



Republic of the Philippines
Autonomous Region in Muslim Mindanao
Regional Legislative Assembly
COMMISSION ON APPOINTMENTS
Cotabato City



FIRST REGULAR SESSION

RESOLUTION NO. 27

RESOLUTION CONSTITUTING THE COMMISSION ON APPOINTMENTS OF THE REGIONAL LEGISLATIVE ASSEMBLY, ADOPTING ITS RULES AND PROCEDURE AND OTHER PURPOSES.

WHEREAS, pursuant to Section 2, Article VIII of Republic Act No. 6734, the Regional Legislative Assembly is hereby constituted as a Commission on Appointments composed of all its members; and

WHEREAS, the Commission shall adopt its rules and procedures that shall govern all of its proceedings;

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved, to adopt, as it hereby adopts the following Rules of the Commission.

CHAPTER I

SECTION 1. It is a declared policy of the Commission to uphold the moral integrity of man that all nominations or appointments submitted to it by the Regional Governor for confirmation, shall be screened, evaluated and reviewed on the basis of the evidences presented, both oral and documentary. It shall protect the rights of the appointees or nominees from undue accusation from non-member of the Commission. It shall determine that the power to appoint by the Regional Governor are exercised prudently according to fitness, qualifications, trainings and work experiences relevant to the functions of the position the nominee or appointee is proposed.

The Commission on Appointments shall accord the nomination or appointment weight and respect, to the end that all doubts should be resolved in favor of approval or confirmation.

On the other hand, the Commission, being part of our republican system of checks and balances, shall act as restraint against abuse of the appointing authority, to the end that the power of disapproval should be exercised to protect and enhance the public interest.

CHAPTER II
ORGANIZATION

SECTION 1. Within thirty (30) days after the Regional Assembly shall have organized themselves with the election of the Speaker and other officers of the Assembly, the Commission on Appointments composed of all the members of the Regional Assembly, irrespective of party affiliation, shall organize itself by electing its officers and such other employees as may be necessary.

SECTION 2. CHAIRMAN OF THE COMMISSION. The Speaker of the Regional Legislative Assembly shall be the ex-officio Chairman of the Commission on Appointments. During his absence or temporary disability, the Vice-Chairman shall preside over the meetings of the Commission. In the absence or temporary disability of both the Chairman and the Vice-Chairman, the Commission members present and constituting a quorum shall designate one from among themselves a temporary Chairman.

SECTION 3. DUTIES OF THE CHAIRMAN. The Chairman of the Commission on Appointments shall have the following duties:

- To issue calls for the meetings of the Commission;
- To preside at the meeting of the Commission;
- To preserve order and decorum during the session and for that purpose to take such steps as may be convenient or as the Commission may direct;
- To pass upon all questions of order, but from his decision, any member may appeal to the Commission; and
- To execute such decisions, orders and resolutions as may have been approved by the Commission.

SECTION 4. VICE-CHAIRMAN AND OTHER OFFICERS. Immediately after their election, the members of the Commission on Appointments shall meet at the call of the Ex-Officio Chairman and proceed to elect from among themselves a Vice Chairman, a Majority Floor Leader, an Assistant Majority Floor Leader who shall all come from the Majority party or ruling coalition in the Commission, and a Minority Floor Leader who shall come from the Minority party in the Commission, all of whom shall be Ex-Officio members of all the Standing Committees of the Commission including the Chairman.

The Secretary for the Commission and the Sgt. at Arms shall likewise be chosen by the members of the Commission and shall serve until their successor shall have been duly elected and qualified.

Such other personnel as may be necessary for the proper functioning of the Commission shall be appointed by the Chairman of the Commission.

SECTION 5. COMPOSITION AND MEMBERSHIP OF THE STANDING COMMITTEES. There shall be eighteen (18) Standing Committees of the Commission on Appointments, the membership of which shall be on the basis of proportional representation of the majority and minority parties.

COMMITTEE ON PUBLIC ORDER AND SECURITY. Composed of thirteen (13) members to which shall be referred all nominations or appointments to the Regional Security force submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON BUDGET AND FINANCE. Composed of thirteen (13) members to which shall be referred nominations or appointment to the Department of Budget and Management and Regional Treasury and nominations or appointments to other positions of similar nature submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON JUSTICE AND HUMAN RIGHTS. Composed of seven (7) members to which shall be referred all nominations or appointments to the Commission on Human Rights and nominations or appointments to the positions of similar nature submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON AGRICULTURE AND FOOD. Composed of nine (9) members, to which shall be referred all nominations or appointments to the Department of Agriculture, submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON PUBLIC WORKS AND HIGHWAYS. Composed of thirteen (13) members to which shall be referred all nominations or appointments to the Department of Public Works and Highways submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON EDUCATION, ARTS, CULTURE AND SPORTS DEVELOPMENT. Composed of thirteen (13) members to which shall be referred all nominations or appointments to the Department of Education, Culture and Sports Development submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCE DEVELOPMENT. Composed of eleven (11) members to which shall be referred all nominations or appointments to the Department of Labor and Employment submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON HEALTH AND SOCIAL SERVICES. Composed of seven members to which shall be referred all nominations or appointments to the Department of Health and Department of Social Welfare and Development submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON COMMERCE, TRADE AND INDUSTRY. Composed of nine (9) members to which shall be referred all nominations or appointments to the Department of Trade and Industry by the Regional Governor for confirmation or approval.

