



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
OFFICE OF THE CHIEF MINISTER

Bangsamoro Government Center, Governor Gutierrez Avenue, Rosary Heights VII, Cotabato City 9600

MEMORANDUM

Circular No. **0015**
Series of 2025

FOR/TO : **THE SPEAKER OF THE PARLIAMENT**
MINISTERS AND HEADS OF OFFICES AND AGENCIES
Bangsamoro Autonomous Region in Muslim Mindanao

SUBJECT : **PROHIBITED ACTS AND APPLICATION FOR EXEMPTION**
THERE TO IN RELATION TO THE MAY 12, 2025 NATIONAL,
LOCAL, AND BARMM PARLIAMENTARY ELECTIONS

DATE : **04 Sha'ban 1446 AH | 03 February 2025**

(A) APPOINTMENT BAN

1. On 13 September 2024, the Commission on Elections (COMELEC) issued **Resolution No. 11059** entitled, *"In The Matter of the Enforcement of the Prohibition against Appointment or Hiring of New Employees, Creation of New Positions, Promotion or Giving of Salary Increases; Remuneration or Privileges; Transfer or Detail of Civil Service Employees; Suspension of Elective Local Officials and Filing of Leave of Absence of Local Treasurers and Assistant Treasurers in Connection with the Conduct of the May 12, 2025 National and Local Elections and BARMM Parliamentary Elections,"* prohibiting the following acts during the election period in accordance with Section 261 (g), (h), and (x) of the Omnibus Election Code (OEC), to wit:
 - a. Appointment of new employees, creation of new position, promotion or giving salary increases;
 - b. Transfer of officers and employees in the civil service; and
 - c. Suspension of elective provincial, city, municipal, or barangay officer.
2. The foregoing Resolution prescribes the period for certain prohibited acts in connection with the May 12, 2025, National and Local Elections and BARMM Parliamentary Elections, as well as the documentary requirements for applications for exemption, where applicable.

BAN PERIOD	PROHIBITED ACT/S	REQUEST FORM/S
28 March 2025 to 11 May 2025	Appointment or hiring of any new employee,	Annex "A" – Application for Request for Authority to

	whether permanent, temporary, substitute or casual (Sec. 2)	Appoint or Hire New Employees (Sec. 4)
	Creation and filling of new positions (Sec. 2)	Annex “B” - Application for Request for Authority to Create or Fill New Positions (Sec. 5)
	Promotion, salary increases, and grant of privileges (Sec. 8)	Absolute prohibition (Sec. 8)
12 January 2025 to 11 June 2025	Transfer or detail of officers and employees from the civil service (Sec. 9)	Annex “C” - Application for Request for Authority to Transfer or Detail Officers or Employees in the Civil Service (Secs. 11 and 13)
	Suspension of elective local government unit (LGU) officials (Sec. 15)	Annex “D” - Application for Request for Authority to Suspend Elective Local Officials (Sec. 16)
28 April 2025 to 26 May 2025	Leave of Absence of Provincial, City or Municipal Treasurer, and Assistant Treasurer (Sec. 19)	Annex “E” - Application for Request for Approval of Leave of Absence of Provincial, City or Municipal Treasurer and Assistant Treasurer (Sec. 20)

3. All applications for request for authority, together with the word document file thereof as uploaded in a Universal Serial Bus (USB) drive or Compact Disk (CD), shall be filed at least ten (10) days before the intended appointment or hiring of new employees; transfer or detail of civil service employees, if reasonably known; leave of absence or start of suspension of local elective officials, as the case may be, personally [or via courier] with the Office of the Regional Election Director (Bangsamoro Electoral Office). The application for leave of absence of treasurers and assistant treasurers shall be filed to the Regional Bureau of Local Government Finance of the Department of Finance (**Bureau of Local Government Finance - BARMM**). Applications filed through e-mail shall not be accepted (Secs. 20, 34, and 35).

(B) PUBLIC EXPENDITURE BAN ON SOCIAL SERVICES AND HOUSING-RELATED PROJECTS

4. On 13 September 2024, COMELEC issued **Resolution No. 11060** entitled, “*Rules and Regulations on the Prohibition on the Release, Disbursement, or Expenditure of Public Funds for Social Services and Housing-related Projects, and Issuance of Treasury Warrants and Similar Devices under Sections 261 (v) and (w) of the Omnibus Election Code in Connection with the May 12, 2025 National and Local Elections, and BARMM Parliamentary Elections,*” prohibiting the release, disbursement, or expenditure of public funds for social services and housing-related projects, and issuance of treasury warrants and similar devices during the election period.

5. The foregoing Resolution prescribes the period for certain prohibited acts in connection with the May 12, 2025, National and Local Elections and BARMM Parliamentary Elections, as well as the documentary requirements for applications for exemption, where applicable.

BAN PERIOD	PROHIBITED ACT/S	REQUEST FORM/S
28 March 2025 to 11 May 2025	Release, disbursement, or expenditure of public funds for social welfare and services projects (Sec. 2)	Annex "A" - Request for Exemption for Social Welfare and Services Projects (Secs. 11 and 12)
	Release, disbursement, or expenditure of public funds for housing-related projects (Sec. 4)	Annex "B" - Request for Exemption for Housing-Related Projects (Secs. 11 and 12)
	Issuance, use, or availment of treasury warrants or any device undertaking future delivery of money, goods, or other things of value chargeable against public funds (Sec. 5)	Absolute prohibition (Sec. 5)
02 May 2025 to 12 May 2025	Giving and distribution of Assistance to Individuals in Crisis Situation (AICS) (Sec. 3)	Absolute prohibition except giving and distribution of basic needs i.e. food, transportation, medical, educational, burial, and other similar assistance to qualified individuals (Sec. 3)

6. The following acts are excepted from the foregoing public expenditure ban without need of request for the issuance of Certificate of Exception (Sec. 10), viz:
- Release, disbursement, or expenditure during calamities or disasters (Sec. 6);
 - Maintenance and Other Operating Expenses (MOOE) (Sec. 7);
 - Salaries of government personnel (Sec. 8); and
 - Release, disbursement, or expenditure of public funds for projects/programs/activities (PPAs) which are not social service and welfare projects and housing-related projects subject to the conditions mentioned under section 9 of the Resolution.
7. All requests for exemption, in originally signed hard copy (Sec. 14), shall be filed free of charge (Sec. 16) personally [or via courier] with the Law Department (Sec. 14) not later than 11 February 2025 (Sec. 15). Applications filed through e-mail shall not accepted. The date of receipt by the Law Department shall be considered as the date of filing (Sec. 14).

8. For projects of national agencies/departments/government-owned and controlled corporations (GOCCs)/LGUs which will be implemented by its field offices, local units, component LGUs, an additional list identifying the implementing unit(s) and the particular project (s) to be implemented shall be submitted together with the Request for Exception (Sec. 11, second paragraph).
9. In case an exemption for a particular project is granted to a national agency/department/GOCC/LGU, but the same project will be implemented by the field offices/local units/component LGUs, the implementing unit need not secure another exemption from the COMELEC, provided that:
 - a. The project has the same source of funds; and
 - b. The implementing unit and the particular project to be implemented was included and identified in the list submitted together with request for exemption.

If these conditions are not met, a separate exemption must be secured from the COMELEC (Sec. 19).

(C) PUBLIC EXPENDITURE BAN ON PUBLIC WORKS

10. On 13 November 2024, COMELEC issued **Resolution No. 11078**, entitled, "*Rules and Regulations on the Prohibition on the Release, Disbursement, or Expenditure of Public Funds for the Construction of Public Works, Delivery of Materials for Public Works and Issuance of Treasury Warrants and Similar Devices in Connection with the May 12, 2025 National and Local Elections, and BARMM Parliamentary Elections*," prohibiting the release, disbursement, or expenditure of any public funds for public works pursuant to Section 261 (v) and (w) of the OEC.
11. The foregoing Resolution prescribes the period for certain prohibited acts in connection with the May 12, 2025, National and Local Elections and BARMM Parliamentary Elections, as well as the documentary requirements for applications for exemption, where applicable.

