



**BUREAU OF JAIL MANAGEMENT AND PENOLOGY
MULTI-PURPOSE COOPERATIVE**
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2018 REVISED ELECTION RULES AND REGULATIONS for BJMP- MPC Board of Directors

WHEREAS, the Revised Election Rules and Regulations of 2011 of the BJMP Multi-Purpose Cooperative, Inc. (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, Article IV 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, the Revised Election Rules and Regulations 2011 of the BJMP Multi-Purpose Cooperative, Inc. (BJMP- MPC), as amended, modified and supplemented, will serve as guidelines to promote a free, orderly, honest, peaceful and credible conduct of elections for the Board of Directors (BOD) of the Cooperative;

WHEREAS, by virtue of the power and authority vested upon the members of the BJMP- MPC Election Committee for the 2017 election of the Board of Directors, we do hereby promulgate the 2018 Revised and Amended Election Rules and Regulations of the BJMP Multi-Purpose Cooperative for approval by the BJMP-MPC Board of Directors during the meeting for the purpose.

ARTICLE I SCHEDULE OF ACTIVITIES for the ELECTION of the BJMP- MPC BOARD OF DIRECTORS

Section 1. *Election Period.*- The Election Period for the election of the FIVE (5) Regular Members of the Board of Directors of the BJMP- MPC shall commence on February 1 and shall end on March 12, 2018.

Section 2. *Schedule of Election Activities.*- The following is the schedule of election activities for the election of BJMP- MPC Board of Directors:

- ❖ January 4 (Thursday) - Announcement of Vacancy, Sending of Certificates of Candidacy and Election Schedule to Regions
- ❖ January 9 (Tuesday)- January 29 (Tuesday) - Filing of Certificates of Candidacy (15 Calendar days)
- ❖ February 1 (Thursday) - Publication of Qualified Candidates and Printing of Ballots
- ❖ February 5 (Monday) -February 19 (Monday) - Campaign Period, Distribution of Ballots to Regional Offices, Provincial Offices and Jail Units [14 days]
- ❖ February 20, 8:00AM- February 28, **5:00PM** - Casting of Votes [8 days]

- ❖ March 1- March 7 - Counting and Canvassing of Votes [6 days]
- ❖ March 12 (Monday) - Publication of the Result of Counting and Canvassing of Votes

Section 3. *Announcement of Vacant Position.*- Position in the BJMP MPC Board of Directors (BJMP-MPC BOD) for Regular Members to be vacated for the incoming period shall be announced to all members nationwide on January 4, 2018 through a Memorandum to all the Regional Offices/ Provincial Administrator's Office/ Jail Units of the BJMP. The vacancy shall be based on the result of the 2017 BJMP- MPC BOD elections in accordance with the total votes received.

ARTICLE II QUALIFICATIONS AND DISQUALIFICATIONS OF CANDIDATES

Section 4. *Qualifications of the Candidates for the Board of Directors.*- The Election Committee shall not accept, merit and consider any Certificate of Candidacy (COC) for the Board of Directors of the BJMP- MPC unless the applicant possess the following qualifications:

- a. Must be a regular member of the BJMP- MPC and of good standing for the last two (2) consecutive calendar years;
- b. He/ She must be of proven integrity, probity, honesty and independence;
- c. He/ she must be of good moral character and continuously patronize the goods and services of the Cooperative;
- d. He/ she has paid the minimum capital requirements;
- e. He/she has continuously patronized the cooperative services; and
- f. He/ she has completed or willing to complete the required education and training as may be provided by law, rules and regulations and policy approved by the General Assembly.

