



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY PARLIAMENT
Bangsamoro Government Center, Cotabato City



**BANGSAMORO TRANSITION AUTHORITY
(SECOND REGULAR SESSION)**

BANGSAMORO AUTONOMY ACT NO. 39

Begun and held in Cotabato City, on Thursday, the 15th day of September 2022.

AN ACT

**GOVERNING THE OBSERVANCE OF REGULAR AND SPECIAL
HOLIDAYS IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM
MINDANAO (BARMM), REPEALING FOR THE PURPOSE MUSLIM
MINDANAO AUTONOMY ACT NO. 17, OTHERWISE KNOWN AS
“AN ACT RECOGNIZING MUSLIM HISTORICAL AND RELIGIOUS EVENTS
AND ALL EXISTING MUSLIM HOLIDAYS IN THE AUTONOMOUS
REGION IN MUSLIM MINDANAO (ARMM) AND FOR OTHER
PURPOSES”**

Be it enacted by the Bangsamoro Transition Authority in Parliament assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Bangsamoro Holidays Act of 2023”.

SEC. 2. *Declaration of Policy.* – It is the policy of the Bangsamoro Government to recognize the observance of regional and local public holidays that preserve and promote the rich history, tradition, and cultural heritage of the Bangsamoro and other peoples in the BARMM, reflective of their system of life as prescribed by their faith, uphold the rights and well-being of workers, and promote the vibrance and competitiveness of the regional economy.

SEC. 3. *Definition of Terms.* –

- a) Regular Non-Working Holidays are those national and regional holidays provided by law which are observed throughout the area of autonomy; and
- b) Special Holidays refer to non-regular holidays in the region and certain local government units in observance of historical, religious, and other significant events, as determined under this Act and those that may be proclaimed later by the Chief Minister.

Special holidays may either be classified as working or non-working days.

SEC. 4. Coverage. – Holidays provided under this Act shall be officially observed by the private sector and all branches, subdivisions, instrumentalities, and agencies of the regional government, including its constituent local government units, established and operating in the BARMM.

All offices of the BARMM located outside of its territorial jurisdiction shall also be covered by the provisions of this Act.

SEC. 5. Bangsamoro Holidays. – The following shall be regular holidays and special holidays in the BARMM:

A) Regular Non-Working Holidays:

- 1) Bangsamoro Foundation Day - January 21
- 2) *Eid'l Fit'r - Shawwal* 1
- 3) *Eid'l Adha - Dhul Hijja* 10
- 4) Day of *Shuhada* - March 18

B) Special Non-Working Holidays

- 1) Day of *Arafah - Dhul Hijja* 9
- 2) 1st Day of *Tashriq - Dhul Hijja* 11

C) Special Working Holidays:

- 1) Holidays identified in Presidential Decree No. 1083 other than those determined in this Act
- 2) Bangsamoro Day of Solidarity - February 1
- 3) Battle of *Bud Daho* Day - March 6
- 4) Commemoration of the Signing of the Comprehensive Agreement on the Bangsamoro - March 27
- 5) Battle of *Bayang* Day - May 2
- 6) *Shiek Karimul Makhdum* Day - November 7
- 7) *Shariff Kabunsuan* Day - December 19
- 8) Commemoration of the Signing of the Moro National Liberation Front–Organization of Islamic Conference–Government of the Republic of the Philippines (MNLF-OIC-GRP) 1996 Final Peace Agreement and 1976 Tripoli Agreement - September 2
- 9) Bangsamoro Indigenous Peoples' Thanksgiving Day - on the day of the enactment of the IP Code

The Chief Minister may modify by proclamation the actual dates of the observance of the regular holidays or special holidays in the region in a given year, provided that the same must be consistent with the policy of the Bangsamoro Government declared in this Act.

SEC. 6. Declaration of Islamic Holidays. – The Grand *Mufti* of the Bangsamoro *Darul Ifta'* shall recommend to the Chief Minister the actual dates for the declaration of Islamic holidays that are based on the *Hijri* calendar.

SEC. 7. *Localized Proclamation of Special Non-Working Holidays.* – Days of historical significance to specific local government units, as enumerated under Section 5 (c) may, upon recommendation of the Bangsamoro Commission for the Preservation of Cultural Heritage (BCPCH), be proclaimed by the Chief Minister as special non-working holidays in such locality. *Provided*, That the BCPCH shall formulate guidelines for the purpose hereof. *Provided, further*, That whenever applicable, the concerned local government units shall submit to the BCPCH their proposal at least fifteen (15) days prior to the localized proclamation.

