



**BUREAU OF JAIL MANAGEMENT AND PENOLOGY  
MULTI-PURPOSE COOPERATIVE**  
144 BJMP Building, Mindanao Avenue, Quezon City

Telephone Nos. 4551086-4543621

## MEMORANDUM

FOR : **DIONY D MAMARIL, CES(E)**  
Jail Chief Superintendent, MPSA  
Chairman, BJMP- MPC BOD

SUBJECT : Supplemental Rules for 2013 Election of BJMP-MPC BOD

DATE : 05 February 2013

---

1. Reference: Verbal Query re: BOD seats to be vacated after the 2013 BJMP- MPC 2013 election.
2. ICOW, the Election Committee is of the desire to provide a clear- cut definition of the BOD seats to be vacated so as to conform to the intention of the By- Laws and other related rules and regulations and to prevent unnecessary controversy affecting BOD election.
3. Further, the Committee hereby submits the Supplemental Rules in accordance with the authority granted to the same in order to promote a fair and just election of BJMP- MPC BOD.
4. For information.

  
**ATTY. JONATHAN Z BALTAR**  
Jail Senior Inspector  
BJMP-MPC 2011 Election Committee

Cc:  
JCSUPT DORIS R DORIGO  
General Manager, BJMP- MPC



## **SUPPLEMENTAL RULES AND REGULATIONS for BJMP- MPC Board of Directors 2013 Election**

WHEREAS, the BJMP- MPC is composed of seven (7) Regular members, one (1) Representative of the NUP, one (1) Representative of the retirees, two (2) *ex-officio* members in the person of the Chief, BJMP and the National Executive Senior Jail Officer (NESJO) with a total number of eleven (11) Board of Directors among whom only the Regular members, Representatives of NUP and retirees are to be elected by the BJMP- MPC members;

WHEREAS, the Revised Election Rules and Regulations of 2011 of the BJMP- MPC provides that the term of office of its newly elected Board of Directors in 2012 shall be that provided in the By-laws;

WHEREAS, Section 5 of the said By- laws provides that the majority of the elected Board of Directors obtaining the highest number of votes shall serve for two (2) years, and the remaining directors for one (1) year, unless earlier removed for cause or have resigned or have become incapacitated;

WHEREAS, there is a seemingly enigmatic situation in the determination of the "majority" of the elected Board of Directors obtaining the highest number of votes during the 2012 BOD election considering that Section 5 of the BJMP- MPC By Laws is silent on the matter of the definition of the "majority of the elected directors obtaining the highest number of votes" who shall serve for two (2) years;

WHEREAS, it is imperative to identify which seat among the existing Board of Directors shall be vacated for the incoming period as announced in accordance with Section 3 of the 2013 REVISED ELECTION RULES AND REGULATIONS;


WHEREFORE, in the interest of an orderly, smooth and clear guidance to all BJMP- MPC members and in accordance with Section 36 of the 2013 REVISED ELECTION RULES AND REGULATIONS for BJMP- MPC BOD, the Election Committee hereby RESOLVES as it is hereby RESOLVED to promulgate as a supplement, the following:


- a) In determining the "majority" of the BJMP-MPC BOD obtaining the highest number of votes during the 2012 BOD election, the rule of fifty percent (50%) plus one (1) shall be applied as enunciated in the case of La Carlota City vs Atty. Rojo, G.R. No. 181367, April 4, 2012 reiterating the definition of the "majority" in the case of Santiago vs Guingona, G. R No. 134577, Nov. 18, 1998. To illustrate: among the nine (9) BOD elected,  $4.5+1= 5.5$  shall be the majority;
- b) For a more logical solution, the fraction of point five (.5) or one-half (1/2) shall be rounded- off to one which makes it six (6) BOD to comprise the majority of the elected BOD obtaining the highest number of votes during the 2012 election in the person of **(1)** NUP Geronima Andres (5,473 votes), **(2)** J/ Dir Laurio (ret)

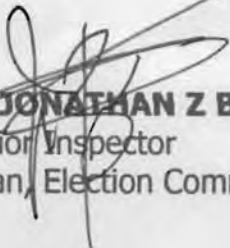
(5,407 votes), **(3)** J/DIR DIAL (4,866 votes), **(4)** JSSUPT VIO (4,147 votes), **(5)** JSUPT FULGENCIO (3,256 votes) and **(6)** JCSUPT TAPAYAN (3,076 votes);

- c) Nine (9) BOD minus five point five (5.5) or five and a half (5 ½) provide the difference of three point five (3.5) or three and a half (3 ½) which shall likewise be rounded off to one (1), thus provide a vacancy of **four (4) slots**;
- d) Therefore, six (6) BOD comprising the majority in the 2012 election plus four (4) newly elected BOD after the 2013 election shall provide a sum of ten (10) BOD;
- e) In order not exceed with the number of BOD in the BJMP- MPC, it shall be deemed considered that either of the seat of the *ex-officio* members (Chief, BJMP or NESJO) shall be forfeited in favor of the elected BOD, to be determined by the existing BOD during their meeting, either regular or special meeting called for the purpose;
- f) This supplemental rule shall be duly considered in the determination of the vacancy in the 2014 BJMP- MPC Election to foreclose the possibility of exceeding in the number of BOD or deficient as such.

BJMP Multi-Purpose Cooperative, Inc. Conference Hall  
144 BJMP Building, Mindanao Ave  
Quezon City, Philippines

  
**RUDY YHAGAN B MALAG**  
Jail Inspector  
Member, Election Committee

  
**DJOHANNY L DOMINGO**  
Jail Inspector  
V-Chair, Election Committee

  
**ATTY. JONATHAN Z BALTAR**  
Jail Senior Inspector  
Chairman, Election Committee