



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

ESTABLISHING ONLINE OR
VIRTUAL PROCESSES FOR
FRONTLINE SERVICES OF THE
OFFICE FOR OVERSEAS VOTING
(OFOV) IN RELATION TO THE
CONDUCT OF CONTINUING
OVERSEAS VOTING REGISTRATION
AND OTHER PREPARATORY
ACTIVITIES FOR THE 2022
NATIONAL & LOCAL ELECTIONS

ABAS, S.M., *Chairman*
GUANZON, M.R.A.V., *Commissioner*
INTING, S.B., *Commissioner*
CASQUEJO, M.S., *Commissioner*
KHO, A.T.K.J., *Commissioner*
FEROLINO, A.P., *Commissioner*

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Promulgated: JULY 14, 2021

RESOLUTION No. 10709

WHEREAS, the Commission *En Banc*, through *Resolution No. 10619 dated 06 November 2019* and *Resolution No. 10630 dated 04 December 2019*, promulgated the **RULES AND REGULATIONS ON THE CONDUCT OF CONTINUING REGISTRATION FOR OVERSEAS VOTING FOR PURPOSES OF THE 09 MAY 2022 NATIONAL AND LOCAL ELECTIONS**, pursuant to Section 11 of Republic Act No. 9189 as amended by Republic Act No. 10590, otherwise known as the **OVERSEAS VOTING ACT OF 2013**(hereinafter referred to as the “OVA” for brevity);

WHEREAS, the Commission *En Banc*, through *Resolution No. 10677 dated 26 August 2020*, implemented “**COVID-19 PREVENTIVE MEASURES IN THE CONDUCT OF CONTINUING REGISTRATION FOR OVERSEAS VOTING FOR PURPOSES OF THE 09 MAY 2022 NATIONAL AND LOCAL ELECTIONS & OTHER FRONTLINE SERVICES OF THE OFFICE FOR OVERSEAS VOTING**”, wherein it directed, through Section 6 of the aforementioned *Resolution*, the Office for Overseas Voting (OFOV), Law Department, Election and Barangay Affairs Department (EBAD), and the Information Technology Department (ITD), to study: (1) the possibility of accepting and processing applications for transfers of overseas voter registration records (OVR) via e-mail and other electronic platforms; and (2) the administration of oaths remotely;

WHEREAS, Republic Act No. 8792, also known as the ELECTRONIC COMMERCE ACT, aimed to "facilitate domestic and international dealings, transactions, arrangements, agreements, contracts and exchanges and storage of information through the utilization of electronic, optical and similar medium, mode, instrumentality and technology to recognize the authenticity and reliability of electronic data messages or electronic documents related to such activities and to promote the universal use of electronic transactions in the government and by the general public"¹;

WHEREAS, the Supreme Court, through Administrative Matter No. 20-07-04-SC, issued the **2020 INTERIM RULES ON REMOTE NOTARIZATION OF PAPER DOCUMENTS**, otherwise known as the "**RON RULES**", allowed the use of videoconferencing facilities for affirmation, oath, or jurat, to establish the actual signature and voluntariness of a party to a document and its subsequent notarization by the notary public in accordance with the procedures laid out under the aforementioned **RON RULES**;

WHEREAS, the Anti-Red Tape Authority (ARTA), through its *Advisory No. 01 dated 25 March 2020* encouraged government agencies to consider the acceptance of applications through email and other online platforms, in accordance with the mandate stated in Republic Act No. 11032, also known as the **EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018**, which has been emphasized in Executive Order No. 129² issued by the President of the Philippines;

WHEREAS, the COVID-19 pandemic has caused governments all over the world to impose occasional lockdowns and quarantine protocols that prevent overseas Filipinos from physically visiting Philippine Embassies and Consulates to avail of frontline services, including overseas voting registration and allied services;

IN VIEW OF THE FOREGOING, the Commission *En Banc*, by virtue of the powers vested in it by the Constitution, the **OMNIBUS**

¹ Section 3, Republic Act No. 8792, otherwise known as the Electronic Commerce Act.

