

# THE INTEGRATED SHARI'AH BAR OF THE PHILIPPINES (ISBP) BY-LAWS

## ARTICLE I- GENERAL PROVISIONS

**Section 1. Name.-** There is hereby organized an official national body, pursuant to Article X, Section 15 of Republic Act No. 11054, otherwise known as *the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao*, to be known as the Integrated Shari'ah Bar of the Philippines composed of all persons whose names now appear or may hereafter be included in the Roll of Attorneys for Shari'ah Lawyers of the Supreme Court.

**Section 2. Objectives and Purposes. -** The following are the general objectives of the Integrated Shari'ah Bar:

- (a) To elevate the standards of Shari'ah legal profession;
- (b) To improve the administration of Shari'ah Justice System; and
- (c) To enable the Shari'ah Bar to discharge its public responsibilities more effectively.

The following are the purposes of Integrated Shari'ah Bar:

- (a) To assist in the administration of the Shari'ah Justice System;
- (b) To foster and maintain, on the part of its members, high ideals of integrity, learning, professional competence, public service and conduct in line with Shari'ah discipline;
- (c) To safeguard the professional interests of its members;
- (d) To cultivate among its members a spirit of cordiality and cooperation;
- (e) To provide a forum for the discussion of Shari'ah law, jurisprudence (*stare decisis*), law reform, pleading, practice and procedure in Shari'ah courts, and the relations of the Shari'ah

Bar to the Shari'ah Bench and to the public, and publish information relating thereto;

- (f) To encourage and foster Shari'ah legal education; and
- (g) To promote a continuing program of legal research in substantive and adjective law, and make reports and recommendations thereon.

**Section 3.** Powers, Prerogatives, Functions, Duties and Responsibilities. - The Integrated Shari'ah Bar shall have perpetual succession and shall have all legal powers appertaining to a juridical person, particularly the power to sue and be sued; to contract and to be contracted with; to hold real and personal property as may be necessary for corporate purposes, to mortgage, lease, sell, transfer, convey and otherwise dispose of the same; to solicit and receive public and private donations and contributions; to accept and receive real and personal property by gift, devise or bequest; to levy and collect membership dues and special assessments from its members; to adopt a seal and to alter the same at pleasure; to have offices and conduct its affairs in Cotabato City and elsewhere; to make and adopt by-laws, rules and regulations not inconsistent with law or rules promulgated by the Supreme Court; and generally to do all such acts and things as may be necessary or proper to carry into effect and promote the objectives and purposes for which it was organized.

All donations or contributions which may be made by private entities or persons to the Integrated Shari'ah Bar shall be exempt from income and gift taxes, and the same shall further be deductible in full and shall not be included for purposes of computing the maximum amount deductible under Section 34, paragraph (h) of the National Internal Revenue Code, as amended.

All taxes, charges and fees that may be paid by the Integrated Shari'ah Bar or any of its Chapters to the Government or any political subdivision or instrumentality thereof shall be refundable annually to the former.

**Section 4.** Non-political Bar. - The Integrated Shari'ah Bar is strictly non-political, and every activity tending to impair this basic feature is

strictly prohibited and shall be penalized accordingly. No Shari'ah lawyer holding an elective, judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof shall be eligible for election or appointment to any position in the Integrated Shari'ah Bar or any Chapter thereof. A Governor, officer or employee of the Integrated Shari'ah Bar, or an officer or employee of any Chapter thereof shall be considered *ipso facto* resigned from his position as of the moment he files his certificate of candidacy for any elective public office or accepts appointment to any judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof.

**Section 5. Positions Honorary.** - Except as may be specifically authorized or allowed by the Supreme Court, no national or local officer, or committee or commission member shall receive any compensation, allowance or emolument from the funds of the Integrated Shari'ah Bar for any service rendered therein, or be entitled to reimbursement for any expense incurred in the discharge of his functions.

**Section 6. National Office.** - The national office of the Integrated Shari'ah Bar shall be in Cotabato City.

**Section 7. Seal and Emblem.** - The seal and emblem of the Integrated Shari'ah Bar, as adopted by the Board, shall be kept in its national office.

