



Electoral Code 2018

I. GENERAL PROVISIONS

Section 1. Title

This document shall be known as the *Sanggunian ng mga Mag-aaral ng mga Paaralang Loyola ng Ateneo de Manila* Electoral Code. For brevity, it shall be known as the Electoral Code.

Section 2. Interpretation and Execution of the Electoral Code

The *Ateneo Commission on Elections (hereinafter referred to as "Ateneo COMELEC" for brevity)*, shall act as the official interpreter and executor of all the provisions of this Electoral Code. This is in consonance with the pertinent provisions of the 2016 Sanggunian Constitution and its most recent amendments, which charges the Ateneo COMELEC with the administration and facilitation of Sanggunian elections, plebiscites, and referenda.

Section 3. Scope of the Electoral Code

This Electoral Code shall apply to all elections and such other matters specified in Article XIII, Section 1.2 of the 2016 Sanggunian Constitution and its most recent amendments. An accredited student political party and sector shall be under the jurisdiction of the Ateneo COMELEC at all times.

II. STUDENT POLITICAL PARTIES

Section 1. Formation of Parties

The Ateneo COMELEC recognizes the students' right to form political parties (*hereinafter referred to "parties" for brevity*). However, accredited parties shall be bound by the provisions of the Electoral Code.

Section 2. Purpose of Parties

Parties are formed by students sharing the same ideology with the purpose of representing the student body, giving voice to timely concerns, and helping in the thrust for social and political awareness among Ateneans.

Section 3. Number of Parties

There shall be no restriction as regards the number of parties which may be formed. A duly- accredited student political party shall have the right to field candidates.

Section 4. Establishment of Parties

Any member of the Ateneo de Manila Loyola Schools (*hereinafter referred to as "Ateneo" for brevity*) student body, as defined by the 2016 Sanggunian Constitution, may initiate the establishment of any party.

Section 5. Requirements for Accreditation of Parties

- a. Each party must be headed by a Board of Trustees composed of five (5) members, with at least fifty percent of the Board not running for any position in the current elections. A member of the Board of Trustees chosen by the party must serve as the party's representative and spokesperson.
- b. All parties must maintain a minimum of forty (40) members at all times. All party members *seeking elective and appointive positions in the Sanggunian* must be officially enrolled as regular students of the Loyola Schools.
- c. During the filing for accreditation, a hard and soft copy of the following documents must be submitted to Ateneo COMELEC at MVP 010 or MVP 221 and to the official *Ateneo COMELEC* electronic mail address (comelec.ls@obf.ateneo.edu)
 - i. A constitution that includes the vision, mission, and goals of the party, qualifications for membership and officership, and the delegation of duties and responsibilities
 - ii. An updated list of all party members and officers, indicating their respective year levels, courses, ID Numbers, as well as contact details which include, but shall not be limited to, their mobile phone numbers and official *Ateneo OBF E-Mail Accounts*
 - iii. A calendar of the party's proposed activities and projects for the school year¹
 - iv. A formal letter of intent signifying intention to be accredited as a party, addressed to the Board of Commissioners;
 - v. Party name and logo
 - vi. The political party's Code of Internal Procedures or any other pertinent document relating to internal governance;

¹ At least 50% of the original list of activities must take place. If not, they will not be accredited in the next election period.

vii. Completed Form 3 as given by *Ateneo COMELEC*;

viii. Any and all additional documents or requirements the Ateneo COMELEC may require of the party

d. The Ateneo COMELEC and the Ateneo Student Judicial Court (*hereinafter referred to as the "ADMU SJC" for brevity*) shall conduct interviews and/or inspections of the party prior to the accreditation, provided the Ateneo COMELEC serves advance notice of such an interview and/ or inspection at least thirty-six (36) hours before the date of the said interview and/or inspection.

e. The Ateneo COMELEC will accept application for accreditation any time within the school year; except any and all applications filed two (2) weeks before and two (2) weeks after the elections being held.

f. After a thorough evaluation of the documents submitted and pertinent data gathered during the accreditation process, the *Ateneo COMELEC* will decide on the accreditation status of the applying political party. Status of the party shall be announced through a resolution not later than seven (7) school days after the accreditation documents have been passed.

Once accredited, any change thereof that will be implemented, as the members of the party seem fit, must be acknowledged by the Commission. The party must duly notify and await acknowledgement before officially implementing such changes. Otherwise, the political party is subject to the sanctions provided in this Code.

g. The validity of the accreditation of parties shall be maintained until three (3) days prior to the start of the next filing of candidacy for the General Elections. In order to be re-accredited, parties must submit the hard and soft copy of the following:

i. Updated list of members;

ii. Proposed calendar of activities for the school year;

iii. Written pledge of the Board of Trustees signifying the board's responsibility over the actions that will be taken by the political party and the board's agreement to abide with the rules of *Ateneo COMELEC's Electoral Code*;

iv. Updated *Code of Internal Procedures*;

h. Failure of any party to meet the deadline of the submission of the requirements for accreditation shall result in its disqualification to field candidates for all elections to be conducted by Ateneo COMELEC for the school year. This, however, does not disqualify party members to run for office independently or under a coalition.

i. Party members that wish to run for office independently shall be automatically deemed resigned from the party.

Section 6. Jurisdiction of Political Parties

The jurisdiction of a political party is limited to its members.

Section 7. Candidates running under a Political Party

- a. An accredited party must submit to the Ateneo COMELEC its final list of candidates on or before the last day of the period for filing of candidacy. Failure to do so entails sanctions for the party involved.
- b. Parties have the prerogative of having their own process in selecting candidates they will field in each election.

