2016 shall be considered official candidates for the 2016 election of BOD.

Section 8. *Letter of Intent, Plans and Programs.*- Each and every candidate shall be allowed to express his/her plans and programs for the good of the BJMP-MPC in a form of a Letter of Intent attached to his/her COC sent to the BJMP-MPC ELECOM. The expressed capsulized plan of a candidate may be indicated in the publication of qualified candidates.

Section 9. Disqualification Notice.- Any member who filed a COC for BOD and subsequently disqualified by the ELECOM shall be notified at the soonest possible time of his disqualification and the reasons thereof.

Section 10. Withdrawal of Candidacy.- Any officially approved candidate can withdraw from his/her candidacy by officially writing the ELECOM before the date of elections. Hence, any vote cast in his/her favor shall be considered stray and shall not be counted.

Section 11. Campaign Period.- The campaign period of the candidates for Board of Directors shall be from February 08 to 22, 2016.

ARTICLE III

CONDUCT OF ELECTION OF THE BOARD OF DIRECTORS

Section 11. Area ELECOM Supervisors. – There shall be an Area ELECOM Supervisors in Luzon, Visayas and Mindanao who shall monitor the actual conduct of elections in the area and shall be responsible in ensuring a free, honest, orderly, peaceful and credible elections which shall be designated from among themselves through an ELECOM resolution.

Section 12. Composition of the Election Officers.- The following are the composition of Election Officers:

- a. *Regional Election Officers.* The Regional Directors shall be the ex-officio Election Officers for purposes of the BJMP-MPC Elections except if they are official candidates, in which case the Assistant Regional Director for Administration shall serve in his/her behalf.
- b. *Provincial Election Officers.* The Provincial Administrators shall be the ex-officio Election Officers for purposes of the BJMP-MPC Elections except if they are official candidates, in which case the next ranking officer in the province shall serve in his/her behalf.
- c. *Jail Election Officers.* The Jail Wardens shall be the ex-officio Election Officers for purposes of the BJMP-MPC Elections except if they are official candidates, in which case the Deputy/Assistant Warden shall serve in his/her behalf.

Section 13. Duties and Functions of the Election Officers.- The following are the duties and functions of the Regional, Provincial and Jail Election Officers:

- a. *Regional Election Officer* shall:
 - i. ensure that the BJMP MPC 2016 Amended Election Rules and Guidelines are disseminated and clearly understood by all Provincial and Jail Election Officers;
 - ii. shall ensure, together with the Regional Executive Senior Jail Officer (RESJO), that the conduct of election in their respective areas of jurisdiction is free, orderly, honest, peaceful and credible 2016 elections;
 - iii. shall ensure, together with the RESJO, the timely transmittal of the ballots to the ELECOM; and

iv. perform such other functions as the ELECOM may direct.

b. *Provincial Election Officers* shall:

i. directly supervise and monitor, together with the Provincial Executive Senior Jail Officer (PESJO) the elections under his/her respective areas of responsibility strictly guided by the established 2016 Amended Election Rules and Guidelines. He/she shall ensure that all members of the BJMP-MPC in respective Jails within their areas of responsibility shall be able to cast their votes;

ii. oversee, monitor and remind all cooperative members to send all mailed ballots to the BJMP-MPC immediately within 24 hours after the election.

iv. perform such other functions as the Regional Election Officers may direct.

c. *Jail Election Officers* shall:

i. supervise, together with the Unit Executive Senior Jail Officer (UESJO), the actual conduct of the 2016 BJMP-MPC elections in their assigned jail;

ii. ensure, together with UESJO, that all members of the BJMP-MPC in their assigned jail shall be able to cast their votes;

ii. designate a polling precinct with the required paraphernalia;

iii. ensure the return of the ballots by sending the same immediately directly to the ELECOM through a private courier or if not available forward the same to the Provincial Election Officer or Regional Election Officer for transmittal to the ELECOM; and

iv. perform such other functions as the provincial election Officer or the Regional Election Officer may direct.

