

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

4 **SEC. 5. Composition of the Commission.** The Commission shall be
5 composed of nine (9) full-time members who are Muslim Filipinos and shall be
6 headed by a Secretary: *Provided*, that one (1) of the Commissioners shall come from
7 the women sector, one (1) from the Youth Sector and another Commissioner shall
8 come from the Ulama sector: *Provided* finally, that not more than two (2)
9 Commissioners shall come from the same Muslim Filipino tribe at any given time, to
10 ensure a more equitable representation in the Commission. The President shall
11 appoint the regular members of the Commission. The Commissioners shall be
12 academic degree holders and must speak and write fluently the English and/or
13 Arabic languages. They shall be individuals who possess the highest degree of
14 integrity and have the endorsement of their respective tribes or sectors.

15 In no case shall the Commissioners appoint representatives to act on their
16 behalf.

17 The Commission may create a Council of Advisers to be composed of
18 cultural, religious, traditional, and tribal leaders. The Council shall advise the
19 Commission on matters pursuant to the Commission's mandate.

20 **SEC. 6. Term of Office.** The Secretary, who shall be the Chief Executive
21 Officer of the Commission with Cabinet rank, shall attend the Cabinet-level meetings,
22 appointed by the President from among the nine (9) Commissioners, and shall serve
23 for a period of four (4) years. The Commissioners shall have a term of office of four
24 (4) years without prejudice to reappointment by the President.

25 Should a Commissioner fail to complete his or her term, the President shall
26 appoint a successor and will only serve for the unexpired portion of the term.

27 The Secretary and the Commissioners shall have the rank, salary, and
28 privileges as those of a Cabinet Secretary and Assistant Secretaries, respectively.

29 **SEC. 7. Removal from Office.** The President may, remove any member of
30 the Commission before the expiration of his/her term, upon the recommendation of
31 any Muslim Filipino tribal group or sector for cause and after observance of the
32 proper due process required by pertinent laws.

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ARTICLE II

Powers and Functions

SEC. 8. Powers and Functions. To accomplish its mandate, the Commission shall have the following powers and functions:

- (a) Provide advice and assistance to the President in the formulation, coordination, implementation and monitoring of policies, plans, programs and projects affecting Muslim Filipino communities; when so authorized, represent the President on matters concerning Muslim Filipino communities; serve as a link between the President and public or private agencies, internal or external, that are involved in such programs and projects; and recommend such affirmative actions as may be necessary for their efficient and effective implementation;
- (b) Undertake and coordinate development programs and projects for the advancement of Muslim Filipino communities, including designing, implementing and maintaining settlements for Muslim Filipino communities: *Provided*, that the Commission shall not take jurisdiction or ownership over lands, and bodies of water traditionally and actually occupied by Indigenous Peoples and within the identified ancestral domains of the National Commission on Indigenous People: *Provided further*, that lands identified by the Commission shall be used for the purpose of settling the homeless and displaced Muslim families to improve the conditions of the members of the Muslim communities;
- (c) Act as the primary government agency through which Muslim Filipinos can seek government assistance and redress; serve as the medium through which such assistance may be extended to Muslim Filipinos; for this purpose, the Commission is hereby authorized, subject to existing auditing rules and regulations, to give grants-in-aid out of its appropriations or other appropriate funds to cooperating government agencies for such programs or projects for the development of Muslim Filipino communities; provide services including legal assistance, medical aid, relief and other forms of assistance for socio-economic upliftment of Muslim Filipino communities;
- (d) Enter, subject to existing laws, policies and guidelines, into such contracts, agreements or arrangements with government or private agencies or entities as may be necessary to attain the objectives of the Commission;
- (e) In accordance with pertinent laws, rules and regulations and subject to guidelines provided by the Office of the President, promote and enhance the development