Section 8. Sanctioning Political Parties

Sanctions given to violating political parties may or may not have any bearing on the eligibility of the candidates of those parties to run. The *Ateneo COMELEC* shall review these violations on a case-to-case basis. Corresponding sanctions², other than those provided in this Electoral Code, may be given by the Ateneo COMELEC as they deem fit.

III. COALITIONS

Section 1. Formation of Coalitions

The Ateneo COMELEC shall allow candidates to run under coalitions. Coalitions, as used in this document, shall be construed as temporary alliances for campaign purposes among candidates. Filing of Coalitions shall start after the last day of Filing of Candidacy and shall end the day before the start of Paraphernalia Processing.

Section 2. Number of Coalitions and Coalition Members

There shall be no restrictions as regards the number of coalitions that may field candidates in any and all *Sanggunian* elections.

Section 3. Internal Organization of Coalitions

The internal organization of coalitions shall be left to the discretion of the members of the said coalitions. The coalition shall be headed by a Coalition Representative that shall serve as the official spokesperson of the coalition and the overseer of the coalition's activities.

² Sanctions may include putting the political party under probationary status for the Political Party Accreditation immediately following the election when the violations were incurred.

Section 4. Requirements for the Formation of Coalitions

Candidates forming a coalition must inform the *Ateneo COMELEC* of their intention to do so during the Filing of Candidacy. To do this, an accomplished *Ateneo COMELEC Form 2 (Application for Coalition Formation)* must be submitted. Once submitted, a proposal for the formation of a coalition is final and may not be withdrawn. Signatories to it who have not yet met all the requirements for candidacy at the time of its submission are prohibited from joining the said coalition.

Section 5. Coalition Campaigning

- a. Members of the same coalition can share campaign materials as well as the corresponding costs.
- b. Coalitions can call for mass actions. These mass actions shall be subject to the same regulations as those of individual candidates, as defined by this Electoral Code.
- c. The symbolic representation of coalitions shall be limited to the use of their coalition name. Their name shall serve as their logo and shall be used for all their promotional materials. Such name and their chosen tagline shall not be affiliated with any political party. Coalitions can refer themselves by the name they adopt.
- d. Coalition members are prohibited from wearing coalition paraphernalia, hereby defined as any material promoting a coalition not specified in the General Campaign Guidelines. Coalition paraphernalia include, but are not limited to, ID lanyards, shirts, and pins. Coalition members are prohibited from promoting their coalition per se.

Section 6. On Sanctioning Coalitions

Failure to meet the requirements for candidacy of one or more signatories to a coalition proposal does not prevent the establishment of the coalition it proposes and the participation of the other signatories in the said coalition. Sanctions on a coalition member for other violations of the Electoral Code may or may not be meted out to the other members of his / her coalition. The *Ateneo COMELEC Board of Commissioners* shall review these violations on a case-to-case basis. Corresponding sanctions would be given as provided in Article VI Section 4 of this code.

Section 7. Validity of Coalitions

The validity of a coalition begins on the day of its approval and shall cease existence at the end of the campaign period.

IV. ELECTION PERIOD

The election period shall start on the first day of the filing of candidacy and shall end fifteen days after the last polling day.

V. CANDIDACY

Section 1. Eligibility for Candidacy

All candidates must be members of the Ateneo student body as defined in the *2016 Constitution*. They must meet the requirements set by the *2016 Constitution* and its most recent amendments. Candidates must neither be members of the *Ateneo COMELEC*, the *Office of the Ombudsman*, the *Commission on Audit*, nor the *Ateneo SJC*. In addition, they must meet any additional requirements to be set by the Ateneo COMELEC in a resolution.

A candidate must not be subject to academic probation and/or must not be serving a disciplinary sanction at the time of his / her filing of candidacy. A candidate charged of disciplinary misconduct during the election period shall be allowed to run for office. However, in the case of winning in the election, he / she would not be allowed to take his / her oath of office until such time as the said disciplinary case is resolved in his / her favor. Documents pertaining to said process shall be produced by the *Office of Student Services* with utmost confidentiality and shall be received and handled solely by the *Chief Commissioner* and the *Commissioner of Secretariat*.

For the duration of the campaign period, a candidate should not hold any major position in any of the officially recognized extracurricular organizations of the Loyola Schools (including-but not limited to, *Council of Organization of the Ateneo* [hereinafter referred to as “COA” for brevity] and COA-accredited organizations, *Ateneo Residents Student Association*, *Sanggunian* Departments, Committees, and Task Forces). If the candidate in question does hold a position, it is imperative that the said candidate take a leave of absence specifically from his/her position in the organization.

Upon review of the required documents, the Board of Commissioners may compel the aspiring candidate to provide a copy of their *Letter for Leave of Absence* and his/her organization’s *Code of Internal Procedures* if the Commission finds that their rank is equivalent to an executive board position. A separate resolution shall be issued by *Ateneo COMELEC* defining major positions and processes to be undertaken for the purposes of elections.

Section 2. Positions for Candidacy during General Elections

a. The positions of *Sanggunian President* and *Vice President* shall be open to all qualified students.

- b. The positions of *School Representative* shall be open to all qualified students belonging to their respective schools they wish to represent.
- c. The positions of Course Representatives shall be open to all qualified students in their respective courses and year levels they wish to represent.
- d. In case of candidates for the positions mentioned above other than the positions of *Sanggunian President* and *Vice President* who are shifting to a degree program outside their current school, approval of candidacy shall be granted upon presentation to the *Ateneo COMELEC* of a letter from the dean of the school or chairperson of the department to which he/she is shifting to, provided that all the other requirements stipulated in this Code are fulfilled and/or accomplished before the deadline. The letter should certify that the candidate would be shifting into that school at the start of the semester following the elections.

