

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

04 SEP 23 P4 58

SENATE

RECEIVED BY: _____

S.B. No. 1799

Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

EXPLANATORY NOTE

Republic Act No. 8291 or the GSIS Law entitles a GSIS member to monthly pension after he/she has rendered at least fifteen (15) years of service and is at least sixty (60) years of age at the time of retirement. On the other hand, Republic Act No. 910 or the retirement law for members of the Judiciary requires a Justice or Judge to render at least twenty (20) years of service in the Judiciary or in any other branch of the government before he/she can be entitled to monthly pension.

In line with the GSIS Law, this bill seeks to reduce to fifteen (15) years of service in the Judiciary or in any other branch of the Government or in both, the eligibility of a Justice or Judge who retires at the compulsory age of seventy (70) years, for the basic monthly pension for life to start at the end of the 5-year guaranteed period. Five years after retirement, the lump sum received by a 70-year old Justice or Judge is already depleted and he/she now needs the basic monthly pension for life for his/her support, medical and other needs, as well as that of his/her family. At the age of seventy-five (75), a retired Judge or Justice is already deteriorating in health and is afflicted with different kinds of disease brought about by old age and weakened body resistance. Now in their twilight years, these retired Justices and Judges need the additional financial assistance and support which the Government can provide them after having devoted the best years of their lives to public service. This bill, thus, will benefit the surviving retired members of the Judiciary who are only a few in number and who may only have a few more years to live.

The immediate approval of this bill is recommended.

Pia S. Cayetano
COMPAÑERA PIA S. CAYETANO
Senator

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AN ACT
PROVIDING FOR RETIREMENT BENEFITS OF ALL MEMBERS OF THE
JUDICIARY, FURTHER AMENDING FOR THE PURPOSE SECTION ONE OF
REPUBLIC ACT NO. 910, AS AMENDED

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. Section 1 of Republic Act No. 910, as amended, is hereby
further amended to read as follows:

SECTION 1. When a justice of the Supreme Court [,] [or of the] Court of Appeals
[,] SANDIGANBAYAN OR COURT OF TAX APPEALS, OR a judge of [Court of
First Instance] THE REGIONAL TRIAL COURT, [Agrarian Relations], [Tax
Appeals], [Industrial Relations], [Juvenile and Domestic Relations],
METROPOLITAN TRIAL COURT, MUNICIPAL TRIAL COURT, MUNICIPAL
CIRCUIT TRIAL COURT [or a city or municipal judge], SHARI'A DISTRICT
COURT, SHARI'A CIRCUIT COURT OR ANY OTHER COURT HEREAFTER
ESTABLISHED who has rendered at least FIFTEEN (15) [twenty (20)] years
service in the judiciary or in any other branch of the Government, or in both (a)
retires after having attained the age of seventy years or (b) resigns by reason of
his incapacity to discharge the duties of his office, he shall receive during the
residue of his natural life, in the manner hereinafter provided, the salary he was
receiving at the time of his retirement, or resignation. And when a justice of the
Supreme Court [,] [or of the] Court of Appeals[,] SANDIGANBAYAN OR COURT
OF TAX APPEALS, OR a judge of [Court of First Instance], THE REGIONAL
TRIAL COURT, [Agrarian Relations], [Tax Appeals], [Industrial Relations],
[Juvenile and Domestic Relations], METROPOLITAN TRIAL COURT,
MUNICIPAL TRIAL COURT, MUNICIPAL CIRCUIT TRIAL COURT, [or a city or
municipal judge], SHARI'A DISTRICT COURT, SHARI'A CIRCUIT COURT OR
ANY OTHER HEREAFTER ESTABLISHED, has attained the age of sixty years
and has rendered at least FIFTEEN (15) [twenty (20)] years service in the
Government, the last five (5) of which shall have been continuously rendered in
the Judiciary, he shall likewise be entitled to retire and receive during the residue
of his natural life also in the manner hereinafter provided, the salary he was then
receiving. It is a condition of the pension provided for herein that no retiring
justice or judge of a court of record or city or municipal judge during the time that
he is receiving said pension shall appear as counsel before any court in any civil
case wherein the Government or any subdivision or instrumentality hereof is the
adverse party, or in any criminal case wherein an officer or an employee of the
Government is accused of an offense committed in relation to his office, or collect
any fee-for his appearance in any administrative proceedings to maintain an
interest adverse to the Government, national, provincial or municipal, or to any of

its legally constituted officers. It is also a condition of the pension provided for herein that when a member of the judiciary entitled to the benefits of this Act shall assume an elective public office, he shall not, upon assumption of office and during his term, receive the monthly pension due him.

SECTION 2. Such amount necessary to carry out the provisions of this amendatory Act is hereby appropriated out of any funds in the National Treasury not otherwise appropriated.

SECTION 3. All laws, decrees, rules or regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 4. This Act shall have retroactive effect insofar as it will affect the members of the Judiciary who have already retired. However, the monetary benefit shall be computed only from the enactment of the law.

SECTION 5. This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved:-