**Section 8. Notices and Processes.** - Services of all notices and processes intended for the Integrated Shari'ah Bar shall be made upon its Secretary or any other authorized representative at its national office.

Except as otherwise provided in these By-Laws, any notice to be served upon a member of the Integrated Shari'ah Bar shall be deemed given when deposited in the mail, postage fully prepaid, and addressed to such member at his last known office or residence address appearing in the records or membership roll of the national office or of the Chapter concerned.

Notice to the general membership may be given by mail, by publication in the journal of the Integrated Shari'ah Bar, or as otherwise directed by the Board.

**Section 9. Officer defined.** - The term "officer" as used in these By-Laws shall include, but not necessarily be limited to the following: President, Executive Vice President, Internal Vice President, External Vice President, Members of the Board, Secretary, Treasurer, Auditor, Public Information Officer, Chapter officers and members of all national and local committees.

**Section 10. Term of Office.** - The term of office of all elective officers, national and local, shall be three years. In no case shall any member be elected to the same office for two consecutive terms.

**Section 11. Vacancies.** - Except as otherwise provided in these By-Laws, whenever the term of office or position is for a fixed period, the person chosen to fill a vacancy therein shall serve only for the unexpired portion of the term.

**Section 12. Non-answerability of the Integrated Shari'ah Bar.** - In the absence of a showing of malice, fraud, bad faith, or negligence, the Integrated Shari'ah Bar, its national officers, all the Chapters and the officers thereof, and all committees, national and local, and the members thereof, shall not be answerable for any damage, incident to any complaint, charge, investigation, prosecution, proceeding, trial, decision, resolution, recommendation, or action had, made, done or taken under the authority of these By-Laws.

**Section 13. Malfeasance, Misfeasance, Nonfeasance.** - Notwithstanding the provisions of the next preceding section, the Board may *motu proprio* or upon the petition of any person, inquire into any malfeasance, misfeasance, or nonfeasance committed by any member of the Integrated Shari'ah Bar or of any of its Chapters, and, after due hearing, take whatever action it may deem warranted. Such action may include his suspension or removal from any office in the Integrated Shari'ah Bar

or of its Chapters held by such erring member, as well as recommendation to the Supreme Court for his suspension from the practice of Shari'ah Law or disbarment.

**Section 14.** Prohibited Acts and Practices relative to Elections. - The following acts and practices relative to elections are prohibited, whether committed by a candidate for any elective office in the Integrated Shari'ah Bar or by any other member, directly or indirectly, in any form or manner, by himself or through another person:

- (a) Distribution, except on election day, of election campaign materials;
- (b) Distribution, on election day, of election campaign materials other than a statement of the biodata of the candidate on not more than one page of a legal-size sheet of paper; or causing the distribution of such statement to be done by persons other than those authorized by the officer presiding at the elections;
- (c) Campaigning for or against any candidate, while holding an elective, judicial, quasi-judicial or prosecutory office in the Government or any political subdivision, agency or instrumentality thereof;
- (d) Formation of tickets, single slates, or combinations of candidates as well as the advertising thereof; and
- (e) For the purpose of inducing or influencing a member to withhold his vote, or to vote for or against a candidate, (1) payment of the dues or other indebtedness of any member; (2) giving of food, drink, entertainment, transportation or any article of value, or any similar consideration to any person; or (3) making a promise or causing an expenditure to be made, offered or promise to any person.

**Section 15.** Supreme Court Observer. - The Supreme Court may designate an official observer at any election of the Integrated Shariah Bar, whether national or local.

**Section 16.** Voluntary Shari'ah Bar Associations. - All voluntary Shari'ah Bar associations now existing or which may hereafter be formed may co-exist with the Integrated Shari'ah Bar but shall not operate at cross-

purposes therewith nor against any policy, act, resolution or decision thereof.

**Section 17.** Rules of Court Suppletory. - Whenever applicable, the Rules of Court shall be suppletory to these By-Laws.