Section 3. Positions for Candidacy during Freshmen Elections

The positions of Freshmen Course Representatives shall be open to all qualified students of the Loyola Schools belonging to their respective course and year levels they wish to represent.

Section 4. Filing of Candidacy

- a. A period of at least three (3) working³ days for filing of candidacy shall be provided. The Ateneo COMELEC can call for an extension if deemed necessary.
- b. The Ateneo COMELEC shall release the official list of candidates two (2) working days after the last day of the filing of candidacy period.

Section 5. Requirements for Candidacy

The documents to be passed for candidacy shall all be submitted in soft copies only.

- a. A *Certificate of Candidacy (Ateneo COMELEC Form 0)*.
- b. A signed pledge (contained in *Ateneo COMELEC Form 0*) to the student body, signifying the intention to uphold the rules of this *Electoral Code*. Any violation of this pledge would be regarded as an act running against the interest of the Ateneo student body and of free, honest and orderly elections, and shall be sanctioned as such.
- c. A curriculum vitae, which format is contained in *Ateneo COMELEC Form 0*, shall be required from all candidates. A platform, contained in *Ateneo COMELEC Form 1*, shall also be required. The formats of the said requirements shall be issued by the

³ Working days exclude Saturdays and Sundays.

Ateneo COMELEC at the latest a week before the deadline for meeting all the requirements for candidacy, except for the attendance at the General Assembly for candidates

d. A copy of the letter of resignation or leave of absence from any major positions in any of the stated organizations of the Loyola Schools, as defined by a separate *Ateneo COMELEC* resolution.

e. Attendance in any Sanggunian Orientation (should there be any) at a date to be set by the *Ateneo COMELEC*. Proxies will only be allowed for candidates still on Junior Term Abroad (*hereinafter referred to as "JTA" for brevity*). In line with this, he/she must submit a letter stating that he/she is on *JTA* and cannot attend the Sanggunian Orientation personally, and a letter authorizing his/her proxy to represent him/her for the rest of the election process

f. Attendance in any of the Candidates' General Assembly (*hereinafter referred to as "CGA" for brevity*) at the dates to be set by the *Ateneo COMELEC* is required of the candidates. Otherwise, it will be considered a withdrawal from the position applied for. Proxies will only be allowed for candidates on *JTA* and special cases upon the discretion of the Board of Commissioners.

Example of special cases may range from hospitalization, to out of town/country conferences, or events that have been scheduled for more than a month before the set date of the general assembly. The candidate shall submit a formal letter to the Commission. The soft copy of the letter shall be passed to *Ateneo COMELEC's* official electronic address three (3) days before the *CGA* containing their reason for absence, proof for absence, and name of designated proxy.

g. Bond payment of Php 500.00 for individual candidates not running under parties , Php 300.00 for candidates running under a party or coalition, and Php 200.00 for candidates running under a party and coalition.

h. Bond payment of Php 1,500.00 for political parties and Php 2,000 for coalitions.

VI. CAMPAIGN REGULATIONS

Section 1. Campaign Period

a. The Campaign Period shall start on a date to be set by the *Ateneo COMELEC Board of Commissioners*, and shall end on the day before the first election day.

b. The candidates shall be held responsible for removing all their campaign paraphernalia the day after the election period. These include, but are not limited to, posters and teasers posted on campus except body tags worn by supporters.

Corresponding sanctions shall be given by the Ateneo COMELEC Commissioners to violating candidates, coalitions, and/or parties.

c. During the election period, campaign materials and other forms of campaign are not allowed on the polling stations and three feet beyond the perimeter, to be designated by *Ateneo COMELEC*.

Section 2. Regulations on Campaigning and Campaign Materials

Regulations concerning the allowed type and quantity of materials, as well as any additional regulations concerning campaigning shall be issued by the Ateneo COMELEC through a resolution at least five (5) school days before the start of the campaign period. In the event that the Ateneo COMELEC does not issue a resolution, the status quo shall be maintained. Any violation of these regulations shall be considered a violation of the Electoral Code.

Section 3. Candidates' Responsibility towards their Supporters

The candidate must ensure that their supporters are well aware and well informed of the campaign rules. Candidates will be held accountable for the actions of their supporters and thus, should remind them to act in accordance with the campaign rules. Any violation with regard to the *Electoral Code* may lead to an *Ateneo COMELEC* investigation and a possible sanctioning of the candidate, student political party, or coalition.

Section 4. Sanctions

a. Applicants who fail to meet the deadline of submission or fulfillment of all the requirements shall be disqualified.

b. Election Offenses

Election offenses include, but are not limited to, the following:

i. Minor offenses:

-Issuing and/or posting unapproved election paraphernalia

-Undue influence

ii. Major offenses:

-Vote buying and vote selling

-Conspiracy to bribe voters

- Coercion of election officials
- Threats, intimidation, use of fraudulent device, or any other forms of coercion
- Issuing and/or circulating false and/or malicious statement against any member of the LS Community
- Falsification of information in any election-related document and/or paraphernalia
- Cheating and/or dishonesty as stipulated in Article VIII, Section 7.
- Resistance to the enforcements done by the *Board of Commissioners* with regard to this Code.
- Violation of the provisions stated in this Code
- Any major offense indicated in the student handbook of the Loyola Schools

c. For offenses not stated above (e.g., unlawful electioneering). This Code gives power to the *Ateneo COMELEC Board of Commissioners* to determine whether the offense committed by the candidate(s) and/or his/her party or coalition shall be considered a minor or a major offense. This shall be made in consultation with the SJC.

