



HOUSE OF REPRESENTATIVES

H. No. 4253

BY REPRESENTATIVES SYJUCO, RODRIGUEZ, BALINDONG, GOLEZ,
MANGUDADATU, FABIAN, DATUMANONG, PABLO, HATAMAN, NOGRALES
AND LAGMAN, PER COMMITTEE REPORT NO. 601

AN ACT CREATING THE NATIONAL COMMISSION ON MUSLIM
FILIPINOS, DEFINING ITS POWERS, FUNCTIONS AND
RESPONSIBILITIES AND APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Act Creating
2 the National Commission on Muslim Filipinos”.

3 SEC. 2. *Declaration of Policy.* – It is henceforth the policy of the State
4 to ensure the rights and well-being of Muslim Filipinos with due regard to their
5 beliefs, customs, traditions and institutions, as well as to further ensure their
6 contribution to national goals and aspirations and to make them active
7 participants in nation-building.

ARTICLE I

CREATION, COMPOSITION, TERM OF OFFICE OF THE COMMISSIONERS

SEC. 3. *Creation of the National Commission on Muslim Filipinos.* –

In pursuance of the abovementioned policy, the National Commission on Muslim Filipinos, hereinafter referred to as the Commission, is hereby created.

The Commission, which shall be under the Office of the President, shall take over the functions of the Office on Muslim Affairs (OMA) which is hereby abolished. It shall be subject to existing government policies, rules and regulations. Its coverage shall be over both national and local affairs involving Muslim Filipinos which includes the implementation of economic, educational, cultural and infrastructure programs for Muslim Filipino communities.

SEC. 4. *Mandate.* – The Commission shall preserve and develop the culture, tradition, institutions and well-being of Muslim Filipinos, in conformity with the country's laws and in consonance with national unity and development.

SEC. 5. *Composition of the Commission.* – The Commission shall be composed of seven (7) full-time members who are Muslim Filipinos: *Provided*, That one (1) of the commissioners shall come from the women sector and another commissioner shall come from the Ulama (religious leader) sector: *Provided, further*, That the commissioners representing the women and Ulama sector may come from any of the Muslim Filipino tribes: *Provided, finally*, That of the remaining five (5) commissioners, no two (2) shall come from the same Muslim Filipino tribe at any given time, to ensure equitable representation in the Commission.

The President shall appoint the regular members of the Commission. The commissioners shall be academic degree holders and must speak and write fluently the English and/or Arabic languages. They shall be individuals who possess the highest degree of integrity and have the endorsement of their respective tribes.

1 (a) Advise and assist the President in the formulation, coordination,
2 implementation and monitoring of policies, plans, programs and projects
3 affecting Muslim Filipino communities; when so authorized, represent the
4 President on matters concerning Muslim Filipino communities; serve as a link
5 between the President and public or private agencies, internal or external, that
6 are involved in such programs and projects; and recommend such affirmative
7 actions as may be necessary for their efficient and effective implementation;

8 (b) Undertake and coordinate development programs and projects for
9 the advancement of Muslim Filipino communities, including designing,
10 implementing and maintaining settlements for Muslim Filipino communities;

11 (c) Act as the primary government agency through which Muslim
12 Filipinos can seek government assistance and redress; serve as the medium
13 through which such assistance may be extended to Muslim Filipinos; for this
14 purpose, the Commission is hereby authorized, subject to existing auditing
15 rules and regulations, to give grants-in-aid out of its appropriations or other
16 appropriate funds to cooperating government agencies for such programs or
17 projects for the development of Muslim Filipino communities; and provide
18 services including legal assistance, medical aid, relief and other forms of
19 assistance for socioeconomic upliftment of Muslim Filipino communities;

20 (d) Enter, subject to existing laws, policies and guidelines, into such
21 contracts, agreements or arrangements with government or private agencies or
22 entities as may be necessary to attain the objectives of the Commission;

23 (e) In accordance with pertinent laws, rules and regulations then in
24 force and subject to guidelines provided by the President, promote and
25 enhance the development of domestic trade and commerce among the members
26 of the Muslim Filipino communities; or promote or facilitate the establishment
27 by members of the Muslim Filipino communities of ventures and investments
28 in cooperation or coordination with existing public enterprises, corporations or
29 private entities, or subject to prior approval of the President, initiate and/or

1 organize, in accordance with pertinent laws, rules and regulations then in force,
2 enterprises based on the principles of Islamic business and finance consistent
3 with existing policies and guidelines for the benefit and welfare of the regions
4 *of autonomy*;

