

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 1373

Introduced by Representative Faysah RPM Dumarpa

EXPLANATORY NOTE

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 1080 entitled "An Act Declaring The Bar and Board Examinations As Civil Service Examinations."

When Former President Ferdinand E. Marcos signed PD 1083, otherwise known as the Code of Muslim Personal Laws of the Philippines and the Supreme Court subsequently promulgated the complementing 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.

To this date, there are 300 Shari'a Lawyers licensed to practice in Shari'a Courts. In 2003, the number of successful candidates of the Shari'a Bar Examinations equals the lowest number of passers recorded in 1987. However, the Shari'a Bar examination is not covered by Republic Act 1080 which was enacted on June 15, 1954. As such, the Special Shari'a Bar examination 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.

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


FAYSAH RPM DUMARPA

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AN ACT
DECLARING THE SPECIAL SHARIA BAR EXAMINATION AS CIVIL
SERVICE EXAMINATION AMENDING FOR THE PURPOSE RA 1080
ENTITLED “ AN ACT DECLARING THE BAR AND BOARD EXAMINATIONS
AS CIVIL SERVICE EXAMINATIONS”

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

SECTION 1. The bar examinations, **including the Special Shari’a Bar Examination**, and the examinations given by the various Boards of Examiners of the Government are declared as civil service examinations, and shall for purposes of appointment to positions in the classified service the duties of which involve knowledge of the respective professions, except positions requiring highly specialized knowledge not covered by the ordinary board examinations, be considered as equivalent to the First Grade Regular examinations given by the (Bureau) **Civil Service Commission** if the profession requires at least four (4) years of study in college and the person has practiced his professions for at least two years, and as equivalent to the second grade examination if the profession requires less than four years of college study.

SECTION 2. The Commissioner of Civil Service shall be furnished by the Clerk of the Supreme Court and the Secretary of the Board of Examiners a list of all the successful candidates in the bar and board examinations, **including the Special Shari’a Bar Examination**, with their general averages and preference shall be given those obtaining the highest ratings in making appointments, *Provided*, That for those who have already passed the corresponding bar and board examinations, **including the Special Shari’a Bar Examination**, the eligibility shall be deemed to commence from the approval of the Act.

SECTION 3. The Commissioner of Civil Service shall promulgate the rules and regulations to implement the provisions of this Act.

SECTION 4. The benefits granted under this Act shall not prescribe, the provisions of civil service law or regulations notwithstanding.

SECTION 5. This Act shall take effect upon its approval.

Approved,