



GUIDELINES ON THE CERTIFICATION OF 'ULAMA SECTORAL ORGANIZATIONS FOR SECTORAL REPRESENTATIVE ELECTIONS IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO (BARMM)

ARTICLE I

INTRODUCTORY PROVISIONS

SEC. 1. Title. This Guidelines shall be known as the "*Guidelines on the Certification of 'Ulama Sectoral Organizations for Sectoral Representative Elections in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM)*";

SEC. 2. Statutory Bases. The legal bases cited for this Guidelines are as follows:

a. **Article VII, Section 7 of Republic Act No. 11054** (Bangsamoro Organic Law), provides for the representation of the 'Ulama sector in the Bangsamoro Parliament;

b. **Section 15, Article IV-C of the Bangsamoro Autonomy Act No. 35 (BAA No. 35)** also known as the Bangsamoro Electoral Code states that the reserved seats for sectoral representatives shall constitute at least ten percent (10%) of the Members of the Parliament, which shall include two (2) seats each for Non-Moro Indigenous Peoples and settler communities. Women, youth, traditional leaders, and the 'Ulama shall have one seat each: Provided, that the sectoral representatives shall in no case be less than eight (8) seats;

c. **Section 18, Article IV of Bangsamoro Autonomy Act No. 35** provides that the Bangsamoro Darul-Ifta' shall certify sectoral organizations for the 'Ulama and issue guidelines for the process of certification.



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداناو المسلمة



SEC. 3. Construction and Interpretation. This Guidelines shall be liberally construed to promote the democratic participation of the 'Ulama Sector and allow them to freely participate in the political processes in the BARMM.

SEC. 4. Definition of Terms. The terms hereunder shall be construed, as follows:

- a. **'Ulama** refers to Muslim religious scholars and chief religious' authorities.
- b. **'Ulama Sectoral Organizations (USO)** refers to organized groups of Muslim religious scholars and chief religious' authorities.
- c. **Certification.** The process of granting of certificate to an 'Ulama Sectoral Organization, evaluated and found to meet the stated criteria or standards of the Bangsamoro Darul-Ifta'.
- d. **Track record** refers to relevant involvement and accomplishments in advancing the rights and welfare of the 'Ulama sector in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) as supported by a list of relevant civic engagements.

ARTICLE II

REQUIREMENTS

SEC. 5. Qualifications. An 'Ulama Sectoral Organization (USO) seeking application for certification shall:

- a. have a minimum membership of fifty (50) 'Ulama who are resident of the BARMM; and
- b. have a track record of advocacy proven through a minimum of three (3) verifiable projects, activities, or initiatives addressing the rights



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمندانو المسلمة



and welfare of the '*Ulama* sector in the BARMM, or at least three (3) of its members having individual track records of the same.

SEC. 6. Requirements. Applicant must submit the following requirements:

- a. Duly accomplished and Notarized Application Form containing the following:
 - i. Full name of the '*Ulama* sectoral organization;
 - ii. Principal place of business and postal address for election purposes;
 - iii. Official e-mail address and contact number;
 - iv. Names and addresses of its officers; and
 - v. The total number of its members, which must be at least fifty (50);
- b. Constitution and by-laws;
- c. Organizational structure;
- d. Notarized list of its members;
- e. Track record of advocacy proven through a minimum of three (3) verifiable projects, activities, or initiatives addressing the rights and welfare of the '*Ulama* sector in the BARMM, or at least three (3) of its members having individual track records of the same; and
- f. Platform of government, anchored on its sectoral advocacies.

ARTICLE III

CERTIFICATION PROCESS

SEC. 7. Manner of Submission. The application for certification and all necessary documents shall be submitted by any of the following means:

- a. Personal submission to the BDI;
- b. Through registered mail or any accredited courier, with return receipt requested, addressed to: Sheikh Abdulrauf A. Guialani,



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'

جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداناو المسلمة



Bangsamoro Mufti, Bangsamoro Darul-Ifta', Autonomous Region
in Muslim Mindanao, Bangsamoro Government Center, Rosary
Heights 7, Cotabato City, 9600; or
c. Via official e-mail of the BDI: uso@bdi.bangsamoro.gov.ph

A copy of the application and its supporting documents shall also be sent to
the Office of the Chief Minister via email at cos@bangsamoro.gov.ph.