BAN PERIOD	PROHIBITED ACT/S	EXCEPTION/S	DOCUMENTARY REQUIREMENT/S FOR THE REQUEST FOR ISSUANCE OF CERTIFICATE OF EXCEPTION
28 March 2025 to 11 May 2025	Release, disbursement, or expenditure of public funds for any and all kinds of public works save for exceptions (Rule I, Sec. 2)	a. Maintenance of existing and/or completed public works project: Provided, that not more than the average number of laborers or employees already employed therein during the six (6)-month period immediately prior to 28 March 2025 shall be permitted to work during	i. Certified True Copy (CTC) of the letter of acceptance of the public works project; or ii. CTC of the contract covering the maintenance work being done on the existing/completed public works project; or iii. A notarized or sworn undertaking or commitment not to allow,

		the ban period: Provided, further, that no additional laborers shall be employed for maintenance work during the ban period (Rule I, Sec. 2 (a));	hire or employ more than or additional number of employees/ laborers to work during 28 March 2025 to 11 May 2025 (Rule III, Sec. 3 (a)).
		b. Work undertaken by contract through public bidding held, or by negotiated contract awarded, before 28 March 2025. "Takay" or "Pakyaw" system is not considered as work by contract. (Rule I, Sec. 2 (b));	CTC of the either of the following: i. Notice of Award (NOA) of contract; ii. Notice to Proceed (NTP) with the public works project; or iii. Contract (Rule III, Sec. 3 (b)).
		c. Payment for the usual cost of preparation for working drawings, specifications, bills of materials, estimates, and other procedures preparatory to actual construction including the purchase of materials and equipment, and all incidental expenses for wages of watchmen and other laborers employed for such work in the central office and field storehouses before 28 March 2025: Provided, that the number of such laborers shall not be increased over the number hired when the project or projects were commenced (Rule I, Sec. 2 (c));	i. The statement of account, billing or collection invoice showing amount and date due evidencing the payment required to be released during the period covering the ban; and ii. A sworn or notarized undertaking or commitment not to hire or employ more laborers at the commencement date of the project/s (Rule III, Sec. 3 (c)).
		d. Emergency work necessitated by the occurrence of a public calamity, but such work shall be limited to the restoration of the damaged facility (Rule I, Sec. 2 (d));	i. CTC of the Executive Order of the Local <i>Sanggunian</i> Resolution declaring a state of calamity in the disaster-stricken area; and ii. Documentation showing the scope of the emergency work needed, which must be limited to the restoration

			of the damaged facility, including but not limited to a copy of the Local Disaster Risk Reduction and Management Plan, Local <i>Sanggunian</i> Resolution and approved local budget (Rule III, Sec. 3 (d)).
		e. On-going public work projects commenced before the campaign period or similar projects under foreign agreements (Rule 1, Sec. 2, last par.);	i. CTC of the foreign agreement/contract; and ii. List of works covered by the foreign agreement/contract (Rule III, Sec. 3 (e)).
	Construction of public works, delivery of materials for public works save for projects or works exempted under Rule I, Section 2 of the Resolution, and issuance of treasury warrants and similar devices (Sec. 3).	Construction of any public works or projects exempted above (Rule I, Sec. 3 (a)). Note: Absolute prohibition on issuance, use, or availment of treasury warrants or any device undertaking future delivery of money, goods, or other things of value chargeable against public funds (Rule I, Sec. 3 (b)).	
		Payment of laborers who may have worked on public works which have to be suspended, except within five (5) days of the election, and of those who may have worked in public works projects authorized/excepted under (a) to (d) of Rule I, Section 2 (Rule II, Sec. 1);	
		Public-Private Partnership (PPP) and Build-Operate-Transfer Projects (BOT) (Rule II, Sec. 2);	

		Repair, maintenance, and rehabilitation of irrigation facilities as well as BOT irrigation projects (Rule II, Sec. 3);	
		MOOE (Rule II, Sec. 4);	Note: Certificate of Exception not necessary for MOOE and salaries of government personnel (Rule II, Sec. 7)
		Salaries of government personnel (Rule II, Sec. 5);	
		PPAs established before the prohibition period and duly reported to the Commission on Audit pursuant to Item 2.1 of its Circular No. 2013-0004 dated 30 January 2013 (Rule II, Sec. 6); and	
		Ongoing public works projects and other similar projects commenced before the campaign period undertaken or carried out by its own personnel of the concerned agency (Rule III, Sec. 3. (f)).	i. Documents showing that the project was undertaken by administration; and ii. Documentation or proof, such as but not limited to photographs, plans, progress billing, among others, showing that the infrastructure project already commenced before the campaign period (Rule III, Sec. 3. (f));

In case any of the abovementioned documents cannot be submitted, a Certification under oath, signed by the head of the department or agency or his duly authorized representative, stating that the said project/s fall among those excepted from the public works ban and the reason for the non-submission thereof may be filed in lieu thereof (Rule III, Sec. 3, last par.).

12. In addition to the foregoing documentary requirements, the concerned Department Secretary, Head of National Agency, including GOCCs, government financing institutions, state universities and colleges concerned, and local chief executive or their duly authorized representative, shall submit to the Commission, throughout the Political Finance and Affairs Department (PFAD) a certified list of the following:

- a. All on-going public works project commenced before March 28, 2025;
- b. All on-going public works projects under foreign agreements commenced before March 28, 2025;
- c. All public works undertaken by contract through public bidding held, or by negotiated contract awarded, before March 28, 2025 (Rule III, Sec. 1).

13. All requests for the issuance of the Certificate of Exception must be filed online on or before 28 March 2025 on the COMELEC website using the Public Works Ban Link (Rule III, Sec. 2) free of charge (Rule III, Sec. 4). Personal filing or via registered mail [and/or private courier] shall not be accepted (Rule III, Sec. 2). The electronic copies of all prescribed forms shall be made available for free at the COMELEC Website.

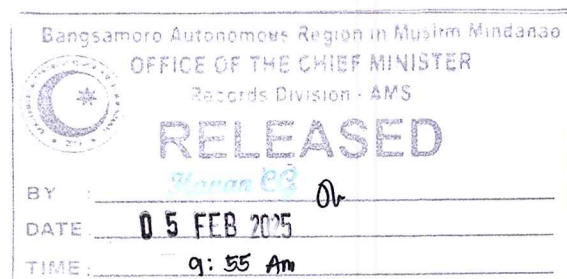
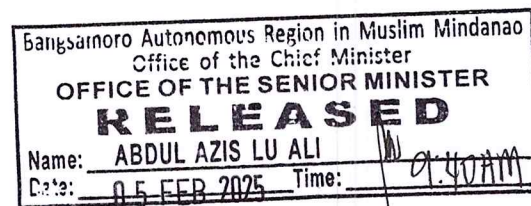
In view of all of the foregoing, the Speaker of the Parliament and all ministers and heads of offices and agencies of the BARMM, duly affected by the appointment ban, public expenditure ban on social services and development and housing-related projects, and public expenditure ban on public works are hereby enjoined and reminded of the election bans and prohibited activities and, where applicable, are directed to file the respective requests for exception and/or exemption directly with the Bangsamoro Electoral Office and/or Law Department, as the case may be, on or before the deadlines set forth, as indicated above.

For your **information** and **strict compliance**.

By Authority of the Chief Minister
AHOD B. EBRAHIM


ABUNAWAS L. MASLAMAMA
Senior Minister

OCM-BARMM AMS-RD
AAA175036





Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

IN THE MATTER OF THE
ENFORCEMENT OF THE PROHIBITION
AGAINST APPOINTMENT OR HIRING
OF NEW EMPLOYEES, CREATION OF
NEW POSITIONS, PROMOTION OR
GIVING OF SALARY INCREASES;
REMUNERATION OR PRIVILEGES;
TRANSFER OR DETAIL OF CIVIL
SERVICE EMPLOYEES; SUSPENSION
OF ELECTIVE LOCAL OFFICIALS AND
FILING OF LEAVE OF ABSENCE OF
LOCAL TREASURERS AND
ASSISTANT TREASURERS IN
CONNECTION WITH THE CONDUCT
OF THE MAY 12, 2025 NATIONAL AND
LOCAL ELECTIONS AND BARMM
PARLIAMENTARY ELECTIONS

GARCIA, George Erwin M.
INTING, Socorro B.
CASQUEJO, Marlon S.
FEROLINO, Aimee P.
BULAY, Rey E.
MACEDA, Ernesto Ferdinand P., Jr.
CELIS, Nelson J.

Chairman
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Promulgated: September 13, 2024

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RESOLUTION NO. 11059

WHEREAS, Section 261 of the Omnibus Election Code of the Philippines provides:

"Sec. 261. Prohibited Acts. - The following shall be guilty of an election offense:

- g. *Appointment of new employees, creation of new position, promotion, or giving salary increases.* - During the period of forty-five days before a regular election and thirty days before a special election, (1) any head, official or appointing officer of a government office, agency or instrumentality, whether national or local, including government-owned or controlled corporations, who appoints or hires any new employee, whether provisional, temporary or casual, or creates and fills any new position, except upon prior authority of the

Commission. The Commission shall not grant the authority sought unless, it is satisfied that the position to be filled is essential to the proper functioning of the office or agency concerned, and that the position shall not be filled in a manner that may influence the election.

As an exception to the foregoing provisions, a new employee may be appointed in case of urgent need: *Provided, however,* That notice of the appointment shall be given to the Commission within three days from the date of the appointment. Any appointment or hiring in violation of this provision shall be null and void.