² "Creating the Office of the Presidential Adviser on Streamlining of Government Processes, Providing Its Functions, and For Other Purposes", promulgated on 13 April 2021.

ELECTION CODE as amended³, the OVERSEAS VOTING ACT OF 2013, and other pertinent election laws, rules, and regulations, hereby **RESOLVE** to **PROMULGATE** the following **PROCEDURES** with respect to the system of continuing registration for overseas voting and other frontline services of the OFOV, to wit:

SECTION 1. Scope of this Resolution.—In order to provide qualified overseas Filipino citizens with an alternate method to avail of frontline services of the Office for Overseas Voting (OFOV), the Commission *En Banc* hereby authorizes the OFOV to use virtual, online, or electronic platforms to receive and process the following types of requests, applications, or transactions:

- (a) Certification as an overseas voter, for overseas Filipinos who have existing voters' registration records with complete biometric data in the Commission's voter record database;
- (b) Reinstatement of names inadvertently omitted from the National Registry of Overseas Voters (NROV);
- (c) Correction of entries in the Overseas Voter's Registration Record (OVRR), specifically the following data fields:
 - (i) Voter's surname or family name, by reason of marriage, death of spouse, or final court judgment;
 - (ii) Voter's civil status, by reason of marriage, death of spouse, or final court judgment; and
 - (iii) Voter's name, to correct a misspelled name or erroneous entry.
- (d) Request to withdraw the application for registration;
- (e) Request to cancel the OVRR;
- (f) Reactivation of OVRRs that were deactivated due to the causes⁴ listed in Section 14 of the OVERSEAS VOTING ACT OF 2013;

³ Batas Pambansa Bilang 881, as amended.

⁴ The causes of deactivation enumerated under Section 14 of the OVA of 2013, subject to certain provisos, are as follows:

- (g) Updating of mailing or postal addresses and other contact information of registered overseas voters; and
- (h) Transfers of registration records between different Posts or Countries;
- (i) Transfers of registration records from overseas/Post to a Philippine city/municipality, but only insofar as the cancellation of the overseas voters' names from the Certified List of Overseas Voters (CLOV) and the removal of their overseas voter's registration from the Book of Voters are concerned⁵; and
- (j) Applications for the issuance of certified true copy of Overseas Voters' Registration Record, and other OFOV-related certifications.

SECTION 2. Exceptions; when in-person appearance cannot be dispensed with. - Applications or transactions requiring the live capture of the applicants' or voters' biometric data, such as their photographs, signatures, and fingerprints, shall not be covered by this Resolution. The transactions that are **outside** the scope of this Resolution are as follows:

- (a) Registration as an overseas voter, wherein the applicant is registering as a first-time voter with no existing voter registration record anywhere in the Philippines;
- (b) Validation or the capturing of biometric data of registered overseas voters whose biometrics have not yet been captured pursuant to Republic Act No. 10367, or the MANDATORY BIOMETRICS VOTER REGISTRATION ACT;
- (c) Correction of entries that involve the change of signatures, as in the case of overseas voters who have changed their civil status and surnames; and

(a) Any person who has been sentenced by final judgment by a Philippine court or tribunal to suffer imprisonment for not less than one (1) year, such disability not having been removed by plenary pardon or amnesty;

(b) Any person declared by competent authority to be insane or incompetent;

(c) Any person who did not vote in two (2) consecutive national elections as shown by voting records; and

(d) Any person whose registration has been ordered excluded by the courts.

⁵ Last paragraph, Section 10, OVA of 2013.

- (d) Recapturing of biometric data, such as photographs, signatures, and/or fingerprints of overseas voters, in cases where such data are missing from their OVRs; and
- (e) Any applications or transactions that are required to be acted upon by the Offices of the Election Officer and/or Election Registration Boards in cities/municipalities of the Philippines, pursuant to Republic Act No. 8189, or the VOTER'S REGISTRATION ACT OF 1996, except those that can be accommodated under Sections 11 and 12 of this Resolution.