## **ARTICLE II- MEMBERSHIP**

**Section 18.** Membership. - All persons whose names now appear or may hereafter be included in the Roll of Attorneys for Shari'ah lawyers of the Supreme Court are, automatically and without exception, members of the Integrated Shari'ah Bar.

**Section 19.** Registration. - Every member admitted to the Shari'ah Practice shall register in the Integrated Shari'ah Bar as hereunder required at the office of his/her Chapter.

Every person admitted to Shari'ah practice after these by-laws become effective shall register in like manner not later than sixty days after such admission.

Registration shall be accomplished by signing and filing in duplicate the prescribed registration form containing such information as may be required by the Board, including the following:

- (a) Full name, sex and civil status;
- (b) Month, date, year and place of birth;
- (c) Office address(es);
- (d) Residence address(es);
- (e) Occupation(s) or employment;
- (f) Name of school and year of graduation including highest educational attainment;
- (g) Place of training; and
- (h) Year of admission to the Bar.

It shall be the duty of the secretary of every chapter to promptly forward a copy of each accomplished registration form to the national office.

Every change after registration in respect to any of the matters above specified shall be reported within sixty days to the chapter secretary who shall in turn promptly report the change to the national office. Unless a member otherwise registers preference for a particular chapter, a Shari'ah lawyer shall be considered a member of the chapter of the province, city, political subdivision or area where his/her office or, in the absence thereof, his/her residence is located. In no case shall any Shari'ah lawyer be a member of more than one chapter.

**Section 20. Members in Good Standing.** - Every member who has maintained updated payments of all membership dues and all authorized special assessments plus penalties as may be defined by the Board, and who is not under suspension from the practice of Shari'ah law or from membership privileges, is a member in good standing.

However, a member may regain good standing upon payment of all unpaid dues.

The Board may, *motu proprio* or upon petition of the concerned local chapter, subject any delinquent member for disciplinary action.

No member shall have the right to vote and be eligible to any position, unless a member is a member in good standing.

**Section 21. Voluntary Termination of Membership; Reinstatement.** - A member may terminate his/her membership by filing a verified notice with the Secretary of the Integrated Shari'ah Bar, who shall immediately bring the matter to the attention of the Supreme Court. Forthwith, a member shall cease to be a member and his/her name shall be stricken from the Roll of Attorneys for Shari'ah lawyers.

Reinstatement may be made in accordance with rules and regulations prescribed by the Board and approved by the Supreme Court, provided that any written application for reinstatement must be filed with the Board, which shall, within fifteen (15) days from receipt, forward the same to the Court with its appropriate recommendation.

**Section 22. Retirement; Reinstatement.** - Any member in good standing who shall have attained the age of seventy-five years shall, by reason of permanent physical disability or judicially adjudged mental incapacity, be unable to engage in the practice of Shari'ah Law, may be retired from the Integrated Shariah Bar upon verified petition to the Board. Retired members shall not practice Shari'ah law or be required to pay dues.

A retired member may be reinstated to active membership upon written application to and approval by the Board.

The Board shall make periodic reports of retirement and reinstatement of members of the Integrated Shari'ah Bar to the Supreme Court.

### **ARTICLE III- MEMBERSHIP DUES**

**Section 23. Membership Dues.** - On or before the 31st day of December, every member of the Integrated Shari'ah Bar shall pay annual dues for the ensuing fiscal year in the amount of One Thousand Pesos (PHP 1,000.00) at the National Office or at the office of his Chapter, to take effect on \_\_\_\_\_.

Membership dues shall be apportioned as follows: Chapter share – PHP 400.00; General Fund – PHP 300.00; Welfare Fund – PHP 80.00; Shari'ah Legal Aid – PHP 40.00; Shari'ah Bar Discipline -PHP 40.00; and ISBP Journal and Publication – PHP 140.00.

Subject to approval by the Supreme Court, the Board may increase the annual membership dues, or modify the apportionment thereof.

