



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Bonifacio Drive, Port Area, Manila

097-7 DPWH
02-03-2022

January 28, 2022

DEPARTMENT MEMORANDUM

CIRCULAR NO.
Series of 2022

09

02/03/2022

FOR / TO : Undersecretaries
Assistant Secretaries
Bureau Directors
Service Directors
Regional Directors
Heads of UPMOs
District Engineers
This Department

For information and guidance, attached is a copy of COMELEC Resolution No. 10742 dated December 16, 2021, entitled **"IN THE MATTER OF THE ENFORCEMENT OF THE PROHIBITION AGAINST APPOINTMENT OR HIRING OF NEW EMPLOYEES; CREATION OR FILLING UP OF NEW POSITIONS; GIVING SALARY INCREASES; TRANSFER OR DETAIL OF CIVIL SERVICE EMPLOYEES; SUSPENSION OF ELECTIVE LOCAL OFFICIALS; AND FILING OF LEAVE OF ABSENCES OF LOCAL TREASURERS IN CONNECTION WITH THE MAY 09, 2022 NATIONAL AND LOCAL ELECTIONS."**

A copy of the said Resolution may also be downloaded from the DPWH website: <http://dpwhweb>. If an office cannot access the DPWH website, a hard copy may be obtained from the Records Management Division, HRAS, upon request.

For dissemination to all concerned.


MARICHU A. PALAFOX, CESO III
Assistant Secretary for Support Services

Encl: COMELEC Resolution No. 10742 dated December 16, 2021

cc: Office of the Secretary

10.1.4 JVL/CDP/VGV/MSV



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
OR FILLING UP OF NEW
POSITIONS; GIVING SALARY
INCREASES; TRANSFER OR
DETAIL OF CIVIL SERVICE
EMPLOYEES; SUSPENSION OF
ELECTIVE LOCAL OFFICIALS;
AND FILING OF LEAVE OF
ABSENCES OF LOCAL
TREASURERS IN CONNECTION
WITH THE MAY 09, 2022
NATIONAL AND LOCAL
ELECTIONS**

**ABAS, S. M.,
GUANZON, M.R.A.V.,
INTING, S. B.,
CASQUEJO, M. S.,
KHO, A., Jr. T.,
FEROLINO, A. P.,**

*Chairman
Commissioner
Commissioner
Commissioner
Commissioner*

X-----X

Promulgated: December 16, 2021

RESOLUTION NO. 10742

The Commission on Elections, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, and other election laws, RESOLVES, as it hereby RESOLVED to promulgate the following rules to implement the provisions of Section 261 subsections (g), (h) and (x) of the Omnibus Election Code:

GENERAL PROVISIONS AND DEFINITION OF TERMS

SECTION 1. Prohibited Acts. - Section 261 of the Omnibus Election Code of the Philippines provides:

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

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(g) *Appointment of new employees, creation of new position, promotion, or giving salary increases.* - During the period of forty-five (45) days before a regular election and thirty (30) 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 (3) 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 provision of this section shall be inapplicable.

SECTION 2. 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 for the person chosen unless he is replaceable at pleasure because of the nature of his office.
- b. **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.
- c. **Detail** is the movement of an employee from one department or agency which is temporary in nature, 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.
- d. **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.
- e. **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.
- f. **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.
- g. **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.

- h. ***Suspension*** is the temporary forced removal from the exercise of the office. It shall include both suspension as a penalty and preventive suspension.
 - i. ***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.
- APPOINTMENT OF NEW EMPLOYEES, CREATION OF NEW POSITION, PROMOTION, OR GIVING SALARY INCREASES***

SECTION 3. Prohibited Acts and Period of Prohibition. -
From March 25, 2022, Friday until May 08, 2022, Sunday:

- a. No head or appointing officer of any national or local government office, agency or instrumentality, including government-owned or -controlled corporations, shall, except upon prior authority of the Commission:
 - i. Appoint or hire any new employee in the civil service, whether permanent, provisional, temporary, substitute or casual. The appointment referred herein shall not include designation.
 - ii. Create and fill any new position.
- b. No government official shall promote or give any increase of salary or remuneration or privilege to any government official or employee, including those in government-owned or -controlled corporations.