If the biometric data of the applicant or requesting party has already been previously captured by the Commission and the same data can be retrieved from existing databases of the Commission, personal appearance for the purpose of capturing biometric data can be dispensed with.

SECTION 3. *Virtual/Online Remote Appearance as a Substitute for Physical/In-Person Appearance.* - In cases where the filing of a sworn application or an application under oath is required by law, the OFOV's Election Officers and designated Administering Officers are hereby authorized to conduct interviews with the applicants to verify their identity and to administer oaths using videoconferencing software.

SECTION 4. *Other Frontline Services of the OFOV.* - The OFOV shall continue to accept, via e-mail and other official communication channels, requests for the following:

- (a) Overseas Voter's Certification (with active status);
- (b) Certification for Correction of Entry;
- (c) Certification of Non-Availability of Record;
- (d) Certification Pending Approval of Application for Registration as Overseas Voter; and
- (e) Certification for Overseas Voter with Deactivated Status.

SECTION 5. *Applications and Requests Requiring RERB approval.* - Requests and applications received by the OFOV through

these virtual/online processes that require the approval of the Resident Election Registration Board (RERB) shall be acted upon by the RERB at the OFOV. Applications or transactions that require RERB approval are:

- (a) Certification as an overseas voter;
- (b) Reactivation of OVRs;
- (c) Correction of entries or change of name/civil status in the OVR;
- (d) Cancellation of OVRs;
- (e) Reinstatement of names inadvertently omitted from the National Registry of Overseas Voters (NROV).

SECTION 6. *Applications and Requests for Approval of the OFOV Director.* - The Commission *En Banc* hereby authorizes the Director of the OFOV to approve or disapprove following applications and requests that do not need RERB approval, such as:

- (a) Updating of the overseas voter's contact information such as postal or residential address, mobile or telephone number, email address;
- (b) Transfers of OVRs between different foreign service posts or countries;
- (c) Cancellation of the names of overseas voters from the CLOV and the removal of their OVRs from the Book of Records, in cases where the overseas voters applied for the transfer of their registration record from overseas back to the Philippines.

SECTION 7. *How to Avail of Virtual/Online Processes.* - Applicants or clients of the OFOV can file their requests or applications through any of the following means:

- (a) ***By Using the iRehistro System.*** - Applicants can accomplish the OVF-1 form and initiate a request through the COMELEC's *iRehistro* system for overseas voters, which can

be accessed via this link:
<https://irehistro.comelec.gov.ph/irehistro/ovf1>

- (b) *By Email.* - Applications or requests can be sent via email to the OFOV's email address for Overseas Voters' Concerns (ov.concerns@comelec.gov.ph), including in the said email with a scanned copy of the Philippine Passport or Seafarer's Record Book as proof of identity, the relevant application forms, and other supporting documents; and
- (c) *By Facebook Messenger.* - Clients may also opt to initiate contact to the OFOV through its official Facebook page, which can be accessed through this URL: <https://fb.com/overseasvotingph>. However, this mode of communication shall be limited to the simple queries and requests for general information on overseas voting (OV) and OV registration only.

In cases where the clients or applicants are required to submit accomplished application forms, proof of identity such as their Philippine Passports or Seafarer's Identification Record Books, and/or supporting documents that contain their personal data or information, submission must be done **only** through the official email address of the OFOV for this specific purpose, which is the Overseas Voter's Concerns email address (ov.concerns@comelec.gov.ph).

