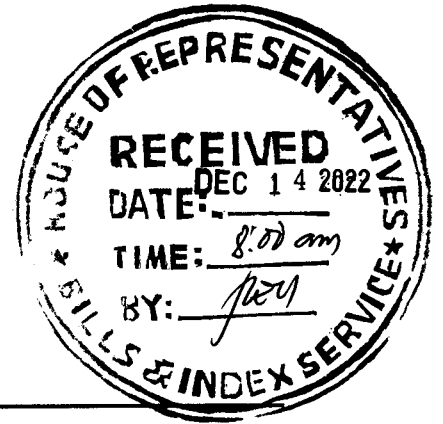


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6672



Introduced by Rep. Sittie Aminah Q. Dimaporo

EXPLANATORY NOTE

As one of the Five Pillars of Islam, the conduct of the *Hajj*, the annual pilgrimage to Mecca, Kingdom of Saudi Arabia, is a religious obligation for all Muslims that must be carried out at least once in their lifetime by all adult Muslims who are physically and financially capable. As the Philippines has a significant number of Muslim Filipinos among its population, it is therefore reasonable for the national government to include a program to facilitate the conduct of this annual pilgrimage, through the National Commission on Muslim Filipinos.

However, the annual *Hajj* operations has been plagued with problems and controversies perennially. It is the aim of this bill to provide a proactive solution to most of these problems, particularly in securing the issuance of the *Hajj* Visas from the Kingdom of Saudi Arabia, sign contracts with service providers, enforce the strict accreditation and licensing of *Hajj* Pilgrimage Guides, and provide a *Hajj* Pilgrimage credit line to ensure the timely payments of the financial requirement as imposed by the Kingdom of Saudi Arabia. It is also the objective of this legislative measure to require the NCMF to issue an annual Manual of Operations for the *Hajj* Pilgrimage that shall be the basis for the strict compliance of processes to avoid the problems of the previous *Hajj* operations.

In view of the foregoing, the passage of this bill is earnestly sought


SITTIE AMINAH Q. DIMAPORO
2nd District, Lanao del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6672

Introduced by Rep. Sittie Aminah Q. Dimaporo

AN ACT

AMENDING SECTION 11 (e) OF REPUBLIC ACT NO. 9997 OTHERWISE KNOWN AS THE NATIONAL COMMISSION ON MUSLIM FILIPINOS ACT OF 2009, TO PROVIDE BETTER SERVICE FOR THE HAJJ PILGRIMAGE OF MUSLIM FILIPINOS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as “Hajj Pilgrimage Reform Act of 2023”.

SECTION 2. Section 11 (e) of Republic Act No. 9997 is hereby amended to read as follows:

“(e) Bureau of Pilgrimage and Endowment. - This Bureau shall be [SOLELY] responsible for the administration of the annual Muslim pilgrimage to Mecca, Kingdom of Saudi Arabia; and the formulation and implementation of programs, projects and activities for the efficient and effective administration and supervision of the conduct of pilgrimage activities: *Provided*, That the supervision accorded the Bureau under this section shall not include control. [*Provided, further*, THAT IN THE ABSENCE OF THE DIRECTOR OF THE BUREAU, THE EXECUTIVE DIRECTOR OF THE NCMF SHALL ASSUME THE RESPONSIBILITIES OF THE DIRECTOR OF THE BPE AND IN THE ABSENCE OF THE EXECUTIVE DIRECTOR, THE SECRETARY OF THE NCMF SHALL ASSUME THE RESPONSIBILITIES OF THE DIRECTOR OF THE BPE: *Provided, finally*, THAT THE PRESIDENT HAS NOT APPOINTED THE SECRETARY, EXECUTIVE DIRECTOR AND DIRECTOR OF THE BPE, THE HAJJ PILGRIMAGE FOR THAT YEAR CANNOT TAKE PLACE.]

[THE BPE shall also create the Hajj Pilgrimage Finance Committee, which is responsible for certifying the financial reports in regards to the utilization and collection of Hajj Pilgrimage funds. The members of the Committee shall be composed of one (1) Budget Officer, one (1) Accountant, and one (1) Treasurer, who are organic personnel withing the NCMF, and follow the position requirements defined by the Civil Service Commission.]