SECTION 4. Designation not included. - The appointment referred herein shall not include designation as defined in Section 2 (b) 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 5. Request for Authority to Appoint or Hire New Employees; Where and 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 (i.e. name of appointee, position, salary grade, name of appointing authority, etc.) and the reasons for the same;
- b. Said request shall be filed with:
 - i. the **Law Department** - when the request is for authority to appoint or hire new employees in the central or main office of national government agencies and government-owned or -controlled corporations.
 - ii. the **Office of the Regional Election Director** - when the request is for authority to appoint or hire new employees in the field or local offices of government agencies and government-owned or -controlled corporations in the region where the vacancy exists.
- c. The request shall be filed with the pertinent Department/Office in the following manner:
 - i. A digital/scanned copy of the request shall be submitted through e-mail to:
 - i. law@comelec.gov.ph for the Law Department; and
 - ii. the e-mail address of the concerned Office of the Regional Election Director which may be found in this Commission's official website at www.comelec.gov.ph.

The attachments of the request, if any, such as the list of the names of the personnel to be appointed, hired, transferred, detailed or suspended, in MS Word and/or PDF Format, must be e-mailed together with the signed request.

- ii. On the same day of filing through e-mail, the hard copy of the request, including its attachments, if any, shall be sent by registered mail or recognized courier service to the Law Department or Office of the Regional Election Director.

In case there is a variance between the attachments sent through e-mail in Word and/or PDF file, and the hard copy, the former shall prevail.

A sample copy of the application for request for exemption from the ban on appointment is hereto attached as *Annex "A"*.

***SECTION 6. Request for Authority to Create and Fill New Positions;
Where and How to File. -***

- a. Requests for authority to create and fill new positions shall be submitted in writing 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 election.

A sample copy of the application for request for exemption from the ban on creation and filling of new positions is hereto attached as *Annex "B"*.

SECTION 7. When Request of Authority is Not Necessary. - No prior written authority from this Commission shall be needed 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 require prior authority of the Commission.

However, the appointing authority shall furnish the Commission, through the Law Department for positions in the central or main offices, and through the Office of the Regional Election Director concerned for positions in the field offices, a complete list of workers appointed/hired by virtue of a Contract of Service or Job Order and employees whose appointments were renewed, indicating their positions, item numbers, salary grade and station, if applicable.

SECTION 8. Urgent Need to Appoint or Hire New Employees. -

- a. Where there is urgent need to appoint or hire new employees and such employees have already been appointed or hired without prior authority of the Commission, the requesting office or agency shall notify the Commission in writing, within three (3) days from the date of the appointment or hiring, stating therein:
 - i. the exact date when the position became vacant;
 - ii. the cause for vacancy;

- iii. the reason for the urgency of appointment or hiring; and
 - 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 Office of the Regional Election Director concerned in case of positions in the field offices.
- c. The appointment or hiring of new employees shall be valid, unless the same is found by the Commission:
 - i. to have been made to influence, in any manner, the results of the election;
 - ii. to have been issued without the required notice; or
 - iii. that there is no urgent need for the appointment or hiring.
- d. The need to fill up a vacant position with a new employee may be considered "**urgent**" if:
 - i. the position is essential to the proper functioning of the office or agency concerned;
 - ii. the position has been vacated by death, retirement, resignation, promotion or transfer of the regular incumbent;
 - iii. the appointment is issued within sixty (60) days from the occurrence of the vacancy;
 - iv. the vacancy cannot be filled by promotion or transfer of insiders within the same period; and
 - v. the position shall not be filled in any manner that may influence the election.
- e. 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 the Office of the Regional Election Director concerned.

SECTION 9. 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 government-owned or -controlled corporations, shall be strictly prohibited from **March 25, 2022, Friday** until **May 08, 2022, Sunday**.

SECTION 10. Injunction. - The Civil Service Commission (CSC), including all its field offices is hereby enjoined not to approve the appointment of new employees where no prior written authority of the

Commission or its regional offices is presented by the appointing authority concerned or proof that the required notice within the 3-day reglementary period as provided in Section 8 (a) hereof has been complied with.

