



Republic of the Philippines
Department of Finance
INSURANCE COMMISSION
1071 United Nations Avenue
Manila

NOTICE TO THE MEMBERS OF FIRE SERVICES MUTUAL BENEFIT ASSOCIATION, INC. (FSMBAI)

The Insurance Commission hereby informs all the members of Fire Services Benefit Association, Inc. (FSMBAI) that Special Election for the Members of the Board of Trustees will be held on **11 July 2015 from 9:00 A.M. to 3:00 P.M. at the Executive Lounge, Insurance Commission Building, 1071 United Nations Avenue, Manila.**

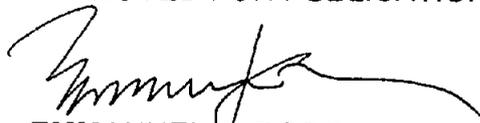
The Rules and Regulations for the conduct of said special election is published together with this Notice of Election in two (2) newspapers of General Circulation. Likewise, the said Rules and Regulations is posted in the Insurance Commission Website (www.insurance.gov.ph) and bulletin boards of the FSMBAI Office at Unit 110, 145 Union Square Condominium, 15th Avenue, Cubao, Quezon City and Bureau of Fire and Protection Office at BFP National Headquarters, Agham Road, Sitio San Roque, Brgy. Bagong Pag-asa, Quezon City.

Members of FSMBAI may vote in person or by proxy in the special election provided that a notarized proxy form, signed by the member is filed thru personal or licensed courier service at least five (5) calendar days before the scheduled special election with the Election Committee secretariat with office address at 1071 United Nations Avenue, Manila. No person can be designated as a proxy unless he/she is a member of the Association

Interested candidates may submit their letter of intent together with their resume, NBI clearance and certificate of good standing from the IC designated conservator within ten (10) calendar days from completion of the abovementioned publication as provided for under Section 4 of Rule III of the Rules and Regulation for the Conduct of FSMBAI Special Election of the Board of Trustees. The said requirements shall also be submitted to the FSMBAI Election Secretariat on the abovementioned address. For inquiries, you may contact the FSMBAI Election Secretariat 5238461 loc. 105.

The conduct of Special Election and the creation of the Rules and Regulations is pursuant to the power of the Insurance Commission under Section 225 of Republic Act. No. 10607.

APPROVED FOR PUBLICATION AND POSTING.


EMMANUEL F. DOOC
Insurance Commissioner



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INSURANCE COMMISSION
1071 United Nations Avenue
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FIRE SERVICES MUTUAL BENEFIT ASSOCIATION, INC. (FSMBAI)

RULES AND REGULATIONS FOR THE CONDUCT OF FSMBAI SPECIAL ELECTION OF THE BOARD OF TRUSTEES

Pursuant to the power of the Insurance Commissioner under Section 255 of the Insurance Code, as amended, the following Rules and Regulations for the Conduct of FSMBAI Special Election of the Board of Trustees are hereby adopted and promulgated.

RULE I. CREATION

Section 1. Composition. - The Board of Trustees shall consist of nine (9) members. Seven (7) members of the Board shall be elected by the general membership while two (2) members shall be appointed by the Insurance Commission.

Section 2. Term. - The members of the Board of Trustees shall serve for one (1) year from the date of their oath-taking until their successors have been duly elected and qualified.

Section 3. Election expenses. - Such expenses as may be necessary and reasonable in connection with the special election of the members of FSMBAI Board of Trustees shall be paid by the FSMBAI.

RULE II. NOTICE OF ELECTION

Section 1. Service of Notice of Special Election. - At least thirty (30) calendar days before the election, the members of the Association shall be informed of the special election through publication of the Notice of Election and these rules in two (2) newspapers of general circulation, and by personal service or by licensed courier service of the Notice of Election in the last known address of the member.

The Notice of Election served through personal or licensed courier service shall include the proxy authorization form.

The Notice of Election and these rules shall likewise be posted in the website of Insurance Commission at www.insurance.gov.ph and the bulletin board of the FSMBAI office at Unit 110, 145 Union Square Condominium, 15th Avenue, Cubao, Quezon City, and the Bureau of Fire and Protection office at BFP National Headquarters, Agham Road, Sitio San Roque, Brgy. Bagong Pag-asa, Quezon City.

