

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2114



INTRODUCED BY THE HONORABLE GERRY A. SALAPUDDIN

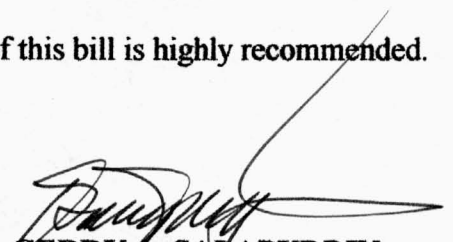
EXPLANATORY NOTE

Presidential Decree No. 1083 or the Muslim Code of Personal Laws of the Philippines was signed into law by then-President Ferdinand E. Marcos with the end in view of recognizing the practice of the personal laws of the Filipino Muslims. The said law was a legal recognition of the validity of the personal laws of Filipino Muslims, and established a Shari'a Court District System where cases involving these laws may be ventilated, and adjudicated upon.

The Filipino Muslim population has expanded since the enactment of P.D. No. 1083. There are now significant Filipino Muslim communities in the entire Mindanao, in Northern Luzon, Metro Manila, Southern Luzon, and the Visayas. This has translated in a greater amount of cases being filed in the said Shari'a courts. Furthermore, the Autonomous Region in Muslim Mindanao (ARMM) has been established, with the provinces of Basilan, Lanao del Sur, Maguindanao, Sulu, and Tawi-Tawi as members.

Hence this bill seeks to establish an expanded and separate Shari'a District Court System in the ARMM, and in the areas outside the ARMM. This will minimize if not totally eradicate the inequalities between and among the intended beneficiaries of this Bill by giving them the adequate judicial recourse to remedy their problems.

In view of the foregoing, the passage of this bill is highly recommended.


GERRY A. SALAPUDDIN
Representative, Lone District of Basilan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2114

INTRODUCED BY THE HONORABLE GERRY A. SALAPUDDIN

AN ACT
ESTABLISHING AND STRENGTHENING THE SHARI'A DISTRICT
COURT SYSTEM IN THE AUTONOMOUS REGION IN MUSLIM
MINDANAO AND IN THE AREAS OUTSIDE THE SAID
AUTONOMOUS REGION, AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 1083 OTHERWISE KNOWN AS THE
MUSLIM CODE OF PERSONAL LAWS OF THE PHILIPPINES, AND
FOR OTHER PURPOSES

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

SECTION 1. *Amendment to Articles 138 and 138-a.* Article 138 of Presidential Decree No. 1083 is hereby amended to read as follows:

“Article 138. *Shari'a Judicial Districts.* – In the Autonomous Region in Muslim Mindanao, five special judicial districts, each to have one Shari'a District Court presided over by one judge, are constituted as follows:

- (a) The First Shari'a District comprising the Province of Sulu;
- (b) The Second Shari'a District, the Province of Tawi-Tawi;
- (c) The Third Shari'a District, the Province of Basilan and the City of Isabela;
- (d) The Fourth Shari'a District, the Province of Lanao del Sur and the City of Marawi;

- (e) The Fifth Shari'a District, the Province of Maguindanao, the City of Cotabato.

Article 138-a. Outside the Autonomous Region in Muslim Mindanao, six special judicial districts, each to have one Shari'a District Court presided over by one judge, are constituted as follows:

- (a) The Sixth Shari'a District, the Province of Lanao del Norte and the City of Iligan;
- (b) The Seventh Shari'a District, the Province of North Cotabato, South Cotabato, and the City of General Santos;
- (c) The Eighth Shari'a District, the Provinces of Zamboanga Sibugay, Zamboanga del Norte, Zamboanga del Sur, and the Cities of Dipolog, Pagadian and Zamboanga;
- (d) The Ninth Shari'a District, the Metropolitan Manila Area and Southern Luzon;
- (e) The Tenth Shari'a District, in Northern Luzon;
- (f) The Eleventh Shari'a District, in the Visayas."

SEC. 2. *Amendment to Articles 147, 147-a, and 147-b.* Article 147 of Presidential Decree No. 1083 is hereby amended to read as follows:

"Article 147. *Permanent stations; offices.* - The Shari'a District Courts in the Autonomous Region in Muslim Mindanao shall have their respective permanent stations in the following places:

- (a) First Shari'a District, in Jolo;
- (b) Second Shari'a District, in Bongao;
- (c) Third Shari'a District, in Isabela City;
- (d) Fourth Shari'a District, in Marawi City;
- (e) Fifth Shari'a District, Cotabato City.

Article 147-a. The Shari'a District Courts outside the Autonomous Region in Muslim Mindanao shall have their respective permanent stations in the following places:

- (a) Sixth Shari'a District, in Zamboanga City;
- (b) The Seventh Shari'a District, in General Santos City.
- (c) The Eighth Shari'a District, in Zamboanga City.
- (d) The Ninth Shari'a District, in Metro Manila;
- (e) The Tenth Shari'a District, in Baguio City;
- (f) The Eleventh Shari'a District, in Cebu City.

Article 147-b: *Provisions Common to Articles 147 and 147-a.* The Shari'a District Courts may hold sessions anywhere within their respective districts."

SEC. 3. *Amendment to Articles 150, 150-a, and 150-b.* Article 150 of Presidential Decree No. 1083 is hereby amended to read as follows:

"Article 150. *Shari'a Circuit Courts; where established.* Shari'a Circuit Courts in the Autonomous Region in Muslim Mindanao shall be established as follows:

- (a) Eight such courts in the Province of Sulu;
- (b) Eight in the Province of Tawi-Tawi;
- (c) Eight in the Province of Basilan and in the City of Isabela;
- (d) Eight in the Province Lanao del Norte and the City of Marawi;
- (e) Eight in the Province of Maguindanao and the City of Cotabato.

Article 150-a. Shari'a Circuit Courts outside the Autonomous Region in Muslim Mindanao shall be established as follows:

- (a) Eight in the Province of Lanao del Norte and the City of Iligan;

- (b) Eight in the Provinces of North Cotabato and South Cotabato, and the City of General Santos;
- (c) Eight in the Provinces of Zamboanga Sibugay, Zamboanga del Norte and Zamboanga del Sur, and the Cities of Dipolog, Pagadian, and Zamboanga;
- (d) Eight in the Metropolitan Manila Area and Southern Luzon;
- (e) Eight in Northern Luzon;
- (f) Eight in the Visayas.

Article 150-b. Provisions Common to Articles 150 and 150-a. - The territorial jurisdiction of each of the Shari'a Circuit Courts shall be fixed by the Supreme Court on the basis of geographical contiguity of the municipalities and cities concerned and their Muslim population."

SEC. 4. *Appropriations.* – Such amounts as may be necessary to establish the aforementioned Shari'a Districts as well as to reorganize and strengthen those which are already existing shall be charged to the appropriations of the Supreme Court of the Philippines under the current General Appropriations Act. Thereafter, the amounts needed for their operation and maintenance shall be included in the annual General Appropriations Act.

SEC. 5. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette and two (2) newspapers of national circulation.

Approved.