COMMITTEE ON TOURISM. Composed of five (5) members to which all nominations or appointments shall be referred to the Department of Tourism submitted by the Regional Governor for confirmation or approval.

COMMITTEE AND NATURAL RESOURCES AND ECOLOGY. Composed of nine (9) members to which shall be referred all nominations or appointments to the Department of Environment and Natural Resources submitted by the Regional Governor for confirmation or approval.

COMMITTEE AND SCIENCE AND TECHNOLOGY. Composed of five (5) members to which shall be referred all nominations or appointments to the Department of Science and Technology submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON LOCAL GOVERNMENTS. Composed of nine (9) members to which shall be referred all nominations or appointments to the Department of Local Governments submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON TRANSPORTATION AND COMMUNICATIONS. Composed of seven (7) members to which shall be referred all nominations or appointments to the Department of Transportation and Communications submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON AGRARIAN REFORM. Composed of five (5) members to which shall be referred all nominations or appointments to the Department of Agrarian Reform submitted by the Regional Governor for confirmation or approval.

COMMITTEE ON ECONOMIC AFFAIRS, URBAN AND RURAL PLANNING AND DEVELOPMENT, HOUSING AND RESETTLEMENT. Composed of eleven (11) members to which shall be referred to the Planning and Development Board submitted by the Regional Governor for confirmation or approval, including all matters relating to economic planning and programming; the planning or foreign public indebtedness, general economic development and coordination, regulation and diversification of industry and investments, urban community development including rural areas, upliftment of the condition of their inhabitants and delivery of basic services.

COMMITTEE ON WOMEN, YOUTH AND FAMILY RELATIONS. Composed of seven (7) members to which shall be referred all matters relating to youth and the implementation of the provisions of R.A 6734 regarding women and family relations.

COMMITTEE ON TRIBAL COMMUNITIES. Composed of five (5) members to which shall be referred all matters relating to tribal communities.

SECTION 6. DUTIES OF THE SECRETARY. The Secretary of the Commission on Appointments shall serve at the pleasure of the Commission, and shall have his office in such place as may be designated by the Commission and shall have the following duties:

Under the direction of the Chairman, to see to it that the orders and resolutions of the Commission on Appointments are duly performed and complied with;

- To prepare the minutes of the meeting of the Commission on Appointments which shall contain a clear and succinct statement of whatever took place or was agreed upon thereat;
- To certify under his signature and seal of the Commission the resolutions and orders of the Commission;
- To duly publicize and publish in a newspaper of regional circulation for two (2) times within ten (10) calendar days from date of referral all nominations or appointments referred by the Chairman to the Standing Committees;
- To execute a certification upon compliance with his duty mentioned in the preceding paragraph and to serve said certification on the Chairman of the standing committee concerned;
- To attend the meetings of the Commission personally or thru his duly authorized representative;
- To issue calls for the meeting of the Commission under the direction of the Chairman; and
- To perform such other duties which the Commission or its Chairman may direct.

SECTION 7. DUTIES OF THE SERGEANT-AT-ARMS. The Sergeant-at-Arms shall have the following duties:

- To attend all the meetings of the Commission as well as the meetings of the standing committees personally or thru his authorized representative;
- To maintain order under the direction of the Chairman; and
- To execute all commands of the Commission and all processes issued by authority thereof when directed by the Chairman or Secretary.

SECTION 8. ACTING SECRETARY AND SERGEANT-AT-ARMS. In the absence or incapacity of the Secretary, the Chairman may designate the next highest ranking employee of the Commission as Acting Secretary. In the absence or incapacity of the Sergeant-at-Arms, the Chairman may designate the next highest ranking employee of the Commission as temporary Sergeant-at-Arms.

SECTION 9. SEAL OF THE COMMISSION. The Seal of the Commission shall be replica of the approved seal of the Autonomous Region in Muslim Mindanao in its original design, form color and provided that the words official seal shall be replaced by the words Commission on Appointments.