RULE III. QUALIFICATIONS OF VOTERS AND CANDIDATES

Section 1. Manner of Voting. - A member may vote in person or by proxy in the special election.

Section 2. Proxy. - A member may vote by proxy provided that there shall be a notarized proxy form, signed by the member and filed thru personal or licensed courier service at least five (5) calendar days before the scheduled special election with the Election Committee secretariat with office address at 1071 United Nations Avenue, Manila. No person can be designated as a proxy unless he/she is a member of the Association. Proxy shall be valid only for the purpose of the special election.

Section 3. Qualification of Candidates. - Candidates for elective position must be residents of the Philippines, shall not have been convicted by final judgment of any crime involving moral turpitude and members in good standing of the Association for at least one (1) year at the day of submission of the letter of intent referred to in the following Section.

A candidate is considered not in good standing if he/she has at least three (3) unpaid arrears in loan and membership dues payment.

Section 4. Filing of Candidacy. - Interested candidates shall submit their letter of intent together with their resume, NBI clearance and certificate of good standing from the IC designated conservator within ten (10) calendar days from completion of publication of the Notice of Special Election in two (2) newspapers of general circulation as provided for under Section 1 of Rule II of these Rules. The said requirements shall be submitted to the FSMBAI Election Secretariat with office address at 1071 United Nations Avenue, Manila.

Incumbent member who files his/her letter of intent for candidacy shall be deemed automatically resigned from the membership of the Board of Trustee.

Each candidate is entitled to One (1) watcher which shall be named in his/her letter of intent

Section 5. Determination of Eligibility of Candidates for Election. - The Election Committee shall make every effort to determine the eligibility for election to the Board of all members who submitted their letters of intent. Should it be determined at the time of election that an elected candidate was ineligible, the latter shall be disqualified from holding office and the candidate receiving the next highest votes will be deemed elected. Absent the existence of such a candidate, the position will be filled-up by the Insurance Commissioner by appointment.

Section 6. Posting of List of Qualified Candidates. - It shall be the duty of the Election Committee and its Secretariat to post a list of the qualified candidates for the special election together with a copy of the resume of each of the candidates.

RULE IV. ELECTION COMMITTEE AND SECRETARIAT

Section 1. Composition of Election Committee and its Secretariat. - The Election Committee and its Secretariat shall be composed of IC officers duly appointed by the Insurance Commissioner.

Section 2. Functions of Election Committee. - Election Committee shall undertake the following functions:

- a. To determine the eligibility for election to the Board of all members who submitted their letters of intent;
- b. To supervise the conduct, manner and procedure of election and other election activities;
- c. To canvass the vote and certify the results of the election;
- d. To proclaim the winning candidates;
- e. To perform other functions as prescribed by the Insurance Commissioner; and
- f. To see to it that the rules and regulations duly approved by this Commission are implemented strictly and fairly.

Section 3. Posting of Names of Qualified Candidates. - The Election Committee Secretariat, thru the recommendation of the Election Committee, shall post the names and resume of the qualified candidates within ten (10) calendar days from the deadline of filing of the letter of intent at the bulletin board of the FSMBAI office at Unit 110, 145 Union Square Condominium, 15th Avenue, Cubao, Quezon City, and the Bureau of Fire and Protection office at BFP National Headquarters, Agham Road, Sitio San Roque, Brgy. Bagong Pag-asa, Quezon City.

Section 4. Dissolution of the Election Committee and Secretariat. - The Election Committee and Secretariat shall automatically cease to function after it has proclaimed the winners and after it has made a final decision on protest filed within five (5) calendar days after the proclamation of the winning candidates, if any.

RULE V. CAMPAIGN PERIOD

Section 1. Campaign Period. - Campaign period shall be ten (10) calendar days from the posting of the list of candidates by the Election Committee Secretariat.

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Section 2. Prohibited Acts. - The following acts are prohibited acts of campaigning:

- a. Election campaign during the Election Day; and
- b. Engaging in an election campaign or partisan activity outside the 10-day campaign period.

