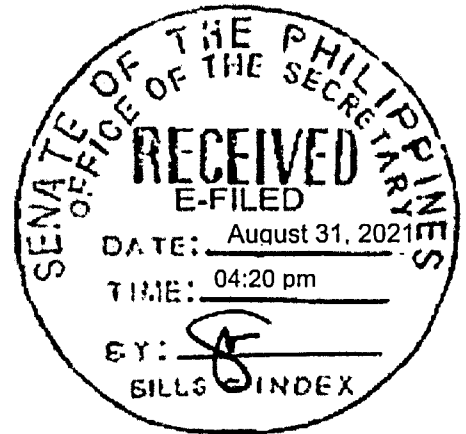


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. No. 2373

(In substitution of Senate Bill No. 1865 taking into consideration
House Bill No. 9087)

*Prepared by the Committees on Justice and Human Rights; and Finance with
Senators Angara, Pacquiao, Go, Gatchalian, Binay and Gordon as authors*

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.

9 A "dependent" as used in this Section, refers to the legitimate, illegitimate, or
10 legally adopted child who is chiefly dependent on the said deceased member of the
11 NPS if said dependent is not more than twenty-one (21) years of age, unmarried and

1 not gainfully employed or if such dependent, regardless of age, is incapable of self-
2 support because of mental or physical defect or condition. The surviving legitimate
3 spouse shall continue to receive such retirement benefits during his or her lifetime
4 until he or she remarries: *Provided*, That the surviving spouse and dependent children
5 shall equally share the retirement benefits.

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

10 SEC. 3. *Retroactivity.* – The benefits mentioned in Section 1 hereof shall be
11 granted to the aforementioned survivors of members of the NPS including those who
12 died one (1) year prior to the effectivity of this Act.

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

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

Approved,