- 1 of domestic trade and commerce among the members of the Muslim Filipino
2 communities; promote or facilitate the establishment by members of the Muslim
3 Filipino communities of venture and investments in cooperation or coordination
4 with existing public enterprises, corporations or private entities; initiate and/or
5 organize, in accordance with pertinent laws, rules and regulations, enterprises
6 based on the principles of Islamic business and finance for the benefit and
7 welfare of the Muslim Filipino Communities;
- 8 (f) Recommend to the Department of Budget and Management (DBM) the proposed
9 expenditure for the development of all Muslim Filipino communities;
- 10 (g) Develop criteria for allocating additional resources for education, economic and
11 cultural development programs;
- 12 (h) Monitor and evaluate the performance of all existing policies and development
13 programs of the government that seek to strengthen and uplift the socio-
14 economic conditions of Muslim Filipinos and identify areas that need government
15 intervention and support;
- 16 (i) Acquire, lease or own such property or assets in whatever form as may be
17 necessary, and sell or otherwise dispose of the same, and serve as the
18 custodian or administrator of such lands or areas and other properties or assets
19 the President may reserve for the benefit of Muslim Filipino communities;
- 20 (j) Solicit and accept grants, donations and gifts, in cash or in kind, in whatever
21 source, in coordination with the appropriate agency for the benefit of the Muslim
22 Filipinos, and administer the same in accordance with the terms thereof, or in the
23 absence of any condition, in such manner consistent with the interest of Muslim
24 Filipinos as well as existing laws;
- 25 (k) Undertake studies, establish and maintain ethnographic research centers and
26 museums on the cultures and institutions of Muslim Filipinos for policy
27 formulation and program implementation and for the purpose of preserving their
28 historical heritage;
- 29 (l) Certify, whenever appropriate, membership of persons in Muslim Filipino
30 communities for purposes of establishing qualifications for specific requirements
31 of government and private agencies or for benefits as may be provided by law;
- 32 (m) Conduct inspections or surveys, jointly with other appropriate agencies, and
33 issue necessary certifications prior to the grant of any license, lease or permit for
34 the exploitation of natural resources affecting the interests of Muslim Filipino

- 1 communities or areas occupied by them; and in case of conflicts, recommend to
2 the President appropriate action under the circumstances: *Provided*, that the
3 issuance of said certification shall not be considered as license, lease, or permit
4 allowing the exploitation of natural resources, which license, lease, or permit can
5 only be issued by the authorized government agencies or offices pursuant to
6 pertinent laws;
- 7 (n) Provide legal and technical services for the survey, adjudication, titling, and
8 development of Muslim Filipino ancestral lands and settlements proclaimed by
9 the government for the Muslim Filipinos;
- 10 (o) Administer all programs, projects, and activities, formulate the necessary rules
11 and regulations, and coordinate with pertinent offices to ensure the success of
12 the annual hajj (pilgrimage) to Mecca, Kingdom of Saudi Arabia;
- 13 (p) Promote the development of a *Hajj* Assistance Fund that shall be created from
14 contributions of Muslim Filipinos and other donors which shall be used to support
15 the financial needs of Muslim Filipinos intending to participate in the annual hajj;
- 16 (q) Administer and hold in trust *awqaf* (endowment) properties and/or *awqaf*
17 institutions, and receive by way of grant, donations or gifts, *awqaf* investments in
18 accordance with the principles of Islamic investments and finance;
- 19 (r) Prescribe rules and regulations for the establishment of *awqaf* institutions,
20 administration of *awqaf* assets, and settlement of disputes among *awqaf*
21 beneficiaries pursuant to the general principles of Shari'ah (Islamic Law);
- 22 (s) Formulate and adopt continuing programs and activities to strengthen *Madaris*
23 (plural of *Madrasah*) schools, Islamic Studies, and *Shari'ah* and Islamic
24 jurisprudence, in coordination with appropriate agencies of the government;
- 25 (t) Promote and supervise, in coordination with appropriate agencies of the
26 government, the implementation of the *Madrasah* education system throughout
27 the country except in the Autonomous Region in Muslim Mindanao (ARMM)
28 where the system shall be implemented and supervised by the Department of
29 Education-ARMM; and provide assistance in the expeditious accreditation of
30 *Madrasah* educational institutions with the appropriate agencies of the
31 government;
- 32 (u) Ensure that the curriculum of the *Madrasah* education system shall conform with
33 the basic curriculum of the national formal education system which along with
34 teachings on Arabic Language, Islamic Studies, and Filipino and Islamic Values