(2) Any government official who promotes, or gives any increase of salary or remuneration or privilege to any government official or employee, including those in government-owned or controlled corporations.

h. *Transfer of officers and employees in the civil service.* - Any public official who makes or causes any transfer or detail whatever of any officer or employee in the civil service including public school teachers, within the election period except upon prior approval of the Commission.

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x. *Suspension of elective provincial, city, municipal or barangay officer.* - The provisions of law to the contrary notwithstanding during the election period, any public official who suspends, without prior approval of the Commission, any elective provincial, city, municipal or barangay officer, unless said suspension will be for purposes of applying the "Anti-Graft and Corrupt Practices Act" in relation to the suspension and removal of elective officials; in which case the provisions of this section shall be inapplicable.

WHEREAS, pursuant to Section 2 (4), Article IX-C of the 1987 Constitution and in view of the important role of provincial, city and municipal treasurers and assistant treasurers, there is a need to deputize with the concurrence of the President, the Department of Finance (DOF) to ensure that all provincial, city, and municipal treasurers and assistant treasurers remain in their present assignments and neither transferred or detailed, reassigned, whether temporarily or permanently, to another province, city or municipality, nor allowed to go on leave of absence except upon prior written authority/approval of the Commission.

NOW THEREFORE, the Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code and other election-related laws, has **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following rules to implement the provisions of Section 261, subsections (g), (h), and (x) of the Omnibus Election Code and Section 2(4), Article IX-C of the 1987 Constitution in connection with the conduct of the May 12, 2025 National and Local Elections (NLE) and Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) Parliamentary Elections (BPE).

RULE I DEFINITION OF TERMS

SECTION 1. *Definition of Terms.* - As used in this Resolution:

- a. **Appointment** is the selection by the authority vested with the power, of an individual who is to exercise the functions of a given office. When completed, usually with its confirmation, the appointment results in security of tenure on the person chosen unless the person is replaceable at pleasure because of the nature of office held.
- b. **Contract of Service** refers to the engagement of the services of a person, private firm, nongovernmental agency or international organization to undertake a specific work or job requiring special or technical skills not available in the agency to be accomplished within a specific period not exceeding one (1) year. The person engaged performs or accomplishes the specific work or job under his or her own responsibility and with minimum supervision by the hiring agency. For purposes of this issuance, contract of services shall include the hiring of consultants and personnel engaged to perform work for special projects whether funded by the agency itself or externally funded.
- c. **Designation** connotes merely the imposition by law of additional duties of an incumbent official. It is considered only an acting or temporary appointment, which does not confer security of tenure on the person named. This includes designation of an incumbent official or employee in a committee or office.
- d. **Detail** is the temporary movement of an employee from one department or agency, which does not involve a reduction in rank, status or salary and does not require the issuance of another

appointment. It shall be allowed only for a limited period in the case of employees occupying professional, technical and scientific position.

- e. **Giving of remuneration or privilege** shall include giving of bonuses, other than the mandated 13th month pay and cash gift for government employees, incentives, representation and transportation allowance (RATA) or other form of allowances regularly received, on top of their usual benefits and privileges.
- f. **Increase of salary** shall include adjustments in salaries as a result of increase in pay levels or upgrading of positions which do not involve a change in qualification requirements and do not require the issuance of a new appointment.
- g. **Job Order** refers to the hiring of a worker for piece work or intermittent job of short duration not exceeding six (6) months and pay is on a daily or hourly basis. It is to be understood that the piece work or job to be performed requires special or technical skills not available in the agency and the same is to be accomplished under the worker's own responsibility and with minimum supervision by the hiring agency.
- h. **Promotion** is the advancement of an employee from one position to another with an increase in duties and responsibilities as authorized by law, and usually accompanied by an increase in salary. Promotion may be from one department or agency to another or from one organizational unit to another in the same agency.
- i. **Reassignment** is the movement of an employee from one organizational unit to another in the same department or agency which does not involve a reduction in rank, status or salary and does not require the issuance of an appointment.
- j. **Suspension** is the temporary forced removal from the exercise of the office. It shall include both suspension as a penalty and preventive suspension.
- k. **Transfer** is a movement from one position to another which is of equivalent rank, level or salary without break in service involving the issuance of an appointment. The transfer may be from one department or agency to another or from one organizational unit to another in the same department or agency. This shall also

include movement consequent to an order for the return/recall of the detailed/assigned/reassigned personnel to the original or previous place of assignment within the period of prohibition.

RULE II APPOINTMENT OR HIRING OF NEW EMPLOYEES, CREATION OF NEW POSITION

SECTION 2. *Ban on Appointment and Period of Prohibition.* – From March 28, 2025 (Friday) until May 11, 2025 (Sunday), no head or appointing officer of any national or local government office, agency or instrumentality, including government-owned or controlled corporations (GOCCs), shall, except upon prior authority of the Commission:

- a. Appoint or hire any new employee, whether permanent, provisional, temporary, substitute or casual; and
- b. Create and fill any new position.

SECTION 3. *Designation not included.* – The appointment referred herein shall not include designation as defined in Section 1 (c) hereof. Thus, designation of an incumbent official or employee in a committee or office which involves merely the imposition of additional duties is not included in the prohibition.

SECTION 4. *Request for Authority of the Commission to Appoint or Hire New Employees; How to File.* –

- a. Requests for authority to appoint or hire new employees shall be:
 - i. in writing;
 - ii. stating all information pertinent to the appointment or hiring such as the name of appointee, position, salary grade, reasons for the appointment or cause of vacancy and the name of the appointing authority, position and agency.

In case the name of the appointee is not available at the time of filing of the request for authority, the same shall be submitted within three (3) days from the time of its availability;

- b. The request shall be filed with:
 - i. *The Law Department* - requests for authority to appoint or hire new employees in the central or main offices of national government agencies and GOCCs.
 - ii. *The Office of the Regional Election Director (ORED)* - requests for authority to appoint or hire new employees in the field or local offices of government agencies and GOCCs in the region where the vacancy exists.

The Application for Request for Authority to Appoint or Hire Employees is attached as Annex "A".

SECTION 5. *Request for Authority of the Commission to Create and Fill New Positions: Where and How to File.* -

- a. Requests for authority to create and fill new positions shall be made in writing and submitted to the Law Department of the Commission.
- b. The Commission shall not grant the authority unless it is satisfied that the position to be created and filled is essential to the proper functioning of the office or agency concerned and that the filling up of such position shall not in any manner influence the results of the elections.

The Application for Request for Authority to Create or Fill New Positions is attached as Annex "B".

SECTION 6. *When Request for Authority is Not Necessary.* -A prior written authority from the Commission is not required for the hiring or appointment of workers under Contract of Service and Job Order whose services are neither covered by Civil Service law, rules and regulations nor considered as government service.

Renewal of appointments of temporary, casual, substitute and contractual personnel are likewise not covered by this prohibition and will no longer need prior authority of the Commission.

Provided that, on or before the **June 12, 2025 (Thursday)**, the appointing authority shall furnish the Commission, through the following offices, a complete list of workers under Contract of Service and Job Order, whose appointments were renewed, indicating their position, item number, salary grade and station, if applicable:

- a. Law Department for the renewal of appointment of workers under Contract of Service and Job Order in the main office;
- b. ORED concerned for the renewal of appointment of workers under Contract of Service and Job Order in the field office.

SECTION 7. *Urgent Need to Appoint or Hire New Employees.* - When there is an urgent need to appoint or hire new employees and such employees have already been appointed or hired without prior authority of Commission, the appointing office or agency shall:

- a. Notify the Commission in writing, within three (3) days from the date of the appointment or hiring, stating the following:
 - i. exact date when the position sought to be filled became vacant;
 - ii. the cause of vacancy;
 - iii. the reason for said appointment or hiring which must be urgent;
 - iv. all the necessary data or information regarding the same.
- b. Notice shall be made through the Law Department in case the position is in the central or main office, or through the respective OREDs in case of positions in the field offices.

The need to fill up a vacant position by a new employee may be considered "**urgent**" if:

- a. the position to be filled is essential to the proper functioning of the office or agency concerned;
- b. the position has been vacated either by death, retirement, resignation, promotion or transfer of the regular incumbent;
- c. the appointment is issued within sixty (60) days from occurrence of the vacancy;

- d. the vacancy cannot be filled by promotion or transfer of insiders within the same period; and
- e. the position shall not be filled in any manner that may influence the conduct of the elections.

The appointment or hiring of new employees shall be valid, unless the same is found by the Commission:

- a. To have been made to influence in any manner the results of the elections;
- b. To have been issued without the required notice;
- c. That there is no urgent need for the appointment. The appointment to a position which has been vacant for more than sixty (60) days shall not be considered urgent and must, therefore require prior written authority from the Commission through the Law Department or ORED concerned.

