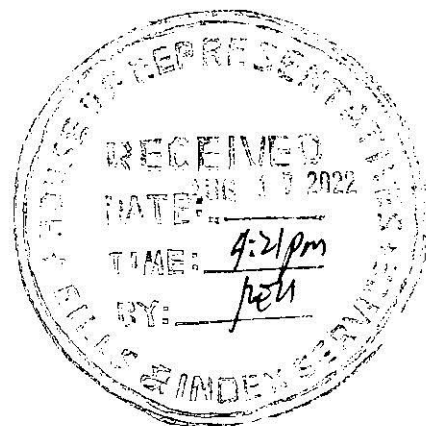




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Nineteenth Congress
First Regular Session

HOUSE BILL NO. 3755

Introduced by **HON. MUJIV S. HATAMAN** of the Lone District of Basilan

EXPLANATORY NOTE

Muslims observe burial rites and customs when laying a person to rest. In their tradition, the deceased is buried within 24 hours from death. This is followed by a funeral procession and a period of mournings.

However, proper and accessible burial grounds for Muslim Filipinos remain a difficulty for most Muslim Filipinos because of a lack of nearby Muslim cemeteries. Many are forced to travel long distances to bury their dead. For the families of the deceased, this lack of burial space compounds grieving.

The proposed measure seeks to establish public cemeteries for Muslim Filipinos in all cities and municipalities by mandating LGUs to allocate a portion of land intended as public cemeteries for Muslim Filipinos to preserve the sanctity of Islamic belief and culture in honoring the deceased. In cases where the family member or immediate next of kin of the

deceased is an indigent, the concerned local government unit is mandated to shoulder the expenses.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



HON. MUJIV S. HATAMAN
Representative
Lone District of Basilan



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HOUSE BILL NO. 3755

Introduced by **HON. MUJIV S. HATAMAN** of the Lone District of Basilan

**AN ACT REQUIRING LOCAL GOVERNMENT UNITS TO ALLOCATE LAND
FOR THE ESTABLISHMENT OF MUSLIM FILIPINO PUBLIC CEMETERY**

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

SECTION 1. Short Title. – This Act shall be known and hereinafter referred to as the Muslim Filipino Public Cemeteries Act.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to ensure the rights and well-being of Muslim Filipinos with due regard to their beliefs, customs, traditions, and institutions.

SEC. 3. Establishment of Muslim Filipino Public Cemetery. – There shall be established a public cemetery for Muslim Filipinos in every local government unit (LGU) in keeping with their religious practices, beliefs, and customs.

- a) All cities and municipalities within the bounds of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) are hereby mandated to allocate a minimum of two (2) hectares of suitable land for the establishment of a public cemetery dedicated to their respective Muslim Filipino residents;

- b) All component city or municipal local government units (LGUs) of Metro Manila must allocate a minimum of three thousand square meters each as dedicated public cemetery for their respective Muslim Filipino constituents. For this purpose, the said LGUs may procure lands outside of Metro Manila; Provided, that the location of the Muslim Filipino public cemetery that each LGU shall establish must be within reasonable traveling distance from their respective municipal or city hall;
- c) Every city or municipality outside of Metro Manila and the BARMM that hosts at least one thousand (1,000) Filipino Muslims, regardless of gender and age, as permanent residents within its bounds is hereby mandated to allocate a minimum of five thousand (5,000) square meters suitable land within its territory as a dedicated cemetery for its Muslim Filipino residents;
- d) All cities and municipalities outside of Metro Manila and the BARMM that host at least five hundred (500) Filipino Muslims, regardless of gender and age, as their respective permanent residents are hereby mandated to allocate a minimum of three thousand square meters of suitable land as dedicated public cemetery for their Muslim Filipino constituents;
- e) All cities and municipalities outside of Metro Manila and the Bangsamoro Autonomous Region in Muslim Mindanao that host at least three hundred (300) Filipino Muslims for every city or municipality, regardless of gender and age, as their respective permanent residents are hereby mandated to allocate a minimum of two thousand square meters of suitable land as a dedicated cemetery for their Muslim Filipino constituents;
- f) In cases wherein any component city or municipality of a province does not meet the above-enumerated minimum population within the city or municipal territory for the establishment of a public Muslim Filipino cemetery, the province, being the

next LGU and in anticipation of an increase in local Filipino Muslim population within its territory, is hereby mandated to allocate a minimum of one (1) hectare of suitable land for the establishment of a public Muslim cemetery where the total population of Filipino Muslims in the said province exceeds two thousand (2,000) individuals; five thousand (5,000) square meters when the total Filipino Muslim population in the province is below two thousand (2,000) but more than one thousand and one (1,001) individuals; and two thousand five hundred (2,500) square meters when the total Filipino Muslim population in the province is one thousand (1,000) and below;

The LGU shall ensure that the registration requirements as well as the mandated design parameters and specifications for the Muslim Filipino cemeteries such as, but not limited to burial plot sizes, access to plots, circulation system, service utilities, buffer strip, facilities and amenities, and perimeter fence are in accordance with the Sanitation Code of the Philippines, HLURB Board Resolution No. 681, series of 2002, and all other pertinent rules and regulations.

SEC. 4. Management and Operation. – All LGUs shall have the power to establish, maintain, and operate its public cemetery for Filipino Muslims within their respective territorial jurisdictions in accordance with existing rules on applicable design standards, sanitation requirements, and safety guidelines.

The control and supervision of the construction, operation, and maintenance of the Muslim Filipino public cemeteries established under this Act shall be under the Department of Interior and Local Government (DILG), in coordination with the National Commission on Muslim Filipinos (NCMF).

SEC. 5. Exemption for Indigents. – In such cases wherein the family or immediate next of kin of the deceased is indigent, the concerned LGU is hereby given the responsibility and obligation to provide for the burial lot and shoulder all applicable fees and charges.

SEC. 6. Appropriations. – The establishment, maintenance, and operation of a public Muslim cemetery shall be funded from the share of LGUs in the proceeds of national taxes and other local revenues and funding support from the national government, its instrumentalities and government-owned or -controlled corporations

SEC. 7. Implementing Rules and Regulations. – The DILG and the NCMF shall, within sixty (60) days upon approval of this Act, jointly formulate and release the Implementing Rules and Regulations for the effective and efficient implementation of this Act.

SEC. 8. Separability Clause. – Should any provision of this Act be declared unconstitutional or illegal by any court of competent jurisdiction, those parts which are not declared shall remain in full force and effect.

SEC. 9. Repealing Clause. – All laws, orders, rules and regulations or parts thereof, which are inconsistent with any provision of this Act are hereby repealed or modified accordingly.

SEC. 10. Effectivity – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,