d. Sanction for the first incurrence of a minor offense would be a 25% decrease in the quantity ceiling and bond payment of both candidate in offense and the party or coalition he/she is in.

e. Sanction for the second incurrence of a minor offense would be another 25% decrease in the original quantity ceiling and bond payment.

f. Sanctions for the third incurrence of a minor offense would be: 1) prohibition from campaigning, wherein in addition, all campaign materials posted within the campus should be removed within 12 hours after issuance of the sanction; and 2) issuance by the candidate of a public announcement of the violation and a written public apology. Failure to comply with these would result to disqualification.

g. Sanctions for the first incurrence of a major offense would be a 50% decrease in the quantity ceiling and bond payment, a public announcement of the violation, and a written public apology.

h. Sanction for the second incurrance of a major offense for individual candidates would be their disqualification. All campaign materials posted within the campus should be removed within 12 hours after the issuance of the sanction. Sanction for the second major offense for political parties and/or coalitions would be the revocation of the party's or coalition's accreditation and the possible disqualification of the candidates involved to be determined upon consultation with the SJC. In addition, all campaign materials of the party or coalition posted within the campus should be removed within 12 hours after issuance of the sanction.

i. The determination of whether a violation of the *Electoral Code* was committed from the release of the official and final results of the elections to the end of the election period would be under the jurisdiction of the *Ateneo SJC*. However, the responsibility for investigating such violations would belong to the *Ateneo COMELEC*.

Section 5. Complaints, Inquiries, Appeals, Protests

a. All complaints, inquiries, appeals, or protests before the release of the official and final results must be directed to the Ateneo COMELEC. Submission will depend on the ff: 1) Complaints, inquiries, appeals and protests regarding minor offenses/violations need not require a written letter and may instead, be filed to the official Ateneo COMELEC email; 2) major offenses/violations require an official letter submitted in triplicate form. All unwritten complaints, inquiries, appeals, or protests shall not be taken into consideration.

b. All necessary evidence for complaints shall be provided by the candidate, coalition or party filing the complaint, inquiry, appeal, or protest.

c. Decision and action shall be taken by the Ateneo COMELEC only with properly filed complaints, inquiries, appeals or protests within twenty four (24) hours.

d. Complaints must be done professionally. The use of, but not limited to, foul language, aggressive action/s meant to hurt, and verbal harassment will strictly not be tolerated. Failure to do so will merit the concerned candidate, political party, and/or complainant a major violation and possibly a case filed to the SJC.

Section 6. Appeals to the Student Judicial Court

a. The SJC holds appellate jurisdiction over matters involving the constitutionality, legality or jurisdiction of acts, policies, resolutions and decisions of the Ateneo COMELEC.

b. The SJC holds jurisdiction over cases filed against Ateneo COMELEC and/or its commissioners.

c. All protests filed after the release of the official and final results shall be directed to the SJC.

d. Complaints must be done professionally. The use of, but not limited to, foul language will not be tolerated. Proper sanctions as stated in this code will be enforced to the concerned party, coalition and/or candidate.

VII. QUALIFICATION OF VOTERS

All voters must be members of the Ateneo student body as defined in the 2016 Sanggunian Constitution.

VIII. CASTING OF VOTES

Section 1. Voting Centers

a. The Ateneo COMELEC Commissioners shall designate the location of voting centers as they deem fit. Eligible voters may cast their votes at any voting center, provided that they do not vote more than once in the same election.

b. In the event that the voter is under the JTA program during the election period, the Ateneo COMELEC Commissioners shall send through email a copy of the voters' manual together with an electronic ballot. The absentee votes shall be counted at most 24 hours after the final day of elections. The said ballots shall be sent to Ateneo COMELEC's official electronic address.

Section 2. Time

a. The casting of votes shall begin at 9:00 AM and end at 5:00 PM any time not earlier than 8 AM and shall not be later than 5 PM. Voters can vote only during this period. However, the *Ateneo COMELEC* has the option to extend the period for voting if the need arises.

b. The *Ateneo COMELEC* can only extend voting hours for a maximum of four (4) hours past the time stated.

c. Election period for voters under the JTA program shall start at 9:00 am of the first day of the Election Period and shall end at 5:00 pm of the last day of the said period (official AISIS date and time), and any extension shall apply. Voters under the JTA program shall be informed of any extension at least eighteen (18) hours prior to the effect of the extension.

d. Political parties shall be provided with IDs c/o *Ateneo COMELEC* for easy identification if they are going beyond the given distance. Otherwise, they are violating electoral procedures. The *Ateneo COMELEC* shall provide identification tags for members of political parties, coalitions, and candidates during the election proper. This is for the purpose of easy identification on the part of the poll officers and poll watchers if said individuals are going beyond the given distance from the polling station. If said tags are used for campaigning, they shall receive corresponding sanctions from the Commission.

Section 3. Persons Allowed to Stay at the Voting Centers

a. Only assigned poll officers, official Ombudsman poll watchers, and COMELEC Core members are allowed in each voting center.

b. Candidates and supporters must not stay within the immediate vicinity (to be set by markers determined by the *Ateneo COMELEC Board of Commissioners*) of the voting center except when casting their votes. This will be enforced by the assigned *Ateneo COMELEC* representative and Ombudsman official assigned at that particular voting center.

c. Only persons wearing authorized identification tags of the *Ateneo COMELEC* may stay at the voting areas. Authorized persons include the *Ateneo COMELEC* Core, poll officers and authorized Ombudsman officials.

