

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City



**EIGHTEENTH CONGRESS**  
*First Regular Session*

House Bill No. 812

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Introduced by **HON. ROZZANO RUFINO B. BIAZON**

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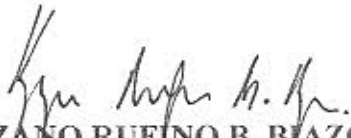
**EXPLANATORY NOTE**

This bill seeks to ensure that the most efficient and effective automated election system is employed by the Commission on Elections in every electoral exercise. In order to achieve this, it proposes to amend further Republic Act No. 8436 entitled "An Act Authorizing the Commission on Elections to Use An Automated Election System in the May 11, 1998 National or Local Elections and in Subsequent National and Local Electoral Exercises," as amended.

When the canvassing of votes commences every elections, glitches or hitches in the automated election system being employed by the Commission on Elections also start to come out. These range from vote counting machines malfunctioning (VCMs) to defective secure digital memory cards (SD cards). These problems do not only delay the canvassing of votes but also put into question the integrity of the elections.

If not checked, these so-called glitches or hitches may defeat the very reason that the country chose to shift from manual elections to an automated one. We need to assure the people that our electoral exercises are fair and credible.

Due to the foregoing, the immediate passage of this proposed measure is earnestly sought.

  
**ROZZANO RUFINO B. BIAZON**  
*Representative*  
Lone District, Muntinlupa City

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 8436, ENTITLED "AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO USE AN AUTOMATED ELECTION SYSTEM IN THE MAY 11, 1998 NATIONAL OR LOCAL ELECTIONS AND IN SUBSEQUENT NATIONAL AND LOCAL ELECTORAL EXERCISES," AS AMENDED, TO SECURE AND EMPLOY THE MOST EFFICIENT AND EFFECTIVE AUTOMATED ELECTION SYSTEM AND FOR OTHER PURPOSES**

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

SECTION ONE. Section 5 of the Republic Act No. 8436, as amended, is hereby further amended to read as follows:

*"SEC. 5 Authority to Use an Automated Election System. - To carry out the above-stated policy, the Commission on Elections, herein referred to as the Commission, is hereby authorized to use an automated election system or systems in the same election in different provinces, whether paper-based or a direct recording electronic election system as it may deem appropriate and practical for the process of voting, counting of votes and canvassing/consolidation and transmittal of results of electoral exercises: *Provided*, that for the regular national and local election, which shall be held immediately after effectivity of this Act, the AES shall be used in at least two highly urbanized cities and two provinces each in Luzon, Visayas and Mindanao, to be chosen by the Commission: *Provided, further*, That local government units whose officials have been the subject of administrative charges within sixteen (16) months prior to the May 14, 2007 election shall not be chosen: *Provided, finally*, That no area shall be chosen without the consent of the Sanggunian of the local government unit concerned. The term local government unit as used in this provision shall refer to a highly urbanized city or province. In succeeding regular national or local elections, the AES shall be implemented nationwide.*

THE TECHNOLOGY, SUPPLIES, EQUIPMENT, MATERIALS, HARDWARE, SOFTWARE, FACILITIES, AND OTHER SERVICES OF THE AES CHOSEN BY THE COMMISSION SHALL BE EVALUATED AFTER EACH AND EVERY ELECTION BY THE TECHNICAL EVALUATION COMMITTEE ESTABLISHED IN SECTION 10 HEREOF. THE COMMISSION SHALL, UPON THE RECOMMENDATION OF THE TECHNICAL EVALUATION COMMITTEE OF THE NEED TO REPLACE THE TECHNOLOGY, SUPPLIES, EQUIPMENT, MATERIALS, HARDWARE, SOFTWARE, FACILITIES, OR OTHER SERVICES OF THE AES, EMPLOY THE SAME PROCESS PROVIDED UNDER THIS ACT TO SEARCH FOR THE SAME IN ACCORDANCE WITH THE OBJECTIVES OF THIS ACT.”

Sec. 2. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuances that are inconsistent with this Act are hereby repealed or amended accordingly.

Sec. 3. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

*Approved,*