1 shall include, among others, the subjects on Filipino and English Grammar and
2 Usage, Philippine History and Geography, Science and Technology,
3 Mathematics, Physical Education and Sports Development, and Vocational
4 Education to secure the local and international competitiveness of Muslim
5 Filipino graduates from the *Madrasah* educational institutions;

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

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

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

12 (y) Promulgate such rules and regulations and exercise such powers and functions
13 as maybe necessary to carry out the purposes and objectives outlined in this Act;
14 and

15 (z) Perform such other functions as may be necessary for its effective operations
16 and continued enhancement as a government entity.

17 **SEC. 9. Administrative Supervision and Control.** The administrative
18 supervision and control over the personnel, except the Commissioners, and the
19 properties of the Commission shall be vested in the Secretary. Except for
20 Presidential appointees, the appointment of and imposition of disciplinary measures
21 on the same personnel shall likewise be vested in the Secretary who shall
22 accomplish the same in consultation with the Commissioners, except that when the
23 administrative charge entails, considering the circumstances alleged in the
24 complaint, the penalty of dismissal from the service, the decision thereon shall be by
25 the majority of all the members of the Commission. The Secretary shall exercise
26 administrative supervision over the Commissioners. The Commissioners shall assist
27 the Secretary in the performance of his functions, who may assign or delegate
28 specific and substantive or administrative responsibilities to any of them including the
29 designation of any Commissioner to be in-charge or take supervision of a particular
30 bureau. However, this provision shall not be construed as replacing the Bureau
31 Director who shall continue to discharge the duties and responsibilities as a bureau
32 director.

33 **SEC. 10. Organizational Structure.** The Commission shall be composed of
34 the offices of the Secretary, the Commissioners, the Executive Director and the

1 Deputy Executive Director and their immediate staff, the Bureaus, Services,
2 Regional Offices, Field Offices and Sub-offices.

3 **SEC. 11. Bureaus.** The Bureaus of the Commission shall consist of the
4 Bureau of Economic Affairs, Bureau of Muslim Cultural Affairs, Bureau of Land and
5 Settlement Affairs, Bureau of External Relations, Bureau of Pilgrimage and
6 Endowment, Bureau of Peace and Conflict Resolution, Bureau of Environmental
7 Concerns, Bureau of Muslim Filipino Overseas Workers, and the Bureau of Legal
8 Affairs. Each of these Bureaus shall be headed by a Director who shall hold the
9 same rank, salary, and privileges of a Staff Bureau Director.

10 The Bureau Director shall be appointed by the President from among the
11 names or nominees submitted by the Commission to the President.

12 **(a) Bureau of Economic Affairs.** This Bureau shall promote and develop
13 economic livelihood programs and projects through extension of loans,
14 entrepreneurship, trade and marketing assistance to the members of Muslim Filipino
15 communities. It shall also be responsible for the promotion and development of
16 cooperative endeavors among Muslim Filipinos in coordination with the Cooperative
17 Development Authority (CDA). It shall likewise promote and implement manpower
18 training and community self-help projects for the economic development of Muslim
19 Filipinos.

20 **(b) Bureau of Muslim Cultural Affairs.** This Bureau shall be responsible
21 for the conduct of research and studies on the cultural development of Muslim
22 Filipino communities which would serve as the basis for policy and plans formulation,
23 program and project implementation.

24 It shall formulate and implement an education program especially designed to
25 improve the literacy level of Muslim Filipinos, including their study of the Arabic
26 language, and maintain a central library, museum and audio-visual center to serve
27 as repositories of information on the Muslim Filipino peoples.

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

32 As far as feasible, the teaching of the Arabic language shall form part of the
33 curriculum in the *Madrasah*.

1 **(c) Bureau of Land and Settlement Affairs.** This Bureau shall be
2 responsible for the promotion and development of Muslim Filipino settlements in
3 coordination with concerned agencies of the government.