CHAPTER III MEETINGS OF THE COMMISSION

SECTION 10. PLACE OF MEETING AND QUORUM. The Commission shall meet at either the session hall of the Regional Legislative Assembly upon call of the Chairman or at such other place as the Commission may designate. The presence of at least thirteen (13) members is necessary to constitute a quorum. There shall be regular meeting of the Commission every Wednesday morning and on the last two (2) days of each session of the Regional Legislative Assembly unless otherwise decided by the Commission or Chairman.

SECTION 11. PUBLIC MEETING: EXCEPTION. The meeting of the Commission shall be opened to the public; however, on motion of a member, duly seconded and approved, the Commission shall meet in Executive session.

SECTION 12. SECRECY OVER MATTERS TAKEN IN CLOSED SESSION. The rule of secrecy over all matters taken-up in the Executive session shall be maintained by the members of the Commission, the Secretary, the Sergeant-at-Arms, staff members and all other personnel of the Commission.

This rule of secrecy as to the whole or any part of the proceedings or any matter taken-up in the closed session may be lifted only by a majority of the members present on motion duly made and seconded.

SECTION 13. DOCUMENTS OF A CONFIDENTIAL CHARACTER. If and when on request of the Commission or any of its committees, the Regional Governor should send documents of a confidential character, the rule of secrecy shall apply. With respect to other documents of confidential character, as determined by the Chairman of the Commission or of the Standing Committee concerned, transmitted thereto, the same rule on secrecy shall apply.

SECTION 14. VIOLATION OF RULES. Any violation of the rule of secrecy or of any other provision of these Rules shall be dealt with by the Commission in the manner it deems fit.

SECTION 15. REQUISITE VOTE OF THE COMMISSION. The Commission shall rule on all nominations or appointments brought before it by a majority vote of all the members present constituting a quorum. All other matters shall be decided by a majority vote of the members present constituting a quorum.

CHAPTER IV ACTION ON REFERRAL OF NOMINATIONS OR APPOINTMENTS

SECTION 16. REFERRAL OF NOMINATIONS OR APPOINTMENTS TO COMMITTEES: EXCEPTION. Nominations or appointments submitted to the Commission by the Regional Governor for confirmation or approval shall be immediately referred by the Chairman to the corresponding standing committees which shall submit their recommendations AS SOON AS PRACTICABLE not later than thirty (30) calendar days from date of referral.

The Commission, on petition of not less than ten (10) members may, however, directly considers a nomination or appointment and thereupon vote on it after the lapse of the thirty (30) days period. It may also directly consider a nomination or appointment and thereupon vote on it before the lapse of thirty (30) days period on petition of at least thirteen (13) members.

SECTION 17. APPOINTMENTS SUBJECT TO CONFIRMATIONS AND THEIR SUBMISSION TO THE COMMISSION. The appointments to the following shall be subject to confirmation by the Commission:

- Cabinet Secretaries; and
- Such other officers as may be provided by regional law to subject to confirmation by the Commission.

The Regional Governor shall submit to the Commission on Appointments the appointments and / or nominations mentioned above within fifteen (15) days from signing thereof.

The nominee shall submit to the Commission the pertinent documents required under Section 25 of these Rules within fifteen (15) days from the date of submission of his/her nomination or appointment by the Regional Governor to the Commission.

Failure to comply with the provision of this section shall be considered an automatic rejection of the appointments or nominations by the Commission.

SECTION 18. UNACTED NOMINATIONS OR APPOINTMENTS BE RETURNED TO THE REGIONAL GOVERNOR. Nominations or appointments submitted by the Regional Governor which are not finally acted upon at the close of the session of the Regional Legislative Assembly shall be returned to the Regional Governor, and unless new nominations or appointments are made, shall not again be considered by the Commission.

SECTION 19. RECONSIDERATION OF RESOLUTION OF THE COMMISSION. Resolution of the Commission on any nomination or appointment may be reconsidered on written motion by any member presented to the Commission not later than three (3) days after the approval of the resolution. If majority of the members present approve such motion for reconsideration, the nomination or appointment shall be reopened and submitted anew to the Commission. A motion to reconsider a vote on any nomination or appointment may however be laid on the table, and which decision shall be considered as a final disposition of such a motion for reconsideration.

SECTION 20. SUSPENSION OF THE NOTICE TO THE REGIONAL GOVERNOR DURING THE PERIOD OF RECONSIDERATION. Notice of confirmation or disapproval of a nomination or an appointment shall not be sent to the Regional Governor before the expiration of the period of its reconsideration, or while a motion for reconsideration is pending.

SECTION 21. SUSPENSION OF CONSIDERATION OF NOMINATION OR APPOINTMENTS. Any member may move for the suspension of action by the Commission on any nomination or appointment favorably recommended by a standing committee and the Chairman shall suspend the consideration of said nomination or appointment: Provided, that such suspension may be taken up on the next succeeding session of the commission: Provided Further, that this section shall not apply to nomination or appointment taken up by the Commission during the last session prior to an adjournment of the Regional Legislative Assembly.