SECTION 8. Procedures for Certification as Overseas Voters. - Upon receipt of the applications for certification as overseas voters, the OFOV shall:

- (a) Require the applicants to submit the accomplished OVF-1 form and a scanned copy or image of their valid Philippine Passports or Seafarer's Identification Record Book via email to ov.concerns@comelec.gov.ph;
- (b) Verify the identity of the applicants, conduct interviews, administer the necessary oaths via videoconferencing software;

- (c) Use the Voter Search System (VSS) to determine whether the applicants have existing voter registration records (VRRs) in the local voters' database;
 - (i) If the VSS search results show that the applicants have no existing local VRRs, as in the case of first-time voting registrants, they shall be advised to avail of the regular, in-person registration procedures so their biometric data can be captured, pursuant to Section 6 of the OVA, as implemented by Section 9 of COMELEC Resolution No. 10619;
 - (ii) If the VSS search results show that the applicants have existing local VRRs with biometric data, the OFOV, upon verification of the data, shall request the ITD to extract their VRR data from the Central Voters' Database and transfer it to the OFOV's Staging Database.
- (d) Include the applications for certification as overseas voter in the List of Applications that will be heard or acted upon by the Resident Election Registration Board (RERB) at the OFOV in the next scheduled RERB hearing.
- (e) Follow the same process of RERB approval outlined under Section 19, Part II, of COMELEC Resolution No. 10619.
- (f) Notify the Offices of the Election Officer about the approved applications for certification as overseas voters of those who were registered within their jurisdictions, with a copy furnished to their Provincial Election Supervisors, within ten (10) working days after the conduct of the RERB hearing at the OFOV.

SECTION 9. *Procedures for the Reactivation of OVRRs.* – Upon receipt of the applications for reactivation of the overseas voters' registration records (OVRRs), the OFOV shall:

- (a) Require the applicants to submit the accomplished OVF-1 form via email to ov.concerns@comelec.gov.ph;
- (b) Verify the identity of the applicants, conduct interviews, administer the necessary oaths via videoconferencing software;

- (c) Use the Voter Search System (VSS) to check the voter registration status and confirm that the OVRs have indeed been deactivated;
- (d) Process the reactivation of the OVRs and include them in the List of Applications that will be heard or acted upon by the Resident Election Registration Board (RERB) at the OFOV.

SECTION 10. *Procedures for the Transfer of Voter Registration Records from Overseas to the Same Philippine City, Municipality or District where the Overseas Voters were Previously Registered Prior to Their Departure Abroad.* – Overseas voters returning to the same city or municipality where they were previously registered need not file any other application for registration before the Office of the Election Officer pursuant to the second proviso⁶ in Section 10 of the OVA. Upon receipt of the applications for transfer from Post to the same city or municipality where the overseas voters used to be registered in before their departure abroad, the OFOV shall:

- (a) Require the applicants to submit their accomplished OVF-1 forms via email to ov.concerns@comelec.gov.ph;
- (b) Verify the identity of the applicants, conduct interviews, administer the necessary oaths via videoconferencing software;
- (c) Use the Voter Search System (VSS) to confirm that the overseas voters are applying for transfer to the same city or municipality where they were previously registered prior to their departure from the Philippines;

⁶ The second proviso of OVA Section 10 is underscored and emphasized:
SEC. 10. *Transfer of Registration Record.* – In the event of change of voting venue, an application for transfer of registration record must be filed by the overseas voter with the OFOV, through its Chairperson, at least one hundred eighty (180) days prior to the start of the overseas voting period: *Provided*, That those who would eventually vote in the Philippines should register within the time frame provided for local registration in the municipality, city or district where they intend to vote: *Provided, further*, **That those who have registered in the municipality, city or district where they resided prior to their departure abroad need not register anew**: *Provided, finally*, That transferees shall notify the OFOV, through its Chairperson, of their transfer back to the Philippines at least one hundred eighty (180) days prior to the next national elections for purposes of cancelling their names from the CLOV and of removing their overseas voter's registration from the book of voters.