4 **(d) Bureau of External Relations** - This Bureau shall be responsible in
5 forging linkages among Muslim Filipino communities and organizations within and
6 outside the country including print, broadcast and electronic communications. The
7 Bureau shall also serve as the public information arm of the Commission and assist
8 in fulfilling information dissemination on issues affecting Muslim Filipinos. It is tasked
9 to carry-out sound dissemination practices and may use the services of other
10 agencies to help achieve an informed judgment on issues.

11 **(e) Bureau of Pilgrimage and Endowment.** This Bureau shall be
12 primarily responsible for the administration of the annual Muslim pilgrimage to
13 Mecca, Kingdom of Saudi Arabia; and the formulation and implementation of
14 programs, projects and activities for the efficient and effective administration and
15 supervision of the conduct of pilgrimage activities: *Provided*, that the supervision
16 accorded the Bureau under this Section shall not include control.

17 In the pursuance of the above responsibilities, the Bureau shall formulate the
18 necessary guidelines to ensure the timely processing of the pilgrim's travel
19 documents and the equitable and reasonable collection of fees. Such collection
20 shall be limited to *mutawiff* and passporting and/or processing fees only. Collected
21 fees shall be deposited in a special trust fund which shall be established by the
22 Commission, the expenses from which shall be subject to existing auditing laws,
23 rules and regulations.

24 The Bureau shall also have several of its personnel who write and speak
25 fluently the Arabic language.

26 The pilgrims shall be accorded free choice of travel agencies and airlines or
27 other means of transportation to and from the site of pilgrimage: *Provided that*,
28 pilgrims comply with the prescribed arrival and departure schedule fixed by the
29 Ministry of *Hajj* of the Kingdom of Saudi Arabia: *Provided further*, that all pilgrims
30 shall be legitimate holders of round-trips tickets to and from the Kingdom of Saudi
31 Arabia: *Provided furthermore*, that the pilgrims shall be free to choose on where to
32 purchase or acquire other logistics, materials and supplies for the pilgrimage.

33 In no instance that the pilgrims shall be forced to purchase such logistics,
34 materials and supplies from the Commission or its authorized agents or

1 representatives. However, for purposes of uniformity, the Commission may prescribe
2 the standards, such as but not limited to, design, color or type of materials to be
3 used for such logistics, materials and supplies.

4 As far as practicable, the Bureau shall tap Muslim Filipino students based in
5 Saudi Arabia to assist the Muslim Filipino pilgrims.

6 The Bureau shall also accredit qualified and deserving sheikhs. It shall also
7 formulate, subject to the approval of the Commission, the timetable of annual *hajj*
8 activities which must be posted in all areas accessible to Muslim Filipinos.

9 The Bureau shall likewise be responsible for the administration of *awqaf*
10 (endowment) properties and institutions, and the conduct of research and studies for
11 the establishment and maintenance of *hajj* towns, Islamic centers and *awqaf*
12 projects.

13 **(f) Bureau of Peace and Conflict Resolution.** This Bureau shall
14 primarily be responsible for the conduct of peace and settlement of conflict among
15 Muslim Filipinos and shall likewise participate in the national peace process efforts,
16 particularly for Muslim Mindanao. It is aimed to prevent, de-escalate and find solution
17 to conflicts by peaceful means.

18 **(g) Bureau of Environmental Concerns.** This Bureau shall primarily be
19 responsible for the supervision and protection of the environment and natural
20 resources against exploitation. It is aimed at conserving the natural resources,
21 preserving its current state and possibly reversing its degradation at Muslim-
22 dominated areas.

23 **(h) Bureau of Muslim Filipino Overseas Workers.** This Bureau shall
24 primarily be responsible for providing assistance to Muslim Filipinos working abroad,
25 provided that a women's desk shall be established in the bureau to receive and act
26 on complaints of violence, illegal recruitment, exploitation, human trafficking,
27 discrimination and any form of abuse in collaboration with other government
28 agencies or offices for the protection of female Muslim Filipino overseas workers:
29 *Provided* further, that the bureau shall also establish programs needed for
30 rehabilitation of the victims.

