

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

Date: 9/26/22
4:20 pm
Signature: [Signature]

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED

SECOND PARLIAMENT
First Regular Session

Name: OFFICE OF MP AMIR S. MAWALLIL Signature: [Signature]
Date: SEP 27 2022 Time: 9:40 AM

Parliament Bill No. 78

Introduced by
MP AMILBAHAR S. MAWALLIL
Co-authored by
**ATTY. LAISA MASUHUD ALAMIA, ENGR. BAIN TAN A. AMPATUAN, ATTY.
RASOL Y. MITMUG, JR., ATTY. SUHARTO M. AMBOLOD TO, RASUL E. ISMAEL,
ENGR. DON MUSTAPHA A. LOONG**

AN ACT
CREATING THE BANGSAMORO PARLIAMENT CORPORATE BODY, ENHANCING
THE PARLIAMENTARY GOVERNANCE OF THE REGION, AND APPROPRIATING
FUNDS THEREFOR

EXPLANATORY NOTE

With the enactment of Republic Act No. 11054 and the shift of the Bangsamoro Government to a parliamentary form of government comes a greater expectation to deliver on priorities and commitments. This has led the government to look more critically at internal governance structures and prevailing relationships with the executive.

The aim of this legislative measure is for the establishment of a parliamentary corporate body towards a move to better utilize the resources available to the Bangsamoro Government while, at the same time, enhancing the parliament's independence from the executive.

The Bangsamoro Parliament Corporate Body will allow the Parliament to run its operations insulated from political pressures. It will allow for a clear delineation between Parliament and the Cabinet, as the separation of the executive from the legislature is fundamental. This arrangement also enhances the Parliament's authority, by allowing support from across party affiliations. Thus, providing consistency and sustainability for independent decision-making.

As a shift from a Presidential system, having an independent Parliament Corporate Body equips the Parliament with the ability to objectively review and scrutinize the work of the Government, its annual budget, and legislation representative of its constituents.

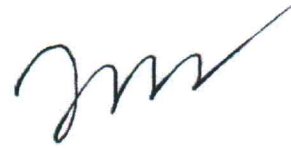
In cases around the globe where such bodies have been established, it is proven and there is concrete evidence to support that parliament is better able to assert its independence and ensure that adequate resources, both financial and otherwise, are made available.

This, in turn, enables the parliament to discharge its functions more effectively while also allowing its Members to exercise appropriate control over the prioritization of the delivery of services by the parliamentary service.

Given that one of the key purposes of parliament is to hold the executive to account, there is a compelling reason that parliament should be able to discharge its legal mandates and responsibilities free from partisan and political interference.

The drive for parliamentary independence is seen as a necessary prerequisite to good parliamentary governance. Furthermore, operational autonomy should act in the fulfilment of the parliament's mandate.

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

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'AM' followed by a long, sweeping flourish.

AMILBAHAR S. MAWALLIL
Member of the Parliament

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

SECOND PARLIAMENT
First Regular Session

Parliament Bill No. 78

Introduced by
MP AMILBAHAR S. MAWALLIL
Co-authored by
**ATTY. LAISA MASUHUD ALAMIA, ENGR. BAIN TAN A. AMPATUAN, ATTY.
RASOL Y. MITMUG, JR., ATTY. SUHARTO M. AMBOLOD TO, RASUL E. ISMAEL,
ENGR. DON MUSTAPHA A. LOONG**

AN ACT
CREATING THE BANGSAMORO PARLIAMENT CORPORATE BODY, ENHANCING
THE PARLIAMENTARY GOVERNANCE OF THE REGION, AND APPROPRIATING
FUNDS THEREFOR

Section 1. Short Title. – This Act shall be known as the “*Bangsamoro Parliament Corporate Body Act of 2022*”.

Section 2. Declaration of Policy and Principles. – Recognizing that a public office is a public trust, it is hereby declared the policy of the Bangsamoro Government that it shall, at all times, be accountable to the people who are represented in the government through the Bangsamoro Parliament, in accordance with the parliamentary form of government in the Bangsamoro Autonomous Region.

As such, it shall recognize the importance of parliamentary democracy and independence and shall create offices and organize its bureaucracy for the efficient exercise of its functions and delivery of social services in the region.

To this end, it shall establish a Bangsamoro Parliament Corporate Body, with the end view of having an efficient and harmonious functioning of the government, and to ensure that parliamentary affairs will be transparent, sustainable, and managed in a way that will be most conducive to the public welfare.

Section 3. Creation and Mandate. – There is hereby created a body corporate under the name of the Bangsamoro Parliament Corporate Body, hereinafter referred to as the BPCB.

To provide greater flexibility in its operations, the BPCB shall be autonomous in the exercise of its jurisdiction. It shall exercise the powers and functions herein vested and conferred upon it, in such a manner as will, in its judgment, aid to the fullest possible extent in carrying out the aims and purposes of this Act.

Section 4. Purposes and Objectives. – The BPCB shall have the following objectives:

- (a) Establish, operate and maintain all parliamentary buildings, including parliamentary offices and other infrastructure projects which are geared towards the development of the parliament;
- (b) Organize and maintain the internal and external security of the parliament;

(c) Facilitate the employment of parliamentary staff to be employed in the various offices within the parliament and encourage their development through training;

(d) Review and agree on the service arrangements for all the Members of Parliament, including matters relating to staffing, allowances, and offices, in consultation with the Speaker, the Majority Floor Leader, the Minority Floor Leader, and the Minister of Finance, Budget and Management; and

(e) Establish and operate parliamentary communications and visitor services, including the parliamentary briefing service, educational and visitor services, and broadcasting facilities and events.