- (i) If the VSS search results show that the applicants have no existing local VRRs, the OFOV shall follow the procedures outlined in Section 12 of this Resolution;
 - (ii) If the VSS search results show that the applicants are transferring to a different city, municipality or district other than where they were previously registered prior to their departure abroad, the OFOV shall follow the procedures outlined in Section 12 of this Resolution;
 - (iii) If the VSS search results show that the applicants have existing local VRRs but with deactivated status, the OFOV shall follow the procedures outlined in Section 12 of this Resolution;
 - (iv) If the VSS search results show that the applicants have existing local VRRs in the same city or municipality that are still active, the OFOV can then proceed to the next step of this Section;
- (d) Approve the applications for transfer, issue the necessary Notice of Approval of Transfer of Registration Record (NOATTR), and cancel the names of the overseas voters from the Certified Lists of Overseas Voters (CLOVs).
 - (e) Notify the concerned Offices of the Election Officer (OEOs) of the approved transfers and request them to ensure that the said overseas voters are included in the Book of Voters of the city or municipality where they were previously registered.

SECTION 11. *Authorizing the Election Officers of the OFOV to Administer Oaths for the Purpose of Completing the Transfer Process from Overseas to the Philippines.* – To ensure that overseas voters are not disenfranchised due to the non-completion of the transfer process from the overseas to the local voter registry, the Election Officers of the OFOV are hereby authorized to administer the oaths required in the revised CEF-1 forms used for local voter registration in cases where the application for transfers from overseas to the Philippine registry involve:

- (a) Overseas voters with no existing local voter registration record (VRR) in any Philippine city, municipality, district;

- (b) Overseas voters who are returning to a different Philippine city, municipality, or district other than where they were previously registered prior to their departure abroad; and
- (c) Overseas voters whose local voter registration records have already been deactivated.

Applications for transfers from the overseas voters as described in this Section shall require the approval of the Election Registration Board (ERB) of the city or municipality with jurisdiction over the residence of the overseas voters upon their return. The Election Officers of the cities or municipalities where the overseas voters will be transferring to shall not require the applicants to personally appear before their offices anymore, as the OFOV will be transmitting the voters' registration record data and the accomplished revised OVF-1 forms to the OEOs according to the procedures outlined in the following Section.

SECTION 12. *Procedures for the Transfer of Voter Registration Records that Require the Approval of the ERBs in the Philippines.* – Upon receipt of the applications for transfer from Post to the Philippines from overseas voters who fall within the cases described in the previous Section, the OFOV shall:

- (a) Require the applicants to submit the accomplished OVF-1 and Revised CEF-1 forms via email to ov.concerns@comelec.gov.ph;
- (b) Verify the identity of the applicants, conduct interviews, administer the necessary oaths via videoconferencing software;
- (c) Use the Voter Search System (VSS) to determine whether the applicants are overseas voters that fall within the three (3) cases described in Section 11 of this Resolution;
- (d) Approve the applications for transfer, issue the necessary Notice of Approval of Transfer of Registration Record (NOATTR), and cancel the names of the overseas voters from the Certified Lists of Overseas Voters (CLOVs);
- (e) Extract the overseas voters' data from the Overseas Voters' Database and transmit the same to the concerned Offices of

the Election Officers, together with a copy of the duly accomplished revised CEF-1 form;

- (f) Request the concerned Offices of the Election Officer (OEOs) to include the applications for transfer in their next scheduled Election Registration Board (ERB) hearing, following the same notice and publication requirements observed in the conduct of the continuing local voter registration, without requiring the applicants to personally appear before them.

To ensure that the OEOs have sufficient time to include the applications for transfers described in this Section in their next ERB hearing, the OFOV shall transmit the extracted data and the corresponding accomplished Revised CEF-1 forms to the OEOs at least five (5) working days before the last day to post Notice of Hearing with Lists of Applicants, as scheduled in Section 5, Part B of Resolution No. 10549, or the RULES AND REGULATIONS ON THE RESUMPTION OF THE SYSTEM OF CONTINUING REGISTRATION OF VOTERS.