Section 5. *Disqualification of Candidates.*- The following are disqualified to become a candidate for the BJMP- MPC or Board of Directors:

- a. Those having a conflict of interest with the business of the cooperative;
- b. Those having been absent for three (3) consecutive board meetings during his/her incumbency as BOD preceding the election or, otherwise, as certified by the incumbent Secretary of the BOD has incurred more than fifty percent (50%) of all the meetings of the Board within the twelve (12) month period. Provided, that such absences are unexcused and unreasonable;
- c. Those full time employee/s of the BJMP cooperative;
- d. Those having been convicted of a crime involving moral turpitude, of gross neglect of duty, or gross misconduct in the performance of his duties or found culpable in any administrative proceedings or case involving such offenses;
- e. Those having been convicted and/or penalized by the BJMP Cooperative or the Bureau;

- f. Those having been disqualified pursuant to disqualifications prescribed by the Cooperative Development Act;
- g. Those holding any other position directly involved in the day-to-day operation and management of the Cooperative;
- h. Those having direct or indirect personal interest in the business of the Cooperative.
- i. Being an official or employee of the Cooperative Development Authority.

Section 6. *Official Candidate/s.*- Only those candidate(s) who filed his/her COC and received by the Election Committee before the midnight of January 29, 2018 shall be considered official candidate(s) for the election of BOD.

Section 7. *Letter of Intent and Plan.*- Each and every candidate shall be allowed to express his/ her plans for the good of the BJMP Cooperative in a form of a Letter of Intent attached to his/her Certificate of Candidacy sent to the BJMP- MPC Election Committee. The expressed plan of a candidate may be indicated in the publication of qualified candidates.

Section 8. *Disqualification Notice.*- Any member who filed a Certificate of Candidacy for BOD and whose application was not accepted, given merit and considered by the Election Committee or have been disqualified, shall be notified at the soonest possible time of his disqualification and the reasons thereof.

Section 9. *Withdrawal of Candidacy.*- Any officially approved candidate for the Board of Director by the BJMP- MPC Election Committee can withdraw from his/her candidacy by officially writing the BJMP- MPC Election Committee before the scheduled BJMP MPC Elections. Hence, any vote cast in his/her favor shall be considered stray and shall not be counted.

Section 10. *Campaign Period.*- The campaign period of the candidates for Board of Directors shall be from February 5 to February 19, 2018.

ARTICLE III CONDUCT OF ELECTION OF THE BOARD OF DIRECTORS

Section 11. *Composition of the Election Officers.*- The following are the composition of Election Officers:

- a. Regional Election Officers. The Regional Executive Senior Jail Officer (RESJO) shall be designated as ex-officio election officers for purposes of the BJMP- MPC Elections. If the RESJO is an official candidate to the BOD, he/she designate the next ranking officer to his/her position.
- b. Provincial Election Officers. The Provincial Administrator shall be designated as ex-officio Election Officer for purposes of the BJMP-MPC Elections. If the Provincial Administrator is an official candidate to the Board of Director, he/she may designate the next ranking officer to his/her position.
- c. Jail Election Officers. The Jail Warden shall be designated as ex-officio Election Officer for purposes of the BJMP-MPC Elections. If the Warden is a candidate, he/she shall assign his/her next ranking officer as replacement.

Section 12. *Duties and Function of the Election Officers.*- The following are the duties and functions of the Regional, Provincial and Election Officers.

a. Regional Election Officer:

- i. The Regional Director shall ensure that the BJMP MPC 2018 Election Rules and Regulations are disseminated and clearly understood by all Provincial and Jail Election Officers.
- ii. The Regional Director, together with the RESJO, shall ensure the conduct of election in their respective area of jurisdiction and shall ensure the transmittal of the ballots to the BJMP- MPC Election Committee.

b. Provincial Election Officers:

- i. Provincial Jail Administrator shall directly supervise and monitor the elections under his/her respective area of responsibility strictly guided by the established 2018 Election Rules and Regulations. He/she shall ensure that all members of the BJMP- MPC in respective Jails within the area of responsibility shall be able to cast their votes.
- ii. All Provincial Jail Administrators shall oversee, monitor and remind all cooperative members to send all mailed ballots to the BJMP MPC NHQ immediately within 24 hours after the election.

c. Jail Election Officers:

- i. All Jail Wardens shall supervise the conduct of the BJMP MPC Elections in its assigned jail. He shall likewise ensure that all members of the BJMP MPC in his/her assigned jail shall be able to cast their votes.
- ii. All Jail Wardens shall designate a polling precinct with the required paraphernalia. After the votes have been casted, the Jail Warden shall collate the same, seal it in an envelope and send it directly to the BJMP MPC National Office.
- iii. He/she shall send the ballots immediately within 24 hours to the BJMP Cooperative National Office. In cases where there is no private courier near the unit, the ballot shall be forwarded to the PJA for transmittal to the BJMP MPC National Office.

