Republic of the Philippines

Congress of the Philippines

Metro Manila

Fifteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand twelve.

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[REPUBLIC ACT NO. **10367**]

AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER REGISTRATION

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Declaration of Policy.* – It is the policy of the State to establish a clean, complete, permanent and updated list of voters through the adoption of biometric technology.

SEC. 2. *Definition of Terms.* – As used in this Act:

(a) *Commission* refers to the Commission on Elections (COMELEC).

(b) *Biometrics* refers to the quantitative analysis that provides a positive identification of an individual such as voice, photograph, fingerprint, signature, iris and/or such other identifiable features.

(c) *Data Capture Machine (DCM)* is the device which captures the biometrics of an individual.

(d) *Validation* is the process of taking the biometrics of registered voters whose biometrics have not yet been captured.

(e) *Deactivation* refers to the removal of the registration record of the registered voter from the corresponding precinct book of voters for failure to comply with the validation process as required by this Act.

(f) *Reactivation* refers to the reinstatement of a deactivated voter.

SEC. 3. *Who Shall Submit for Validation.* – Registered voters whose biometrics have not been captured shall submit themselves for validation.

SEC. 4. *Who Shall Conduct the Validation.* – The City or Municipal Election Officer shall conduct the validation.

SEC. 5. *Commencement of Validation.* – The Commission shall conduct validation beginning July 1, 2013, consistent with the continuing registration under Republic Act No. 8189.

SEC. 6. *Publication and Notice Requirement.* – The Commission shall cause the publication of the commencement of the validation in two (2) newspapers of general circulation. The City or Municipal Election Officer shall serve individual written notices by registered mail with return card to the voters concerned at their latest address in the voter's registration record and post the list of the voters concerned in the city or municipal bulletin board and in the local COMELEC office.

SEC. 7. *Deactivation.* – Voters who fail to submit for validation on or before the last day of filing of application for

registration for purposes of the May 2016 elections shall be deactivated pursuant to this Act.

SEC. 8. *Reactivation.* – Those deactivated under the preceding section may apply for reactivation after the May 2016 elections following the procedure provided in Section 28 of Republic Act No. 8189.

SEC. 9. *Database Security.* – The database generated by biometric registration shall be secured by the Commission and shall not be used, under any circumstance, for any purpose other than for electoral exercises.

SEC. 10. *Mandatory Biometrics Registration.* – The Commission shall implement a mandatory biometrics registration system for new voters.

SEC. 11. *Prohibited Acts.* – The following shall be election offenses punishable under Sections 263 and 264 of Batas Pambansa Bilang 881, as amended, otherwise known as the "Omnibus Election Code":

(a) Any person who shall prohibit, impede, obstruct or prevent a registered voter or a new voter from submitting his or her biometrics for capture through the use of force, intimidation or monetary consideration; and

(b) Any public official or person who, under the guise of implementing this Act, shall unjustifiably and without due process, cause the deactivation or reactivation of any registered voter.
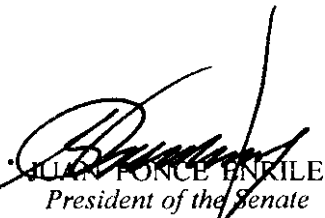
SEC. 12. *Rules and Regulations.* – The Commission shall, within sixty (60) days after the effectivity of this Act, promulgate the implementing rules and regulations.

SEC. 13. *Separability Clause.* – If any part of this Act is held invalid or unconstitutional, the other parts or provisions hereof shall remain valid and effective.

SEC. 14. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 15. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.
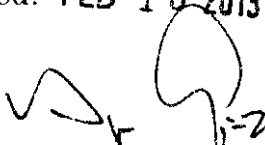
Approved,

FELICIANO BELMONTE JR.
Speaker of the House
of Representatives

JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 1030 and House Bill No. 3469 was finally passed by the Senate and the House of Representatives on December 12, 2012 and December 11, 2012, respectively.

MARILYN B BARUA-YAP
Secretary General
House of Representatives

EMMA LIRIO-REYES
Secretary of the Senate

Approved: **FEB 1 5 2013**

BENIGNO S AQUINO III
President of the Philippines

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