A member of the Integrated Shari'ah Bar may apply for life membership therein by filing an application therefor directly with the national office or through the appropriate chapter under the following terms:

- (a) That a member shall be in good standing as provided for under Section 20, Article II of these By-Laws at the time of filing the application for life membership;
- (b) That a member pays to the national office life membership fee in the sum of Twelve Thousand Pesos (PHP 12,000.00); and



(c) That a member abides by the rules and regulations promulgated by the Integrated Shari'ah Bar implementing the life membership plan. Upon payment of the life membership fee of Twelve Thousand Pesos (PHP 12,000.00), the member shall be enrolled in the Roll of Life Members to be prepared by and kept in the Office of the Treasurer of the Integrated Shari'ah Bar. Such member shall be issued a certificate of life membership to be signed by the National President and attested by the National Secretary.

The life membership fee of Twelve Thousand Pesos (PHP 12,000.00) shall be deposited in a reputable banking institution chosen by the Board.

All transactions with the chosen banking institution shall, as far as practicable, be Shari'ah compliant.

Any life member, whose membership in the Integrated Shari'ah Bar terminates by retirement or for any other cause, shall cease to be a life member of the Integrated Shari'ah Bar.

All Shari'ah lawyers shall indicate in all pleadings, motions and papers signed and filed by them in any court- and in the case of government Shari'ah lawyers, in all official documents issued by them - the number and date of their official receipt indicating payment of their annual membership dues to the Integrated Shari'ah Bar for the current year, or in the case of life members, their life membership roll number.

**Section 24. Effect of Non-payment of Dues.** - Any member who has not paid his/her membership dues for any given year before the ensuing year shall be considered as dues delinquent member. If the delinquency continues until the following December 31, the Board shall by resolution forthwith suspend all his membership privileges other than the practice of Shari'ah Law. A copy of such resolution shall be sent by registered mail to the member and to the Secretary of the chapter concerned. The Board shall promptly inquire into the cause or causes of the delinquency and take whatever action it shall deem appropriate including a recommendation to the Supreme Court for the suspension of the delinquent member from the practice of Shari'ah Law.

Should the delinquency further continue until the following June 29, the Board shall promptly inquire into the cause or causes of the continued delinquency and take whatever action it shall deem appropriate

including a recommendation to the Supreme Court for the removal of the delinquent member's name from the Roll of Attorneys for Shari'ah lawyers. Notice of the action taken shall be sent by registered mail to the member and to the Secretary of the chapter concerned. Whenever a delinquent member makes full payment of the membership dues owing plus an amount of Five Hundred Pesos (PHP 500.00) as fine, such fact shall, without delay, be reported to the Board, which shall take such action as may be warranted. A member whose name is removed from the Roll of Attorneys for Shari'ah lawyers pursuant to the provision of this section may apply for reinstatement under the provisions of the second paragraph of Section 21 (Voluntary termination of membership; reinstatement).

**Section 25.** Remission or lifting of sanctions. - The Board may, for justifiable reasons, remit or lift sanctions already imposed and authorize the retroactive reinstatement of the member concerned. However, sanctions imposed or approved by the Supreme Court may be remitted or lifted only by the Supreme Court.

#### **ARTICLE IV- CHAPTERS**

**Section 26.** Chapters. - The Integrated Shari'ah Bar shall organize the following thirteen (13) mandatory Chapters:

- (a) Cotabato City;
- (b) Maguindanao;
- (c) General Santos;
- (d) Metro Davao;
- (e) Lanao del Norte;
- (f) Marawi City;
- (g) Lanao del Sur;
- (h) Zamboanga City;
- (i) Basilan;
- (j) Sulu;

- (k) Tawi-tawi;
- (l) Metro Cebu; and
- (m) Metro Manila.

A new chapter of the Integrated Shari'ah Bar may be created in every city or province by filing a petition before the Board provided that it has reached the minimum number of fifty (50) members who are in good standing.

The Board shall study the feasibility of organizing chapters in provinces where a Shari'ah Court is to be created.

**Section 27. Coordination of Chapter Activities.** - The Board shall coordinate and supervise the activities of all chapters for purposes of promoting maximum Shari'ah lawyers' participation in Integrated Shari'ah Bar affairs, and effective administration and operation of the organization.