Submission via e-mail shall observe the following format:

To: uso@bdi.bangsamoro.gov.ph

Cc: cos@bangsamoro.gov.ph

From: [Applicant USO's official e-mail address]

Subject: Application for Certification [Full name of the Applicant
USO]

Example:

To: uso@bdi.bangsamoro.gov.ph

Cc: cos@bangsamoro.gov.ph

From: xyz'Ulamaorganization@gmail.com

Subject: Application for Certification of XYZ 'Ulama Sectoral
Organization

An e-mail shall contain only electronic documents pertaining to one
Applicant Organization and its application for certification. All the
necessary requirements must be sent in the same e-mail.



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداناو المسلمة



Documents submitted via e-mail must be in PDF format and saved separately, and separately attached to the e-mail. The filename must correspond to the document title.

Example:

Application Form must have a file name "Application Form.pdf"

Organization Structure must have a file name "Organization Structure.pdf"

The Applicant USO must submit the hard copies, which must be the exact copy of its electronic submission, via registered mail or accredited courier to the BDI within forty-eight (48) hours from receipt of the Notice of Completeness of Documents.

SEC. 8. Notice of Receipt. The BDI shall issue a Notice of Receipt upon receipt of the application form and documentary requirements. If the application is filed personally, it shall be stamped received by the Officer-in-Charge. If the application is filed through registered mail, accredited courier or e-mail, a Notice of Receipt shall be sent through e-mail and text message to the applicant immediately upon receipt.

SEC. 9. Notice of Completeness of Documents/Deficiency. The BDI shall review the application form and its accompanying documentary requirements within three (3) working days from the date of receipt.

If the documents are complete and duly executed, the applicant shall be issued a Notice of Completeness of Documents through e-mail and text message.

In case of deficiency in the application and other documentary requirements, the BDI shall issue a Notice of Deficiency.

SEC. 10. Content of the Notice of Deficiency. The notice shall state:

- a. the basis for it, such as a discrepancy in the Application for Certification of the applicant or the lacking requirement in its application; and



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Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداوا المسلمة



- b. the period within which the applicant must comply. Failure of the applicant to comply within the given period shall result in the cancellation of its application for certification.

SEC. 11. Review and Verification. Upon issuance of the Notice of Completeness of Documents, the BDI shall review the certification application. It may adopt reasonable means to ascertain the authenticity and veracity of the USO's application for certification and the other documentary requirements it submitted.

The BDI may either issue the Certification or deny the application within fifteen (15) days from the issuance of the Notice of Completeness of Documents.

If the BDI fails to act within a period of fifteen (15) days from the receipt of the Notice of Completeness of Documents, the application is deemed denied.

In case of denial of the application or the application is deemed denied, the USO may file a Motion for Reconsideration as provided under Article VII of this Guidelines.

Sec. 12. Certification. An USO with approved certification application shall be issued a Certificate. The certificate shall contain the following:

- Certificate number;
- Name and principal address of the USO;
- Date of the certification and the period of its validity;
- Name and signature of the issuing authority;
- BDI seal; and
- Terms of use.

An USO with disapproved application shall be issued a Notice of Disapproval by the BDI and shall indicate all the necessary information or the grounds for the disapproval.



Sec. 13. Grounds for Disapproval of Application. The following shall be the grounds for disapproval of the application for certification:

- a. material misrepresentation in the Application Form;
- b. failure of the applicant to substantiate its track record;
- c. submission of any falsified or fabricated documents; and
- d. such other justifiable grounds, as may be determined by the BDI.

ARTICLE IV

REPORTORIAL REQUIREMENT

SEC. 14. Reportorial Requirements. Certified USOs shall submit to the BDI an annual accomplishment report on their operations and activities pertaining to their advocacies for the 'Ulama sector. The BDI may likewise require them to submit such other reports as may be lawful and necessary.

ARTICLE V

REVOCATION OF CERTIFICATION

SEC. 15. Revocation of Certification. The BDI may *motu proprio* or upon receipt of a verified complaint, initiate the revocation of a certification issued to an USO.

SEC. 16. Grounds for Revocation of Certification. The following shall be grounds for the revocation of a certification:

- a. Failure to comply with any of the reportorial requirements as provided in this Guidelines;
- b. Violation of the terms and conditions of the Certification; or
- c. Subsequent discovery of any of the grounds for disqualification or disapproval of certification.



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Bangsamoro Autonomous Region in Muslim Mindanao
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دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداناو المسلمة



SEC. 17. Procedure for Revocation of Certification.

The following procedure shall be observed in cases of revocation for certification:

- a. Within three (3) days upon receipt of a verified complaint or when it initiates revocation proceedings *motu proprio*, the BDI shall issue an order to show cause to the USO, directing it to explain within a non-extendible period of five (5) days from receipt of such order why its certification shall not be revoked.