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.

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 said provisions of the Omnibus Election Code through electronic mail (e-mail) at law@comelec.gov.ph.

TRANSFER OF OFFICERS AND EMPLOYEES IN THE CIVIL SERVICE

SECTION 11. Prohibited Act and Period of Prohibition. -
From January 09, 2022, Sunday to June 08, 2022, Wednesday, no public official shall, except upon prior written approval of the Commission, make or cause any transfer or detail whatsoever of any officer or employee in the civil service, including public school teachers.

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 is covered by the prohibition.

Transfer incidental to promotion, as well as that incidental to appointment, is within the purview of the prohibition against transfer during the election period.

The ban shall likewise include any 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.

SECTION 12. Request for Approval of the Commission on Transfer or Detail. - Requests for approval to make or cause any transfer or detail shall be:

- a. in writing;

- b. indicating the (1) office and place to which the officer or employee is proposed to be transferred or detailed or otherwise moved;
- c. stating the reasons therefor;

SECTION 13. *Filing of Requests with the Law Department.* - Requests for approval 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/main offices of national agencies and government-owned or controlled corporations;
- b. The requests for transfer or detail involve Provincial, City/Municipal Treasurers and Schools Division Superintendents and Assistant Superintendents;
- c. The transfer or detail is inter-regional.

The Request for Approval shall be sent through e-mail to law@comelec.gov.ph and registered mail/recognized courier service, in the manner provided for under Section 5(c) hereof.

SECTION 14. *Filing of Requests with the Office of the Regional Election Director.* - Requests for approval to make or cause any transfer or detail of any officer or employee in the civil service shall be filed with the Office of the Regional Election Director where the employee/s sought to be transferred or detailed is stationed, when:

- a. It involves government officers or employees with official stations in the field offices including the National Capital Region;
- b. All other officers and employees not covered under Section 8 hereof.

The Request for Approval shall be sent through the e-mail of the concerned Office of the Regional Election Director which may be found in this Commission's official website at www.comelec.gov.ph. and registered mail/recognized courier service, in the manner provided for under Section 5(c) hereof.

A sample copy of the application for request for exemption from the ban on transfer is hereto attached as *Annex "C"*.

SUSPENSION OF ELECTIVE PROVINCIAL, CITY, MUNICIPAL OR BARANGAY OFFICER

SECTION 15. *Prohibited Acts.* - From January 09, 2022, Sunday to June 08, 2022, 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.

Consistent with Section 2 (h) hereof, the ban shall include preventive suspension or suspension imposed as a penalty.

No prior approval is required if the suspension will be for purposes of applying the *Anti-Graft and Corrupt Practices Act* in relation to the suspension and removal of elective officials.

SECTION 16. *Request for Authority of the Commission to Suspend Any Elective Provincial, City, Municipal or Barangay Officer, Unless Suspension will be for Purposes of Applying the Anti-Graft and Corrupt Practices Act: Where and How to File.* - Requests 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 executed under oath and containing the specific charges or in the absence thereof, 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 Request for Authority to Suspend Any Elective Provincial, City, Municipal or Barangay Officer shall be sent through e-mail to law@comelec.gov.ph and registered mail/recognized courier service, in the manner provided for under Section 5(c) hereof.

A sample copy of the request is hereto 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:

- a. If the offense involved is punishable under the *Anti-Graft and Corrupt Practices Act*

- b. For those that were already implemented before the start of the election period but is continuously served during or even after the expiration of the election period.

SECTION 18. *Effect of the Onset of the Election Period.* - The onset of the election period will not have the effect of lifting any suspension, imposed as a penalty or preventive suspension, that is already being served.

SECTION 19. *Dismissal from the Service, Not Included in the Prohibition.* - Dismissal from the service, recall and removal of elective local officials is not included in the prohibition under paragraph (x), Section 261 of the Omnibus Election Code.