**Section 28. Chapter Local Government.** - Each chapter shall have its own government.

**Section 29. Uniform By-laws.** - Every chapter shall strictly observe and follow the provisions of these By-laws, but the officers of any chapter may submit for consideration and appropriate action by the Board such additional provisions as may be demanded by local conditions.

## **ARTICLE V- BOARD OF GOVERNORS (MAJLIS AL MUHA-FIZEEN)**

**Section 30. Composition of the Board.** - The Integrated Shari'ah Bar shall be governed by a Board (*Majlis Al Muha-fizeen*) consisting of thirteen (13) members from the thirteen (13) chapters as delineated in Section 26 hereof. The Board shall be composed of delegates who are directly elected by the members of the local chapters during the conduct of regular local chapter election.

**Section 31. Term of Office.** - The members of the Board shall hold office for a term of three (3) years from January 01 immediately following their election to December 31 of their third year in office and until their successors shall have been duly chosen and qualified.

**Section 32. Election Contests.** - Any nominee desiring to contest an election shall, within seven (7) days after the announcement of the results of the elections, file with the President of the Integrated Shari'ah Bar a written protest setting forth the grounds therefor. Upon receipt of such petition, the President shall forthwith call a special meeting of the outgoing Board to consider and hear the protest, with due notice to the contending parties. The decision of the Board shall be announced not later than the following December 25, and shall be final and conclusive.

**Section 33. Functions of the Board.** - The governing body of the Integrated Shari'ah Bar shall be the Board of Governors (*Majlis Al Muha-fizeen*). It shall have general charge of the affairs and activities of the Integrated Shari'ah Bar. It shall have authority, inter alia:

- (a) To elect from and among themselves the National Officers and the members of the National Committees of the Integrated Shari'ah Bar;
- (b) To appoint the three (3) members of the Consultative Council to the Board (*Majlis Asshurah*);
- (c) To make appropriations and authorize disbursements from the funds of the Integrated Shari'ah Bar, subject to relevant and applicable provisions of the integration rule and the usual accounting and auditing rules;
- (d) To engage the services of employees, define their duties and fix their compensation;
- (e) To receive, consider and act on reports and recommendations submitted by the Chapters or their committees;
- (f) To provide for the publication of the Journal of the Integrated Shari'ah Bar;
- (g) To administer the Welfare Fund in accordance with such rules and regulations as it may promulgate;

- (h) To fill vacancies, however arising in the positions of officers of the Integrated Shari'ah Bar, subject to the provisions of Section 11 (Vacancies), Section 36 (Removal of members), Section 40 (National officers), and Section 41 (Terms of office) of these By-Laws;
- (i) To promulgate Canons of Professional Responsibility for all members of the Integrated Shari'ah Bar subject to the approval of the Supreme Court;
- (j) To promulgate rules and regulations for the establishment and maintenance of Shari'ah lawyer referral services throughout the Philippines;
- (k) To impose special assessments for specific national purposes, and impose, or recommend in proper cases to the Court the imposition of, sanctions for non-payment or delinquency in the payment thereof, subject to the approval of the Supreme Court;
- (l) To prescribe such rules and regulations as may be necessary and proper to carry out the objectives and purposes of the Integrated Shari'ah Bar and other rules as may be promulgated by the Supreme Court;
- (m) To act, investigate, and approve petition for the establishment of a new chapter; and
- (n) To perform such other functions as may be necessary or expedient in the interest of the Integrated Shari'ah Bar.

**Section 34. Meetings.** - The Board shall meet regularly once every quarter, on such date and such time and place as it shall designate. Special meetings may be called by the President and shall be called by him upon the written request of five (5) members of the Board.

**Section 35. Quorum.** - Seven (7) members of the Board shall constitute a quorum to transact business. However, the Board may take action, without a meeting, by resolution signed by at least Seven (7) members of the Board provided that every member of the Board shall have been previously apprised of the contents of the resolution.

