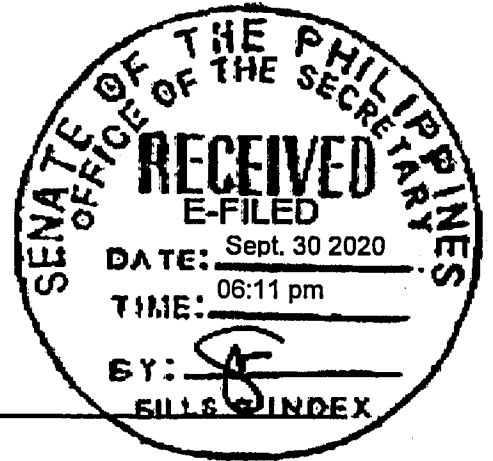


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
S. B. No. 1865



Introduced by SENATOR SONNY ANGARA

**AN ACT
GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE
SPOUSE AND DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF
THE NATIONAL PROSECUTION SERVICE, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The prosecutors in the National Prosecution Service (NPS) discharge a vital and indispensable role in our criminal justice system. They assume the immense task of maintaining and upholding the rule of law and carry the burden of prosecuting offenders as they probe their case through the demanding process inherent in the entire judicial system.

At present, the retired prosecutors have no survivorship benefits as compared to the Office of the Ombudsman, having the same nature of work, or members of the judiciary whose benefits, pursuant to Republic Act No. 10071 or the Prosecution Service Act of 2010 should likewise be available to prosecutors. These survivorship benefits take effect in case of death of a retired NPS prosecutor or of one who was eligible to retire optionally at the time of death.

The proposed bill protects the welfare of the surviving spouse and qualified heirs of the deceased prosecutors to cushion them against the adverse economic effects of unexpected deaths, especially in view of the series of unfortunate and untoward incidents that have exposed government prosecutors to "risks and perils to life". The "risks and perils to life" faced by prosecutors should be counterbalanced by a modest grant or entitlement such as survivorship benefit. Indeed, the grant of survivorship benefit is a fitting way to give appreciation to the deserving men and women in the NPS who dedicated their lives for public service and who devoted their

minds and talents in order to be instruments in the dispensation of justice in the country.

It is about time that NPS Prosecutors also be granted the same benefits as a recognition of the sacrifice they have made and continue to make, risking personal safety and to give assurance to their families that when they die, the State shall be there to take care of those that they leave behind.

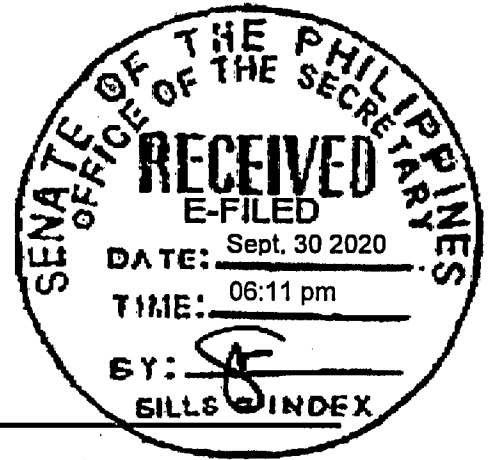
In view of the foregoing, the passage of this bill is earnestly sought.



SONNY ANGARA

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
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Introduced by SENATOR SONNY ANGARA

AN ACT
GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE AND DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE NATIONAL PROSECUTION SERVICE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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

1 **SECTION 1. Survivorship Benefits.** – In case of the death of a retired member
2 of the National Prosecution Service (NPS) or a member thereof who is eligible to retire
3 optionally at the time of death, the surviving legitimate spouse and dependent children
4 of said deceased member shall be entitled to receive all the retirement benefits that
5 the deceased prosecutor was receiving or entitled to receive. For this purpose,
6 members of the NPS shall include the prosecutors in the Office of the Secretary of
7 Justice, the Regional Prosecution Offices and the Offices of the Provincial and City
8 Prosecutors. A “dependent” as used in this Section, refers to the legitimate,
9 illegitimate, or legally adopted child who is chiefly dependent on the said deceased
10 member of the NPS if said dependent is not more than twenty-one (21) years of age,
11 unmarried and not gainfully employed or if such dependent, regardless of age, is
12 incapable of self-support because of mental or physical defect. The surviving
13 legitimate spouse shall continue to receive such retirement benefits during his or her
14 lifetime until he or she remarries: *Provided*, that the surviving spouse and dependent
15 children shall equally share the retirement benefits. *Provided further*, that in case the
16 deceased member has no surviving legitimate spouse and dependent children, the
17 parents of said decedent shall receive such retirement benefits.

1 **SEC. 2. Appropriations.** – Funds for the initial implementation of this Act shall
2 be taken out from the current appropriations for the retirement of members of the
3 NPS; thereafter, such sum as may be necessary for the continued implementation
4 hereof shall be included in the Annual General Appropriations Act.

5 **SEC. 3. Retroactivity.** – The benefits mentioned in Section 1 hereof shall be
6 granted to the aforementioned survivors of members of the National Prosecution
7 Service including those who died one (1) year prior to the effectivity of this Act.

8 **SEC. 4. Separability.** – If any provision or section of this Act is held to be
9 unconstitutional or invalid, the other provisions or sections hereof, which are not
10 affected thereby shall continue to be in full force and effect.

11 **SEC. 5. Effectivity.** – This Act shall take effect fifteen (15) days after the
12 complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,