Section 13. *Manner of Elections.*- Guidelines in the casting of votes during the BJMP Multi-Purpose Cooperative elections.

- i. The list of voters / members shall be sent to all jails nationwide thru the Regional Directors or the Provincial Administrators or the Jail Warden. It shall be published / posted in every jail.
- ii. Voters / members shall affix their signatures opposite their names and indicate therein their ballot number before they cast their individual votes. If name/s of the cooperative member/s is/ are not published, the Jail Election Officers shall add their names in the published list after presenting any legal identity of his membership (coop, passbook, pay slip and other identification of membership). It shall report the same to the BJMP MPC National Office.

iii. The Election shall be conducted in the jail or unit where the member is assigned. Retirees qualified to vote shall cast their votes at the Regional / Provincial Offices or Jail Units nearest to their registered address. Votes shall be cast without undue intimidation from the candidates or any personnel related to them.

iv. The voting shall be by secret balloting using the official ballot as duly approved by the members of the election committee.

v. After the casting of votes, the ballot shall be mailed back to the BJMP-MPC office address or to the Provincial Jail Administrators using the enclosed self addressed envelope. Ballot/s shall be duly thumb marked.

vi. If jails are accessible to fast communication facilities, sealed ballots can be directly mailed by the wardens to the BJMP Multi-Purpose Cooperative National Headquarters.

vii. The Jail Election Officers shall render an official report of the member of personnel who cast their votes, the number of ballots on hand and other observation during the election to be sent to the BJMP MPC NHQ enclosed with the official list of voters.

Section 14. *Prohibition of Proxy and Cumulative Voting.*- No proxy voting and cumulative voting of BJMP- MPC BOD shall be allowed.

Section 15. *Banning of Candidates at Election Precinct.*- The candidates for the Board of Directors shall not be allowed to linger in the polling precinct or stay within 40-meter radius before and after he/she cast his/ her votes.

ARTICLE IV COUNTING AND CANVASSING OF VOTES FOR THE BOARD OF DIRECTORS

Section 16. *Counting and Canvassing.*-The Centralized National Counting and Canvassing of Ballots shall be conducted by the BJMP- MPC Election Committee at the National Office. Hence, all ballots from the respective Regional Offices, Provincial Offices, jails and JNTI shall be immediately forwarded to the BJMP- MPC National Office within 24 hours after the end of election/ casting of votes. All ballots shall be mailed on or before 5:00 o'clock in the afternoon, March 8, 2017.

Section 17. *Counting and Canvassing; How done.*- The counting and canvassing of vote for the BOD shall be made by reading the name/s of the candidate voted for by any of the member of the Election Committee and the same shall be counted/tallied opposite the names of candidates concerned.

Section 18. *Canvassing Area; Prohibitions.* - No candidate/s shall be allowed to enter the canvassing area. They can designate only one representative to enter the designated area as watcher during the final tallying of votes.

ARTICLE V APPRECIATION OF BALLOTS

Section 19. If only the first name or the family name is written in the ballot, the same shall be counted in favor of the candidate having such first name or family name. Provided, that if there is only one word and the name written is the first name of one of

the candidates which is also the family name of the other candidate, the same shall be counted in favor of the latter. Provided further, that if there are two (2) or more candidates having the same first name or family name, ascertainment of the identity of the candidate shall be made by the election committee. Provided finally, that should ascertainment is impossible, the vote shall be considered stray but shall not invalidate the ballot.

Section 20. When two or more words are written on the same line on the ballots, all of which are the surnames of two or more candidates, the same shall not be counted for any of them. Provided, that when two or more words are written on different lines on the ballot all of which are the surnames of two or more candidates bearing the same surname for a vacancy in the BOD for which the BJMP- MPC by-laws authorizes the election of more than one and there are the same number of such surnames written as there are candidates with that surname, the vote shall be counted in favor of all the candidates bearing the surname.