Section 4. Voting Procedures for Manual System

a. Voters shall present their student ID to the poll officer for identification. Students without a validated school ID shall not be allowed to vote if they do not have a temporary school ID issued by the Office of Student Services.

b. The poll officer shall present the student an official *Ateneo COMELEC* ballot with an official COMELEC stamp after the voter signs up in a different sheet the day, time and location of the voting center.

c. The voter shall fill up the ballot and then place it in the ballot box. He / she shall not show the ballot to any other person for any reason.

d. The voter should countersign any mistakes or erasures. Erasures and random markings are not allowed. Determination of spoiled votes shall be under the discretion of the *Ateneo COMELEC Board of Commissioners*.

e. The *Ateneo COMELEC Board of Commissioners* shall craft additional procedures as deemed fit.

Section 5. Voting Procedures for Automated System

- a. A voter shall present his/her student ID to the poll officer for identification. Students without validated school IDs shall not be allowed to vote if they do not have temporary school IDs issued by the Office of Student Services.
- b. The poll officer shall provide the voter a piece of paper containing the password he/she needs in order to log into the system.
- c. The voter shall cast his/her vote in any of the available computers in the voting center. He/she cannot show/tell his/her votes to another person for any reason.
- e. The Ateneo COMELEC Commissioners shall craft additional procedures as deemed fit.

Section 6. Calling off Elections, Plebiscites and / or Referenda

The Ateneo COMELEC Commissioners meeting en banc can stop, call off or postpone elections, special elections, plebiscites, and/or referenda in a voting center and call a new one in the event that the sanctity of the ballot has been threatened or violated. However, such decision should be made in concurrence with the SJC.

Section 7. Cheating and Dishonesty at the Polls

Cheating or dishonesty at the polls is equivalent to two (2) major offenses and shall be reported to the Office of the Associate Dean for Student Affairs of the Loyola Schools Student Services.

IX. COUNTING OF VOTES

Section 1. Manual System

Section 1.1. Sealing of the Ballot Boxes

As soon as the voting period ends and before the ballot boxes are moved, the slots of the ballot boxes must be sealed. The Ateneo COMELEC Commissioners present shall affix their signatures on the seal of the said ballot boxes.

Section 1.2. Absence of Candidates and / or Authorized Representatives

The ballot boxes shall be sealed even in the absence of any candidate and / or authorized representative.

Section 1.3. Pre-Count Vigil

Counting shall begin within four (4) hours after the sealing of the ballot boxes. Prior to this, the ballot boxes will be brought to the Ateneo COMELEC headquarters.

Section 1.4. Opening of Ballot Boxes for Counting

The ballot boxes may only be opened by the Ateneo COMELEC Commissioners. Candidates and / or their representatives may be present outside the room to witness the said event.

Section 1.5. Sanctity of the Ballot

The ballots may only be held by the Ateneo COMELEC Commissioners. Violation of this provision will render the said ballot void.

Section 1.6. Persons Present during Counting of Votes

During the counting of votes, the only persons allowed in the immediate vicinity where the votes are counted are the Ateneo COMELEC Core members. Office of Student Activities professionals may stay within the building wherein the votes are counted.

Section 1.7. Supervision and Control during Counting of Votes

The Ateneo COMELEC Commissioners are to supervise the counting of votes to ensure the holding of free, honest and orderly elections. Associate Commissioners are to execute the counting of votes.

Section 1.8. Definition of Stray Votes and Void, Spoiled, or Incomplete Ballots

- a. Stray votes are hereby defined as votes for candidates or positions that the voter is ineligible to vote for. This shall not invalidate the entire ballot.
- b. Ballots are considered void when evidence exists that two or more ballots originated from a same voter / flying voter. This automatically renders all ballots in question void.
- c. The validity of incomplete ballots shall be subject to the discretion of the quorum of the Ateneo COMELEC Commissioners.
- d. For cases that were not described above, or wherein the clauses are not sufficient, this code provides full jurisdiction to the *Ateneo COMELEC Board*

of Commissioners with regard to invalidating questionable ballots, and / or including them towards the number of votes required to each quota.

Section 1.9. Date of Release of Results

The date of release of the official results shall not exceed two working days after the last day of the elections.

Section 1.10. Protests

After the release of the official results, twenty four (24) hours, excluding Saturday and Sunday, shall be allotted for the filing of any formal protests regarding the results. In the event that no complaints are made, the results shall be declared official and final by the *Ateneo COMELEC*.

Section 1.11. Recount

- a. It is the Ateneo COMELEC Commissioners' prerogative to call for a recount when deemed necessary.
- b. Any member of the Ateneo student body with due cause, may appeal to the Ateneo COMELEC to grant a recount.

Section 2. Automated System

Section 2.1. Sanctity of the Ballot

Only assigned persons to operate the system and the Ateneo COMELEC Core can handle the computers used for the elections.

Section 2.2. Persons Present during Counting of Votes

During the counting of votes, the only persons allowed in the immediate vicinity where the votes are counted are the Ateneo COMELEC Core members and the assigned persons to operate the system. Office of Student Activities professionals may stay within the building wherein the votes are counted.

Section 2.3. Supervision and Control during Counting of Votes

The *Ateneo COMELEC Board of Commissioners* are to supervise the counting of votes to ensure the holding of free, honest and orderly elections. Associate Commissioners are to execute the counting of the votes.

Section 2.4. Definition of Stray Votes and Void, Spoiled, or Incomplete Ballots

Protocols for stray, void, spoiled and incomplete ballots shall be identical to those enacted in Article IX, Section 1.8.