SECTION 13. *Use of the iRehistro System.* - To expedite the accomplishment of the OVF-1 and revised CEF-1 forms and lessen encoding errors on the part of the OFOV and the Offices of the Election Officers, applicants who wish to avail of the OFOV's virtual/online processes as provided in this Resolution shall be encouraged to use the Commission's *iRehistro* facility in the filling out of the required forms.

SECTION 14. *Printouts of Accomplished OVF-1 and Revised CEF-1 Forms Regarded as Equivalent to the Original.* - Considering that the mode of submission of the accomplished and signed OVF-1 and revised CEF-1 forms is via email, the electronic files containing the accomplished and signed OVF-1 and revised CEF-1 forms attached to the email sent by the applicants shall be regarded as functional equivalents of their paper-based counterparts. Their printouts shall likewise be considered as equivalents of the original, after their contents and due execution have been verified and

confirmed by the Election Officers of the OFOV during the interviews conducted by videoconference.⁷

SECTION 15. *Compliance with Data Privacy Act of 2012⁸ and its Implementing Rules and Regulations, including Existing Policies of the Commission on Data Privacy.* – The OFOV shall ensure that all its procedures and operations are compliant with the DATA PRIVACY ACT OF 2012, the Implementing Rules and Regulations issued by the National Privacy Commission, as well as existing policies of the Commission on data privacy.

SECTION 16. *Separability Clause.* – If, for any reason, any part, section, or provision of this Resolution is declared invalid or unconstitutional by the Supreme Court, the remaining provisions or sections shall remain valid and applicable.

SECTION 17. *Repealing Clause.* – Any part, section, or provision in Resolution Nos. 10619, 10630, and other related Resolutions on voter registration for the 2022 National and Local Elections which are inconsistent with the provisions of this Resolution are hereby repealed or modified accordingly.

SECTION 18. *Implementing Offices and Departments.* – The OFOV shall primarily be responsible for the implementation of this Resolution, with the assistance of the Information Technology Department (ITD) in cases where voters' registration records need to be extracted and transferred between the Central, Local, and Overseas Voters' databases. The Offices of the Election Officers are likewise responsible in ensuring that overseas voters who have returned to the Philippines and have duly filed their applications for transfer and registration within the prescribed periods are duly included in the local voters' lists to avoid the disenfranchisement of their right to vote.

SECTION 19. *Notice and Publication.* – The COMELEC Secretary is directed to provide a copy of this Resolution to the Education and Information Department for publication in the two (2) daily newspapers of general circulation. The Information Technology

⁷ See Rules 3 and 4 of the RULES ON ELECTRONIC EVIDENCE, A.M. 01-7-01-SC, promulgated by the Supreme Court, effective 01 August 2001.

⁸ Republic Act No. 10173.

Department shall likewise be furnished with a copy for posting on the COMELEC website.

SECTION 20. Effectivity and Suppletory Application of Other Resolutions. – This Resolution shall take effect on 01 July 2021. Other existing and relevant Resolutions issued by the Commission *En Banc* on the conduct of continuing registration of voters, procedures for frontline services, and other related activities shall likewise apply to the Office for Overseas Voting suppletorily.

SO ORDERED.

SHERIFF M. ABAS
Chairman

MA. ROWENA AMELIA V. GUANZON
Commissioner

(NOT PRESENT)
SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

ANTONIO T. KHO, JR.
Commissioner

AIMEE P. FEROLINO
Commissioner

CERTIFICATION

APPROVED on 14 July 2021 by the Commission *En Banc* during its online regular *En Banc* meeting pursuant to Resolution No. 10671, promulgated 09 June 2020, entitled "SUPPLEMENTAL RESOLUTION TO COMELEC RESOLUTION NO. 9936 PROMULGATED 15 MARCH 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 SITUATIONS."


ATTY. CONSUELO B. DIOLA
Acting COMELEC Secretary