5 (f) Recommend to the Department of Budget and Management (DBM)
6 the proposed expenditure for the development of all Muslim Filipino
7 communities;

8 (g) Establish criteria for allocating additional resources for education,
9 economic and cultural development programs;

10 (h) Monitor and evaluate the performance of all existing policies and
11 development programs of the government that seek to strengthen and uplift the
12 socioeconomic conditions of Muslim Filipinos and identify areas that need
13 government intervention and support;

14 (i) Acquire, lease or own such property or assets in whatever form as
15 may be necessary, and sell or otherwise dispose of the same, and serve as the
16 custodian or administrator of such lands or areas and other properties or assets
17 the President may reserve for the benefit of Muslim Filipino communities;

18 (j) Solicit and accept grants, donations and gifts, in cash or in kind,
19 from whatever source, in coordination with the appropriate agency for the
20 benefit of the Muslim Filipinos, and administer the same in accordance with
21 the terms thereof, or in the absence of any condition, in such manner consistent
22 with the interest of Muslim Filipinos as well as existing laws;

23 (k) Undertake studies, establish and maintain ethnographic research
24 centers and museums on the cultures and institutions of Muslim Filipinos for
25 policy formulation and program implementation and for the purpose of
26 preserving their historical heritage;

27 (l) Certify, whenever appropriate, membership of persons in Muslim
28 Filipino communities for purposes of establishing qualifications for specific

1 requirements of government and private agencies or for benefits as may be
2 provided by law;

3 (m) Conduct inspections or surveys, jointly with other appropriate
4 agencies, and issue necessary certifications prior to the grant of any license,
5 lease or permit for the exploitation of natural resources affecting the interests
6 of Muslim Filipino communities or areas occupied by them; and in case of
7 conflicts, recommend to the President appropriate action under the
8 circumstances;

9 (n) Provide legal and technical services for the survey, adjudication,
10 titling and development of Muslim Filipino ancestral lands and settlements
11 proclaimed by the government for the Muslim Filipinos and issue certificate of
12 ancestral land/domain title;

13 (o) Administer all programs, projects and activities, formulate the
14 necessary rules and regulations, and coordinate with pertinent offices to ensure
15 the success of the annual *Hajj* (pilgrimage) to Mecca, Kingdom of Saudi
16 Arabia;

17 (p) Promote the development of a *Hajj* Assistance Fund that shall be
18 created from contributions of Muslim Filipinos and other donors which shall
19 be used to support the financial needs of Muslim Filipinos intending to
20 participate in the annual *Hajj*;

21 (q) Administer and hold in trust *awqaf* (endowment) properties and/or
22 *awqaf* institutions, and receive by way of grant, donations or gifts, *awqaf*
23 investments in accordance with the principles of Islamic investments and
24 finance;

25 (r) Prescribe rules and regulations for the establishment of *awqaf*
26 institutions, administration of *awqaf* assets, and settlement of disputes among
27 *awqaf* beneficiaries pursuant to the general principles of *Shari'ah* (Islamic
28 Law);

1 (s) Formulate and adopt continuing programs and activities to
2 strengthen *Madaris* (plural of *Madrasah*) schools, Islamic studies, and
3 *Shari'ah* and Islamic jurisprudence, in coordination with appropriate agencies
4 of the government;

5 (t) Promote and supervise, in coordination with appropriate agencies
6 of the government, the implementation of the *Madrasah* education system
7 throughout the country, except in the Autonomous Region in Muslim
8 Mindanao (ARMM) where the system shall be implemented and supervised by
9 the Department of Education-ARMM; and provide assistance in the
10 expeditious accreditation of *Madrasah* educational institutions with the
11 appropriate agencies of the government;

12 (u) Ensure that the curriculum of the *Madrasah* education system shall
13 conform with the basic curriculum of the national formal education system
14 which along with teachings on Arabic language, Islamic studies and Filipino
15 and Islamic values shall include, among others, the subjects on Filipino and
16 English grammar and usage, Philippine History and Geography, Science and
17 Technology, Mathematics, Physical Education and Sports Development and
18 vocational education to secure the local and international competitiveness of
19 Muslim Filipino graduates from the *Madrasah* educational institutions;

20 (v) Develop criteria for the grant of local and foreign scholarships and
21 the selection of deserving students and teachers of *Madrasah* educational
22 institutions;

23 (w) Provide local and foreign scholarships to deserving Muslim
24 Filipinos in coordination with formal educational institutions here and abroad;

25 (x) Ensure the continuous transfer of technology to Muslim Filipino
26 communities to uplift the quality of life of Muslim Filipinos;

27 (y) Promulgate such rules and regulations and exercise such powers
28 and functions as may be necessary to carry out the purposes and objectives
29 outlined in this Act;

1 (z) Recommend to the President highly qualified Muslim Filipinos for
2 the position of ambassador and other high positions in the Department of
3 Foreign Affairs; and

4 (aa) Perform such other functions as may be necessary for its effective
5 operations and continued enhancement as a government entity.