RULE III PROMOTION, OR GIVING OF SALARY INCREASES, REMUNERATION OR PRIVILEGES

SECTION 8. *Total Ban on Promotion, Salary Increases, Grant of Privileges* - The promotion or giving of increase of salary or remuneration or privilege to any government official or employee including those in GOCCs, shall be strictly prohibited from **March 28, 2025 (Friday)** until **May 11, 2025 (Sunday)**.

Any request for authority to promote government official or employee shall be not accepted or given due course by the Commission.

RULE IV TRANSFER OF OFFICERS AND EMPLOYEES IN THE CIVIL SERVICE

SECTION 9. *Prohibited Act and Period of Prohibition*. - From **January 12, 2025 (Sunday)** to **June 11, 2025 (Wednesday)**, no public official shall, except upon prior written authority of the Commission, make or cause any transfer or detail whatsoever of any officer or employee in the

civil service, including public school teachers, personnel of the Philippine National Police (PNP) and civilian employees of the Armed Forces of the Philippines (AFP).

The phrase "transfer or detail" shall be construed in general terms. Any movement of personnel from one station to another, whether or not in the same office or agency, during the election period is covered by the prohibition.

The ban shall likewise include any movement consequent to an order for the return or recall of the detailed, assigned or reassigned personnel to the original or previous place of assignment or for the extension of the detail or reassignment within the period of prohibition.

Transfer incidental to promotion, as well as that incidental to appointment, is within the purview of the ban on transfer or detail of any officer or employee in the civil service during the election period.

SECTION 10. *Uniformed Personnel of the Armed Forces of the Philippines, Not Covered.* - A prior written authority from the Commission is not required for the transfer or detail of uniformed personnel of the AFP, being an exempt service and not under the civil service law.

SECTION 11. *Filing of Application for Requests with the Law Department.* - Application for request for authority to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Law Department, when:

- a. the official station is in the central or main offices of national agencies, instrumentalities and GOCCs;
- b. the requests for transfer or detail involve Provincial, City or Municipal Treasurers and Assistant Treasurers and Schools Division Superintendents and Assistant Superintendents;
- c. the request involves both intra-regional and inter-regional transfer or detail of officer or employee in the civil service;
- d. it involves PNP Regional, Provincial, District, City Directors or Police Colonel and other officer with equivalent rank or higher;

- e. any other circumstances as may be approved by the Chairman of the Commission.

SECTION 12. *Filing of Application for Requests with the Office of the Regional Election Director.* – Application for request for authority to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the ORED when:

- a. the employee/s sought to be transferred or detailed is stationed in government offices with official stations in the field offices, including the National Capital Region, provided that when the government agency has one integrated Region IV office for both Regions IV-A and IV-B, the request may be filed with ORED-Region IV-A;
- b. it involves employees of state universities or colleges; local water district; Department of Health-supervised hospital, facility or treatment and rehabilitation center;
- c. it involves employee of the local government unit; local university or college; local hospital or facility, satellite field, division or office;
- d. it involves intra-regional transfer/detail of PNP officers and members with ranks lower than the PNP Regional, Provincial, District, City Directors or Police Colonel.

SECTION 13. *Application for Request for Authority of the Commission on Transfer or Detail; How to File.* – Application for requests for authority to make or cause any transfer or detail any officer or employee in the civil service shall be:

- a. in writing;
- b. stating all information pertinent to the transfer such as the name of the officer/employee, the present station or office, the office and place to which the officer/employee is proposed to be transferred or detailed or otherwise moved and the name of requesting authority, position and agency; and
- c. stating the reasons or justification for the transfer or detail.

The Application for Request for Authority to Transfer or Detail Officers or Employees in the Civil Service is attached as Annex "C".

SECTION 14. *When Request for Authority to Transfer or Detail is Not Necessary.* - No prior written authority of the Commission shall be needed for:

- a. Transfer or detail of workers under Contract of Service or Job Order;
- b. Transfer or assignment of personnel for a specified training program (i.e., Bureau of Jail Management and Penology).

However, the appointing authority shall furnish the Commission, through the Law Department, on or before **June 12, 2025 (Thursday)**, a complete list of Contract of Service or Job Order employees who were transferred or detailed during the election period, or the list of personnel or employees who were re-assigned for a specified training program, indicating the present and the transferred station and the period of training, as the case may be.

RULE V

SUSPENSION OF ELECTIVE PROVINCIAL, CITY, MUNICIPAL OR BARANGAY OFFICER

SECTION 15. *Prohibited Acts.* - From **January 12, 2025 (Sunday)** to **June 11, 2025 (Wednesday)**, the provisions of law to the contrary notwithstanding, no public official shall, except upon prior written approval of the Commission, suspend any elective provincial, city, municipal or barangay officer.

It shall include both suspension as a penalty and preventive suspension.

SECTION 16. *Application for Request for Authority of the Commission to Suspend any Elective Provincial, City, Municipal or Barangay Officer: Where and How to File.* - Request for Authority to suspend an elective provincial, city, municipal or barangay officer shall be submitted to the Law Department of the Commission, supported by:

- a. a certified true copy of the formal complaint containing the specific charges;

If the certified true copy of the complaint is unavailable, a Certification from the requesting agency or local government unit stating that the agency or local government unit that promulgated the decision or resolution did not furnish them a copy of the said formal complaint; and

- b. a certified true copy of the Decision or Resolution suspending the concerned elective local official.

The Application for Request for Authority to Suspend Elective Local Official is attached as Annex "D".

SECTION 17. *When Request for Authority is Not Necessary.* - Request for Authority to suspend elective local officials shall not be necessary in the following instances:

- a. the offense involved is punishable under the *Anti-Graft and Corrupt Practices Act*;
- b. the penalty of suspension was implemented before the start of the election period but is continuously served during or even after the expiration of the election period;
- c. the imposition of preventive suspension in connection with an administrative complaint against the local elective officer, which is strictly prohibited within the ninety (90)-day period ban as provided in the immediately preceding section;
- d. it is directed to provincial, city, municipal or barangay officials who are no longer incumbents; and
- e. suspension is already being served.

SECTION 18. *Effect of the Onset of the Election Period.* - The onset of the election period will not have the effect of lifting the penalty of suspension that is already being served.

RULE VI
LEAVE OF ABSENCE OR PROVINCIAL, CITY OR MUNICIPAL
TREASURER AND ASSISTANT TREASURER

SECTION 19. *Leave of Absence of Provincial, City or Municipal Treasurer and Assistant Treasurer.* – From April 28, 2025 (Monday) to May 26, 2025 (Monday), the provisions of law to the contrary notwithstanding, no provincial, city, or municipal treasurer and assistant treasurer shall be allowed to go on leave of absence from office, except upon prior written approval of the Commission.

For this purpose, the DOF shall ensure that no temporary or casual employee is designated as Acting Treasurer or Acting Assistant Treasurer in the Office of the Treasurer.

SECTION 20. *Application for Request for Approval of Leave of Absence of Provincial, City or Municipal Treasurer and Assistant Treasurer.* – Application for request for approval of leave of absence of provincial, city or municipal treasurers and assistant treasurers shall be coursed through the appropriate Regional Office of the Bureau of Local Government Finance (BLGF) of the DOF, having supervision and control over local offices of treasurers, stating the purpose of the leave.

The Application for Request for Approval of Leave of Absence of Provincial, City or Municipal Treasurer and Assistant Treasurer is attached as Annex “E”.

SECTION 21. *Where to File.* – The Regional BLGF shall file the request for approval of leave of absence with the ORED concerned .

The RED shall approve or disapprove the request, subject to the following conditions:

- a. during the requested period of absence of the treasurer or assistant treasurer, a permanent personnel is designated as acting treasurer or assistant treasurer in the said office so as not to disrupt or impede the proper functioning of the office;
- b. that the approval is prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel action/movements; and

- c. that the leave of absence of the treasurer or assistant treasurer and the designation of an acting treasurer or assistant treasurer shall not in any manner influence the conduct of the elections.

RULE VII

AUTHORITY OF THE CHAIRMAN TO APPROVE/DISAPPROVE REQUESTS AND THE PROCEDURE ON THE REQUEST

SECTION 22. *Authority of the Chairman to Approve/Disapprove Recommendations of the Law Department.* - The Law Department shall prepare its Recommendation on all applications for request for authority filed with and received by it. The recommendation of the Law Department shall be submitted to the Chairman of the Commission for approval or disapproval.

All actions of the Chairman of the Commission on the applications for request for authority covered in this Resolution shall remain valid and effective, unless otherwise reversed or set aside by the Commission *En Banc*.

SECTION 23. *Requests for Authority Submitted to the Office of the Regional Election Director.* - The ORED concerned shall approve or disapprove all requests for authority filed with and received by the said office.