Section 2.5. Date of Release of Results

The date of release of the official results shall not exceed two (2) days after the last day of the elections.

Section 2.6. Protests and Recount

Protocols for protests and recount shall be identical to those enacted in Article IX, Section 1.10 and Section 1.11.

X. TYPES OF ELECTIONS

Section 1. General Elections

- a. It is defined as elections wherein all position in the Sanggunian are open except for Freshmen Course Representatives. Only incoming sophomores, juniors, seniors, and super seniors may participate in this election.
- b. General elections shall be held at the end of second semester of the school year.
- c. General Elections may be held at the start of the school year together with Freshmen Elections in the following circumstances:
 - i. If the ratification of the Constitution takes effect starting at the end of the second semester of the previous school year.
 - ii. If there is a national emergency that hinders the Commission from holding elections at the end of the school year.

Section 2. Freshmen Elections

- a. It is defined as elections wherein the only positions open are Freshmen Course Representatives. Only freshmen can participate in this election.
- b. Freshmen elections shall be held at the start of the first semester of the school year.

Section 3. Special Elections

- a. It is defined as elections organized to fill up vacant positions for Course Representatives due to a lack of candidates, should there be no Home Organization for the course who lacks a representative or no consensus is reached with the Home Organization.
- b. It is defined as a remedy to abstention, in which case Special elections shall be conducted to fill up that position. The *Ateneo COMELEC* shall devise a method to ensure that those who lose to abstain shall not be qualified to run in Special Elections in order to respect the student's right to abstention, while at the same time ensuring the right of students shall also not be disregarded. A separate memorandum shall be promulgated by *Ateneo COMELEC* to further explain the conduct of Special Elections in this case

- c. Special Elections shall be held not later than two (2) weeks following the regular elections

Section 4. Run-Off Elections

- a. It is defined as elections organized for candidates running for the same position who has garnered a tie in the number of votes.
- b. Run off elections shall be held not later than two (2) weeks following the regular elections.
- c. If the run-off elections still result to a tie, the Commission will decide the appropriate measures to be undertaken.

Section 5. Sector Elections

- a. It is defined as the elections within the sector to vote for their sectoral representative. Only official members of the respective sector can participate in the said sector's election.
- b. Sector Elections will be held not later than two (2) weeks following the memorandum declaring the sector accredited.

XI. VALIDITY OF ELECTION

Section 1. Validity

The elections shall be declared valid after the completion of the counting of votes casted.

Section 2. Votes of Seniors and Super-seniors

In validating general elections, the constituency refers to the incoming sophomores, juniors, seniors, graduating seniors and super-seniors. Graduating seniors and super-seniors shall be included in the General Elections as Article II, Section 3 of the 2016 Sanggunian Constitution states the right to vote by every student.

XII. FAILURE OF ELECTION AND VACANCY

Section 1. Failure of Elections

The following instances may result in the failure of elections to be declared by the Ateneo COMELEC:

- a. Eligibility attained through fraudulent means.

- b. Declaration made by the *SJC*.
- c. Other situations which the *Ateneo COMELEC* deems fit

Section 2. Vacancies

The following instances may result to vacancies of positions:

- a. Declaration of failure of elections
- b. No applicants for the position
- c. Impeachment
- d. Resignation
- e. Mental incapacity
- f. Physical incapacity

XIII. PROCLAMATION OF NEWLY ELECTED OFFICERS

Section 1. Requirements for Winning

In order for a particular candidate to win a position, the number of votes for him/her should be greater than the number of abstentions as well as the number of votes for each of his/her opponents, should he/she have any.

For course representatives, number of winning candidates shall depend on an appropriate formula to be determined by the Commission and shall be announced through a resolution.

Section 2. Post-winning

Upon winning, the *SJC* and *Ateneo COMELEC* may possibly but not necessarily require newly elected officers to sign a binding commitment for the officer to join, at the most, a 3-hour seminar to be conducted by the *SJC* and *Ateneo COMELEC* to coordinate their efforts with the *Sanggunian* in its year-long endeavors. Non-attendance may be sanctioned by the *SJC*.

XIV. SECTORS

Section 1. Definition of Sectors

A sector is an organized group of undergraduate students of the Loyola Schools who share a specific primary characteristic and who aim to represent their underrepresented interests by advocating for their common ideologies, principles and causes.

Section 2. Becoming A Sector

Any organized group of undergraduate students of the Loyola Schools may file a petition for recognition as a sector with the Commission, providing both a hardcopy and softcopy. This organized group shall have a minimum of ten (10) *bona fide* members at the time of filing.

Eligible non-*bona fide* students may join a sector upon its recognition, but are not counted in the required minimum number of members during the approval period of a petition or a sector's renewal.

Section 3. Contents of the Petition

The petition for recognition as a sector shall contain the following information and attached documentation:

- a. The sector to be represented and a description of that sector;
- b. A formal letter of intent signifying intention to be recognized as a sector, addressed to the Commission;
- c. A list of all petitioners, including the lead petitioner, indicating their respective year levels, courses, ID numbers, as well as contact details which include their mobile phone numbers and official Ateneo OBF email addresses;
- d. Certification, signed by all petitioners, that all petitioners are aware of the petition and have given consent thereto;
- e. Certification, signed by the lead petitioner, that it commits to comply with the laws, rules, and regulations relating to elections;
- f. A constitution that includes the vision, mission, and goals of the sector, its internal organizational structure, qualifications for membership, electoral process of sectoral officers (except for its Sectoral Representative), the delegation of duties and responsibilities among those officers, third-party groups or organizations to which the petitioners are affiliated, plans and projects to be implemented by the proposed sector;
- g. The lead petitioner, who shall be automatically deemed as the official spokesperson of the organized group of petitioners, shall affix his/her signature at the bottom of the petition and shall state an oath in the presence of a Commissioner that he/she has caused such preparation and filing of the petition and has understood and acknowledged that all of the contents in said petition is true and correct;
- h. Any and all additional documents or requirements the Commission may require of the petitioners.