6 SEC. 9. *Administrative Supervision and Control.* – The administrative
7 supervision and control over the personnel, except the commissioners, and the
8 properties of the Commission shall be vested in the chairman. Except for
9 presidential appointees, the appointment of and imposition of disciplinary
10 measures on the same personnel shall likewise be vested in the chairman who
11 shall accomplish the same in consultation with the commissioners, except that
12 when the administrative charge entails, considering the circumstances alleged
13 in the complaint, the penalty of dismissal from the service, the decision thereon
14 shall be by the majority of all the members of the Commission. The chairman
15 shall exercise administrative supervision over the commissioners. The
16 commissioners shall assist the chairman in the performance of his functions,
17 who may assign or delegate specific and substantive or administrative
18 responsibilities to any of them.

19 SEC. 10. *Organizational Structure.* – The Commission shall be
20 composed of the offices of the chairman, the commissioners, the executive
21 director and the deputy executive director and their immediate staff, the
22 bureaus, services, regional offices, field offices and suboffices.

23 SEC. 11. *Bureaus.* – The bureaus of the Commission shall consist of
24 the Bureau of Economic Affairs, Bureau of Muslim Cultural Affairs, Bureau of
25 Muslim Settlements, Bureau of External Relations and the Bureau of
26 Pilgrimage and Endowment. Each of these bureaus shall be headed by a
27 director who shall hold the same rank, salary and privileges of a staff bureau
28 director.

1 (a) Bureau of Economic Affairs. – This bureau shall promote and
2 develop economic livelihood programs and projects through extension of
3 loans, entrepreneurship, trade and marketing assistance to the members of
4 Muslim Filipino communities. It shall also be responsible for the promotion
5 and development of cooperative endeavors among Muslim Filipinos in
6 coordination with the Cooperative Development Authority (CDA). It shall
7 likewise promote and implement manpower training and community self-help
8 projects for the economic development of Muslim Filipinos.

9 (b) Bureau of Muslim Cultural Affairs. – This bureau shall be
10 responsible for the conduct of research and studies on the cultural development
11 of Muslim Filipino communities which would serve as the basis for policy and
12 plans formulation, program and project implementation.

13 It shall formulate and implement an education program especially
14 designed to improve the literacy level of Muslim Filipinos, and maintain a
15 central library, museum and audio-visual center to serve as repositories of
16 information on the Muslim Filipino peoples.

17 It shall be responsible for the *Madrasah* institutions in the country
18 wherein it will assist and facilitate the applications for registration and
19 accreditation with the Department of Education (DepEd). It shall also oversee
20 the conduct of the Annual *Quor'an* Reading Competition.

21 (c) Bureau of Muslim Settlement. – This bureau shall be responsible
22 for the promotion and development of Muslim Filipino settlements in
23 coordination with concerned agencies of the government.

24 (d) Bureau of External Relations. – This bureau shall be responsible in
25 forging linkages among Muslim Filipino communities and organizations within
26 and outside the country.

27 (e) Bureau of Pilgrimage and Endowment. – This bureau shall be
28 primarily responsible for the administration of the annual Muslim pilgrimage
29 to Mecca, Kingdom of Saudi Arabia; and the formulation and implementation

1 of programs, -projects and activities for the efficient and effective
2 administration and supervision of the conduct of pilgrimage activities:
3 *Provided*, That the supervision accorded the bureau under this section shall not
4 include control.

5 In pursuance of the above responsibilities, the bureau shall formulate the
6 necessary guidelines to ensure the timely processing of the pilgrims' travel
7 documents and the equitable and reasonable collection of fees. Such collection
8 shall be limited to *mutawiff* and passporting and/or processing fees only.
9 Collected fees shall be deposited in a special trust fund which shall be
10 established by the Commission, the expenses from which shall be subject to
11 existing auditing laws, rules and regulations.

