

10 JUL -6 A9:05

SENATE

S. No 217

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**EXPLANATORY NOTE**

When Former President Ferdinand E. Marcos signed Presidential Decree No. 1083, otherwise known as the Code of Muslim Personal Laws of the Philippines and the Supreme Court subsequently promulgated the complimenting Special Rules of Procedure for the Shari'a Courts (Ijra-at Al-Mahakim Al Shari'a), the long struggle of the Filipino Muslims for recognition and acceptance of their customs and traditions as embodied in their personal laws has come into realization.

To implement this law, the government through its proper agency, the Office on Muslim Affairs, in coordination with the Supreme Court and the Department of Justice, conducts Shari'a Institute Training for qualified Muslims and administers special Shari'a Bar Examinations to qualify those who will pass to practice the Muslim Law before the Special Shari'a Courts of the Philippines and to be appointed as judges of the Shari'a Courts created pursuant to the Muslim Code.

The Shari'a Bar Examinations is not covered by Republic Act No. 1080, otherwise known as "An Act Declaring the Bar and Board Examinations As Civil Service Examinations" that was enacted on June 15, 1954. As such, the Special Shari'a Bar examinations does not fall within the ambit of the said law. Although passing the said examination is a requirement for an appointment to the Shari'a Courts, the Civil Service Commission does not consider this as civil service examination and passers are not conferred civil service eligibility appropriate to first and secondary level positions.

This bill seeks to declare the Special Shari'a Examinations given by the Supreme Court as a civil service examination and thus conferring the passers appropriate civil service eligibility, amending Republic Act No. 1080.

In the light of the above, the early passage of this bill is earnestly sought.

  
ANTONIO "SONNY" F. TRILLANES IV  
Senator

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

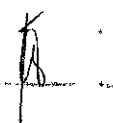
OFFICE OF THE SECRETARY

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AN ACT  
DECLARING THE SPECIAL SHARI'A BAR EXAMINATION AS CIVIL  
SERVICE EXAMINATION AMENDING FOR THE PURPOSE R.A. 1080  
ENTITLED "AN ACT DECLARING THE BAR AND BOARD EXAMINATIONS  
AS CIVIL SERVICE EXAMINATIONS"

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

1           **SECTION 1.** The bar examinations including the Special Shari'a Bar  
2 Examination and the examination given by the various boards of examiners of the  
3 Government are declared as civil service examinations, and shall for purposes of  
4 appointment to positions in the classified service of the duties of which involve  
5 knowledge of the respective professions except positions requiring highly specialized  
6 knowledge not covered by the ordinary board examinations, be considered as equivalent  
7 to the first grade regular examinations given by the Bureau of Civil Service if the  
8 profession requires at least four (4) years of study in college and the person has practiced  
9 his professions for at least two years, and as equivalent to the second grade examination  
10 if the profession requires less than four years of college study.

11

12           **SEC. 2.** The Commissioner of Civil Service shall be furnished by the Clerk of the  
13 Supreme Court and the Secretary of the Board of Examiners a list of all the successful  
14 candidates in the bar and board examinations, including the Special Shari'a Bar  
15 Examination, with their general averages and preference shall be given those obtaining

1 the highest ratings in making appointments, Provided, That for those who have already  
2 passed the corresponding bar and board examinations, including the Special Shari'a  
3 Examination, the eligibility shall be deemed to commence from the approval of the Act.

4

5 **SEC. 3.** The commissioner of Civil Service shall promulgate the rules and  
6 regulations to implement the provisions of this Act.

7

8 **SEC. 4.** The benefits granted under this Act shall not prescribe the provisions of  
9 civil service law or regulations notwithstanding.

10

11 **SEC. 5.** This Act shall take effect fifteen (15) days from its publication in the  
12 Official Gazette or in any two newspapers of general circulation.

Approved,