SECTION 22. AUTHORITY TO INVITE OR SUBPOENA WITNESSES. The Commission or any of its committees may invite or subpoena (subpoena *duces tecum* and *ad testificandum*) a person to testify on any matter/ case pending before it. In plenary sessions of the Commission and in connection with complaints filed against the confirmation of pending nomination or appointments, the secretary may avail of the services of the Legislative Operations Service of the Regional Legislative Assembly. In the case of failure of the nominee or appointee and/ or witness to attend, the Chairman, upon proof thereof may issue a warrant the Sergeant-At-Arms to arrest the nominee or appointee and/ or witness and bring him before the Commission.

SECTION 23. OPPOSITION MUST BE UNDER OATH. No opposition by a non-member of the Commission to a nomination or appointment made by the Regional Governor shall be considered by the Commission unless it be in writing, under oath and presented to the standing committee concerned at least two (2) days before said standing committee commences its hearing: Provided, that on grounds of fraud, accident, mistake, excusable neglect or newly

discovered evidence, an opposition may be submitted prior to final confirmation of the nomination or appointment.

SECTION 24. VIVA VOCE VOTING: EXCEPTION. Voting by the Commission on any nomination or appointment submitted for confirmation shall be by viva voce; except that upon request of any member, the voting shall be nominal.

CHAPTER V INFORMATION SHEET REQUIRED OF ALL NOMINEES OR APPOINTEES

SECTION 25. INFORMATION/DOCUMENTS TO BE SUBMITTED BY THE NOMINEES OR APPOINTEES. In considering appointments or nominations submitted to it, the Commission shall use as guiding consideration, without prejudice to taking into account other factors, such pertinent data or information relative to nominees honesty, competence, and integrity, for the information of the Commission, the nominee or appointee shall submit under oath papers or documents containing the following data:

- Family background;
- Personal and business connection;

Curriculum vitae stating the academic qualification; special training and technical qualifications; previous experience; record of position held; government position presently occupied, stating salary, per diems, allowances and/or other emoluments derived therefrom other than the position subject for confirmation.

All nominees or appointees shall likewise submit the following papers and documents:

At least three (3) testimonials from persons of irreproachable reputation not related to him or her within the 4th civil degree of affinity or consanguinity;

Disclosure under oath of kinship with any appointive or elective official in the government, including government owned or controlled corporations, occupying position/s, down to the directorship level, within the 4th civil degree of consanguinity or affinity;

Copies of income Tax Returns for the three (3) immediate preceding fiscal years;

Verified statements of assets and liabilities for the three immediately preceding fiscal years;

Disclosure of business interest, financial and professional connections for the four (4) immediately preceding fiscal years;

Clearance of the nominee from the National Bureau of Investigation, the National Intelligence Coordinating Agency, the Bureau of Internal Revenue, a clearance from the Judge Advocate General's Office (JAGO), if he is a former member of the Armed Forces of the Philippines, or a clearance from the Ombudsman if the nominee or appointee is a former government official or employee, and such other concerned agencies as may be required by the nature of the position he is nominated or appointed to;

A medical report issued by the duly licensed government physician containing an evaluation of the physical condition and mental state of the nominee or appointee;

Statement under oath whenever the nominee or appointee has any pending criminal or administrative case against him;

If there are pending criminal or administrative case against the nominee or appointee. A certification from the court administrative agency where the case or charge is lodge containing a statement of the nature of the pending case, its status, and the reason for its pendency;

Disclosure under oath that the nominee or appointee is a registered voter and a resident of the Autonomous Region in Muslim Mindanao for at least five (5) years immediately preceding his appointment; and

Such other documents as may be required by the commission.

The Secretary of the Commission shall furnish every member of the Commission with a copy of the curriculum vitae of the nominee or appointee containing all the information called for in the preceding paragraph as well as the result of the discreet background check, if one has been conducted, on the nominee or appointee.

The Commission thru the different standing committees shall be empowered to set a minimum qualification standard for the various positions submitted to it for confirmation or approval.

SECTION 26. AMENDMENTS. These rules and any part thereof may be amended upon the vote of the majority of the members of the Commission; provided, that any proposed amendment shall be put in writing and its member furnished a copy thereof at least one day before it is brought up for consideration.

SECTION 27. RULES OF THE HOUSE AND SENATE SUPPLEMENTARY TO RULES OF THE COMMISSION. The Rules of the Commission on Appointments of the Congress of the Philippines shall have a supplementary character in cases where nothing is provided for in these Rules.

SECTION 28. EFFECTIVITY. These Rules shall take effect upon its approval.

- ADOPTED: January 10, 1991
- AMENDED: June 29, 1993
- AMENDED: November 4, 1999
- AMENDED: January 12, 2010