



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

**IN THE MATTER OF
REQUESTING THE HONORABLE
SECRETARY OF JUSTICE TO
ASSIGN PROSECUTORS AS
MEMBERS OF A SPECIAL TASK
FORCE CREATED BY THE
COMMISSION TO CONDUCT THE
INVESTIGATION AND
PROSECUTION OF ELECTION
OFFENSES IN CONNECTION
WITH THE MAY 13, 2013
AUTOMATED SYNCHRONIZED
NATIONAL, LOCAL AND ARMM
REGIONAL ELECTIONS.**
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Brillantes, Sixto Jr., S., Chairman
Sarmiento, Rene V., Commissioner
Tagle, Lucenito N., Commissioner
Velasco, Armando C., Commissioner
Yusoph, Elias R., Commissioner
Lim, Christian Robert S., Commissioner
Padaca, Maria Gracia Cielo, M. Commissioner

Promulgated: December 18, 2012

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RESOLUTION NO. 9584
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WHEREAS, one of the constitutional tasks of the Commission on Elections (Commission) is to investigate and where appropriate, prosecute cases of violations of election laws;

WHEREAS, in connection with the May 13, 2013 National, Local and ARMM Regional Elections, this task is hampered by the want of lawyers of the Commission to handle the investigation and prosecution of election offenses;

WHEREAS, under Sec. 43 of R.A. 9369 amending Sec. 265 of the Batas Pambansa Blg. 881, the Department of Justice (DOJ) has concurrent jurisdiction to conduct preliminary investigation of all election offenses punishable under the said act;

WHEREAS, under Sec. 269 B.P. 881, the Commission and all prosecuting officials are enjoined to give preference and priority to the investigation and prosecution of cases involving violations of the election laws;

NOW, THEREFORE, pursuant to the authority vested in it by Sec. 2, paragraph (6), Article IX-C, of the Constitution, and Sec. 265 and Sec. 269 of the

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Omnibus Election Code, the Commission **RESOLVED**, to promulgate as it hereby promulgates as follows:

SEC. 1. COMELEC-DOJ Special Task Force. – the Commission hereby requests the Honorable Secretary of Justice to designate ten (10) Prosecutors of the DOJ as members of a special task force in the National Capital Region and two (2) Prosecutors in each province, hereinafter referred to as COMELEC-DOJ Special Task Force, which shall assist the Commission and the DOJ in the exercise of their concurrent powers to conduct preliminary investigation of election offenses punishable under the existing laws, and prosecute the same. The Law Department and the Office of the Chief State Prosecutor of the DOJ shall jointly supervise the investigatory and prosecutory functions of the COMELEC-DOJ Special Task Force.

SEC. 2. Functions of the Comelec-DOJ Special Task Force. – The Comelec-DOJ Task Force shall have the following functions:

- a. Conduct inquest on persons apprehended in flagrante delicto for violation of election laws committed a day before and on election day, and file the proper information in court, if warranted;
- b. Assist the officials and deputies of the Commission and the DOJ in the investigation and prosecution of election cases; and
- c. Perform such other functions that may be assigned by the Commission and the DOJ in the exigency of service.

SEC. 3. Rules governing preliminary investigation and prosecution of other election offenses. – Preliminary investigation and prosecution of other election law violations not included in Sec. 2 hereof shall be governed by the Comelec Rules of Procedure.

SEC. 4. Turnover of documents and evidence in preliminary examination. – In furtherance of the enforcement of the ban on firearms and security personnel and other election law violations, the Chief of Police of cities/municipalities of the Philippine National Police shall, after conducting the investigation of complainants and witnesses, require all officers and men under his jurisdiction to turn over to the Comelec-DOJ Task Force all documents and evidence in connection with the arrest made for violation of the election laws during the elections.

SEC. 5. Where to hold office; progress reports. – The COMELEC-DOJ Special Task Force for the National Capital Region shall hold office at the Office of the Regional Election Director, National Capital Region, and at the Office of the

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Provincial Election Supervisor for Comelec-DOJ Special Task Force in the province. It shall submit to the Commission and the DOJ periodic progress reports of investigations and prosecutions handled by it under Sec. 2 hereof.

SEC. 6. Effectivity. – This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

SEC. 7. Dissemination. The Education and Information Department shall cause the publication of this resolution and furnish a copies hereof to the Department of Justice and all Chief, Philippine National Police for dissemination to the different station commanders in the country.

Let the Law Department implement this resolution.

SO ORDERED.


SIXTO S. BRILLANTES, JR.
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Chairman


RENE V. SARMIENTO
Commissioner


LUCENITO N. TAGLE
Commissioner


ARMANDO C. VELASCO
Commissioner


ELIAS R. YUSOPH
Commissioner

CHRISTIAN ROBERT S. LIM
Commissioner


MARIA GRACIA CIELO M. PADACA
Commissioner

cc: Chairman
All Commissioners
Executive Director
Deputy Executive Director for Operations
Law Department
Education and Information Department

12/10/2012

