


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SENATE

S. No. 2709

RECEIVED BY: 

Prepared by the Committees on Civil Service and Government Reorganization; and
Finance with Senators Trillanes and Escudero as authors

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 House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1. *Survivorship Benefits; Coverage.*** – Upon death of a Solicitor General,
2 Assistant Solicitor General, Senior State Solicitor or State Solicitor of the OSG, if said OSG
3 Official had retired or was in the service at the time of death, the surviving legitimate spouse
4 or dependent children of said OSG Official shall be entitled to receive on a monthly basis all
5 the retirement benefits that the deceased OSG Official was receiving or entitled to receive at
6 the time of death under the provisions of the applicable retirement laws then in force. A
7 ‘dependent’ means a legitimate, illegitimate or legally adopted child who is chiefly dependent
8 with the above-enumerated deceased OSG Officials if such dependent is not more than
9 twenty-one (21) years of age, unmarried and not gainfully employed or if such dependent,
10 regardless of age, is incapable of self-support because of mental or physical defect. The
11 surviving legitimate spouse or dependent child shall continue to receive such retirement
12 benefits during one’s lifetime or until said surviving legitimate spouse remarries or the
13 dependent child marries: *Provided*, That if the surviving legitimate spouse is receiving
14 benefits under existing retirement laws, the surviving legitimate spouse or dependent child
15 shall only be entitled to the difference between the amount provided for in this Act and the
16 benefits one is receiving: *Provided further*, That said benefits shall also extend and be
17 granted to the surviving legitimate spouse or dependent children of any aforementioned
18 members of the Office of the Solicitor General who died or retired prior to the effectivity of
19 this Act. *Provided furthermore*, That the surviving legitimate spouse or dependent child
20 receiving the benefits shall not, if he/she is a member of the bar, appear as counsel before any
21 court in any civil case wherein the government or any subdivision or instrumentality thereof
22 is the adverse party, or in any criminal case wherein an incumbent or former officer or

1 employee of the government is accused of an offense committed in relation to his/her office,
2 or collect any fee for his/her appearance in any administrative proceeding; and when the
3 surviving legitimate spouse or dependent child shall assume an elective public office, he/she
4 shall not, upon assumption of office and during his/her term, receive the said benefits.

5 **SEC. 2. Funding.** Funds for the initial implementation of this Act shall be taken out of the
6 current appropriations for the retirement of officers and employees of the Office of the
7 Solicitor General and/or savings of the said office. Thereafter, such sums as may be necessary
8 for the continued implementation of this Act shall be included in the annual General
9 Appropriations Act.

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

Approved,