12 The pilgrims shall be accorded free choice of travel agencies and
13 airlines or other means of transportation to and from the site of pilgrimage:
14 *Provided*, That pilgrims comply with the prescribed arrival and departure
15 schedule fixed by the Ministry of *Hajj* of the Kingdom of Saudi Arabia:
16 *Provided, further*, That, all pilgrims shall be legitimate holders of round-trip
17 tickets to and from the Kingdom of Saudi Arabia. The bureau shall also
18 accredit qualified and deserving *shiekhs*. It shall also formulate, subject to the
19 approval of the Commission, the timetable of annual *Hajj* activities which must
20 be posted in all areas accessible to Muslim Filipinos. *

21 The bureau shall likewise be responsible for the administration of *awqaf*
22 (endowment) properties and institutions, and the conduct of research and
23 studies for the establishment and maintenance of *Hajj* towns, Islamic centers
24 and *awqaf* projects.

25 SEC. 12. *Services.* -- The Services of the Commission shall consist of
26 the Administrative Service, Finance Management Service, Planning Service
27 and Legal Service, each of which shall be headed by a staff director with the
28 same rank, salary and privileges of an assistant staff bureau director.

1 (a) Administrative Service. – This service shall be responsible for
2 providing the Commission with efficient and effective staff services relating to
3 personnel, information, records, supplies, equipment, collection, disbursement,
4 security and custodial work.

5 (b) Finance and Management Service. – This service shall be
6 responsible for providing the Commission with efficient and effective staff
7 advice and assistance on budgetary, financial and management matters.

8 (c) Planning Service. – This service shall be responsible for providing
9 the Commission with efficient and effective staff services relating to planning,
10 monitoring and evaluation of programs and projects.

11 (d) Legal Service. – This service shall be responsible for providing
12 Muslim Filipinos with legal education and assistance in case of litigation
13 involving their persons or interests; act as the legal counsel of the Commission;
14 and investigate cases involving its personnel and submit appropriate
15 recommendations pertaining thereto.

16 SEC. 13. *Regional Offices, Field Offices, Suboffices.* – The
17 Commission is hereby authorized to establish, operate and maintain regional
18 offices in such appropriate administrative regions of the country, each of which
19 shall be headed by a regional director. A regional office shall have, within its
20 administrative region, the following functions:

21 (a) Implement laws, rules, regulations, policies, programs and projects
22 of the Commission;

23 (b) Establish regional and provincial *Hajj* coordinating and monitoring
24 units;

25 (c) Provide efficient and effective service to Muslim Filipinos;

26 (d) Coordinate with regional offices and agencies of the executive
27 department;

28 (e) Coordinate with local government units; and

29 (f) Perform such other functions as may be provided by law.

1 The Commission is likewise authorized to establish, operate, maintain
2 and determine the functions of field offices and sub-offices, whenever
3 necessary, appropriate and feasible.

4 SEC. 14. *The Secretariat.* – The Commission shall organize a
5 secretariat that shall assist the chairman in the performance of his functions and
6 shall serve as the technical arm of the Commission. It shall be headed by an
7 executive director who shall be appointed by the President. The executive
8 director shall execute the policies and programs of the Commission and shall
9 be responsible for the efficient and effective day-to-day management of the
10 operations of the Commission.

11 The executive director shall recommend to the chairman, for approval of
12 the Commission, the budget of the secretariat, its staffing pattern, position
13 classification and compensation scheme, and the appointment of its personnel,
14 subject to existing laws, rules and regulations.

15 The executive director shall enjoy security of tenure and may only be
16 removed for cause in accordance with law.

17 SEC. 15. *Hajj Attachè.* – The President shall appoint a *Hajj Attachè*
18 from among the three (3) recommendees of the Commission. The *Hajj Attachè*
19 shall coordinate with the Ministry of *Hajj* of the Kingdom of Saudi Arabia on
20 all matters pertaining to the conduct of the annual *Hajj*. He shall hold office in
21 the Kingdom of Saudi Arabia and shall enjoy the same rank, salary and
22 privileges as those of attachès of the national government.

23 SEC. 16. *Amirul Hajj.* – The President shall appoint the chairman of the
24 Commission as the *Amirul Hajj* who shall serve as the representative of the
25 President and as the head of the Muslim Filipino pilgrims who will attend the
26 annual *Hajj*.