31 **(i) Bureau of Legal Affairs.** The Legal Affairs Service shall be
32 responsible for providing Muslim Filipinos with legal education and assistance in
33 case of litigation involving their persons or interests; act as the legal counsel of the

1 Commission; and investigate cases involving its personnel and submit appropriate
2 recommendations pertaining thereto.

3 **SEC. 12. Services.** The Services of the Commission shall consist of the
4 Administrative Service, Finance Management Service and Planning Service, each of
5 which shall be headed by a Staff Director with the same rank, salary, and privileges
6 of an Assistant Staff Bureau Director.

7 **(a) Administrative Service.** This Service shall be responsible for providing
8 the Commission with efficient and effective staff services relating to personnel,
9 information, records, supplies, equipment, collection, disbursement, security and
10 custodial work.

11 **(b) Finance and Management Service.** This Service shall be responsible for
12 providing the Commission with efficient and effective staff advise and assistance on
13 budgetary, financial and management matters.

14 **(c) Planning Service.** This Service shall be responsible for providing the
15 Commission with efficient and effective staff services relating to planning, monitoring,
16 and evaluation of programs and projects.

17 **SEC. 13. Regional Offices, Field Offices, Sub-Offices.** The Commission is
18 hereby authorized to establish, operate, and maintain Regional Offices in such
19 appropriate administrative regions of the country, each of which shall be headed by a
20 Regional Director. A Regional Office shall have, within its administrative region, the
21 following functions:

- 22 (a.) Implement laws, rules, regulations, policies, programs, and projects of the
23 Commission;
24 (b.) Establish regional and provincial *Hajj* coordinating and monitoring units;
25 (c.) Provide efficient and effective service to Muslim Filipinos;
26 (d.) Coordinate with regional offices and agencies of the executive department;
27 (e.) Coordinate with local government units; and
28 (f.) Perform such other functions as may be provided by law.

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

32 **SEC. 14. The Secretariat.** The Commission shall organize a Secretariat that
33 shall assist the Secretary in the performance of his functions and shall serve as the
34 technical arm of the Commission. It shall be headed by an Executive Director who

1 shall be appointed by the President. The Executive Director shall execute the
2 policies and programs of the Commission and shall be responsible for the efficient
3 and effective day-to-day management of the operations of the Commission.

4 The Executive Director shall recommend to the Secretary, for approval of the
5 Commission, the budget of the Secretariat, its staffing pattern, position classification
6 and compensation scheme, and the appointment of its personnel subject to existing
7 laws, rules and regulations.

8 The Executive Director shall enjoy security of tenure and may only be
9 removed for cause in accordance with law.

10 **SEC. 15. *Hajj Attache.*** The President shall appoint a *Hajj Attache* only from
11 among the three (3) recommendees of the Commission within fifteen (15) days from
12 the submission of the recommendees by the Commission. The *Hajj Attache* shall
13 coordinate with the Ministry of *Hajj* of the Kingdom of Saudi Arabia on all matters
14 pertaining to the conduct of the annual *Hajj*. He shall be an academic degree holder
15 and must be able to write and speak fluently the Arabic language. He shall hold
16 office in the Kingdom of Saudi Arabia and shall enjoy the same rank, salary, and
17 privileges as those of attaches of the national government.

18 **SEC. 16. *Amirul Hajj.*** The President shall appoint the Secretary of the
19 Commission as the *Amirul Hajj* who shall serve as the representative of the
20 President and as the head of the Muslim Filipino pilgrims who will attend the annual
21 *Hajj*.

22 **SEC. 17. *Change of Pilgrim's Name.*** The Commission shall authenticate the
23 certification which is issued by the *Hajj Attache* and the Ministry of *Hajj* of the
24 Kingdom of Saudi Arabia and which provides a Muslim name to a pilgrim. The
25 authentication issued by the Commission, which shall contain both the pilgrim's
26 registered name in the Philippine Civil Registry and his newly-issued Muslim name,
27 shall then be legally recognized by the national government as valid for all intents
28 and purposes.