Failure of the USO to file an Answer shall be considered as a waiver thereof, and the BDI, within ten (10) days, shall decide thereon based on available records.

- b. Upon receipt of the USO's Answer, BDI shall conduct a thorough review of the facts as presented and evidence provided.
- c. The BDI shall, within twenty (20) days upon receipt of the same, decide whether or not to revoke the certification. The decision shall state the grounds for revocation.

In no case may revocation proceedings be initiated against any certified USO twelve (12) months prior to a parliamentary election.

ARTICLE VI

WITHDRAWAL OF CERTIFICATION

SEC. 18. Voluntary withdrawal of Certification. Any certified 'Ulama Sectoral Organization may voluntarily withdraw its certification through a formal notice to the Bangsamoro Darul-Ifta'.



ARTICLE VII

MOTION FOR RECONSIDERATION

SEC. 19. *Who may File.* The following may file a motion for reconsideration within the prescribed period:

- a. An USO with disapproved certification application;
- b. An USO whose certification has been revoked; and
- c. An USO whose certification application has not been acted upon by the BDI after the lapse of fifteen (15) days from the issuance of the Notice of Completeness of Documents.

SEC. 20. *Period for Filing.* A motion for reconsideration must be filed within five (5) days from the USO's receipt of the notice of disapproval of its certification application or the resolution revoking its certification or from the lapse of the 15-day period after the issuance of the Notice of Completeness of Documents.

SEC. 21. *Contents of the Motion.* The Motion for Reconsideration must be in writing and shall contain the following:

- a. Legal and/or factual ground/s relied upon by the USO;
- b. Relief prayed for by the USO;
- c. Name and contact information of the USO (mobile number and email address, etc.); and
- d. Copy of the Decision or the Notice of Completeness of Documents, if applicable, and such other supporting affidavits and documents necessary to support the ground/s relied upon in filing the motion.

SEC. 22. *Resolution of the Motion.* The BDI shall resolve the motion for reconsideration within fifteen (15) days from receipt thereof.



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداواو المسلمة



If the motion is resolved in favor of the USO, the BDI shall issue the corresponding Certificate to the applicant and nullify the order of disapproval or revocation of certification.

A resolution denying the motion shall be final and executory. The Motion is deemed to have been denied if the BDI failed to act on the same within the fifteen-(15) day period.

ARTICLE VIII

APPEAL

SEC. 23. Appeal. The decision of the BDI on a Motion for Reconsideration shall be final and executory unless the USO makes a timely appeal with the Office of the Chief Minister within five (5) working days upon receipt of such decision.

In case of inaction by the BDI, appeal may be taken to the Office of the Chief Minister within five (5) days after the lapse of fifteen (15) days for the BDI to resolve the Motion for Reconsideration.

SEC. 24. Appeal, how taken. The appeal shall be taken by filing a Notice of Appeal with the Office of the Chief Minister, with proof of service of a copy thereof to the BDI and the affected parties.

ARTICLE IX

FINAL PROVISIONS

SEC. 25. Database of Certified 'Ulama Sectoral Organizations. The BDI shall maintain a comprehensive database of certified USOs. It shall submit a certified list of certified USOs to the Bangsamoro Election Office (BEO)



REPUBLIC OF THE PHILIPPINES
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Darul-Ifta'
جمهورية الفلبين
دار الإفتاء لحكم بانجسامورو الذاتي الإقليمي
بمنداوا المسلمة



and the Bangsamoro Parliament at least ten (10) months before the next parliamentary election.

SEC. 26. Data Privacy. The BDI shall ensure that all submitted requirements and the information contained therein, are processed transparently with the parties; processed with its specified and legitimate purpose; and processed in a manner that is adequate, relevant, suitable, necessary, and not excessive in relation to its specified purpose. The BDI shall adopt the necessary measures to protect all collected and processed data against accidental or unlawful destruction, alteration, disclosure, and any other unlawful processing in accordance with the BDI's data privacy policy.

SEC. 27. Separability Clause. If any part or provision of this Guidelines is declared invalid or contradicts the Bangsamoro Electoral Code, the other provisions shall remain valid and effective.

SEC. 28. Amendment. Any amendments hereof shall be submitted, deliberated, and approved by the Bangsamoro Parliament Committee on Rules.

SEC. 29. Effectivity. This Guidelines shall take effect immediately after its publication in the Official Gazette, or in any newspaper of regional circulation.

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Bangsamoro Mufti