LEAVE OF ABSENCE OF PROVINCIAL, CITY OR MUNICIPAL TREASURER

SECTION 20. *Leave of Absence of Provincial, City or Municipal Treasurer.* - In view of the important role of provincial, city and municipal treasurers, the Department of Finance (DOF) is deputized to ensure that all provincial, city, and municipal treasurers remain in their present assignments and neither transferred/detailed, reassigned, whether temporarily or permanently, to another province, city or municipality, except upon prior written authority of the Commission, nor allowed to go on leave of absence from office during the period starting two weeks before and two weeks after Election Day, except upon prior written approval of the Commission. The DOF shall also ensure that no temporary or casual employee is designated as Acting Treasurer of the Office of the Treasurer.

SECTION 21. *Request for Approval of Leave of Absence of Provincial, City or Municipal Treasurer.* - Requests for approval of leaves of absence of provincial, city or municipal treasurers within the period of two (2) weeks before and two (2) weeks after Election Day 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 Regional BLGF Office shall then request for a prior written approval by the Commission for the leave of absence of the requesting treasurer.

SECTION 22. *Where to File.* - The Regional BLGF shall file the request for approval of leave of absence with the appropriate Office of the Regional Election Director of the Commission. The Regional Election Director shall approve or disapprove the same, subject to the following conditions:

- a. that a personnel in an acting capacity is designated in the office of the treasurer whose leave of absence is being requested for approval during the period of absence so as not to disrupt or impede the proper functioning of the office;
- b. that an 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 and the designation of an acting treasurer are not made to influence the election.

The Office of Regional Election Director concerned shall make a **weekly report** to be submitted to the Law Department via e-mail at law@comelec.gov.ph on actions taken on all applications for approval of leave of absence received. The hard copy of the report shall also be sent through registered mail/recognized courier service.

A sample copy of the weekly report is hereto attached as *Annex "E"*.

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

SECTION 23. *Authority of the Chairman to Approve/Disapprove Recommendations from the Law Department.* - The Chairman of the Commission is authorized to approve/disapprove recommendations of the Law Department on requests for exemption from the coverage of the ban involved in this Resolution, except those the Regional Election Directors are authorized to act upon, subject to reportorial requirements.

SECTION 24. *Requests for Authority Submitted to the Law Department.* - The Law Department shall prepare its recommendation on all requests received by it and submit to the Chairman for approval or disapproval.

SECTION 25. *Requests for Authority Submitted to the Office of the Regional Election Director.* - The Offices of the Regional Election Director shall approve or disapprove all requests received by them and submit a report containing a list of all the requests acted upon to the Law

Department, at the end of every week, via e-mail to law@comelec.gov.ph. The hard copy of the report shall also be sent through registered mail/recognized courier service.

A sample copy of the Regional Report is hereto attached as *Annex "F"*.

SECTION 26. *Report of the Law Department on All Actions on Requests for Exemption to the Commission En Banc.* - At the end of the election period, the Law Department shall make a Report of all the actions taken on the requests for exemption from the coverage of the ban involved in this Resolution, including actions of the Offices of the Regional Election Director.

All actions of the Chairman and of the Regional Election Directors granting the requests for exemptions from the coverage of the ban herein involved shall remain valid and effective, unless otherwise reversed or set aside by the Commission.

GRANT OF CONTINUING AUTHORITY

SECTION 27. *Continuing Authority to Transfer Government Employees Granted to Certain Government Agencies.* - For purposes of the May 09, 2022 National and Local Elections, the Commission hereby grants continuing authority to the following government agencies to appoint or hire new employees from **March 25, 2022, Friday** until **May 08, 2022, Sunday**, and to transfer or detail their officers or employees from **January 09, 2022, Sunday** to **June 08, 2022, Wednesday**, in view of the nature of their functions:

- a. The President of the Philippines;
- b. Supreme Court of the Philippines, Court of Appeals, Sandiganbayan, Court of Tax Appeals and the lower courts, including the Senate and Presidential Electoral Tribunal; and
- c. Such other government agencies as may be approved by the Commission En Banc.

SECTION 28. *Grant of Continuing Authority.* - The grant of continuing authority to appoint and transfer personnel during the election period may be granted to government agencies, upon the submission to the Law Department of a written request justifying the reasons therefor.