29 **ARTICLE III**

30 **Appropriations, Management and Administration**

31 **SEC. 18. *Appropriations.*** The amount necessary for the initial
32 implementation of this Act shall be charged against the current year's appropriations
33 of the Office on Muslim Affairs. Thereafter, such sums as may be needed for the

1 continued implementation of the act shall be included in the annual General
2 Appropriations Act.

3 **SEC. 19. Record of Transaction.** The Commission shall keep proper
4 accounts and records of all its transactions and affairs, and shall exert all efforts to
5 ensure that all payments made out of its moneys are correctly made and properly
6 authorized, and that adequate control is maintained over the assets of, or in the
7 custody of, the Commission and the expenditures it may incur. The Commission
8 shall be subject to audit by the Commission on Audit.

9 **SEC. 20. Civil Service Law Coverage for Employees.** The hiring,
10 appointment, employment, promotion, disciplinary control, separation, and other
11 terms and conditions of the service of all employees of the Commission and such
12 other matters affecting its employees shall be consistent with the provisions of the
13 Civil Service Law and the Civil Service Commission's rules and regulations.

14 **SEC. 21. GSIS Coverage for Employees.** All employees of the Commission
15 shall be deemed members of the Government Service Insurance System and shall
16 enjoy all the benefits of said System.

17 **SEC. 22. Transitory Provisions.** Upon the creation of the Commission, the
18 OMA shall cease to exist. All the powers, functions, assets, liabilities, capital,
19 accounts, contracts, equipment, and facilities of the OMA which are owned by the
20 government, shall be transferred to the Commission.

21 During the transition period, which begins upon approval of this Act, the
22 President may appoint the incumbent Executive Director of the OMA as Acting
23 Secretary of the Commission until the regular Secretary of the Commission shall
24 have been appointed.

25 All regular or permanent employees of OMA shall be absorbed or transferred
26 to the Commission: *Provided*, that they possess the necessary qualifications, and
27 shall not suffer any loss of seniority or rank or decrease in emoluments.

28 Employees separated and/or phased-out from the service as a result of the
29 abolition of the OMA under the provision of this Act shall, within three (3) months
30 from their separation and/or phased-out from the service receive a separation pay in
31 accordance with existing laws, rules and regulations. In addition, those who are
32 qualified to retire shall be allowed to retire and be entitled to all benefits provided
33 under existing retirement laws. The fund of the Commission maybe used to fund this
34 purpose.

1 Employees separated and/or retired from the service shall not be eligible for
2 re-appointment to or employment in the Commission whether on a permanent,
3 temporary, casual or contractual status within a period of three (3) years after
4 separation or retirement.

5 The Secretary shall recommend to the Commission a work program that shall
6 include the organizational plan and structure, staffing pattern and compensation
7 plan, budget, programs, projects, activities of the Commission within ninety (90) days
8 from the constitution of the Commission. Said work program shall be implemented by
9 the Secretary within thirty (30) days after its approval by the Commission.

10 **SEC. 23. Periodic Performance Evaluation.** The Secretary is hereby
11 required to formulate and enforce a system of measuring and evaluating periodically
12 and objectively the performance of the Commission and submit the same annually to
13 the President and to the Congress of the Philippines.

14 **SEC. 24. Implementing Rules and Regulations.** The National Commission
15 on Muslim Filipinos (NCMF) and the Department of Budget and Management shall
16 issue the implementing rules and regulations ninety (90) days after the effectivity of
17 this Act.

18 **SEC. 25. Separability Clause:** If for any reason, any section or provision of
19 this Act is declared unconstitutional or invalid, the other section or provisions hereof,
20 which are not affected thereby shall continue in full force and effect.

21 **SEC. 26. Repealing Clause.** Executive Order No. 122-A, as amended by
22 Executive Order No. 295 is hereby repealed. All other acts, decrees, instructions,
23 rules and regulations or parts thereof inconsistent with the provisions of this Act are
24 also hereby repealed or modified accordingly.

25 **SEC. 27. Effectivity Clause.** This Act shall take effect fifteen (15) days after
26 its publication in two (2) national newspapers of general circulation.

27 Approved,