**Section 36. Removal of Members.** - If the Board should determine after proper inquiry that any of its members has for any reason become unable to perform his duties, the Board, by resolution of the majority of the remaining members, may declare his position vacant, subject to the approval of the Supreme Court. Any member of the Board may be removed for cause, including three consecutive absences from Board meetings without justifiable excuse, by resolution adopted by two-thirds (2/3) of the remaining members of the Board, subject to the approval of the Supreme Court. In case of any vacancy in the Board for whatever cause, a new delegate from a chapter shall be appointed by the Board from and among the three (3) nominees submitted by the Chapter President to serve as member of the Board for the unexpired portion of the term.

**Section 37. Executive Committee.** - There shall be an Executive Committee of not less than three (3) members of the Board, the powers, functions, duties and responsibilities of which shall be as prescribed by the Board. The President shall be the chairman thereof.

**Section 38. Urgent Matters.** - Should the Executive Committee consider it desirable and imperative that any matter be decided urgently by the Board, and it is not practicable or expedient for the Board to convene, the Executive Committee may, for the purpose, direct a poll of all the members of the Board on that matter, to be taken by correspondence, email, video conference, or any other expeditious means, and the effect of such a poll shall be the same as if the votes therein were cast at a regular meeting of the Board.

**Section 39. The Consultative Council to the Board (*Majlis Asshurah*).** - The Council shall be composed of three (3) members in good standing and recognized authorities in Shari'ah and Islamic Jurisprudence (*Fiqh*). The Board may consult and refer to the Council any matter as it may deem necessary.

## **ARTICLE VI- NATIONAL OFFICERS**

**Section 40. National Officers.** – The Integrated Shari’ah Bar shall have the following National Officers who shall be elected by the Board from and among themselves:

1. President;
2. Executive Vice President;
3. Internal Vice President;
4. External Vice President;
5. Secretary;
6. Treasurer;
7. Auditor; and
8. Public Information Officer.

The Executive Vice President shall automatically become President for the next succeeding term. The Executive Vice Presidency shall rotate among the thirteen (13) chapters.

**Section 41. Terms of Office.** - The President and the Executive Vice President shall hold office for a term of three (3) years from January 01 immediately following their election until December 31 of their third year in office and until their successors shall have been duly chosen and qualified.

In the event the President is absent or unable to act, his functions and duties shall be performed by the Executive Vice President subject to the concurrence of the majority of the Board, and in the event of the death, resignation, or removal of the President, the Executive Vice President shall serve as Acting President for the unexpired portion of the term. In the event of the death, resignation, removal or disability of both the President and the Executive Vice President, the Board shall elect an Acting President to hold office for the unexpired portion of the term or during the period of disability.

**Section 42. Duties of Officers.** –

(a) President: The President shall be the Chief Executive of the Integrated Shari’ah Bar and shall preside at all meetings of the Board.

From assumption of office and for the duration of term as President, he/she shall dissociate from any and all activities that may, in one way or another, restrict or hamper the effective exercise of powers and performance of functions and duties.

(b) Executive Vice President: The Executive Vice President shall exercise the powers and perform the functions and duties of the President during the absence or inability of the latter to act, and shall perform such other functions and duties as are assigned to him/her by the President and the Board.

(c) Delegate as Member of the Board: In addition to his/her duties as a member of the Board, each elective Delegate shall act as representative of his/her chapter in the Board. A member shall promote the interest of the Chapter.

(d) Secretary: The Secretary shall attend all meetings of the Board and keep a record of all the proceedings thereof; prepare and maintain a register of all members of the Integrated Shari'ah Bar; notify national officers as well as members of national committees of their election or appointments; cause to be prepared the necessary official ballots for the election of the national officers; and perform such other duties as are assigned by these By-laws, by the President or by the Board.

(e) Treasurer: The Treasurer shall collect, receive, record and disburse all funds as required by the Board; promptly remit to the Chapters concerned their proportionate shares in the dues and assessments paid by members directly to the national office under Section 23 (Membership dues); assist in the preparation of the annual budget; and perform such other duties as are assigned by these By-Laws, by the President or by the Board. He/she shall furnish a surety bond at the expense of the Integrated Shari'ah Bar, in such amount as may be required by the Board.