SECTION 29. Conditions for the Grant of Continuing Authority. -

The grant of continuing authority to government agencies to appoint or transfer officers or employees during the said period shall, however, be subject to the following conditions:

- a. that it is essential to the proper functioning of the office and shall not in any manner influence the conduct of the May 09, 2022 National and Local Elections;
- b. that 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 May 09, 2022 Elections which is strictly prohibited without any exception whatsoever;
- c. that this authorization shall be prospective in application and without prejudice to the applicable Civil Service Law, rules and regulations on personnel actions/movements; and
- d. that they shall notify in writing the Commission, through the Law Department, as follows:

d.1. In cases of appointments - within three (3) days from the date of appointment, stating therein:

- i. Name of the officer or employee to be appointed or hired;
- ii. Position of said officer or employee to be appointed or hired;
- iii. The exact date when the position to be filled became vacant;
- iv. Cause of the vacancy; and
- v. All necessary data or information regarding the same.

d.2. In cases of transfers/details - within (3) days from the date of transfer/detail, stating therein:

- 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 necessary data or information regarding the same.

The written notice shall be sent to the Law Department via its e-mail at law@comelec.gov.ph as well as through registered mail/recognized courier service.

AUTHORITY OF THE COMMISSION ON ELECTIONS TO TRANSFER OR REASSIGN ITS PERSONNEL

SECTION 30. Basis of Authority. - There is an essential need to appoint, assign, reassign or transfer personnel of the Commission on Elections in order that it can effectively and efficiently carry out its constitutional mandate to conduct free, orderly, honest, peaceful and credible elections.

SECTION 31. Grant of Authority - The Commission on Elections is hereby authorized to appoint or hire new employees or fill new positions from **March 25, 2022, Friday until May 08, 2022, Sunday** and transfer or assign or reassign its personnel from **January 09, 2022, Sunday to June 08, 2022, Wednesday**.

COMMON PROVISIONS

SECTION 32. Request for Authority/Approval Filed with the Incorrect Office. - Any Request for Authority/Approval filed with the incorrect office shall be deemed as not filed and shall not be given due course.

SECTION 33. When to File Request for Authority. - Requests for Authority shall be filed with the pertinent office at least ten (10) days before the intended appointment, hiring, creation and filling of new position, transfer, detail, leave of absence, or start of suspension, as the case may be.

Any request filed after the implementation of any of the aforementioned acts shall not be accepted or acted upon except as provided under Section 8 of this Resolution.

For this purpose, the date of the receipt of the request through e-mail shall be considered as the date of filing.

SECTION 34. Effectivity. - This resolution shall take effect on the seventh day after its publication in two (2) daily newspapers of general circulation in the Philippines.

SECTION 35. Dissemination. - The Education and Information Department shall cause the publication of this resolution in two (2) daily

newspapers of general circulation, give this resolution the widest dissemination and furnish copies thereof to all concerned.

SO ORDERED.

SHERIFF M. ABAS

Chairman

MA. ROWENA AMELIA V. GUANZON

Commissioner

SOCORRO B. INTING

Commissioner

MARLON S. CASQUEJO

Commissioner

ANTONIO T. KHO, JR.

Commissioner

AIMEE P. FEROLINO

Commissioner

CERTIFICATION

APPROVED by the Commission *En Banc* during its special online meeting on 16 December 2021 pursuant to COMELEC Resolution No. 10671 entitled: "Supplemental Resolution to COMELEC Resolution No. 9366 Promulgated March 25, 2015, entitled, 'Rule on the Enactment and Promulgation of Executive or Administrative Resolutions' Providing for Other Format of Meetings to Include Online Meetings Applicable in Times of the COVID-19 Pandemic and the Imposition of Community Quarantines and Similar Emergency".



ATTY. CONSUELO B. DIOLA
Acting COMELEC Secretary

Instructions:

- 1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned
- 2. Additional Sheets may be used.

