



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



FIRST REGULAR SESSION

RESOLUTION NO. 01

RULES OF STANDING COMMITTEES

WHEREAS, pursuant to Resolution No. 27 of the Regional Legislative Assembly and in accordance with Section 2, Article VIII of Republic Act No. 6734, the different Standing Committees of the Commission on Appointments 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 common Rules and Procedures of the different Standing Committees.

ARTICLE I
Statement of Policy

The Standing Committees of the Commission on Appointments, aware of the demands of public service, in the discharge of their duties, shall act prudently, expeditiously but judiciously, promptly but with circumspection as well as to safeguard public moral of man.

In the task of screening, reviewing and evaluating the nominees or appointees of the Regional Governor, the committee members shall be guided by no consideration other than that of the moral integrity, qualifications, competence and fitness of the nominees and/or appointees as evidenced by the documents and oral testimonies presented to the committee.

ARTICLE II
Jurisdiction

Section 1. Jurisdiction. The appropriate standing committee shall have jurisdiction over all nominations referred to it by the Chairman of the Commission on Appointments, except when the Commission, directly considers a nominations or appointments and votes upon it in accordance with Section 16 of the Rules of the Commission on Appointments.

Section 2. Publication. All nominations referred by the Chairman of the Commission on Appointments to a Standing Committee shall be duly publicized and/or published for two (2) times within (10) calendar days from date of referral and in the manner deemed appropriate by the Commission. A certification to this effect shall be executed and signed by the Secretary of the Commission and shall be served to the Chairman of the appropriate committee at any time before the committee meeting is called to consider the nominations.

Section 3. Committee Consideration. No standing committee may commence consideration of any nomination or appointment unless and until the certification required in the preceding

section has been received by the committee Chairman and only after full compliance with the requirements of Section 25 of the Rules of Commission.

ARTICLE III Officers of the Committee

Section 1. Principal Officers. The Chairman of its Committee elected by the members of the Commission shall be the Chief Executive thereof and the Presiding Officer of all its meetings and public hearings with all the powers and duties inherent in the said office.

Section 2. Each Standing Committee shall have a Vice Chairman who is also elected by the Commission together with members thereof.

ARTICLE IV Meetings of the Committees

Section 1. Each committee should hold meetings on such days, time and place as may be determined by the Chairman or by at least one third of the members of the Committee. Notice together with the agenda of such meeting shall be given three (3) days in advance to every member of the committee. The three (3) days notice shall not apply when the committee Chairman for reasons of emergency sets a date for the next meeting and announces the same during a meeting of the Committee.

Section 2. Quorum. A majority of all members of each committee shall constitute a quorum to do business.

Section 3. No proxy shall be allowed in any committee meeting.

Section 4. Unexplained absences in three (3) consecutive committee meetings shall be a ground for disciplinary action. Vacancies so created shall be filled up by election.

ARTICLE V Recommendation of the Committee

Section 1. Approval of Committee Recommendations. All committee recommendations relative to any nomination brought to it for consideration shall be reached after deliberation and discussion by the members of the committee. All in writing and approved by a majority of the members of the committee. Members of the Commission who are not Ex- Officio or regular member of the committee may participate, without the right to vote in the deliberation and discussion of the committee.

ARTICLE VI Investigation of the Committees

Section 1. Investigation of Committees. On its own initiative or at the instance of any member, each committee may initiate an inquiry on any nomination or appointment submitted by the Regional Governor of the Autonomous Region in Muslim Mindanao.

The right of person appearing in or affected by such inquiries shall be respected.

Section 2. Quorum at public hearings. The presence of the Chairman or Vice- Chairman, or at least three (3) members, one of whom shall serve as Acting Chairman shall be sufficient for purposes of conducting public hearings and acting on motions and other incidents related thereto.

Section 3. Opposition/Complaints. No opposition and/or complaints by non-member of the Committee or Commission to a nomination or appointments shall be entertained by the Committee unless the same is in writing and duly sworn to, presented at least two (2) days before the scheduled Committee hearing and/or public hearing of which the oppositor or complainant shall be notified.

Section 4. Anonymous letter/complaints. Anonymous letters, unsubstantiated complaints, unverified reports and those not complying with the requirement of the preceding section shall not be considered by the Committee and shall not prejudice nor prevent any favorable recommendation reached by the Committee. However, the same may be the basis of interpellation and/or inquiry during the hearing of the Committee.

Section 5. Executive Sessions. Executive Session shall not be called except when the security of the Autonomous Region in Muslim Mindanao or public interest so requires or whenever the integrity of the nominee or appointee maybe unnecessarily and unduly prejudiced.

Section 6. Subpoena Ad Testificandum and Duces Tecum.

Each Committee may issue a subpoena a requiring a nominee and/or witness to testify at its hearing or for the taking of his disposition and/or bring books documents or other things under his control;

The subpoena shall be signed under the seal of the Commission, by the Chairman of the Committee issuing it;

The subpoena shall state the subject matter under inquiry and the nominee and/or witness whose attendance is required and, in case of a subpoena duces tecum, shall particularly describe the books, documents or things to be produced.

The subpoena shall be served through the Sergeant-At-Arms of the Commission, who shall exhibit the original and deliver a copy thereof to the person named therein.

Section 7. Compulsory Process. In case of failure of the nominee and/or witness to attend. The Chairman of the committee may issue a warrant to the Sergeant-At-Arms of the Commission to arrest the nominee and/or witness and bring him before the Committee.

Section 8. Examination of witness.

The testimony of the witness and/or nominee before each committee shall be taken under oath or affirmation;

Questions directed to a nominee and/or witness may be propounded by any member of each Committee and of the Commission;

A nominee and/or witness by himself/herself or through counsel may ask the Presiding Officer for a ruling to questions propounded to him or to the production of documents or things required by a subpoena duces tecum.

Section 9. Contempt. Any person guilty of any misbehavior , obstruction or interruption of the proceedings of a Committee, including gross disrespect to the members thereof, or of failure without adequate reasons to appear pursuant to a subpoena shall be deemed in contempt of the Committee and of the Commission, for which reason, he may be ordered by the Chairman to be arrested and detained by the Sergeant-At-Arms of the Commission for such period not exceeding ten (10) days as the Committee or the Commission may direct.

Refusal of a nominee and/or witness to be sworn or to answer questions propounded to him in a Committee meeting or to produce documents pursuant to a subpoena duces tecum shall likewise constitute contempt of the Committee and of the Commission;

A report on the detention of any person for contempt shall be submitted without delay to the Committee and the Commission.

Section 10. The Commission may initiate the filing of the corresponding criminal complaint against a witness who knowingly or willfully withholds or conceals information or gives false testimony during hearings or meetings of the Standing Committees.

ARTICLE VIII Committee Documents

Section 1. Control of Documents. No documents shall be copied, withdrawn or taken from the Office of the Secretary of the Commission without the permission of the Chairman of the Committee concerned.

Section 2. Rules of Secrecy. The rules of secrecy and confidentiality of all matters taken up in executive session shall be observed.

ARTICLE IX Amendment and Effectivity

Section 1. Amendments. These rules may be amended by motion filed at least one day before its consideration and approved by a majority of the members of the Commission.

Section 2. Effectivity. These Rules shall take effect upon its adoption by the members of the Commission and shall remain in force until amended or replaced.

Approved : March 6, 1991
Amended: November 4, 1999

Certified Correct:

(SGD.) MANGIGIN S. MALAWANI
Secretary

Attested:

(SGD.) HON. KABILAN G. SEMA
Chairman