



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH CONGRESS
First Regular Session

House Bill No. **5062**

Introduced by: REP. ESMAEL G. MANGUDADATU

Explanatory note

A quick tour in government offices, hospitals, schools, transport terminals and other government owned establishments or institutions would reveal apparent disparity in the recognition, accommodation and establishment of places of worship and in the practice of religion for Christians and Muslims. Chapels for Christians are almost always part of the features of such offices and public places.

And yet, the 1987 Constitution is very clear in its declaration on the inviolability of the separation of the Church and State under Section 6 Article II thereof. Moreover, Section 29 (2) of Article VI also prohibited the use of public money or property for the use, benefit, or support of any sect, church, sectarian institution, or system of religion. However, the same Constitution, under Section 5, Article III, guaranteed the freedom of every Filipino to exercise and enjoy his/her religious profession without discrimination or preference, provided that the exercise of such freedom does not violate government policy or harm the rights of others.

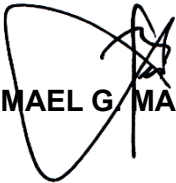
The Doctrine of Benevolent Neutrality necessarily of posits that the government must remain neutral but in a way that is benevolent or accommodating, recognizing religion's positive influence on society and upholding religious freedom by removing burdens or facilitating its exercise, provided that it does not conflict with compelling state interests. Moreover, in *Estrada v. Escritor* (2003), the Supreme Court clarified that while the government must remain neutral toward religion, it must also ensure that it does not take actions that suppress religion or discriminate against any belief system.

The presence of Christian churches or chapels in government hospitals and other institutions has posed neither harm to the people nor objection from State authorities. As such, in the spirit of fairness and in remaining true to constitutional provision for the free exercise of religious practices without discrimination, the establishment of worship

spaces or rooms for other religious systems in public and private institutions and businesses frequented by the public is in order.

This bill ensures that every Filipino is afforded such right to freely express their freedom to practice his/her religion and further ensuring that the State is not partial but fair to all by providing spaces of worship for all without discrimination.

It is therefore earnestly urged that this bill be approved.



REP. ESMAEL G MANGUDADATU



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AN ACT MANDATING THE ALLOTMENT OF SPACES FOR AT LEAST TWO (2) PRAYER HALLS OR ROOMS IN ALL NATIONAL AND LOCAL GOVERNMENT-OWNED OFFICE BUILDINGS, HOSPITALS, STATE COLLEGES AND UNIVERSITIES, PUBLIC TERMINALS INCLUDING AIR AND SEA PORTS, MILITARY CAMPS, CORRECTIONAL OR DETENTION FACILITIES, AND SPECIAL TOURISM OR ECONOMIC ZONES AS WELL AS IN ALL PRIVATELY-OWNED SHOPPING MALLS, HOSPITALS, FACTORIES, TERMINALS, AND OTHER BIG BUSINESSES FREQUENTED BY THE PUBLIC AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Introduced by: Rep. Esmael G. Mangudadatu

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

SECTION 1. SHORT TITLE. This Act shall be known and hereinafter be referred to as the “**Prayer Spaces Law**” of the Republic of the Philippines.

SEC. 2. DECLARATION OF POLICY. It is hereby declared the policy of the State to respect and uphold the exercise of religious profession and practices, free from discrimination and preferences as provided for under the 1987 Constitution. The State shall avoid and prevent any misperception that the national government gives preference to any religious faith or system of religion.

SEC. 3. ALLOCATION OF AT LEAST TWO (2) SPACES OF PRAYER. All government- and privately-owned offices, businesses, and facilities are hereby mandated to allot in their respective building or operations compound at least two (2) spaces or rooms of prayer or worship where their employees, customers, and visitors can freely pray or perform their daily religious practices or beliefs.

SEC. 4. COVERAGE. This Act covers all national and local government-owned office buildings, hospitals, state colleges and universities, public terminals including air and

sea ports, military camps, correctional or detention facilities, and special tourism or economic zones as well as all privately-owned shopping malls, hospitals, factories, terminals, and resorts, amusement parks, and other big and apt businesses frequented by the public.

SEC. 5. PENALTY. Any person who violates this Act shall be charged according to applicable existing laws and, when found guilty, shall suffer the penalties imposed under such laws. In addition, the head of office of such office, terminal, establishment or institution as abovementioned shall be held administratively liable for failure to provide the spaces for worship.

SEC. 6. IMPLEMENTING RULES AND REGULATIONS. Within sixty (60) calendar days from its approval, the Civil Service Commission in consultation with the National Commission for Muslim Filipinos, the Department of the Interior and Local Government, Department of Labor and Employment, Department of Education, Department of Health, Commission on Higher Education, Department of National Defense, Department of Trade and Industry, Department of Transportation, a representative of the National Council of Churches in the Philippines, and two (2) representatives from the private business sector shall formulate the necessary rules and regulations in the implementation of this Act.

SEC. 7. REPEALING CLAUSE. All laws, rules, and regulations contrary to the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 8. EFFECTIVITY. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.