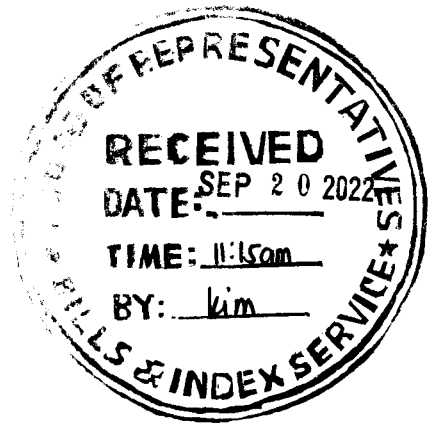


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5006



Introduced by Rep. Mohamad Khalid Q. Dimaporo

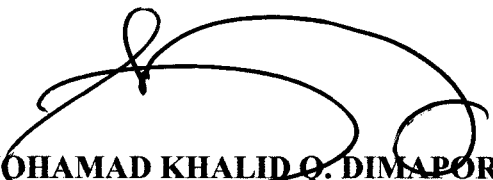
EXPLANATORY NOTE

This bill aims to create a sixth (6th) Shari'a Judicial District, to be composed of one (1) Shari'a District Court to be stationed at the City of Manila and four (4) Shari'a Circuit Courts to be stationed at the City of Manila, City of Quezon, City of San Juan and the City of Taguig.

In 1977, then President Ferdinand E. Marcos issued Presidential Decree (PD) 1083, otherwise known as the Code of Muslim Personal Laws. PD 1083 created Shari'a courts for the effective administration and enforcement of the Code of Muslim Personal Laws. However, PD 1083 is 45 years old and has not been updated to accommodate the growing Muslim population and migration, specifically from Mindanao to Metro Manila.

The National Commission on Muslim Filipinos stated that the existing number of Shari'a courts are not sufficient to efficiently handle and resolve disputes involving Muslim personal laws. More Sharia courts are needed to be established in other parts of the country, citing in particular Manila, Taguig, Baguio City and other areas where there are large Muslim population. Muslim Filipinos are forced to fly to Mindanao to avail of services of the Shari'a Courts, thereby disenfranchising the poor and marginalized.

As Shari'a Courts are a requirement for the Muslim Family and Personal Laws enshrined in Islam, this proposed house bill seeks to create a sixth Shari'a Judicial District to address cases in the National Capital Region. In view of the foregoing, the approval of this bill is earnestly sought.


MOHAMAD KHALID Q. DIMAPORO
First District, Lanao del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5006

Introduced by Rep. Mohamad Khalid Q. Dimaporo

AN ACT

CREATING A SHARI'A JUDICIAL DISTRICT IN THE NATIONAL CAPITAL REGION, AND CREATING THEREIN ONE (1) SHARI'A DISTRICT COURT TO BE STATIONED IN THE CITY OF MANILA, AND FOUR (4) SHARI'A CIRCUIT COURTS TO BE STATIONED IN THE CITY OF MANILA, CITY OF QUEZON, CITY OF SAN JUAN AND THE CITY OF TAGUIG, AMENDING FOR THE PURPOSE ARTICLES 138, 147, AND 150 OF PRESIDENTIAL DECREE NO. 1083, OTHERWISE KNOWN AS THE "CODE OF MUSLIM PERSONAL LAWS OF THE PHILIPPINES," AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Article 138 of Presidential Decree No. 1083, otherwise known as the "Code of Muslim Personal Laws of the Philippines", is hereby amended to read as follows:

"ARTICLE 138. Shari'a judicial districts. - [Five] SIX 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 shall comprise 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, Zamboanga del Norte and Zamboanga del Sur, and the Cities of Dipolog, Pagadian and Zamboanga;
- d. The Fourth Shari'a District, the provinces of Lanao del Norte and Lanao del Sur, and the Cities of Iligan and Marawi; [and}
- e. The Fifth Shari'a District, the Provinces of Maguindanao, North Cotabato and Sultan Kudarat, and the City of Cotabato[.] ; **AND**

F. THE SIXTH SHARI'A DISTRICT, THE NATIONAL CAPITAL REGION."

SEC. 2. Article 147 of the same law is hereby amended to read as follows:

"ARTICLE 147. Permanent stations; offices. –

(1) The Shari'a District Courts shall have their respective permanent stations in the following places:

- a. First Shari'a District, Jolo, Sulu;
- b. Second Shari'a District, Bongao, Tawi-Tawi;
- c. Third Shari'a District, Zamboanga City;
- d. Fourth Shari'a District, Marawi City;
- e. Fifth Shari'a District, Cotabato City; **"AND**

(F) SIXTH SHARI'A DISTRICT, THE CITY OF MANILA."

(2) The Shari'a District Courts may hold sessions anywhere within their respective districts.

(3) The provinces, cities or municipalities concerned shall provide such courts with adequate court office, supplies and equipment in accordance with the provisions of the Judiciary Law."

SEC. 3. Article 150 of the same law is hereby amended to read as follows:

"ARTICLE 150. Where established. –

(1) Shari'a Circuit Courts shall be established as follows:

- a. Six such courts in the Province of Sulu;
- b. Eight in the Province of Tawi-Tawi;
- c. Ten in and for the Provinces of Basilan, Zamboanga del Norte and Zamboanga del Sur, and the Cities of Dipolog, Pagadian, and Zamboanga;
- d. Twelve in and for the Provinces of Lanao del Norte and Lanao del Sur and the Cities of Iligan and Marawi;
- e. Fifteen in and for the Province of Maguindanao, North Cotabato and Sultan Kudarat and the City of Cotabato[.] ; **AND**

(F) THREE FOR THE NATIONAL CAPITAL REGION, TO BE STATIONED IN THE CITY OF MANILA, CITY OF QUEZON, CITY OF SAN JUAN AND THE CITY OF TAGUIG."

(2) 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 cities concerned and their Muslim population.

SEC. 4. ***Appropriations.*** The Chief Justice of the Supreme Court shall include in the Court's program the operationalization of the newly created Shari'a District Court in the City of Manila and the Shari'a Circuit Courts in the City of Manila, City of Quezon, City of San Juan and City of Taguig. Thereafter, the funds necessary for the operation of the courts herein created shall be appropriated in the General Appropriations Act.

SEC. 5. ***Separability Clause.*** Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SEC. 6. ***Repealing Clause.*** All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby amended or modified accordingly.

SEC. 7. ***Effectivity***. This Act shall take, effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,