Section 14. *Manner of Elections.* - Following are the guidelines in the casting of votes:

i. list of voters/members shall be sent to all jails nationwide thru the Regional Election Officers attention the RESJO who shall cause its widest dissemination by publication/posting the same in every jail;

ii. members shall affix their signatures opposite their names and indicate therein their ballot number before they cast their individual votes;

iii. if the name of the voting member is not in the list, the Jail Election Officer, together with the UESJO shall add the name in the published/posted list after presenting any legal identity of his membership (coop, passbook, pay slip and other identification of membership). It shall report the same to the ELECOM Area Supervisor;

iv. election shall be conducted in the jail or unit where the member is assigned. Retirees qualified to vote shall cast their votes at the Regional/ Provincial Offices or Jail Units nearest their registered address;

v. votes shall be cast without undue intimidation from the candidates or any personnel related to them;

vi. voting shall be by secret balloting using the official ballot duly approved by the members of the ELECOM;

vii. ballots shall be duly thumb marked and after the casting of votes, the ballots shall be mailed back to the BJMP-MPC office address or to the Provincial Jail Administrators using the enclosed self-addressed envelope;

viii. in jails that are accessible through fast communication facilities, sealed ballots can be directly mailed by the Jail Election Officer, or the UESJO, to the BJMP-MPC;

ix. Jail Election Officers shall render an official report of the member of personnel who cast their votes, the number of ballots on hand and other observation during the election to be sent to the ELECOM BJMP-MPC enclosed with the official list of voters.

Section 15. Prohibition of Proxy and Cumulative Voting.- No proxy voting and cumulative voting of BJMP-MPC BOD shall be allowed.

Section 16. Banning of Candidates at Election Precinct.- The candidates shall not be allowed to loiter in the polling precinct or stay within 40-meter radius before and after he/she cast his/her vote.

ARTICLE IV

COUNTING AND CANVASSING OF VOTES

Section 17. Counting and Canvassing.- Centralized national counting and canvassing of ballots shall be conducted by the ELECOM which shall be tallied either manually or electronically with the aid of computer experts if available.

Section 18. Manner of Counting and Canvassing.- Counting and canvassing of votes shall be made by reading and tallying the name/s of the candidate/s voted for by the ELECOM or their duly authorized BJMP-MPC member under their supervision in the presence of the duly designated watchers of candidates.

Section 19. Canvassing Area.- The Training Room of the BJMP-MPC shall be the canvassing area and no candidate/s shall be allowed to enter in room except their duly designated watcher.

ARTICLE V

APPRECIATION OF BALLOTS

Section 20. If only the first name or the family name is written in the ballot, the same shall be counted in favor of the candidate having such first name or family name. Provided, that if there is only one word and the name written is the first name of one of the candidates which is also the family name of the other candidate, the same shall be counted in favor of the latter. Provided further, that if there are two (2) or more candidates having the same first name or family name, ascertainment of the identity of the candidate shall be made by the ELECOM. Provided finally, that should ascertainment is impossible, the vote shall be considered stray but shall not invalidate the ballot.

Section 21. When two or more words are written on the same line on the ballots, all of which are the surnames of two or more candidates, the same shall not be counted for any of them. Provided, that when two or more words are written on different lines on the ballot all of which are the surnames of two or more candidates bearing the same surname for a vacancy in the BOD for which the BJMP-MPC by-laws authorizes the election of more than one and there are the same number of such surnames written as there are candidates with that surname, the vote shall be counted in favor of all the candidates bearing the surname.

Section 22. When two words are written in the ballot, one of which is the first name of a candidate and the other is the surname of his opponent, the vote shall not be counted for either.

Section 23. When in a space in the ballot there appears a name of a candidate that is erased and another clearly written, the vote is valid for the latter.

Section 24. When there are two or more candidates voted for in an office for which the BJMP-MPC by-laws allows the election of only one, the vote shall not be counted in favor of any of them, but this shall not affect the validity of the other votes therein.

Section 25. If the candidates voted for exceed the number of those to be elected, the ballot is valid, but the votes shall be counted only in favor of the candidates whose names were firstly written by the voter within the spaces provided for said office in the ballot until the authorized number is covered.