SEC. 8. *Conduct of Activities in Relation to Holidays.* – All ministries, agencies, offices, or other instrumentalities in the Bangsamoro Autonomous Region, including its constituent local government units, shall allocate funds and conduct activities commemorating the holidays determined herein in a manner that serves the purposes of the same.

SEC. 9. *Proclamation of Regional and Local Special Holidays.* – Any regional and local special holiday within the Bangsamoro Autonomous Region, including the special holidays listed in Section 5 of this Act, shall need an official proclamation from the Chief Minister. Such proclamation shall indicate whether a special holiday is a working or non-working holiday.

In case of regional special holidays, the Bangsamoro Parliament may, by a resolution, endorse to the Office of the Chief Minister that the observance of any historical, religious, or other significant event in the region be proclaimed as a special holiday.

In case of a local special holiday celebrating its founding anniversary, the respective *Sangguniang Panlalawigan*, *Sangguniang Panlungsod*, or *Sangguniang Bayan* of the local government unit concerned shall, by a resolution, endorse to the Office of the Chief Minister the proclamation of the same as a special holiday.

Nothing in this Act shall preclude the Bangsamoro Parliament from enacting a law declaring the observance of any historical, religious, and other significant event in the region or in any particular locality within BARMM as a regional or local special holiday.

SEC. 10. *Notice Requirement for Purposes of Proclamation of Regional and Local Special Non-Working Holidays.* – For purposes of proclamation of any special non-working holiday, the Office of the Chief Minister must receive a notice and certified copy of the resolution endorsing the proclamation of a particular special holiday from either the Bangsamoro Parliament or the local government unit concerned, as provided in the preceding section, at least fifteen (15) calendar days prior to the specified date of the observance of such special non-working holiday.

Any proclamation of a special non-working holiday shall be made at least five (5) days prior to the date of the observance of such special non-working holiday.

The requirement for the proclamation of special non-working holidays provided under this section shall not apply during the first thirty (30) days of the effectivity of this Act.

SEC. 11. *Annual Proclamation of Holidays and Special Holidays by the Chief Minister.* – The Chief Minister shall issue a proclamation on or before December 31 of each year declaring the

regular and special holidays provided under this Act that shall be observed within BARMM in the next succeeding year.

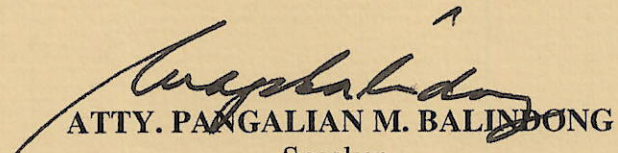
SEC. 12. *Applicability of Labor Laws.* – Pending the enactment of the Bangsamoro Labor Code, provisions of the Labor Code of the Philippines on holiday compensation shall apply to employees in the private sector within the BARMM.

SEC. 13. *Pretermission of Holiday.* – Where the day, or the last day, for the performance of any act required or permitted by law falls on a regular or special holiday, the act may be done on the next succeeding business day.

SEC. 14. *Separability Clause.* – If any provision of this Act is declared unconstitutional or contrary to Republic Act No. 11054, the same shall not apply to the validity and effectivity of the other provisions not affected thereby.

SEC. 15. *Repealing Clause.* – Muslim Mindanao Act number 17 entitled, “An Act Recognizing Muslim Historical and Religious Events and All Existing Muslim Holidays in the ARMM and for Other Purposes” is hereby repealed. All other regional laws, executive orders, memoranda, and other issuances or parts thereof pertaining to regional holidays are hereby repealed.


SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after the completion of its publication in the Bangsamoro Gazette or in at least one (1) newspaper of general circulation in the BARMM.


ATTY. PANGALIAN M. BALINDONG
Speaker

This Act was passed by the Bangsamoro Parliament on *Muharram 02, 1445/July 20, 2023.*


PROF. RABY E. ANGKAL
Secretary-General

APPROVED:


AHOD BALAWAG EBRAHIM
Chief Minister
Date: AUGUST 17, 2023

XXX