

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **4943**



Introduced by **Representative AGATHA PAULA "AGAY" A. CRUZ**

EXPLANATORY NOTE

The 1987 Constitution is clear: the Commission on Elections must be independent. Independence, however, is not achieved by mere words in the Charter. It must be expressed in law, in practice, and in the very structures that support the Commission.

At present, COMELEC field offices across the country remain housed in local government halls. Their offices are literally and figuratively under the roofs of elective officials they are meant to regulate. This arrangement undermines the Commission's independence and exposes it to political influence. A constitutional body cannot rely on the goodwill of politicians for its daily operations. Dependence breeds doubt, and doubt erodes trust in the electoral process.

This bill seeks to provide the cure to that democratic anemia. It mandates the establishment of independent COMELEC field offices at the regional, provincial, city, and municipal levels. It standardizes the organizational structure, staffing complement, and salary grades of these offices, consistent with civil service and budgetary rules. It also directs the provision of secure and permanent office spaces under the Commission's control, funded by appropriations under the General Appropriations Act.

To ensure feasibility, the measure provides for a transitory mechanism that allows COMELEC to gradually transfer its offices within five years from the effectivity of this Act. This balances fiscal responsibility with the urgent need to secure the Commission's independence at the ground level.

In truth, this is not simply a bill about buildings and employees. It is about strengthening the foundations of Philippine democracy. By fortifying COMELEC's independence on the ground, we protect elections from capture, we secure the referee's whistle from political hands, and we guarantee that the voice of people shall be the final arbiter of power.

To strengthen COMELEC is to strengthen democracy. To free its offices from

possible political control is to free our elections from suspicion. Passing this bill makes good on the Constitution's directive that the Commission on Elections shall be independent, impartial, and beyond intimidation.

For these reasons, the passage of the Independent COMELEC Field Offices Act is not merely urged, but it is demanded by both constitutional mandate and democratic necessity.


AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan



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Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

AN ACT
STRENGTHENING THE INSTITUTIONAL INDEPENDENCE OF THE
COMMISSION ON ELECTIONS BY ESTABLISHING SEPARATE AND
INDEPENDENT FIELD OFFICES, STANDARDIZING THEIR STAFFING,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES,
AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 881, AS AMENDED,
OTHERWISE KNOWN AS THE
“OMNIBUS ELECTION CODE OF THE PHILIPPINES”

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the “Independent COMELEC
2 Field Offices Act.”
3

4 **Section 2. Declaration of Policy.** – The State hereby affirms and recognizes the
5 independence, impartiality, and integrity of the Commission on Elections, as guaranteed
6 under Article IX, Part A, Section 1 of the 1987 Constitution. Towards this end, the
7 Commission shall be provided with an adequate and standardized manpower
8 complement in its field offices, and secure separate and permanent office spaces
9 independent of local government units, free from political influence and interference,
10 while ensuring accessibility of election services to the public
11

12 **Section 3.** Section 53, Article VII of Batas Pambansa Bilang 881, otherwise known
13 as the “Omnibus Election Code of the Philippines”, as amended, is hereby amended to
14 read as follows:
15

16 “Sec. 53. Field Offices of the Commission. – The Commission shall
17 have the following field offices:
18

19 ~~[(1) Regional Election Office, headed by the Regional Election~~
20 ~~Director and assisted by the Assistant Regional Director and such other~~
21 ~~subordinate officers or employees as the Commission may appoint.~~

(1) REGIONAL ELECTION OFFICES. - THERE SHALL BE ESTABLISHED IN EACH REGION A REGIONAL ELECTION OFFICE, HEADED BY A REGIONAL ELECTION OFFICER, WITH THE RANK OF DIRECTOR IV, AND ASSISTED BY AN ASSISTANT REGIONAL ELECTION OFFICER, WITH THE RANK OF DIRECTOR III.

EACH REGIONAL ELECTION OFFICE SHALL BE STAFFED BY SUCH OFFICERS AND EMPLOYEES AS MAY BE NECESSARY FOR ITS EFFECTIVE OPERATION, INCLUDING THE FOLLOWING:

- (a) REGIONAL ELECTION ATTORNEY;
- (b) SENIOR ADMINISTRATIVE OFFICER;
- (c) ASSISTANT ELECTION SPECIALIST
- (d) FINANCE OFFICER;
- (e) HUMAN RESOURCE MANAGEMENT OFFICER;
- (f) SUPPLY OFFICER;
- (g) STENOGRAPHIC REPORTER;
- (h) WATCHMAN OFFICER;
- (i) PROCESS SERVER;
- (j) ADMINISTRATIVE AIDE;
- (k) DRIVER; AND
- (l) UTILITY WORKER.