Section 21. When two words are written in the ballot, one of which is the first name of a candidate and the other is the surname of his opponent, the vote shall not be counted for either.

Section 22. When a name of a candidate appears in a space of the ballot for a vacancy for which he/she is a candidate and in another space for which he/she is not a candidate, it shall be counted in his/her favor for the vacancy for which he/she is a candidate and the vote for which he/she is not a candidate shall be considered as stray.

Section 23. When in a space in the ballot there appears a name of a candidate that is erased and another clearly written, the vote is valid for the latter.

Section 24. Where there are two or more candidates voted for in an office for which the BJMP- MPC by- laws the election of only one, the vote shall not be counted in favor of any of them, but this shall not affect the validity of the other votes therein.

Section 25. If the candidates voted for exceed the number of those to be elected, the ballot is valid, but the votes shall be counted only in favor of the candidates whose names were firstly written by the voter within the spaces provided for said office in the ballot until the authorized number is covered.

ARTICLE VI PROCLAMATION OF WINNERS

Section 26. *Proclamation of the Winners.*- The winner/s of the conducted election shall be proclaimed by the Chairman of the Election Committee, BJMP- MPC during the scheduled General Assembly or as decided by the Board of Directors without prejudice to the election protest filed against the winners.

Section 27. *Publication of Votes Received.*- The Chairman of the Election Committee shall make known during the General Assembly the number of votes garnered by the winners from the highest to the lowest for the application of the rotational basis of BJMP- MPC BOD as provided by the Cooperative Law, as amended, and the BJMP- MPC by- laws.

Section 28. *Drawing of Lots.*- In case of tie in the last and final slot or in a slot designated for the purpose as provided by the BJMP- MPC by- laws, the same shall be resolved by drawing of lots. No drawing of lots shall be conducted without the candidates concerned or their authorized representative.

Section 29. *Disposition of Ballots.*- Immediately after the protest period and the newly elected Board of Directors have taken their oath, all ballots used and the list of voters with their corresponding signatures and ballot numbers shall be disposed properly thru shredding by the Committee on Election unless a valid election protest was filed and the disposition of such protest requires the continued existence of the said documents .

ARTICLE VII ELECTION CONTESTS

Section 30. *Jurisdiction of the Election Committee.*- The BJMP- MPC Election Committee shall be the sole judge of any election protest filed against any candidate who garnered sufficient number of votes to be proclaimed as winner in the BJMP- MPC BOD election.

Section 31. *Period of Filing Election protest.*- An election protest shall be filed prior to the proclamation during the General Assembly by the BJMP- MPC Election Committee.

ARTICLE VIII OATH OF OFFICE

Section 32. *Date of Oath Taking.*- The date of the oath-taking of newly elected BJMP- MPC BOD shall be on the date of the General Assembly of BJMP- MPC members and after due notice to all newly- elected Members of the Board as determined by the BJMP- MPC Election Committee.

ARTICLE IX ASSUMPTION OF OFFICE

Section 33. *Assumption of Office.*- Immediately after the oath-taking, the new Board of Directors of the BJMP- MPC shall assume office.

ARTICLE X TERM OF OFFICE

Section 34. *Term of Office.*- The term of office of the newly elected officers shall be two (2) years as provided by the By Laws.

ARTICLE XI REPEALING CLAUSE and ADDITIONAL AUTHORITY

Section 35. *Applicability.*- This 2018 Revised Election Rules and Regulations is applicable until such time that the same or any of its provisions has been amended, repealed or modified accordingly.

Section 36.- *Additional Authority of the Election Committee.*- Nothing herein shall preclude the BJMP- MPC Election Committee from promulgating additional rules, with due notice, in order to promote a fair and just election of BJMP- MPC BOD.

ARTICLE XII
EFFECTIVITY and PUBLICATION

Section 37. *Effectivity*.- This 2018 Revised Election Rules and Regulations of the BJMP Multi-Purpose Cooperative shall take effect as amended and revised by the Election Committee and upon approval by the Board of Directors. A copy thereof shall be published at the BJMP- MPC Publication.

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