27 SEC. 17. *Change of Pilgrim's Name.* – The Commission shall
28 authenticate the certification which is issued by the *Hajj Attachè* and the
29 Ministry of *Hajj* of the Kingdom of Saudi Arabia and which provides a Muslim

1 name to a pilgrim. The authentication issued by the Commission, which shall
2 contain both the pilgrim's registered name in the *Philippine Civil Registry* and
3 his newly issued Muslim name, shall then be legally recognized by the national
4 government as valid for all intents and purposes.

5 ARTICLE III

6 APPROPRIATIONS, MANAGEMENT AND ADMINISTRATION

7 SEC. 18. *Appropriations.* – The amount necessary for the initial
8 implementation of this Act shall be charged against the current year's
9 appropriations of the OMA. Thereafter, such sums as may be needed for the
10 continued implementation of this Act shall be included in the annual General
11 Appropriations Act.

12 SEC. 19. *Record of Transaction.* – The Commission shall keep proper
13 accounts and records of all its transactions and affairs, and shall exert all
14 efforts to ensure that all payments made out of its moneys are correctly made
15 and properly authorized, and that adequate control is maintained over the
16 assets of, or in the custody of, the Commission and the expenditures it may
17 incur. The Commission shall be subject to audit by the COA.

18 SEC. 20. *Civil Service Law Coverage for Employees.* – The hiring,
19 appointment, employment, promotion, disciplinary control, separation and
20 other terms and conditions of the service of all employees of the Commission
21 and such other matter affecting its employees shall be consistent with the
22 provisions of the Civil Service Law, rules and regulations.

23 SEC. 21. *Government Service Insurance System (GSIS) Coverage for*
24 *Employees.* – All employees of the Commission shall be deemed members of
25 the GSIS and shall enjoy all the benefits of said system.

26 SEC. 22. *Transitory Provisions.* – Upon the creation of the
27 Commission, the OMA shall cease to operate. All the powers, functions,
28 assets, liabilities, capital, accounts, contracts, equipment and facilities of the

1 OMA which are owned by the government, shall be transferred to the
2 Commission.

3 During the transition period which begins upon approval of this Act, the
4 President may appoint the incumbent executive director of the OMA as acting
5 chairman of the Commission until the chairman of the Commission shall have
6 been appointed.

7 All regular or permanent employees may be absorbed or transferred to
8 the Commission, provided they possess the necessary qualifications, and shall
9 not suffer any loss of seniority or rank or decrease in emoluments.

10 No officer or employee in the career service shall be removed except for
11 a valid cause and after due notice and hearing. A valid cause for removal exists
12 when, pursuant to a *bona fide* reorganization, a position has been abolished or
13 rendered redundant or there is a need to merge, divide or consolidate positions
14 in order to meet the exigencies of the service, or other lawful causes allowed
15 by the Civil Service Law.

16 Employees separated and/or phased-out from the service as a result of
17 the abolition of the OMA under the provisions of this Act shall within three (3)
18 months from their separation and/or phase-out from the service receive a
19 separation pay in accordance with existing laws, rules and regulations. In
20 addition, those who are qualified to retire shall be allowed to retire and be
21 entitled to all benefits provided under any of the existing retirement laws. The
22 fund of the Commission may be used to fund the purpose.

23 The chairman shall recommend to the Commission a work program that
24 shall include the organizational plan and structure, staffing pattern and
25 compensation plan, budget, programs, projects and activities of the
26 Commission within ninety (90) days from the approval of this Act. Said work
27 program shall be implemented by the chairman within thirty (30) days after its
28 approval by the Commission and the President.

1 SEC. 23. *Periodic Performance Evaluation.* – The chairman is hereby
2 required to formulate and enforce a system of measuring and evaluating
3 periodically and objectively the performance of the Commission and submit
4 the same annually to the President.

5 SEC. 24. *Repealing Clause.* – Executive Order No. 122-A, as amended
6 by Executive Order No. 295, is hereby repealed. All other acts, decrees,
7 instructions, rules and regulations or parts thereof inconsistent with the
8 provisions of this Act are also hereby repealed or modified accordingly.

9 SEC. 25. *Separability Clause.* – If, for any reason, any section or
10 provision of this Act is declared unconstitutional or invalid, the other sections
11 or provisions hereof which are not affected thereby shall continue to be in full
12 force and effect.

13 SEC. 26. *Effectivity Clause.* – This Act shall take effect fifteen (15)
14 days after its publication in two (2) national newspapers of general circulation.

Approved,

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