**APPLICATION FOR REQUEST FOR EXEMPTION
FROM THE BAN ON APPOINTMENT**
(For the May 09, 2022 National and Local Elections)

Name of Personnel	Position and Salary Grade	Date of Appointment	Cause of Vacancy, if applicable	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 09, 2022 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period before the May 09, 2022 National and Local Elections which is strictly prohibited without any exception whatsoever; and
- 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.

Prepared and Submitted by:

Position & Name of Agency _____
Date: _____

Instructions:

- 1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned
- 2. Additional Sheets may be used.

**APPLICATION FOR REQUEST FOR EXEMPTION
FROM THE BAN ON CREATION OR FILLING OF NEW POSITIONS**
(For the May 09, 2022 National and Local Elections)

Name of Personnel	Position and Salary Grade	Date of Appointment	Cause of Vacancy, if applicable	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 09, 2022 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period before the May 09, 2022 National and Local Elections which is strictly prohibited without any exception whatsoever; and
- 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.

Prepared and Submitted by:

Position & Name of Agency _____
Date: _____

Instructions:

1. Please fill in the following details and submit the same to the Law Department or Office of the Regional Election Director concerned
2. Additional Sheets may be used.

**APPLICATION FOR REQUEST FOR EXEMPTION
FROM THE BAN ON TRANSFER**

(For the May 09, 2022 National and Local Elections)

Name of Personnel	Present Station	Transferred Station	Date of Effectivity of Transfer	Justification of Transfer	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 09, 2022 National and Local Elections;
- 2) that the request shall not involve promotion or the giving of any increase of salary or remuneration or privilege during the prohibitive period before the May 09, 2022 National and Local Elections which is strictly prohibited without any exception whatsoever; and
- 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.

Prepared and Submitted by:

Position & Name of Agency _____

Date: _____

Instructions:

1. Please fill in the following details and submit the same to the Law Department.
2. Attach herein the following:
 - 1) Certified True Copy of the Formal Complaint executed under oath.
 - 2) Certified True Copy of the Decision or Resolution suspending the concerned elective local official.
3. Additional Sheets may be used.

**APPLICATION FOR REQUEST FOR EXEMPTION
FROM THE BAN ON SUSPENSION**
(For the May 09, 2022 National and Local Elections)

Name of Personnel	Position	Nature of Suspension (Preventive or as a Penalty)	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 09, 2022 National and Local Elections;
- 2) the case does not involve a violation of the Anti-Graft and Corrupt Practices Act.

Prepared and Submitted by:

Position & Name of Agency _____

Date: _____

Instructions:

- 1. Please fill in the following details and submit the same to the Law Department.
- 2. There is no need to attach herein the individual request submitted by the requesting Agency.
- 3. Additional Sheets may be used.

**REGIONAL REPORT ON APPROVED/DISAPPROVED APPLICATIONS
FOR APPROVAL OF LEAVE OF ABSENCE RECEIVED**
(For the May 09, 2022 National and Local Elections)

Requesting BLGF ¹	Name of Provincial, City or Municipal Treasurer	Provincial/City/ Municipal Office	Reason of the Leave of Absence	Period of the Requested Leave	Date of Approval/ Disapproval of Request

Prepared and Submitted by:

Regional Election Director, Region _____

¹ Regional Office of the Bureau of Local Government Finance

Instructions:

1. Please fill in the following details and submit the same to the Law Department,
- 2 There is no need to attach herein the individual reports submitted by the requesting Agency.
- 3, Additional Sheets may be used.

REGIONAL REPORTS ON APPROVED/DISAPPROVED REQUESTS FOR EXEMPTIONS FROM THE BAN ON APPOINTMENT AND TRANSFER

(For the May 09, 2022 National and Local Elections)

A. APPOINTMENT

Name of Personnel	Position and Salary	Date of Appointment	Name of Requesting Authority, Positions and Name of Agency	Date of Application for Exemption	Date of Approval/Disapproval of Request for Exemption

B. TRANSFER

Name of Personnel	Present Station	Transferred Station	Name of Requesting Authority, Position and Name of Agency	Date of Application for Exemption	Date of Approval/Disapproval of Request for Exemption

Prepared and Submitted by:

Position & Name of Agency _____

Date: _____