(f) Auditor – The auditor shall conduct audit on all properties and cash as may be necessary or upon request of the President or by the Board.

(g) Public Information Officer – The Public Information Officer shall be in charge of information dissemination, social marketing and maintenance of website of the Integrated Shari'ah Bar.

**Section 43. Delegation of Duties.** - The functions and duties of the secretary and the treasurer may, in their absence or inability, be



performed by assistants or employees of the Integrated Shari'ah Bar designated by the President.

## **ARTICLE VII- NATIONAL COMMITTEES**

**Section 44. National Committees.** - The Board shall establish and maintain standing national committees. Until otherwise changed, modified or redefined by the Board, the respective names, powers, prerogatives, functions, duties and responsibilities of the standing committees shall be as set forth in this Article. The Board shall have authority to create additional standing committees and special committees and to define their respective powers, prerogatives, functions, duties and responsibilities. Every committee shall submit an annual report to the President, but the Board may, at any time, require any committee to submit a special report.

**Section 45. Membership of Committees.** - Each national committee shall consist of such number of members as may be fixed by the Board. They shall be appointed by the President with the consent of the Board from and among the members of the Board or members of the Integrated Shari'ah Bar in good standing, and shall serve for a term of three (3) years, and until their respective successors shall have been duly appointed and qualified.

The chairperson of each committee shall be designated by the President.

Three consecutive absences of any member from committee meetings without justifiable excuse shall be a ground for the President to appoint his replacement.

**Section 46. Committee on Chapter Affairs.** - This Committee shall make studies of, and submit reports and recommendations on the establishment organization and operation of all chapters, and the means and methods of encouraging and coordinating chapter activities and of promoting maximum involvement and participation of the members of the Integrated Shari'ah Bar in the activities thereof and of their respective chapters.

**Section 47.** Committee on Shari'ah Legal Aid. - This Committee shall promote the establishment and efficient maintenance of chapter Shari'ah legal aid programs suited to provide free Shari'ah legal services; direct and supervise all chapter Shari'ah legal aid arms; maintain maximum levels of coordination and cooperation with other organizations having similar objectives; receive and solicit aid and assistance from any available and suitable source or sources, provided that the independent character of the Shari'ah legal aid is not impaired; and, in general, do or cause to be done all things necessary and proper for the promotion of Shari'ah legal aid activities, programs, projects and objectives.

**Section 48.** Committee on Administration of Shari'ah Justice System. - This Committee shall study the organization and operation of the Shari'ah justice system and recommend appropriate changes in practice and procedure to improve the efficiency thereof, and, in that connection, shall examine all proposed changes in the system. It shall collate information and submit appropriate recommendations on judicial appointments, judicial tenure and compensation, and retirement pensions.

**Section 49.** Committee on Shari'ah Legal Education and Shari'ah Bar Admissions. - This Committee shall make continuing studies of, and submit recommendations on, the curriculum and teaching methods in schools with Shari'ah courses in their curriculum, Shariah training centers or institutions as well as standards and methods in determining the qualifications of applicants for admission to the Shari'ah Bar and, whenever requested, shall assist in the investigation of the qualifications of persons seeking admission to the Shari'ah Bar. It shall formulate and promote or co-sponsor with other groups of institutions, programs designed to afford members of the Integrated Shari'ah Bar suitable opportunities for acquiring, here and abroad, additional professional knowledge, training and skill.

**Section 50.** Committee on Professional Responsibility, Discipline and Disbarment. - This Committee shall formulate the Canons of Professional Responsibility for adoption by the Board and approval by

the Supreme Court, and submit recommendations on methods for the effective enforcement thereof as well as on appropriate amendments thereto. It shall have authority to express advisory opinions, upon written request of any member, on any matter affecting the professional conduct of any member. In no case shall the opinion of the committee disclose the name of any party. The committee may call upon any Chapter officer or Chapter committee member to exchange information as to problems arising under the Canons of Professional Responsibility, and to examine grievance procedures. It shall make recommendations to the Board for reforms and improvements in the said procedures.