All actions of the concerned ORED shall remain valid and effective, unless otherwise reversed or set aside by the Commission *En Banc*.

SECTION 24. *Report of the Office of Regional Election Directors on All Actions on Requests for Authority.* - On or before **June 12, 2025 (Thursday)**, the RED shall submit to the Law Department through e-mail at law@comelec.gov.ph., a report on the actions taken on all applications for request for authority filed with the said office.

The Regional Report is hereto attached as **Annex "F"**.

The Law Department shall consolidate all reports of the ORED, as well as the applications for request for authority filed with it.

SECTION 25. *Opposition to the Requests.* – An opposition to the application for request for authority or approval of the application for request for authority may be filed by any affected individual with the following offices:

- a. Chairman of the Commission, through the Law Department, if the application for request has been filed with the Law Department;
- b. ORED concerned if application for request has been filed with the said office.

No opposition filed through e-mail shall be accepted.

The opposition must be under oath.

The opposition shall be decided by the Chairman of the Commission or the concerned ORED, within three (3) days from filing of the opposition.

The decision of the Chairman of the Commission or the RED concerned shall be final and executory, unless a request for reconsideration is filed in accordance with the succeeding sections.

SECTION 26. *Reconsideration of the Approval/ Disapproval of the Requests.* – A request for reconsideration of the approval or disapproval of the request for authority, may be filed with the Chairman of the Commission through the Law Department.

No request for reconsideration filed through e-mail shall be accepted.

The decision of the Chairman of the Commission on the request for reconsideration shall be final and executory.

RULE VIII GRANT OF CONTINUING AUTHORITY

SECTION 27. *Grant of Continuing Authority.* – A continuing authority to appoint and hire new employees and transfer or detail civil service officers or employees during the prohibited periods provided in this Resolution may be granted to government agencies, upon the

submission to the Law Department of a written request justifying the reasons therefor.

SECTION 28. *Conditions for the Grant of Continuing Authority.* -

The grant of continuing authority to government agencies to appoint and hire new employees and transfer of detail civil service officers or employees during the prohibited periods, shall be subject to the following conditions: That -

- a. it is essential to the proper functioning of the office and shall not in any manner influence the conduct of the elections;
- b. it shall not involve promotion or giving of any increase of salary or remuneration or privilege during the forty-five (45) day period before the conduct of elections;
- c. the authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements; and
- d. they shall notify the Commission, through the Law Department, in accordance with the following:

d.1. For continuing authority to appoint new employees, the notice must be in writing and filed within three (3) days from date of appointment, and must state the following:

- i. name of the officer or employee to be appointed or hired;
- ii. position of the said officer or employee to be appointed or hired;
- iii. exact date when the position to be filled became vacant;
- iv. cause of the vacancy;
- v. all other relevant information in connection with the said appointment.

d.2. For continuing authority to transfers or details civil service employees, the notice must be in writing and filed within three (3) days from date of transfer, and must state the following:

- i. the office and place where the officer or employee came from and the office/place to which said officer or employee is transferred, detailed or otherwise moved;

- ii. justifications or reasons for said transfer or designation; and
- iii. all other relevant information in connection with the said transfer.

The physical copy of the notice shall be filed with the Law Department.

No notice filed through e-mail shall be accepted.

SECTION 29. *Continuing Authority to Transfer Government Officers or Employees Granted to Certain Government Agencies.* – In view of the nature of their functions, the Commission grants the following offices continuing authority to appoint or hire new employees and transfer or detail their officers during the prohibited period:

- a. The Office of the President of the Philippines;
- b. The Office of the Vice President of the Philippines;
- c. Senate and House of Representatives;
- d. Supreme Court of the Philippines, Court of Appeals, Sandiganbayan, Court of Tax Appeals, including the Presidential Electoral Tribunal, Senate Electoral Tribunal and House of Representatives Electoral Tribunal; and
- e. Such other government agencies as may be approved by the Chairman of the Commission.

RULE IX
**AUTHORITY OF THE COMMISSION ON ELECTIONS TO APPOINT
OR HIRE NEW EMPLOYEES AND TRANSFER OR DETAIL ITS
PERSONNEL**

SECTION 30. *Basis of Authority.* – There is an essential need to appoint or hire new employees, transfer or detail personnel of the Commission, to effectively and efficiently carry out its constitutional mandate to conduct free, orderly, honest, peaceful and credible elections,

SECTION 31. *Exemption.* - The Commission is hereby authorized to appoint or hire new employees or create new position, from **March 28, 2025 (Friday)** until **May 11, 2025 (Sunday)**.

The Commission is likewise authorized to transfer or detail its employees, from **January 12, 2025 (Sunday)** to **June 11, 2025 (Wednesday)**.

SECTION 32. *Total Ban on Promotion, Salary Increases, Grant of Privileges.* - The promotion or giving of increase of salary or remuneration or privilege to any official or employee of the Commission shall be strictly prohibited from **March 28, 2025 (Friday)** until **May 11, 2025 (Sunday)**.

RULE X COMMON PROVISIONS

SECTION 33. *Injunction.* - The Civil Service Commission (CSC), including all its field offices is hereby enjoined not to approve the appointment or hiring of new employees, creation of new position without prior authority of the Commission or promotion or giving of salary increases, remuneration or privileges to employees during the period of prohibition. All field offices of the CSC are directed to submit immediately to the Commission through the Law Department a written report on any violation of the foregoing.

The Department of Budget and Management (DBM) and the Commission on Audit (COA), including all their field offices, shall not release or authorize the release of any appropriation, or pass in audit, payments or expenditures of public funds that may be directly used in violation of the foregoing prohibition.

SECTION 34. *Manner of Filing of Requests for Authority under the Resolution.* - All applications for request for authority shall be filed with the office of the Law Department or ORED, as the case may be.

The application for request for authority shall be filed together with the word document file thereof as uploaded in a Universal Serial Bus (USB) drive or Compact Disk (CD).

Applications for requests for authority which are not in the forms prescribed in these guidelines shall not be acted upon.

SECTION 35. *Request for Authority Filed through Electronic Mail* – Any application for request for authority filed through e-mail shall not be accepted, processed or acted upon by the Commission.

SECTION 36. *When to File Request for Authority of the Commission.*
– All applications for request for authority covered under these guidelines shall be filed either with the Law Department or appropriate ORED **at least ten (10) days** before the intended appointment or hiring of new employees; transfer or detail of civil service employees, if reasonably known; leave of absence or start of suspension of local elective officials, as the case may be.

Provided that, in meritorious cases, applications for request for authority may be filed not later than ten (10) days before the end of the prohibited periods, subject to the following conditions:

- a. The request for authority must be for an emergency and/or there is an urgent reason involving national security and defense.

For this purpose, national security is defined as a state or condition wherein the people's welfare, well-being, ways of life; government and its institutions; territorial integrity; sovereignty; and core values are enhanced and protected;

- b. Any delay will result in the loss of life and/or prejudice national interest; and
- c. It is essential to the proper functioning of the office and shall not in any manner influence the conduct of the elections.

Any request filed after the implementation of any of the aforementioned acts shall not be accepted or acted upon.

SECTION 37. *Effectivity.* – This Resolution shall take effect on the seventh day after its publication in two daily newspapers of general circulation in the Philippines.

SECTION 38. *Publication and Dissemination.* - The EID shall cause the publication of this Resolution in two daily newspapers of general circulation in the Philippines and furnish copies of this Resolution to all field officials of the Commission.

SO ORDERED.

GEORGE ERWIN M. GARCIA
Chairman

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

AIMEE P. FEROLINO
Commissioner

REY E. BULAY
Commissioner

ERNESTO FERDINAND P. MACEDA, JR.
Commissioner

NELSON J. CELIS
Commissioner

CERTIFICATION

APPROVED for publication, September 13, 2024.


CONSUELO B. DIOLA
Director IV

Office of the Commission Secretary

This Resolution can be verified at this number (02)85272987; email address comsec@comelec.gov.ph.

Instructions:

1. Please fill out the required information below. File this application for request for authority, together with the **word document file** saved on a CD or USB drive, with the office of the Law Department or Regional Election Director concerned.
2. Applications for request for authority filed through electronic mail shall not be accepted and acted upon by the Commission.
3. Additional sheets may be used.

**APPLICATION FOR REQUEST FOR AUTHORITY TO
APPOINT OR HIRE NEW EMPLOYEES**

For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

Name of Appointee	Position and Salary Grade	Reasons for the appointment, or cause of vacancy	Name of Requesting Authority, Position and Name of Agency

CERTIFICATION

I, _____ of _____, hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 12, 2025 NLE and BPE;
- 2) that the request shall not involve promotion or the giving of salary increases, remuneration or privilege, which is strictly prohibited without any exception during the period of forty-five (45) days before the conduct of elections;
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Name and Signature of the Requesting Authority

Date

Instructions:

- 1. Please fill out the required information below. File this application for request for authority, together with the word document file saved on a CD or USB drive, with the office of the Law Department.
- 2. Applications for request for authority filed through electronic mail shall not be accepted and acted upon by the Commission.
- 3. Additional sheets may be used.

