

Republic of the Philippines  
**SUPREME COURT**  
Manila

**EN BANC**

**A.M. No. 10-4-29-SC**

**THE 2010 RULES OF THE PRESIDENTIAL ELECTORAL TRIBUNAL**

**TITLE AND CONSTRUCTION**

**Rule 1. Title.** - These Rules shall be known and cited as *The 2010 Rules of the Presidential Electoral Tribunal.* (R1a)

**x x x**

**Rule 37.** *When ballot boxes and election documents are brought before the Tribunal.* -

(a) Within forty-eight hours from receipt of the answer with counter-protest, if any, the Tribunal shall, when the allegations in a protest or counter-protest warrants, order the ballot boxes and their contents with their keys, lists of voters with voting records, books of voters, the electronic data storage devices, and other documents, paraphernalia, or equipments relative to the precincts involved in the protest or counter-protest, to be brought before it. (R35a)

(b) The Tribunal shall notify the parties of the date and time for the retrieval of the above-named items from their respective custodians. The parties may send representatives to witness the same. The absence, however, of a representative of a party shall not be reason to postpone or delay the bringing of the ballot boxes, election documents, and data storage device, into the custody of the Tribunal. (n)

(c) The Tribunal may, in its discretion, seek the assistance of the Philippine National Police or the Armed Forces of the Philippines in ensuring the safe

delivery of the ballot boxes and election paraphernalia into the custody of the Tribunal. (n)

(d) Where any of the ballot boxes, ballots, election returns, election documents or paraphernalia mentioned in the first paragraph above are also involved in election contests before other *for a*, such as the Senate Electoral Tribunal or the House of Representatives Electoral Tribunal, the Tribunal shall have preferential right over the custody and revision of ballots involved in simultaneous protests. The Tribunal shall, however, make the appropriate coordination and request with the other electoral bodies involved as to temporary prior custody of ballot boxes and revision of ballots and other documents and storage devices, or the synchronization of such recount of ballots. (R35a)

(e) The expenses necessary and incidental to the bringing of the ballot boxes, election documents, and devices shall be shouldered and promptly paid by the protestant and counter-protestant, if any, in proportion to the precincts involved. The expenses necessary and incidental to the return of the ballot boxes, election documents, and storage devices to their original custodians or the proper electoral bodies after the termination of the case shall be shared proportionately by the protestant and protestee based on the number of precincts respectively contested by<sup>7</sup> them, (R36a)

**x x x**