

Republic of the Philippine
SENATE OF THE PHILIPPINES
Pasay City



Senate
Office of the Secretary

73 SEP 19 A 8:31

SIXTEENTH CONGRESS
First Regular Session

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Senate Bill No. **1726**

INTRODUCED BY SENATOR SONNY ANGARA

EXPLANATORY NOTE

The prosecutors of both the Department of Justice and the Office of the Ombudsman discharge a vital role in our criminal justice system. They share the heavy task of maintaining and upholding the rule of law. In their everyday life, they carry the uncommon burden of prosecuting offenders, as they prove their case through the entire judicial mill.

Such a way of life exacts complete devotion and dedication from our prosecutors. It is a sad commentary, however, that existing legislation all fall short in the appreciation of their work.

Thus, there is an urgent need to address this inequity, if only to stem the tide of demoralization that is slowly creeping within the ranks of our prosecutors. It is difficult for them to become effective partners in the fight for justice, when they themselves are laboring under oppressive conditions. Though it is their duty to preserve the law, it is ironic that our laws seem oblivious to their own plight and needs.

Consistent with the intent to address the plight of our prosecutors, this proposed bill aims to establish for them a generous retirement benefit package. There is an urgent need to provide a solid and competitive retirement package commensurate to the demands and pressure exacted from them. Because in the end, justice is about giving one's fair share, and it is high time that we give our prosecutors what is due them.

It is for these reasons that the immediate passage of this bill is earnestly requested.

SENATOR SONNY ANGARA



'13 SEP 19 A8:32

Senate Bill No. 1726

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AN ACT
ESTABLISHING A RETIREMENT BENEFIT SYSTEM
FOR PROSECUTORS IN THE NATIONAL PROSECUTION SERVICE
OF THE DEPARTMENT OF JUSTICE AND IN THE OFFICE OF THE OMBUDSMAN,
PROVIDING 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. Short Title.** This Act shall be known as the "**Expanded Retirement**
2 **Law for Prosecutors in the National Prosecution Service and in the Office of the**
3 **Ombudsman.**"

4
5 **SEC. 2. Coverage.** This Act shall apply to prosecutors of both the National
6 Prosecution Service of the Department of Justice and the Office of the Ombudsman.

7
8 **SEC. 3. Retirement Benefits.** When a prosecutor, who has rendered at least
9 twenty (20) years of service in the National Prosecution Service of the Department of
10 Justice or in the Office of the Ombudsman, retires at the age of sixty-five (65) years, or
11 resigns by reason of incapacity to discharge the duties of his office, the prosecutor shall
12 receive a retirement pension based on the highest monthly salary in the government
13 service, plus the monthly aggregate of transportation, living, and representation
14 allowances, which the prosecutor was receiving at the time of retirement or resignation;
15 *Provided, however,* That those who are promoted to a higher rank are still entitled to the
16 said privilege; *Provided, however,* That those with less than twenty (20) years of service
17 in the government, but with at least five (5) years of service as prosecutor shall be
18 entitled to a pro-rata monthly pension computed as follows:

19			
20	NO. OF YEARS		BASIC PAY PLUS THE HIGHEST
21	IN GOVERNMENT	X	MONTHLY AGGREGATE OF
22	-----		TRANSPORTATION, LIVING,
23	20 YEARS		AND REPRESENTATION ALLOWANCES

1 **SEC. 4. Conditions.** To maintain entitlement to the pension herein provided, no
2 prosecutor, during the time he is receiving said pension, shall appear as counsel before
3 any judicial or quasi-judicial agency in any civil case wherein the Government or any
4 agency, subdivision, or instrumentality thereof is an adverse party, or in any criminal
5 case wherein any officer or employee of the Government is accused of an offense
6 committed in relation to his office, or collect any fee for his appearance in any
7 administrative proceedings to maintain an interest adverse to the Government, whether
8 national, provincial, or municipal, or to any of its legally constituted officers.

9
10 When a prosecutor covered under this Act shall assume an elective public office,
11 he shall not, upon assumption of office and during his term, receive the monthly pension
12 or any of the allowance due him.

13
14 **SEC. 5. Automatic Increase.** All pension benefits of retired prosecutors of both
15 the National Prosecution Service and the Office of the Ombudsman shall be
16 automatically increased whenever there is an increase in the salary of the same position
17 from which he retired.

18
19 **SEC. 6. Retroactivity.** The benefits under this Act shall be granted to all those
20 who retired prior to the effectivity of this Act.

21
22 **SEC. 7. Applicability.** All benefits heretofore extended under Republic Act No.
23 910, and all other benefits that may be extended by way of any amendment thereto
24 shall likewise be given to the prosecutors covered by this Act.

25
26 **SEC. 8. Appropriation.** Upon effectivity of this Act, the amount necessary to
27 carry out its provisions is hereby appropriated out of any funds in the National Treasury
28 not otherwise appropriated. Thereafter, such amount as may be necessary to
29 implement this Act shall be included in the Annual General Appropriations Act.

30
31 **SEC. 9. Repealing Clause.** All laws, executive orders, presidential decrees,
32 proclamations, issuances, rules, and regulations or parts thereof inconsistent with the
33 provisions of this Act are hereby repealed or modified accordingly.

34
35 **SEC. 10. Effectivity.** This Act shall take effect after fifteen (15) days following its
36 full publication in the Official Gazette or in two (2) newspapers of general circulation,
37 whichever comes first.

Approved,