APPLICATION FOR REQUEST FOR AUTHORITY TO
CREATE OR FILL NEW POSITIONS

For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

Position to be created or filled	Name of Appointee, if any	Position and Salary Grade	Reasons for the creation or filling of new position	Name of Requesting Authority, Position and Name of Agency

CERTIFICATION

I, _____ of _____, hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 12, 2025 NLE and BPE;
- 2) that the request shall not involve promotion or the giving of salary increases, remuneration or privilege, which is strictly prohibited without any exception during the period of forty-five (45) days before the conduct of elections;
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Name and Signature of the Requesting Authority

Date

Instructions:

1. Please fill out the required information below. File this application for request for authority, together with the **word document file** saved on a CD or USB drive, with the office of the Law Department or Regional Election Director concerned.
2. Applications for request for authority filed through electronic mail shall not be accepted and acted upon by the Commission.
3. Additional sheets may be used.

**APPLICATION FOR REQUEST FOR AUTHORITY TO
TRANSFER OR DETAIL OFFICERS OR EMPLOYEES
IN THE CIVIL SERVICE**

For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

Name of the Civil Service Employee	Present Station	Transferred Station	Justification for the Transfer or Detail	Name of Requesting Authority, Position and Name of Agency

CERTIFICATION

I, _____ of _____, hereby CERTIFY as follows:

- 1) that the request is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 12, 2025 NLE and BPE;
- 2) that the request shall not involve promotion or the giving of salary increases, remuneration or privilege, which is strictly prohibited without any exception during the period of forty-five (45) days before the conduct of elections;
- 3) that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements.

Name and Signature of the Requesting Authority

Date

Instructions:

- 1. Please fill out the required information below and file it together with the word document file saved on a CD or USB drive, with the office of the Law Department.
- 2. Attach the (i) Certified true copy of the formal Complaint; and (ii) Certified true copy of the decision or resolution suspending the concerned elective local official.
- 3. Applications for request for authority filed through electronic mail shall not be accepted and acted upon by the Commission.
- 4. Additional sheets may be used.

APPLICATION FOR REQUEST FOR AUTHORITY TO
SUSPEND ELECTIVE LOCAL OFFICIALS

For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

Name of Elective Local Official	Position	Nature of Suspension: (Penalty or Preventive)	Duration of Suspension	Name of Requesting Authority, Position and Name of Agency

CERTIFICATION

I, _____ of _____, hereby CERTIFY as follows:

- 1) that the request shall not in any manner influence the conduct of the May 12, 2025 NLE and BPE;
- 2) the case does not involve a violation of the *Anti-Graft and Corrupt Practices Act*; and
- 3) the elective local official is an incumbent official.

Name and Signature of the Requesting Authority

Date

Instructions:

- 1. The concerned Bureau of Local Government Finance (BLGF) shall fill out the required information below and file it together with the word document file saved on a CD or USB drive, with the office of the Regional Election Director concerned.
- 2. Applications for request for authority filed through electronic mail shall not be accepted and acted upon by the Commission.
- 3. Additional sheets may be used.

APPLICATION FOR REQUEST FOR APPROVAL
OF LEAVE OF ABSENCE OF PROVINCIAL, CITY OR MUNICIPAL
TREASURER AND ASSISTANT TREASURER

For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

Local Government Unit concerned	Name of Provincial, City or Municipal Treasurer / Assistant Treasurer	Provincial, City or Municipal Office	Reason for the Leave of Absence	Period of the Requested Leave of Absence	Name of the Acting Treasurer/Acting Assistant Treasurer during the Period of Leave of the Treasurer/Assistant Treasurer	Name of the Requesting Authority, Authority and Office

CERTIFICATION

I, _____ of _____, hereby CERTIFY as follows:

- 1) that personnel in an acting capacity is designated in the office of the treasurer or assistant treasurer during the period of absence of the Treasurer of Assistant Treasurer, so as not to disrupt or impede the proper functioning of the office;
- 2) the acting treasurer or acting assistant treasurer is a permanent employee;
- 3) the approval is prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations; and
- 4) that the request shall not in any manner influence the conduct of the May 12, 2025 NLE and BPE.

Name and Signature of the Requesting Authority

Date

Instructions:

- 1. Please fill out the required information below and submit to the office of the Law Department. Additional sheets may be used, if necessary.
- 2. Do not attach the individual application for request for authority submitted by the requesting agency.

REGIONAL REPORT ON APPROVED/DISAPPROVED
APPLICATIONS FOR REQUEST FOR AUTHORITY TO APPOINT OR HIRE NEW EMPLOYEES
AND TRANSFER OR DETAIL OFFICERS OR EMPLOYEES IN THE CIVIL SERVICE
For the May 12, 2025 National and Local Elections (NLE) and BARMM Parliamentary Elections (BPE)

A. APPOINTMENT

Name of Personnel	Position and Salary	Date of Appointment	Name of Requesting Authority, Position and Name of Agency	Date of Application for Request for Authority	Action Taken (Approved or Disapproved)	Date of Approval or Disapproval

B. TRANSFER

Name of Personnel	Present Station	Transferred Station	Name of Requesting Authority, Position and Name of Agency	Date of Application for Request for Authority	Action Taken (Approved or Disapproved)	Date of Approval or Disapproval

C. LEAVE OF ABSENCE

Requesting BLGF	Name of Provincial, City or Municipal Treasurer	Provincial, City or Municipal Office	Reason for the Leave of Absence	Period of the Requested Leave of Absence	Date of Approval or Disapproval

Name and Signature of Regional Election Director
Region _____
Date: _____



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

RULES AND REGULATIONS ON THE PROHIBITION AGAINST THE RELEASE, DISBURSEMENT, OR EXPENDITURE OF PUBLIC FUNDS FOR SOCIAL SERVICES AND HOUSING-RELATED PROJECTS, AND ISSUANCE OF TREASURY WARRANTS AND SIMILAR DEVICES UNDER SECTIONS 261 (V) AND (W) OF THE OMNIBUS ELECTION CODE IN CONNECTION WITH THE MAY 12, 2025 NATIONAL AND LOCAL ELECTIONS, AND BARMM PARLIAMENTARY ELECTIONS.

GARCIA, Georg Erwin M.,
INTING, Socorro B.,
CASQUEJO, Marlon S.,
FEROLINO, Aimee P.,
BULAY, Rey E.,
MACEDA, Ernesto Ferdinand Jr. P.,
CELIS, Nelson J.,

Chairman
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

PROMULGATED: September 13, 2024

x----- x

RESOLUTION NO. 11060

WHEREAS, under the 1987 Constitution, the Commission on Elections (COMELEC) is mandated to enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall;

WHEREAS, Section 261(v) of the Omnibus Election Code (OEC) prohibits public officials or employees, including barangay officials and those of government-owned and controlled corporations (GOCC) and their subsidiaries, to release, disburse or expend any public funds for social services and housing-related projects during forty-five days preceding a regular election, unless said release, disbursement, or expenditure falls within the exceptions;

WHEREAS, Section 261(w) of the OEC prohibits any person to issue, use or avail treasury warrants or any device undertaking future delivery of money, goods or other things of value chargeable against public funds during the period of forty-five days preceding a regular election;

NOW THEREFORE, pursuant to the powers vested by the 1987 Constitution and the OEC, the COMELEC **RESOLVED**, as it hereby

RESOLVES, to adopt the following rules and regulations to enforce the foregoing prohibitions under Section 261(v) and (w) of the OEC.

RULE I DEFINITION OF TERMS

SECTION 1. *Definition of Terms.* - As used in this Resolution, the term:

- a) **Assistance to Individuals in Crisis Situation** or **AICS** refer to stop-gap measures that provide financial, emotional, and psychological support to families and individuals who have experienced a crisis or unexpected life event. It can help them meet their basic needs in the form of food, transportation, medical, education and burial assistance.
- b) **Housing-Related Projects** refer to activities or projects undertaken by the Department of Human Settlements and Urban Development and any other office of the government performing functions similar to the said department.
- c) **Maintenance and Other Operating Expenses** or **MOOE** refer to an expenditure category/expense class for support to the operations of government agencies such as expenses for supplies and materials, transportation and travel, utilities (water, power, etc.), and the repairs, etc.
- d) **Social Welfare and Services** refer to the services rendered by the government to provide aid, support, or assistance to the disadvantaged, distressed or vulnerable persons or sectors of society.