**Section 51. Committee on Shari'ah Research Services.** - This Committee shall plan the research services of the Integrated Shari'ah Bar in substantive and adjective laws and, together with other institutions, promote Shari'ah legal research and Shari'ah Law reform and development. It shall select areas of the Shari'ah Law in need of study and codification; formulate plans and prepare budgets for specific research projects; assess the availability of qualified personnel to perform research work; and submit recommendations thereon. It shall periodically render progress reports on authorized research projects and provide necessary supervision for the successful completion of each project.

**Section 52. Committee on Public Services and Publication.** - This Committee shall prepare and submit plans for advancing public acceptance of the objectives and purposes of the Integrated Shari'ah Bar, and shall execute such plans as are approved by the Board. These plans shall include arrangements for disseminating information of interest to the public through publication both in social and traditional media platform or similar means; the Shari'ah justice system and the Shari'ah Bar; and to that end, the Committee may operate an information bureau headed by the Public Information Officer and utilize the necessary facilities of media for public communication.

**Section 53. Public Statements.** - No committee or member thereof shall publicly express any opinion or conclusion respecting the assigned

functions or work of the committee without previous authorization from the Board or the Executive Committee.

**Section 54. Finances of Committees.** - Every committee shall file with the Secretary of the Integrated Shari'ah Bar a detailed statement setting forth necessary data on the funds required in connection with its work for consideration and action by the Board. No committee shall incur any obligation payable by the Integrated Shari'ah Bar without the Board's prior approval.

## **ARTICLE VIII- FISCAL CONTROL**

**Section 55. Fiscal Year.** - The Integrated Shari'ah Bar shall operate on a fiscal year beginning on January 1 and ending on December 31 of each year.

**Section 56. Budget Committee.** - The Board sitting as the Budget Committee shall be responsible for the preparation of the annual budget.

**Section 57. Preparation and Approval of the Budget.** - The preparation, consideration, approval and publication of the budget shall be in accordance with rules and regulations prescribed by the Board.

**Section 58. Automatic Re-enactment.** - If by the end of any fiscal year, the Board shall have failed to pass the budget for the ensuing fiscal year, the budget for the preceding fiscal year shall be deemed re-enacted and shall remain in force and effect until a new budget is adopted by the Board.

**Section 59. Amendment to the Budget.** - The Board may, from time to time, amend the budget in order to provide funds for necessary expenditures: Provided, however, that the total of the increases made in

the items of the budget, including new items created by such amendments, shall not exceed ten percent (10%) of the total estimated income of the Integrated Shari'ah Bar for the current fiscal year. If the proposed amendments shall cause the total of the increases and the new items to exceed such limitation, the same procedure required for the adoption of the original budget shall be followed.

**Section 60. Disbursements.** - No disbursement shall be made except in accordance with the budget.

**Section 61. Unexpended Balances.** - All unexpended balances of appropriations shall revert at the end of every fiscal year to the funds from which they were appropriated.

**Section 62. Accounting and Audit.** - The Board shall cause books of accounts to be kept and maintained in accordance with sound accounting practices. An annual external audit of all funds, accounts, receipts and disbursements of the Integrated Shari'ah Bar shall be made without delay after the end of every fiscal year. A summary of such audit shall be published in the following July issue of the journal of the Integrated Shari'ah Bar.

## **ARTICLE IX- JOURNAL**

**Section 63. Journal of the Integrated Shari'ah Bar.** - The Board shall cause to be published a semestral journal through the Committee on Public Services and Publication.

Every member of the Integrated Shari'ah Bar is entitled to receive a free copy of every issue of the journal.

## **ARTICLE X- AMENDMENTS**

**Section 64. Amendments.** - These By-laws may be amended, modified or repealed by the Board subject to the approval of the Supreme Court.

### **ARTICLE XI- EFFECTIVITY**

**Section 65. Effectivity.** - These By-laws shall take effect on \_\_\_\_\_.