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REPUBLIC OF THE PHILIPPINES  
COMMISSION ON ELECTIONS  
INTRAMURALS MANILA

EDUCATION AND INFORMATION DEPARTMENT

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Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Manila

**AUTHORITY OF THE COMMISSION ON ELECTIONS TO APPOINT, FILL-UP POSITIONS AND TRANSFER OR REASSIGN ITS PERSONNEL IN CONNECTION WITH THE MAY 10, 2010 NATIONAL AND LOCAL ELECTIONS**

<b>MELO, JOSE A. R.</b>	Chairman
<b>SARMIENTO, RENE V.</b>	Commissioner
<b>FERRER, NICODEMO T.</b>	Commissioner
<b>TAGLE, LUCENITO N.</b>	Commissioner
<b>VELASCO, ARMANDO C.</b>	Commissioner
<b>YUSOPH, ELIAS R.</b>	Commissioner
<b>LARRAZABAL, GREGORIO Y.</b>	Commissioner

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Promulgated : January 25, 2010

**Resolution No. 8747**  
*[Signature]*

**WHEREAS**, Section 261 (g), and (h) of the Omnibus Election Code of the Philippines provides that:

"SEC. 261. **Prohibited Acts.** – The following shall be guilty of an election offense:

"(g) *Appointment of new employees, creation of new position, promotion, or giving salary increases.* – During the period of forty-five (45) days before a regular election and thirty (30) days before a special election, (1) any head, official or appointing officer of a government office, agency or instrumentality, whether national or local, including government-owned or controlled corporations, who appoints or hires any new employee, whether provisional, temporary or casual, or creates and fills any new positions, except upon prior authority of the Commission. The Commission shall not grant the authority sought unless, it is satisfied that the office or agency concerned, and that the position shall not be filled in a manner that may influence the election.

"As an exception to the foregoing provisions, a new employee may be appointed in case of urgent need: *Provided, however*, that notice of the appointment shall be given to the Commission within three days from the date of appointment. Any appointment or hiring in violation of this provision shall be null and void.

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"(h) *Transfer of officers and employees in the civil service.* – Any public official who makes or causes any transfer or detail whatever of any  
*[Signature]*

officer or employee in the civil service including public school teachers within the election period, except upon approval of the Commission."

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**WHEREAS**, on December 29, 2009, the Commission promulgated Resolution No. 8737 to enforce effectively the foregoing prohibitions of Section 261 (g), and (h) of the Omnibus Election Code;

**WHEREAS**, there is an essential need to appoint, assign, reassign or transfer Commission personnel during the prohibited period in order that it can effectively and efficiently carry out its constitutional mandate to conduct free, orderly, honest, peaceful and credible elections;

**NOW, THEREFORE**, the Commission by virtue of the powers conferred upon by it by the Constitution, the Omnibus Election Code and other election laws, has **RESOLVED**, as it hereby **RESOLVES**, to authorize the appointment, hiring of new employees or filling of new positions, and transfer or assignment or reassignment of Commission personnel during the election period.

This Resolution shall take effect immediately

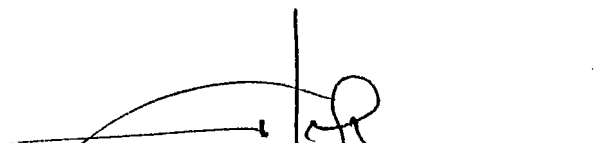
**SO ORDERED.**

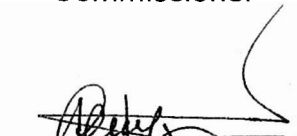
  
**JOSE A. R. MELO**  
Chairman


  
**RENE V. SARMIENTO**  
Commissioner

  
**NICOREMO T. FERRER**  
Commissioner

  
**LUCENITO N. TAGLE**  
Commissioner

  
**ARMANDO C. VELASCO**  
Commissioner

  
**ELIAS R. YUSOPH**  
Commissioner

  
**GREGORIO Y. LARRAZABAL**  
Commissioner

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