ARTICLE VI

PROCLAMATION OF WINNERS

Section 26. Proclamation of the Winners.- The winners of the conducted election shall be proclaimed by the Chairperson of the 2016 ELECOM, BJMP-MPC during the scheduled General Assembly or as decided by the BOD without prejudice to the election protest filed against the winners.

Section 27. Publication of Votes Received.- The Chairperson of the ELECOM shall make known during the General Assembly the number of votes garnered by the winners from the highest to the lowest for the application of the rotational basis of BJMP-MPC BOD as provided by the Cooperative Law, as amended, and the BJMP-MPC Articles of Cooperation and By-Laws, as amended.

Section 28. Drawing of Lots.- In case of tie in the last and final slot or in a slot designated for the purpose as provided by the BJMP-MPC by-laws, the same shall be resolved by drawing of lots. No drawing of lots shall be conducted without the candidates concerned or their authorized representative.

Section 29. Disposition of Ballots.- Immediately after the protest period and the newly elected BOD have taken their oath, all ballots used and the list of voters with their corresponding signatures and ballot numbers shall be disposed properly thru shredding by the ELECOM unless a valid election protest was filed and the disposition of such protest requires the continued existence of the said documents.

ARTICLE VII

ELECTION PROTEST

Section 30. Jurisdiction of the ELECOM.- The BJMP-MPC ELECOM shall be the sole judge of any election protest filed against any candidate who garnered sufficient number of votes to be proclaimed as winner in the BJMP-MPC BOD election.

Section 31. Period of Filing Election Protest.- An election protest shall be filed prior to the proclamation during the General Assembly by the BJMP-MPC Election Committee by filing with the ELECOM a duly sworn Election Protest before any officer authorized by law to administer oath together with supporting documents or evidence to support the allegations which shall be resolved with dispatch prior to the proclamation. The decision of the ELECOM shall be final and executory.

ARTICLE VIII

OATH OF OFFICE

Section 32. Date of Oath Taking.- Oath-taking before any officer authorized by law to administer oath of the newly elected BJMP-MPC BOD shall be on the date of the General Assembly immediately after the proclamation of winners as determined and announced by the ELECOM.

ARTICLE IX

ASSUMPTION OF OFFICE

Section 33. Assumption of Office.- Immediately after the oath-taking ceremony, the newly elected BOD shall assume office as member BOD BJMP-MPC.

ARTICLE X

TERM OF OFFICE

Section 34. Term of Office.- The term of office of the newly elected officers shall be two (2) years or the unexpired portion of the term of predecessor, if applicable, as provided by the BJMP-MPC Amended By-Laws.

ARTICLE XI

REPEALING CLAUSE and ADDITIONAL AUTHORITY

Section 35. Applicability.- This 2016 Amended Election Rules and Guidelines shall apply until such time that the same or any of its provisions has been amended, repealed or modified accordingly in consultation with the BOD and approval of the General Assembly.

Section 36.- Additional Authority of the ELECOM.- Nothing herein shall preclude the ELECOM from promulgating additional rules through ELECOM resolutions, with due notice, in order to promote a free, honest, orderly, peaceful and credible 2016 BJMP-MPC BOD elections.

ARTICLE XII

EFFECTIVITY and PUBLICATION

Section 37. *Effectivity.*- This *2016 Amended Election Rules and Guidelines*, as amended and revised by the ELECOM, shall take effect immediately upon consultation with and approval by the BOD. A copy thereof shall be published at the BJMP-MPC Publication, BJMP-MPC Website, BJMP Website and official social media accounts of 2016 BJMP-MPC ELECOM, BJMP-MPC, and other allied social media accounts for widest dissemination of all concerned.

Let copies of this resolution embodying the 2016 Amended Election Rules and Guidelines be furnished to all concerned.

UNANIMOUSLY APPROVED by 2016 BJMP-MPC ELECOM.

IN WITNESS WHEREOF, we hereby affix our signatures this 09 December 2015 during the 3rd Regular Meeting of the ELECOM held at BJMP Legal Service Office.

(SGD)

ATTY PAULINO H MORENO JR CSEE
Chairperson

(SGD)

ANTONIO O GERENTE
Vice-Chairperson

(SGD)

LAILANIE F FESALBON
Secretary