

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



SENATE  
S.B. No. 2487

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Introduced by **Senator Richard J. Gordon**

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**AN ACT**  
**EXPANDING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE AND DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE NATIONAL PROSECUTION SERVICE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11643, APPROPRIATING FUNDS THEREFOR**

**EXPLANATORY NOTE**

On December 31, 2021, a haunting video showed a boy calling out for his father as he stood over his lifeless body. Assistant City Prosecutor (ACP) Edilberto Mendoza was gunned down in front of his home in Cavite.

Collected data show that 115 lawyers, judges, and prosecutors were killed since 1972 in our country. So far, the suspects in only 15 of these killings have been arrested, only 9 charges were filed, and 1 dismissed. Sixty-six (66) lawyers killed in the past five years. Of the 66 killed since July 2016, fourteen (14) were prosecutors, nine (9) were judges and justices.<sup>1</sup>

These brazen killings led to the passage of RA 11643 which grants survivorship benefits to the families of the prosecutors of the National Prosecution Service (NPS) in recognition of the sacrifice they have made and continue to make, risking personal safety and that of their families.

However, the law grants survivorship benefits to the surviving legitimate spouse and dependent children of a deceased retired member of the NPS or a member thereof who is eligible to retire optionally at the time of death.

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<sup>1</sup> Retrieved from <https://www.rappler.com/nation/cavite-prosecutor-edilberto-mendoza-killed-66th-lawyer-duty/>

The bill aims to expand the grant of survivorship benefits in case of death of a member of the NPS while in actual service, regardless of his/her age and length of service. This is to ensure that the families of our prosecutors will be taken care of when unfortunate incidents befall them.

It is for the reasons stated above that the passage of this measure is earnestly sought.



**RICHARD J. GORDON**  
Senator

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

1           **SECTION 1.** Republic Act No. 11643 is amended by inserting between sections  
2 one (1) and two (2) thereof, a new section two (2), which shall read as follows:

3           In case of death of a member of the National Prosecution Service (NPS)  
4 while in actual service, regardless of his/her age and length of service as  
5 required in Section 1 hereof, his/her heirs shall receive a lump sum of  
6 five (5) years' gratuity computed on the basis of the highest monthly  
7 salary plus the highest monthly aggregate of transportation,  
8 representation and other allowances such as personal economic relief  
9 allowance (PERA) and additional compensation allowance received by  
10 him/her as member of the NPS: *Provided, however,* That where the  
11 deceased member of the NPS has rendered at least fifteen (15) years  
12 either in the NPS or in any other branch of Government, or both, his/her  
13 heirs shall instead be entitled to a lump sum of ten (10) years gratuity  
14 computed on the same basis as indicated in this provision: *Provided,*  
15 *further,* That the lump sum of ten (10) years gratuity shall be received  
16 by the heirs of the member of NPS who was killed because of his/her  
17 work as such: *Provided,* That the member of the NPS has served in  
18 Government for at least five (5) years regardless of age at the time of  
19 death. When a member of the NPS is killed intentionally while in service,  
20 the presumption is that the death is work - related.

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.

13           *Approved,*