Section 5. Powers and Functions. – The BPCB shall exercise the following powers and functions:

- (a) To prescribe, repeal, and alter its own bylaws;
- (b) To adopt and use a corporate seal;
- (c) To have continuous succession until dissolved by law;
- (d) To determine its operating policies and to issue such rules and regulations as may be necessary to implement its purposes and objectives;
- (e) To acquire and hold in any manner property of whatever nature or description;
- (f) To enter into contracts for the purpose of promoting its purposes and objectives;
- (g) To solicit and receive donations, endowments, and funds in the form of contributions, whether in cash or in-kind, from both the public and private sectors;
- (h) To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purpose or interest of the BPCB;
- (i) To invite foreign specialists and other similar experts from the various parliamentary jurisdictions to train the personnel or trainees of BPCB;
- (j) To send the BPCB personnel to institutes, universities, and similar bodies for training or observation;
- (k) To formulate budgetary proposals for the parliament for the succeeding fiscal year; and
- (l) Perform all such other acts and things that are or may be necessary or incidental for the accomplishment of the purposes and objectives of the BPCB.

At the start of every calendar year, the BPCB shall submit and present an annual report to the Parliament of all its accomplishments and activities of the immediately preceding year.

Section 6. Board of Trustees. – The power of the BPCB shall be vested in and exercised by a Board of Trustees, hereinafter referred to as the “Board”, to be composed of the following:

- a. Speaker of the Parliament
- b. Two (2) members from the majority representation of the Parliament
- c. Two (2) members from the minority representation of the Parliament;
- d. A Member from the non-Moro indigenous peoples;
- e. A Member from the settler communities;
- f. A Member from the women’s sector; and
- g. A Member from the youth sector;

On the first day of session of the parliament following their election, the members shall elect by a majority vote of all its members the members of the Board, taking into account gender and ethnic balance, as the rules of the BPCB may provide. The Speaker shall appoint the Chairperson from among those elected. All the members so elected shall serve for a full term.

Except for those Members who are concurrently sitting as Ministers, any Member may be nominated and elected to the BPCB, provided that they belong to the sector represented. In case

of vacancy, the appointed successor shall serve only the unexpired portion of the term of their predecessor.

Section 7. Meeting and Quorum. - The Board shall meet regularly at least twice every month or as often as it deems necessary upon written request signed by a majority of the members. At least four (4) members shall constitute a quorum.

Section 8. Powers and Functions of the Board. The Board of Trustees of the BPCB shall have the following powers, functions, and duties:

- a. Determine the organizational structure of the BPCB, define the duties and responsibilities of all its officials and employees and adopt a compensation and benefits scheme, subject to existing laws, rules, and regulations;
- b. Create such divisions and positions as may be deemed necessary for the efficient, economical and effective conduct of the activities of the BPCB;
- c. Approve the annual and supplemental budgets of the BPCB;
- d. Submit an annual report of the operation and such other reports as may be required to the Bangsamoro Parliament;
- e. Prepare and approve development plans in the short, medium, and long term, review and expedite the execution of such when necessary;
- f. Discipline any employee of the BPCB, after according them due process in accordance with existing laws; and
- g. Exercise such powers and perform such functions which are proper and necessary to implement the objectives of the BPCB and to carry out the provisions of this Act.

Section 9. Administration. - The management of the BPCB and the general conduct of its operations shall be vested in the Secretary-General of the Parliament. As such, he/she shall have the following powers and functions:

- a. Execute and administer the policies, plans, programs, and projects approved by the Board;
- b. Direct and supervise the operation and internal administration of the BPCB;
- c. Prepare the annual and supplemental budget of the BPCB, subject to the rules and regulations of the Board;
- d. Administer and manage the budgetary appropriations and financial disbursements of the BPCB;
- e. Submit quarterly and annual reports to the Board, and such other reports as may be required;
- f. Represent the BPCB in all dealings with other offices, agencies, and instrumentalities of the government and with all persons and entities, public or private; and
- g. Exercise such other powers and perform such other duties as may be directed by the Board.

Section 10. Sunset Clause. - Unless it is sooner dissolved by the Parliament, the existing organizational structure and personnel of the Bangsamoro Transition Authority shall continue to subsist and perform its functions pursuant to pertinent laws, rules and regulations until the Bangsamoro Parliament Corporate Body is organized and becomes fully operational by virtue of this Act.

Section 11. Appropriations. - Subject to existing rules and regulations, funding requirements for the initial operation of the BPCB shall be formulated by the members of the Board upon its constitution and shall be proposed to the Parliament for its incorporation in the annual appropriations law. Subsequent funding requirements shall be included in the Bangsamoro Appropriations Act.

Section 12. Separability Clause. - The provisions of this Act are hereby declared separable, and in the event one or more such provisions or part thereof are declared unconstitutional, such declaration of unconstitutionality shall not affect the validity of the other provisions thereof.

Section 13. *Repealing Clause.* – All regional laws, acts, decrees, executive orders, proclamations, and/or administrative regulations which are inconsistent with the provisions of this Act are hereby amended, modified, superseded, or repealed accordingly.

Section 14. *Implementing Rules and Regulations.* – The BTA Committee on Rules shall promulgate the Implementing Rules and Regulations of this Act. Upon the organization of the BPCB, the Board may adopt such Implementing Rules and Regulations or amend it with two-thirds or more of its members voting in favor.

Section 15. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in at least one (1) newspaper of regional circulation.

Approved,

AUTHOR:



AMILBAHAR S. MAWALLIL

Member of the Parliament

Certified correct:

PROF. RABY B. ANGKAL

Secretary-General

Attested by:

HON. PANGALIAN M. BALINDONG

Speaker