Section 4. Refusal of Petition

The Commission has the right to refuse any petition for recognition should the petitioners have any of the following characteristics:

- a) The petitioners seek to represent an accredited or emergent student organization
- b) The petitioners seek to represent a block or a course, or are affiliated only by interpersonal relationships
- c) The petitioners seek to represent a geographic area, or are only affiliated by geographic area
- d) The petitioners seek to promote or utilize actions or calls to action inimical to student welfare, in violation of the Student Handbook, or are otherwise unlawful
- e) The petitioners declare untruthful statements in pursuit of their petition
- f) The petitioners present concerns and advocacies far beyond their proposed purpose or constitution.
- g) Other characteristics duly-adjudged unacceptable by the Commission

Section 5. When to file the petition

A petition may be filed at any point on a regular school day, in the regular school year (not including intersession). The date of the promulgation of the approval of the petition shall be regarded as the date of initiation of the referendum.

XV. REFERENDUM

Section 1. Definition of Referendum.

“Referendum” is the power of the electorate to approve or reject the petition of a body or group of people vying for the same purpose through an election called for the purpose of such petition. The referendum shall be in the form of signatories.

A “sectoral referendum” is a referendum specific to the purpose of recognizing a group of petitioners as a sector.

Section 2. Definition of Petition.

“Petition” is the written instrument containing the proposition of a body or group of people vying for the same purpose. The petition shall be later accompanied by a list of signatories obtained from the student body.

Section 3. Who may exercise such right to referendum

The power of referendum may be exercised by all undergraduate students of the Loyola Students as defined by the *2016 Constitution*.

Section 4. Requirements for the referendum

At least 10% of the undergraduate student population must affirmatively sign the petition during a referendum in favor of the petitioners for a sector to be recognized the purpose of creating sectors and submit such signatories to the Commission.

Section 5. Verification of Signatures

The Department of Secretariat shall verify the signatures based on the undergraduate student list to be obtained from the Loyola Schools Registrar and the signatories' identification numbers used in the conducted referendum.

Section 6. Conduct and Date of the Referendum

The Commission shall call and supervise the conduct of the referendum. A referendum should be completed within thirty (30) days of its initiation. If the referendum does not pass, the organized group may not seek another referendum for another thirty (30) days.

The organized group must conduct the referendum at a specific location in campus, although its officially-designated representatives can roam the campus to inform the student body about the sector and the referendum. The location for the referendum shall be given to the Commission. The Commission shall monitor the organized group for the rest of the duration of the referendum.

Section 7. Platforms for Promotions

The organized group can only start promoting their petition for sectoral representation after the official announcement by the Commission giving them permission to conduct a referendum. The organized group can use the following promotional platforms:

- a. Social media
- b. Posters around campus including lampposts and grille tarps
- c. Use of the OBF accounts or other e-mail related contacts

All promotional materials shall be disclosed to *COMELEC* for approval. Posters shall be posted starting the day that permission was given to conduct a referendum and shall be immediately removed after the last day of referendum.

Section 8. Disqualification from the Conduct of Referendum

The organized group can be disqualified from conducting referendum if the following are observed:

- a. Using threat or coercion to obtain signatures
- b. Using untruthful statements when promoting the advocacies of the organized group
- c. Other reasons deemed unacceptable to the Commission

Section 9. Submission of Results for Referendum

After the allotted thirty (30) days for referendum, the organized group shall submit the signatories to the Commission. The Commission shall then have 10 days for verification of signatures.

Section 10. Effectivity of the Result of Referendum

The petition of approval of an organized group to become a legitimate sector shall be submitted and approved by at least 10% of the undergraduate student population of the Loyola Schools.

If, as certified by the Commission, the proposition is approved by at least 10% of the undergraduate student population, the Commission shall then release a memorandum stating the the body has been voted as a legitimate sector. After 3 days of protest period and there are no complaints against the referendum held, the Commission shall then release a resolution declaring the organized group as an accredited sector.

However, if the required number of votes is not obtained, the body vying for sectoral representation shall be rejected of sectoral accreditation. Thus, status quo remains.

Section 11. Protest Period

The Commission will allot 3 days protest period.

- a. All complaints, inquiries, appeals, or protests before the release of the official and final results must be directed to the Commission. It shall be in a triplicate form stating the rationale behind the protest. A soft copy shall be sent to Ateneo COMELEC's official electronic address.
- b. All evidence shall be included in the petition and shall be provided by the petitioner.
- c. Decisions and actions shall be taken by the Commission only with properly submitted protests within seventy-two (72) hours.
- d. Complaints must be done professionally. The use of, but not limited to, foul language, aggressive action/s meant to hurt, and verbal harassment will strictly not be tolerated. Failure to do so will merit complainant a major violation and possibly a case filed to the *SJC*.
- e. Any protests done after the official release of results shall be directed to the *SJC*.

XVI. SECTORAL STRUCTURE

Section 1. Sectoral Representative

Upon formation, a sector is to select one (1) sectoral representative from its *bona fide* members. The sectoral representative shall act as the official representative of the sector they belong in and shall oversee the status of the sector.