THE POSITIONS AND THEIR CORRESPONDING SALARY GRADES IN THE REGIONAL ELECTION OFFICE ARE AS FOLLOWS:

POSITION	SALARY GRADE
REGIONAL ELECTION OFFICER (DIRECTOR IV)	28
ASSISTANT REGIONAL ELECTION OFFICER (DIRECTOR III)	27
REGIONAL ELECTION ATTORNEY (ATTORNEY V)	25
SENIOR ADMINISTRATIVE OFFICER (SUPERVISING ADMINISTRATIVE OFFICER)	22
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER IV)	21
FINANCE OFFICER (BUDGET OFFICER III/ACCOUNTANT III)	18
HUMAN RESOURCE MANAGEMENT OFFICER	18

(HUMAN RESOURCE MANAGEMENT OFFICER III)	
SUPPLY OFFICER (SUPPLY OFFICER III)	18
STENOGRAPHIC REPORTER (STENOGRAPHIC REPORTER III)	11
WATCHMAN OFFICER (WATCHMAN III)	7
PROCESS SERVER	5
ADMINISTRATIVE AIDE (ADMINISTRATIVE AIDE IV)	4
DRIVER (DRIVER II/DRIVER COURIER I)	4
UTILITY WORKER (UTILITY WORKER II)	3

~~(2) Provincial Election Office, headed by the Provincial Election Supervisor and assisted by such other subordinate officers or employees as the Commission may appoint.~~

(2) PROVINCIAL ELECTION OFFICES. - THERE SHALL BE ESTABLISHED IN EACH PROVINCE A PROVINCIAL ELECTION OFFICE, WHICH SHALL BE HEADED BY A PROVINCIAL ELECTION OFFICER, WITH THE RANK OF DIRECTOR II.

EACH PROVINCIAL ELECTION OFFICE SHALL BE STAFFED BY SUCH OFFICERS AND EMPLOYEES AS MAY BE NECESSARY FOR ITS EFFECTIVE OPERATION, INCLUDING THE FOLLOWING:

- (a) ASSISTANT ELECTION SPECIALIST;
- (b) COMPUTER MAINTENANCE SPECIALIST;
- (c) ADMINISTRATIVE OFFICER;
- (d) WATCHMAN OFFICER;
- (e) ADMINISTRATIVE AIDE;
- (f) DRIVER; AND
- (g) UTILITY WORKER.

THE POSITIONS AND THEIR CORRESPONDING SALARY GRADES IN THE PROVINCIAL ELECTION OFFICE ARE AS FOLLOWS:

POSITION	SALARY GRADE
PROVINCIAL ELECTION OFFICER	26

(DIRECTOR II)	
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER IV)	21
COMPUTER MAINTENANCE SPECIALIST	21
ADMINISTRATIVE OFFICER (ADMINISTRATIVE OFFICER V)	18
WATCHMAN OFFICER (WATCHMAN III)	7
ADMINISTRATIVE AIDE (ADMINISTRATIVE AIDE IV)	4
DRIVER (DRIVER II/DRIVER COURIER I)	4
UTILITY WORKER (UTILITY WORKER II)	3

~~(3) City/Municipal Election Office, headed by the City/Municipal Registrar who shall be assisted by an election clerk and such other employees as the Commission may appoint.]~~

(3) CITY AND MUNICIPAL ELECTION OFFICES. –

(A) CITY ELECTION OFFICES. - THERE SHALL BE ESTABLISHED IN EACH CITY A CITY ELECTION OFFICE, WHICH SHALL BE HEADED BY AS FOLLOWS:

- (I) IN THE NATIONAL CAPITAL REGION AND HIGHLY URBANIZED CITIES, BY A CITY ELECTION OFFICER WITH THE RANK OF DIRECTOR II**
- (II) IN COMPONENT CITIES, BY A CITY ELECTION OFFICER WITH THE RANK OF DIRECTOR I**

EACH CITY ELECTION OFFICE SHALL BE ASSISTED BY AT LEAST TWO (2) ASSISTANT ELECTION SPECIALISTS, AND STAFFED BY THE FOLLOWING EMPLOYEES:

- (a) WATCHMAN OFFICER;**
- (b) ADMINISTRATIVE AIDE; AND**
- (c) UTILITY WORKER.**

THE POSITIONS AND THEIR CORRESPONDING SALARY GRADES IN THE CITY ELECTION OFFICE ARE AS FOLLOWS:

POSITION	SALARY GRADE
CITY ELECTION OFFICER	26

(DIRECTOR II) (NCR and Highly Urbanized Cities)	
CITY ELECTION OFFICER (DIRECTOR I) (in component cities)	25
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER IV)	21
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER III)	18
WATCHMAN OFFICER (WATCHMAN III)	7
ADMINISTRATIVE AIDE (ADMINISTRATIVE AIDE IV)	4
UTILITY WORKER (UTILITY WORKER II)	3

(B) MUNICIPAL ELECTION OFFICES. - THERE SHALL BE ESTABLISHED IN EACH MUNICIPAL A MUNICIPAL ELECTION OFFICE, WHICH SHALL BE HEADED BY MUNICIPAL ELECTION OFFICER

EACH MUNICIPAL ELECTION OFFICE SHALL BE ASSISTED BY AT LEAST TWO (2) ASSISTANT ELECTION SPECIALISTS, AND STAFFED BY THE FOLLOWING EMPLOYEES:

- (a) WATCHMAN OFFICER;**
- (b) ADMINISTRATIVE AIDE; AND**
- (c) UTILITY WORKER.**

THE POSITIONS AND THEIR CORRESPONDING SALARY GRADES IN THE MUNICIPAL ELECTION OFFICE ARE AS FOLLOWS:

POSITION	SALARY GRADE
MUNICIPAL ELECTION OFFICER (DIRECTOR I)	25
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER IV)	21
ASSISTANT ELECTION SPECIALIST (ELECTION OFFICER III)	18
WATCHMAN OFFICER (WATCHMAN III)	7
ADMINISTRATIVE AIDE (ADMINISTRATIVE AIDE IV)	4

The Commission may delegate its powers and functions or order the implementation or enforcement of its orders, rulings, or decisions through the heads of its field offices.”

Section 4. Section 55 of the same Act is hereby amended to read as follows:

“Section 55. Office space. - ~~[The local government concerned shall provide a suitable place for the office of the provincial election supervisor and his staff and the election registrar and his staff: Provided, That in case of failure of the local government concerned to provide such suitable place, the provincial election supervisor or the election registrar, as the case may be upon prior authority of the Commission and notice to the local government concerned, may lease another place for office and the rentals thereof shall be chargeable to the funds of the local government concerned.]~~
THE COMMISSION SHALL PROVIDE OFFICE SPACES FOR ITS FIELD OFFICES SEPARATE AND INDEPENDENT FROM LOCAL GOVERNMENT UNITS, THE COST OF WHICH SHALL BE CHARGED TO ITS YEARLY APPROPRIATIONS. IN THE ABSENCE OF AVAILABLE COMMISSION-OWNED OR LEASED FACILITIES, THE COMMISSION MAY CO-LOCATE WITH OTHER NATIONAL GOVERNMENT AGENCIES, BUT IN NO CASE SHALL SUCH OFFICES BE SITUATED WITHIN PREMISES OWNED, CONTROLLED, OR PROVIDED BY LOCAL GOVERNMENT UNITS.”

Section 5. Appropriations. – The initial amount for the implementation of this Act shall be charged against the current available appropriations of the Commission. Thereafter, the funding necessary for its continued implementation, including capital outlays for the acquisition, construction, or leasing of office spaces, shall be included in the annual General Appropriations Act.

Section 6. Transitory Provision. – Within one (1) year from the effectivity of this Act, the Commission shall formulate a phased implementation plan for the transfer of its field offices from facilities provided by local government units to facilities owned or leased by the Commission. The plan shall take into account budgetary availability, accessibility of services, and logistical feasibility, and shall provide for full implementation within five (5) years from the effectivity of this Act, subject to appropriations under the annual General Appropriations Act.

Section 7. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the Commission, in coordination with the Department of the Interior and Local Government and the Department of Budget and Management, shall

1 promulgate the rules and regulations implementing the provision of this Act.
2

3 **Section 8. *Separability Clause.*** – If any part or provision of this Act is held
4 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
5 full force and effect.
6

7 **Section 9. *Repealing Clause.*** – All laws, decrees, executive orders, rules, and
8 regulations, or parts thereof inconsistent with the provisions of this Act are hereby
9 repealed or modified accordingly.
10

11 **Section 10. *Effectivity.*** – This Act shall take effect fifteen (15) days following the
12 completion of its publication in the *Official Gazette* or in a newspaper of general circulation.
13

14 *Approved,*