Any violation of the foregoing shall be a ground for disqualification of a candidate. If a candidate, who has been found to have violated the foregoing, has been elected, he/she shall be removed from office upon recommendation of the Election Committee to the Insurance Commissioner. The candidate receiving the next highest votes shall replace the removed candidate as member of Board of Trustees of FSMBAI. Absent the existence of such a candidate, the position will be filled-up by the Insurance Commissioner by appointment.

Section 3. Campaign Materials. - Candidates shall be allowed to use and distribute pamphlets, leaflets and the likes.

RULE VI. ELECTION PROCEDURES

Section 1. Date, Time and Venue of Special Election. - The special election will be held on the date, time and venue as may be determined by the Insurance Commission, provided that the requirements under Section 1, Rule II are complied with.

Section 2. Manner of Voting. - Voting shall be held by secret ballot on a one-member-one-vote basis only. This means that a member can cast his vote for each of the seven candidates of his/her choice.

Section 3. Voting by Proxy. - In proxy voting, the vote of each member shall be one for himself plus the number of notarized proxy certificates designating such member as proxy

Section 4. Submission of Accomplished Ballots. - All accomplished ballots shall be sealed by the voter himself. The sealed ballots shall be dropped by the voter in a sealed ballot box. It shall be the duty of the Election Committee to secure the ballot box.

Section 5. Close of Voting. - Voting shall close at exactly 3:00 p.m.

Section 6. Counting of Ballots. - Counting of ballots will start at 3.15 p.m.

Section 7. Required Number of Votes Cast. - The Members of the Board of Trustees shall be elected by plurality vote by the General Membership, either in person or by proxy. Votes cast shall not be less than the majority of the said General Membership.

Section 8. Failure of Election. - In case of failure of election by reason of non-compliance with the required minimum number of votes cast as mentioned above, the Insurance Commissioner shall appoint all the members of the Board of Trustees.

Section 9. Appreciation of Ballots. - Appreciation of ballots shall be in accordance with Sec 211 of Batas Pambansa Blg. 881, The Omnibus Election Code.

Section 10. Tie Votes. - In the event of tie votes, the same shall be decided by drawing of lots.

Section 11. Declaration of Election Result. - The declaration of election result shall be made by the Chairperson, or in his absence by the Vice-Chairperson, of the Election Committee after all ballots have been counted.

Section 12. Taking of Oath by the Elected Member. - The duly elected members of the Board of Trustees shall take their oath before the Insurance Commissioner within fifteen (15) days from the declaration of election results.

RULE VII. ELECTION CONTEST

Section 1. Procedure in Case of Election Contest. - In the event of election contest, the following rules of procedure shall govern:

- a. The Election Committee shall receive and hear complaints or protest regarding only on eligibility of candidates, violation of these rules and result of election within five (5) calendar days after the proclamation of the winning candidates, specifically stating the grounds thereof. Only complaint or charges submitted under oath shall be accepted and heard by the Election Committee;
- b. After hearing, the Election Committee shall render decision within a reasonable period of time; and
- c. The Election Committee may admonish or reprimand a candidate, cancel one's candidacy or annul the results of the election for any candidate after the investigation and verification of any violations of Election Committee rules and regulations.

Section 2. Election Protest. Pre-election protests concerning the qualifications/eligibility of a candidate shall be filed before the day of election which shall be immediately decided by the Election Committee. However, the winning candidate subject of post-election protests shall be subject to removal upon recommendation of the Election Committee and the candidate receiving the next highest votes shall replace the removed candidate as member of Board of Trustees of FSMBAI. Absent the existence of such a candidate, the position will be filled-up by the Insurance Commissioner by appointment. For the purpose of this section, post-election protest shall only be construed as:

- a. Complaints for violation of these Rules by any candidates; or
- b. Protests on the result of the election.

Section 3. Effect of Decision of the Election Committee. – The decision of the Election Committee shall be FINAL, EXECUTORY AND UNAPPEALABLE.

RULE VIII. SEPARABILITY AND EFFECTIVITY CLAUSE

Section 1. Separability. - If any provision of these Rules is declared invalid or unconstitutional, the remainder of the Rules shall remain valid and subsisting.

Section 2. Effectivity. - These Rules shall take effect immediately upon approval by the Insurance Commissioner and after the completion of its publication in two (2) newspapers of general circulation.



EMMANUEL F. DOOC
Insurance Commissioner