



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

'13 JUL 22 P2:15

SENATE

S. No. 1010

RECEIVED BY: *ja*

Introduced by Senator Antonio "SONNY" F. Trillanes IV

Explanatory Note

Article XVI, Section 8 of the 1987 Constitution provides that the State shall, from time to time, review to increase the pensions and other benefits due to retirees of both the government and the private sectors. In consonance with the above provision, this measure seeks to upgrade the retirement benefits now found in various retirement laws by granting survivorship benefits to the surviving legitimate spouse of a deceased retired member of the Office of the Solicitor General.

Under Republic Act 9417, the Solicitor General shall have cabinet rank and the same qualifications for appointment, rank, prerogatives, salaries, allowances, benefits and privileges as the Presiding Justice of the Court of Appeals; an Assistant Solicitor General, those of an Associate Justice of the Court of Appeals; and Senior State Solicitor, State Solicitor II and State Solicitor I those of a Regional Trial Court Judge, Metropolitan Trial Court Judge, and Municipal Trial Court in Cities Judge, respectively. Just recently, Congress enacted Republic Act No. 9946, amending RA 910 which provides survivorship pension for judges. However, while RA 9417 explicitly acknowledges that certain members of the Office of the Solicitor General have the same rank as judges, the benefits provided for by RA 9946 are reserved for members of the judiciary only.

This measure is envisioned to respond to the aforesaid gap in the law by likewise affording the same benefits to the surviving legitimate spouse of a deceased retired member of the Office of the Solicitor General. These benefits recognize and honor said officers of the Office of the Solicitor General who have rendered almost a lifetime of service to the public and our people and hopefully to assist their family members who are left behind.

In view of the foregoing, immediate approval of this measure is earnestly sought.

ANTONIO "SONNY" F. TRILLANES IV
Senator

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Office of the Secretary

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AN ACT

GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE OFFICE OF SOLICITOR GENERAL

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

1 **SECTION 1. Coverage.** - In case of the death of a retired Solicitor General, Assistant
2 Solicitor General, and Senior State Solicitors, State Solicitors and other preceding officers under
3 the Office of Solicitor General, the surviving legitimate spouse of the deceased retiree shall be
4 entitled to receive on a monthly basis all the retirement benefits that the said deceased retiree
5 was receiving at the time of his/her demise under the provisions of applicable retirement laws
6 then in force. The said surviving legitimate spouse shall continue to receive such retirement
7 benefits during his/her lifetime or until he/she remarries: Provided, That if the surviving
8 legitimate spouse is receiving benefits under existing retirement laws, he/she shall only be
9 entitled to the difference between the amount provided for in this Act and the benefits he/she is
10 receiving.

11
12 **SEC. 2. Funding.** Funds for the initial implementation of this Act shall be taken out of
13 the current appropriations for the retirement of the officers and employees of the Office of the
14 Solicitor general and/or savings of said Office. Thereafter, such sums as may be necessary for
15 the continued implementation hereof shall be included in the annual General Appropriations Act.

16
17 **SEC. 3. Effectivity.** This Act shall taken effect fifteen (15) days after its publication in
18 the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,