RULE II PROHIBITIONS AGAINST THE RELEASE, DISBURSEMENT, OR EXPENDITURE OF PUBLIC FUNDS, AND ISSUANCE OF TREASURY WARRANTS AND SIMILAR DEVICES

SECTION 2. *Social Welfare and Services Projects; Prohibition, Exemption and Period of Prohibition.* - From March 28, 2025 (Friday) to May 11, 2025 (Sunday), the release, disbursement, or expenditure of public funds for social welfare and services projects is prohibited, except as authorized by the COMELEC.

SECTION 3. *AICS; Total Prohibition.* - From May 02, 2025 (Friday) to May 12, 2025 (Monday), the giving and distribution of AICS shall be totally prohibited except those which are normally given to qualified individuals

such as, but not limited to basic needs in the form of food, transportation, medical, educational, burial, and other similar assistance.

SECTION 4. *Housing-Related Projects; Prohibition, Exemption and Period of Prohibition.* - From March 28, 2025 (Friday) to May 11, 2025 (Sunday), the release, disbursement, or expenditure of public funds for housing-related projects is prohibited, except as authorized by the COMELEC.

SECTION 5. *Treasury Warrants and Similar Devices; Total Prohibition and Period of Prohibition.* - From March 28, 2025 (Friday) to May 11, 2025 (Sunday), the issuance, use, or availment of treasury warrants or any device undertaking future delivery of money, goods or other things of value chargeable against public funds is absolutely prohibited.

RULE III EXCEPTIONS

SECTION 6. *Release, Disbursement, or Expenditure of Public Funds During Calamities or Disasters.* - The release, disbursement, or expenditure of public funds for relief or other goods to be distributed to the affected individuals and families in case of calamities or disasters does not require exemption from the COMELEC.

However, the concerned agency/office/local government unit (LGU) shall immediately submit to the Law Department a report containing the following information:

- a) Type of assistance provided, date and location of the distribution, and the amount of public funds released, disbursed, or expended; and
- b) Certified True Copy of the Executive Order or the Local *Sanggunian* Resolution declaring a state of calamity in the disaster-stricken area.

SECTION 7. *MOOE; Excepted.* - MOOE are considered normal and routine expenses incurred through day-to-day operations, and are not covered by the prohibition against the release, disbursement, or expenditure of public funds.

SECTION 8. *Salaries of Government Personnel; Excepted.* - Payments for salaries of personnel in the government, including benefits mandated by law, are excepted from the prohibitions against the release, disbursement, or expenditure of public funds, and issuance of treasury warrants and similar devices.

SECTION 9. *Use of Public Funds for Projects not Covered by the Prohibition under Section 261 (v) of the OEC.* – The release, disbursement or expenditure of public funds for projects/programs/activities (PPAs) which are not social service and welfare projects and housing-related projects is allowed subject to the following conditions:

- a) The PPAs sought to be implemented during the period of forty-five (45) days before the conduct of 2025 NLE and BARMM Parliamentary Elections were established prior the said period and duly reported to the Commission on Audit (COA) pursuant to Item 2.1 of its Circular No. 2013-004 dated 30 January 2013;
- b) The public awareness and information dissemination activities pertaining to these PPAs must conform to the guidelines provided under the said COA Circular;
- c) In no instance shall the implementation of PPAs be used as an opportunity by any candidate, his or her spouse, family member within the second civil degree of affinity or consanguinity to further their candidacy through their personal appearance in such events, the posting, exhibition or distribution of any form of election propaganda, or any material containing their names, logos, initials, mottos, slogans, images, and other forms of representation attributable to them;
- d) Support for or endorsement of candidates shall not be made as a condition for the entitlement of the benefits from the PPAs; and
- e) Candidates, their spouses, and members of their family within the second civil degree of affinity or consanguinity are strictly prohibited from participating, directly or indirectly, in the distribution of cash, goods or merchandise for scholarships, assistance for burial, healthcare, calamity and other similar programs. A violation of this condition shall subject the candidates or their representatives to liability under Section 261(o) of the OEC.

SECTION 10. *Excepted Expenditures; No Need to Request for Exemption/Exception.* – For the excepted expenditures, the concerned agency/office/LGU need not request for the issuance of Certificate of Exception.

RULE IV REQUEST FOR EXEMPTION

SECTION 11. *Request for Exemption; Contents* – In order to exempt social welfare and services projects and housing-related projects from the prohibition on the release, disbursement or expenditure of public funds, a request for exemption shall be filed providing the following information:

- a) Name of the social welfare and services projects or housing-related projects, as the case may be;
- b) Requesting agency, office, or LGU;
- c) Name, position, and authority of the person filing the request.

For requesting local chief executives, their authorities to request for exemption from their *Sanggunians* shall be attached to the request.

Likewise, if the person requesting is not the head of the agency, department, or office, his/her authority to request for exemption coming from their respective heads shall be attached to the request.

- d) Purpose and period of implementation;
- e) Amount to be released, disbursed, or expended; and
- f) Active email address(es) and contact number(s).

For projects of national agencies/departments/GOCCs/LGUs which will be implemented by its field offices/local units/component LGUs, the requesting entity must provide an additional List identifying the implementing unit(s) and the particular project(s) to be implemented.

SECTION 12. *Use of Prescribed Forms* – Requesting parties shall use the prescribed forms provided in this Resolution which is available at the Law Department and also downloadable at www.comelec.gov.ph.

The form to be used is attached hereto as Annex "A" for social welfare and services projects, and Annex "B" for housing-related projects.

SECTION 13. *Supporting Documents; Submission and Duty to Safekeep*. – Requesting parties shall submit supporting documents when required by the Law Department or COMELEC. Documents relevant to the request must be preserved by the requesting parties for a period of five (5) years from submission of the request.

Requesting parties are proscribed from submitting documents not required under this Resolution.

SECTION 14. *Request for Exemption; Manner of Filing* – Requests for exemption, in **originally signed hard copy** shall be submitted to the Law Department. Any request submitted through email shall not be acted upon.

The date of receipt by the Law Department shall be considered as the date of filing.

Requesting parties must keep available an editable soft copy of the duly-filled out Annex for immediate submission upon request of the Law Department.

SECTION 15. *Request for Exemption; Deadline* - The deadline for filing requests for exemption shall be on **February 11, 2025**.

The late filing of the request shall result to its denial.

SECTION 16. *Request for Exemption; Fees*- No fees shall be required for the requests for exemption for social welfare and services projects and housing-related projects.

SECTION 17. *Denial of Request for Exemption*. - Any misrepresentation or false statement in the request for exemption, including the submitted supporting documents shall be a ground for the denial of the request.

SECTION 18. *Conditions of Exemption* - The exemption granted is subject to the following conditions:

- a) the exemption is prospective in application;
- b) it shall not in any manner influence the conduct of the 2025 NLE and BARMM Parliamentary Elections;
- c) it shall not involve the distribution of AICS from May 02, 2025 (Friday) until May 12, 2025 (Monday) except those which are normally given to qualified individuals such as, but not limited to basic needs in the form of food, transportation, medical, educational, burial, and other similar assistance; and
- d) the issuance of a Certificate of Exemption shall not preclude the COMELEC from investigating and prosecuting any violation of Section 261(o) of the OEC.

SECTION 19. *Grant of Exemption*. - The grant of exemption is exclusive to the project and requesting agency/department/GOCC/LGU.

Nonetheless, in case an exemption for a particular project is granted to a national agency/department/GOCC/LGU, but the same project will be implemented by the field offices/local units/component LGUs, the implementing unit need not secure another exemption from the COMELEC, provided that:

- a) the project has the same source of funds; and
- b) the implementing unit and the particular project to be implemented was included and identified in the request for exemption pursuant to the second paragraph of Section 11.

Any exemption granted to a national agency/department/GOCC/LGU can only extend to the implementing unit(s) and limited to the project(s) identified in the request.

If the project is sourced from a different fund and/or the implementing unit is not included in the request, a separate exemption must be secured from the COMELEC.

SECTION 20. *Release of Grant of Exemption.* - The Certificate of Exemption shall be sent to the requesting party as follows:

- a) a scanned copy shall be sent to the email address provided; and
- b) the original copy shall be sent to their official address *via* registered mail. If the requesting party opts to claim the original copy at the Law Department, an authority from the head of office/agency/LGU and valid evidence of identity must be presented and submitted.

SECTION 21. *Revocation of Exemption.* - The exemption granted may be revoke on any of the following grounds:

- a) misrepresentation or false statement in the request for exemption, including the submitted supporting documents; or
- b) violation of the conditions of the exemption.

The revocation of the exemption is without prejudice to the filing of appropriate civil, criminal, administrative and/or election offense charges.

RULE V OPPOSITION TO THE REQUEST FOR EXEMPTION

SECTION 22. *Opposition.* - Any interested party may oppose a request for exemption by filing a verified Opposition within three (3) days from the submission of the request.

