



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9096

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

EXPLANATORY NOTE

THE 1987 Philippine Constitution guarantees the Freedom of Religion or the free exercise thereof. Section 5, Article 3 of the Constitution provides that “no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.”

The performance of Hajj or the annual pilgrimage to the Holy City of Makkah, Saudi Arabia is one of the Five fundamental Pillars of Islam. Muslims in the Philippines and around the world who are able and capable of performing hajj are obligated to do so at least once in their lifetime. Therefore, the performance of Hajj is purely a religious matter that should be left without government interference.

The recent issues surrounding the plight of Filipino Muslim pilgrims during the 2023 Hajj in Saudi Arabia brought to light, yet again, the years of poor treatment of Filipino pilgrims suffering from poor living conditions, delayed and substandard meals, and delayed transportation, among others. These services are provided or facilitated by the National Commission on Muslim Filipinos (NCMF); a service Filipino Pilgrims paid for at high costs.

Despite paying quite a huge sum of money, Filipino Pilgrims were not provided with adequate hotel accommodations, oftentimes cramming several persons in a small hotel room.

Worse, their meals were given late or hours after the scheduled eating time. As if this ordeal is not enough, hundreds – if not thousands – of Filipino Muslim pilgrims were left stranded at Mudzdalifa because the NCMF-contracted buses that were supposed to take them did not arrive.

It is the contention of this representation that these difficulties and discomfort should never be allowed to plague our pilgrims who will be embarking on this once-in-a-lifetime experience during hajj.

It is clear that NCMF is not in a position to cater to the needs of Filipino Muslim pilgrims. For years already, NCMF failed to provide the required services during hajj. Therefore, there is a need to unburden NCMF with this task.

The conduct, processing and facilitation of the hajj for Muslim Filipinos should be left to the competence of the private sector whose expertise and experiences in hajj would ensure that our pilgrims will be provided with the best services. This bill aims to do just that.

Amending Republic Act No. 9997 or the NCMF Law is now necessary, and the approval of this measure is highly sought.



HON. MUSIV S. HATAMAN
Representative
Lone District, Basilan



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AN ACT
AMENDING REPUBLIC ACT NO. 9997, OTHERWISE KNOWN AS THE
NATIONAL COMMISSION ON MUSLIM FILIPINOS ACT OF 2009, TO PROVIDE
BETTER SERVICES TO MUSLIM FILIPINO PILGRIMS DURING HAJJ, 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 “**The NCMF Reform Act of 2023**”.

SECTION 2. The powers and functions of NCMF over annual hajj administration as provided in R.A. No. 9997 is hereby removed. Hence, Section 11, Article II of Republic Act No. 9997 is hereby amended to read as follows:

Section 11. Bureaus. - *The Bureaus of the Commission shall consist of the Bureau of Muslim Economic Affairs, Bureau of Muslim Cultural Affairs, Bureau of Muslim Settlement, Bureau of External Relations, **Bureau of Endowment**, Bureau of Peace and Conflict Resolution, and the Bureau of Legal Affairs. Each of these Bureaus shall be headed by a Director who shall hold the same rank, salary, and privileges of a Staff Bureau Director. The Bureau Director shall be appointed by the President from among the names or nominees submitted by the Commission to the President.*

(a) xxx xxx xxx

(b) xxx xxx xxx

(c) xxx xxx xxx

(d) xxx xxx xxx

(e) **Bureau of Endowment.** - *This Bureau shall be primarily responsible for the administration of awqaf properties and institutions, and the conduct of research and studies for the establishment and maintenance of Islamic centers and awqaf projects.*

(f) xxx xxx xxx

(g) xxx xxx xxx

The NCMF shall no longer perform any powers and functions relative to the administration of hajj except to register and accredit sheiks, who are private individuals or entities engaged in facilitating, processing, and providing guidance for the annual hajj for Muslim Filipinos in Makkah, Saudi Arabia.

SECTION 3. Section 15 of Republic Act No. 9997 is hereby amended to read as follows:

*“Section 15. Hajj Attache. - The President shall appoint a Hajj Attache from among the three (3) recommendees of the Commission within fifteen (15) days from the submission of such recommendees by the Commission. The Hajj Attache shall coordinate with the Ministry of Hajj of the Kingdom of Saudi Arabia **on matters pertaining to the conduct of the annual Hajj where government-to-government action is necessary including certification as to change of Pilgrims’s name, but not to intervene in the administration, conduct, facilitation or processing of hajj for Muslim Filipinos.** He/She shall be an academic degree holder and must be able to write and speak fluently the Arabic language. He/She shall hold office in the Kingdom of Saudi Arabia and shall enjoy the same rank, salary, and privileges as those of Attache of the national government.*

SECTION 4. Section 16 of Republic Act No. 9997 is hereby **DELETED**.

SECTION 5. 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 6. 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 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,