Pursuant to the above responsibilities, the Bureau shall formulate the necessary guidelines to ensure the timely processing of the pilgrim's travel documents and

the equitable and reasonable collection of fees [which shall be called the Annual Hajj Manual of Operations, and shall be published and posted in all areas accessible to Muslim Filipinos not later than two (2) months before the Hajj, *Provided*, that the Annual Hajj Manual of Operations shall be approved by the NCMF en-banc.] Such collection [of fees] shall be limited to mutawiff and passporting and/or processing fees only. Collected fees shall be deposited in a special trust fund which shall be established by the Commission, the expenses from which shall be subject to existing auditing laws, rules and regulations.

[THE NCMF Secretary shall have sole authority to sign and negotiate contracts for the successful conduct of the Hajj and shall be exempted from the provisions of the Government Procurement Act when public funds from the General Appropriations Act are not involved: *Provided*, that the authority to sign contracts shall be approved by the Commission en-banc in a form of a resolution.]

The pilgrims shall be accorded free choice of travel agencies and airlines or other means of transportation to and from the site of pilgrimage: *Provided*, That pilgrims comply with the prescribed arrival and departure schedule fixed by the Ministry of Hajj of the Kingdom of Saudi Arabia. [The DOTr, DFA and NCMF shall coordinate to ensure that flights for the purpose of the Hajj Pilgrimage confirm to the schedule approved by the NCMF en-banc. The DOTR, CAAP and other agencies shall prohibit flights to Saudi Arabia for the purpose of Hajj which are not scheduled and approved by the NCMF en-banc for the purpose of better coordination, arrival and monitoring of pilgrims from the Philippines]: *Provided, further*, That all pilgrims shall be legitimate holders of round- trip tickets to and from the Kingdom of Saudi Arabia: *Provided, furthermore*, That the pilgrims shall be free to choose on where to purchase or acquire other logistics, materials and supplies for the pilgrimage.

[The pilgrims, through their sheikhs, shall/may have the power to choose their hotel, accommodations, and other service providers for the duration of the Hajj Pilgrimage, considering that there is coordination with the NCMF, the sheikhs shall consolidate themselves into ten (10) representatives to negotiate on behalf of the Philippine Hajj Delegation.]

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

The Bureau shall also accredit qualified and deserving sheikhs. [The requirements and licensure exams shall be stipulated in the Annual Hajj Manual of Operations. The Bureau, through the NCMF, shall be authorized to charge licensure and accreditation fees, subject to the approval of the Commission en-banc. The fees shall amount to the operational expense for the licensure and accreditation process.]

The Bureau shall likewise be responsible for the administration of awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Hajj towns, Islamic centers and awqaf projects.”

SECTION 3. *Hajj Pilgrimage Financing Options.* – Government Financial Institutions and/or Local Government Units shall provide a credit line through the Amana Bank or Land Bank, to allow NCMF the financial requirement to conduct the Hajj.

- (a) The Sheikh Credit Line - The Hajj Pilgrimage Sheikhs may apply for a Hajj Pilgrimage Financing through Amana Bank. The purpose of the credit line would be to ensure timely payment for the hotel and accommodations/service providers for the upcoming Hajj. The Credit line cannot be used for flights. The payment for service providers has to be in coordination with the NCMF. The credit-worthiness of each individual sheikhs shall be determined by standard banking practices and/or existing policies of the Amanah Bank.
- (b) The NCMF Revolving Fund – The NCMF may operationalize a revolving fund from the national government or the local government units for the purpose of conducting a successful hajj pilgrimage. The revolving fund shall be in the form of a credit line from government financial institutions. The maximum allowable credit to the NCMF shall not exceed the three-year average for the total Hajj expenses. The Department of Finance or the MDFO may place in a GFI time deposit as a form of collateral for the NCMF credit line. The NCMF may engage with the local government units to deposit their funds in a GFI time deposit as a form of collateral for the Hajj revolving fund.

SECTION 4. *Hajj Pilgrimage Special Audit.* – The Commission on Audit shall conduct a special audit on the annual hajj, the audit report shall be submitted to the Committee on Muslim Affairs no more than 90 days after the completion of the Hajj.

SECTION 5. *Appropriations.* – The amount necessary to implement the provisions of this Act shall be included in the General Appropriations Act.

SECTION 6. *Implementing Rules and Regulations (IRR)*- Within ninety (90) days from the approval of this Act, the Commission, in coordination with the Department of Budget and Management, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SECTION 7. *Separability Clause.* – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 8. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations that are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,