Students are allowed to be a part of multiple sectors. However, a student is only allowed to be a sectoral representative in one (1) sector.

Section 2. Election of Sectoral Representative

The election method for the sectoral representative shall be designed by the Commission.

Section. 2.2. Election method

Votes are to be cast using ballots which are subsequently dropped into designated ballot boxes. The option to abstain shall be respected in such election. A sectoral representative is chosen once a candidate garners the plurality vote. Only *bona fide* members of the sector shall be able to participate in the election.

An *Ateneo COMELEC Commissioner* or *Associate Commissioner* shall be present at all times during the election proper.

Section. 2.3. Validity of the Ballot

The *Ateneo COMELEC* representative that is present in the election process shall determine the validity of the ballot as stated in the criteria put forth by the Commission. If a ballot is deemed invalid, it shall not be included in the total count of votes.

Section. 2.4. Requirements for Winning

In order for the sectoral representative to win a position, the number of votes for him/her should be greater than the number of abstentions as well as the number of votes for each of his/her opponents, should he/she have any.

Section. 2.5. Special Election for Sector

Defined as a remedy to abstention, to be conducted to fill up the position. The *Ateneo COMELEC* shall determine whether to devise a method to ensure that those who lose to abstain shall not be qualified to run in Special Elections in order to respect the student's right to abstention, while at the same time ensuring the right of students shall also not be disregarded.

Section. 2.6. Results of Elections.

Results of the elections shall be announced not later than twenty-four (24) hours after the election proper. Announcement shall be done by the Commission.

The present representative from COMELEC shall be there during the counting of votes and shall affix his/her signature to the final tally of votes to validate the count.

Section 3. Renewal Process of Sectoral Representative.

To maintain their recognized status in the *Sanggunian*, the sectoral representative shall annually adhere to the renewal process designed by the Commission.

Section 3.1. Terms of the Sectoral Representative. Upon election, a sectoral representative shall serve a maximum of two (2) cumulative terms, with each term lasting for one (1) school year.

Section 4. Resignation of Sectoral Representative

To ensure the continual representation of the sector in case of a resignation of the Sectoral Representative, the Commission will design another election.

Section 4.1 The sectoral representative has to send a letter of resignation to the Commission through the official email address.

Section 4.2 The Election mechanics will be followed as defined in Article XVI, Section 2 of the Electoral Code.

Section 4.3 The elected Sectoral Representative will take over the duties and responsibilities of the previous Sectoral Representative and will finish the term of resignee.

Section 5. Renewal Process of the Sector

The accredited sector has to send renewal documents at the end of their first school year. The sector will lose accreditation at the end of the second school year.

Section 5.1. Renewal Process during their first year. After the end of the first school year as a sector, the following shall be accomplished for the renewal process to be approved:

- a. Updated list of members and their contact details (name, addresses, *Official Ateneo OBF* e-mail addresses)
- b. List of projects accomplished including thorough descriptions of the project and the number of participants if any
- c. List of concerns passed to the *Sanggunian* in relation to their sector

Section 5.2 Loss of Accreditation. The sector will only be recognized for two school years after the referendum declaring the organized group as an accredited sector. At the end of the second school year as a sector, they will no longer be recognized as an accredited sector.

Section 5.3 Renewal of Accreditation after second year. The organized group has to go through the process of accreditation through a referendum as stated in Article XIV and XV of the 2017 Electoral Code. The group will be recognized as petitioners desiring accreditation as a sector.

Section 6. Internal Organization of Sectors

The internal organization of sectors shall be left to the discretion of the members of the said sectors.

XVII. AMENDMENTS

Section 1. Review of Electoral Code

A review of this Code shall be conducted by the Ateneo COMELEC prior to the next elections, for possible clarifications and / or amendments appropriate for the next elections.

Section 2. Amendment Restriction

No other amendments to this Code shall be made after the approval of the SJC until the next review of this Code prior to the next election.

Section 3. Students' Initiative

a. In the event of a students' initiative movement requiring a referendum, the Ateneo COMELEC shall consult with the SJC on the specific guidelines, depending on the circumstances.

b. The Ateneo COMELEC shall issue the appropriate resolution to guide a referendum.

XVIII. SEPARABILITY, REPEALABILITY, AND EFFECTIVITY

Section 1. Separability Clause

If any provision of this Code is held invalid or unconstitutional, other provisions not affected thereby shall remain in effect.

Section 2. Repealability Clause

Any other laws, resolutions, rules and regulations which are inconsistent with the provisions of this Code are hereby repealed, amended or modified accordingly.

Section 3. Effectivity Clause

The Code shall take effect upon the ratification of the Ateneo COMELEC Board of Commissioners and the approval of the same by the Student Judicial Court and shall expire once a new electoral code has been passed by the Commissioners of the Ateneo Commission of Elections, and after approval of the same by the Magistrates of the Student Judicial Court.

The foregoing proposed Electoral Code of the Ateneo Commission on Elections was approved on the 11th of September, two thousand and eighteen, and accordingly signed by the Commissioners of the Ateneo Commission on Elections, whose signatures are hereunder affixed.

Adopted,

(Sgd.) Carl Joshua F. Garcia
Chief Commissioner
Commissioner for Human Resources

(Sgd.) Justine R. Belasa
Commissioner for Communication

(Sgd.) Jose Adlai M. Tancango
Commissioner for Secretariat

(Sgd.) Riel Glenn Gutierrez
Commissioner for Finance

(Sgd.) Shaina D. Loria
Commissioner for Logistics