SECTION 23. *Opposition; Manner of Filing.* - The verified Opposition, in four (4) hard copies, shall be filed personally before the Office of the Clerk of the Commission (OCOC).

SECTION 24. *Opposition; Docket Fees.* - No opposition shall be given due course without the payment of a filing fee in the amount of Ten Thousand Pesos (Php10,000.00) and legal research fee in the amount of One Hundred Pesos (Php100.00).

The docket/filing fees, legal research fees, and any other fees shall be in the form of cash, manager's check, cashier's check, or postal money order

to be paid before the Cash Division, Administrative Services Department of the COMELEC upon issuance of the Order of Payment by the OCOC.

Upon submission of proof of payment, the opposition shall be docketed as Election Matter (E.M.).

SECTION 25. *Hearing.* – The hearing on the opposition is within the jurisdiction of the Divisions of the COMELEC. The conduct of the hearing shall be summary in nature and delegated to the Clerk of the Commission who shall:

- a) Issue relevant Notices and Orders;
- b) Prepare Calendar of Hearings;
- c) Determine compliance with the jurisdictional facts;
- d) Receive evidence and Memoranda, if applicable;
- e) Prepare case folders; and,
- f) Perform all other actions in furtherance of this authority.

SECTION 26. *Recommendation of the OCOC.* – After hearing, the OCOC shall immediately submit its recommendation to the Division which has jurisdiction over the case.

SECTION 27. *Period to Resolve.* – The Division shall resolve the case within three (3) days from receipt of the recommendation of the OCOC.

SECTION 28. *Motion for Reconsideration.* – The aggrieved party may file a verified Motion for Reconsideration within five (5) days from receipt of the resolution granting or denying the opposition on the ground that the evidence is insufficient to justify the resolution or that it is contrary to law.

The Motion for Reconsideration shall be filed in the same manner prescribed in Section 23 of this Resolution.

The filing fee in the amount of One Thousand Pesos (P1,000.00) shall be paid in the same manner as prescribed in Section 24 of this Resolution. The original copy of the Official Receipt shall be attached to the Motion for Reconsideration.

SECTION 29. *Duty of the OCOC on the Motion for Reconsideration.*
– Within twenty-four (24) hours from the filing of the Motion for Reconsideration, the OCOC shall submit its recommendation to the Commission *En Banc* for resolution.

SECTION 30. *Finality* – The resolution of the Commission as a Division shall be deemed final and executory if no Motion for

Reconsideration is filed within five (5) days from receipt of the resolution by the parties.

The resolution of the Commission *En Banc* shall be deemed final and executory within five (5) days from receipt of the resolution by the parties unless a Temporary Restraining Order is issued by the Supreme Court.

The OCOC shall furnish the Law Department with a copy of the resolution and Certificate of Finality within one (1) working day from its issuance.

RULE VI OTHER PROVISIONS

SECTION 31. *Conduct of Procurement Activities.* - The conduct of procurement activities during election period shall be subject to the guidelines of the Government Procurement Policy Board.

SECTION 32. *Authority of the Law Department to Act on Requests for Exemption* - The Law Department is authorized to receive requests for exemption and evaluate its compliance with this Resolution.

If determined to be sufficient, the Law Department shall submit its recommendation to the Chairman of the COMELEC.

If non-compliant, the Law Department shall require the requesting party to comply with the Resolution, specifying the lacking requirement(s) to be submitted.

SECTION 33. *Authority of the Chairman to Approve/Disapprove the Recommendations of the Law Department* - The Chairman of the COMELEC is authorized to approve or disapprove the recommendation of the Law Department on the request for exemption.

SECTION 34. *Implementation of Sec. 261(o) of the OEC.* - The grant of exemption shall not preclude the COMELEC from investigating and prosecuting any violation of Section 261(o) of the OEC.

SECTION 35. *Injunction.* - The Department of Budget and Management and the COA, including all its field offices, are hereby enjoined not to release or authorize the release of any appropriation, or to pass in audit payments or expenditures of public funds that may, directly or indirectly, be used in violation of the prohibitions in Sections 261(v) and (w) of the OEC.

All field offices of the COMELEC, including those of its deputized agencies and citizens arms, are directed to monitor compliance in their

respective jurisdictions and submit immediately to the COMELEC a written report on any violation of said provisions of the OEC.

SECTION 36. *Penalty.* - Violations of the prohibitions in Sections 261(v) and (w) of the OEC constitute election offense and are punishable by imprisonment of not less than one (1) year but not more than six (6) years, among other penalties provided for by law.

SECTION 37. *Effectivity.* - This Resolution shall take effect on the seventh (7th) day after its publication in at least two (2) daily newspapers of general circulation in the Philippines.

SECTION 38. *Publication and Dissemination.* - The Education and Information Department shall cause the publication of this Resolution in at least two (2) daily newspapers of general circulation in the Philippines while the Information Technology Department shall cause its posting in the official website of the COMELEC.

SO ORDERED.

GEORGE ERWIN M. GARCIA
Chairman

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

AIMEE P. FEROLINO
Commissioner

REY E. BULAY
Commissioner

ERNESTO FERDINAND P. MACEDA, JR.
Commissioner

NELSON J. CELIS
Commissioner

CERTIFICATION

APPROVED for publication, September 13, 2024.


CONSUELO B. DIOLA
Director IV

Office of the Commission Secretary

This Resolution can be verified at this number (02)85272987; email address comsec@comelec.gov.ph.

Instructions:

- 1. Please fill in the following details and submit the same to the Law Department.
- 2. Additional sheets may be used.
- 3. Any misrepresentation or false statement in the request for exemption, including the submitted supporting documents is a ground for the (i) denial of the request; and/or (ii) revocation of the exemption granted, without prejudice to the filing of appropriate civil, criminal, administrative and/or election offense charges.

REQUEST FOR EXEMPTION FOR SOCIAL WELFARE AND SERVICES PROJECTS
12 MAY 2025 National and Local Elections and BARMM Parliamentary Elections

Title of Social Welfare and Services Projects	Requesting Agency/Office/LGU	Period of Implementation	Purpose of Implementation	Amount of Disbursement	Name and Position of Person filing the request

CERTIFICATION

I, _____, _____ of _____ hereby CERTIFY as follows:
(Name) (Position/Designation) (Agency/Office/LGU)

- 1. that I am authorized to request for the issuance of a Certificate of Exemption from the prohibition against the release, disbursement, and expenditure of public funds for social welfare and services projects; (if applicant is not the Head of Agency/Office and for Local Chief Executives of LGUs, attach a proof of authority to file request);
- 2. that the public funds released and disbursed by virtue of this request will not be used for any election campaigning and other partisan political activity as defined in the Omnibus Election Code and other related laws;
- 3. that the supporting documents relative to this Request for Exemption shall be preserved for a period of five (5) years from the filing thereof; and
- 4. that the statements stated herein are all willingly, freely, and voluntarily executed, according to the best of my knowledge and/or based on existing records, to attest to the truth of the foregoing facts for whatever purpose it may serve.

Prepared and Submitted by: _____
Name and Signature

Active Email Address and Contact Number

Date _____

Instructions:

- 1. Please fill in the following details and submit the same to the Law Department.
- 2. Additional sheets may be used.
- 3. Any misrepresentation or false statement in the request for exemption, including the submitted supporting documents is a ground for the (i) denial of the request; and/or (ii) revocation of the exemption granted, without prejudice to the filing of appropriate civil, criminal, administrative and/or election offense charges.

REQUEST FOR EXEMPTION FOR HOUSING-RELATED PROJECTS
12 May 2025 National and Local Elections and BARMM Parliamentary Elections

Title of Housing-Related Projects	Requesting Agency/Office/LGU	Period of Implementation	Purpose of Implementation	Amount of Disbursement	Name and Position of Person filing the request

CERTIFICATION

I, _____ of _____ hereby CERTIFY as follows:
(Name) (Position/Designation) (Agency/Office/LGU)

- 1. that I am authorized to request for the issuance of a Certificate of Exemption from the prohibition against the release, disbursement, and expenditure of public funds for housing-related projects; (if applicant is not the Head of Agency/Office and for Local Chief Executives of LGUs, attach a proof of authority to file request);
- 2. that the public funds released and disbursed by virtue of this request will not be used for any election campaigning and other partisan political activity as defined in the Omnibus Election Code and other related laws;
- 3. that the supporting documents relative to this Request for Exemption shall be preserved for a period of five (5) years from the filing thereof; and
- 4. that the statements stated herein are all willingly, freely, and voluntarily executed, according to the best of my knowledge and/or based on existing records, to attest to the truth of the foregoing facts for whatever purpose it may serve.

Prepared and Submitted by:

Name and Signature

Active Email Address and Contact Number

Date