



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

'17 MAY 15 P 6:43

SENATE
S.B. No. 1453

RECEIVED BY: 

Introduced by Senator LOREN LEGARDA

AN ACT TO FURTHER STRENGTHEN AND REORGANIZE THE NATIONAL PROSECUTION SERVICE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10071, AND APPROPRIATING FUNDS THEREFOR

Explanatory Note

Our Constitution guarantees the accused in all criminal prosecutions the rights to be presumed innocent until the contrary is proved, and to have a speedy and impartial trial (Article III, Section 14 (2), 1987 Constitution). Thus, it is important that the courts, as well as the prosecution arm of the government, are efficient, credible and free from any suspicion of bias or ill motivation.

Under the present set-up, the prosecution arm of the government - the National Prosecution Service (NPS) - is an office directly under the control and supervision of the Secretary of Justice, who is an alter ego of the President. The present set-up does not provide for a separate and independent organizational structure for the NPS. Further, the lack of ample benefits for prosecutors has not made this profession a very attractive one for lawyers, resulting to significant shortage of prosecutors, and ultimately, to slow delivery of justice.

This bill seeks to professionalize and further strengthen the NPS, by:

- (1) Creating an independent and autonomous National Prosecution Service, with its own organizational structure separate and distinct from the Department of Justice;
- (2) Giving the Prosecutor General leadership, control and supervision over it; and
- (3) Providing additional benefits and incentives to NPS prosecutors in the form of forfeitable leave privilege, hazard pay, and survivorship.

With this bill, it is envisioned that the NPS be fully perceived as a non-political, professional organization, and its financial, administrative, and management processes be made more efficient.

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


LOREN LEGARDA
Senator



Senate

Office of the Secretary

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

1 **Section 1.** Section 2 of Republic Act No. 10071 is hereby amended to read as
2 follows:

3 **Section 2. Scope.** - The constituent offices herein covered shall
4 refer to the offices enumerated under Section 3-A of Republic
5 ActNo. 10071, as amended, that compose the National Prosecution
6 Service as created and established in the succeeding sections.
7

8 **Section 2.** Section 3 of Republic Act No. 10071 is hereby amended to read as
9 follows:

10 **Section 3. Creation and Mandate of the National Prosecution**
11 **Service.** There is hereby created and established an independent
12 and autonomous National Prosecution Service (NPS) to be headed
13 by a Prosecutor General and attached to the Department of
14 Justice. The NPS shall be primarily responsible for the
15 investigation and prosecution of all cases involving violation of
16 penal laws.
17

18 **Section 3.** A new Section 3-A is hereby inserted in RA 10071 to read as
19 follows:

20 **Section 3-A. Organizational Structure.** The NPS shall be
21 composed of the following constituent offices or units:

22 (1) Office of the Prosecutor General, which shall be assisted by the
23 following offices, namely;

24 (1.1) Office of the Chief of Staff;

25 (1.2) Office of the Senior Deputy State Prosecutor for Policy and
26 Administration;

27 (1.3) Office of the Senior Deputy State Prosecutor for Regional
28 Operations and Field Services;

29 (1.4) Office of the Senior Deputy State Prosecutor for Projects
30 Management;

1 (1.5) Office of the Senior Deputy State Prosecutor for Special
2 Cases and Appeals/Petitions for Review; and

3 (1.6) Office of the Senior Deputy State Prosecutor for Internal
4 Affairs.

5 (2) Line Services consisting of the following:

6 (2.1) Financial Management Service;

7 (2.2) Human Resources Management Service;

8 (2.3) Planning and Statistics Service;

9 (2.4) Training and Development Service;

10 (2.5) Research Centre;

11 (2.6) Case Management Service; and

12 (2.7) Management Information Service;

13 (3) Field Offices:

14 (3.1) Regional Prosecution Office;

15 (3.2) Provincial Prosecution Office; and

16 (3.3) City Prosecution Offices.

17
18 The following positions/items shall be directly under the Office of
19 the Prosecutor General:

20 (a) Five (5) Senior Deputy State Prosecutors, who shall each head
21 the foregoing Offices mentioned above [paragraphs (1.2) to (1.6)];

22 (b) Twenty (20) Deputy State Prosecutors;

23 (c) Thirty five (35) Senior Assistant State prosecutors;

24 (d) Eighty (80) Assistant State Prosecutors; and

25 (e) Twenty (20) Associate State Prosecutors.

26
27 **Section 4.** Section 4 of Republic Act No. 10071 is hereby deleted.

28
29 **Section 5.** Section 5 of Republic Act No. 10071 is hereby amended to read as
30 follows:

31 **Section 5. Powers and Functions of the Office of the**
32 **Prosecutor General.** The Prosecutor General shall have the
33 following powers and functions:

34 (1) Appoint, upon the recommendations of the Human Resources
35 Management Service in accordance with a selection and promotion
36 standards and process that shall be established immediately after
37 the effectivity of this Act, the officials and personnel of the National
38 Prosecution Service from the rank of Prosecutor I up to Prosecutor
39 V, but excluding Senior Deputy State Prosecutors and Regional
40 Prosecutors, who shall be appointed by the President upon the
41 recommendation of the Prosecutor General;

42 (2) Act directly on any matter involving crime against national
43 security, act of terrorism, and in any case where there is

1 probability of miscarriage of justice, within the jurisdiction of the
2 constituent offices of the National Prosecution Service;

3 (3) Create and organize various divisions/task forces within the
4 NPS that will focus in the investigation and prosecution of crimes
5 involving national and/or public interest;

6 (4) Issue policy guidelines and develop plans, programs and
7 projects relative to the investigation and prosecution of criminal
8 cases;

9 (5) Act as counsel for the People of the Philippines in any case
10 involving or arising from a criminal complaint investigated by any
11 of its prosecutors and pending before any trial court;

12 (6) Represent the National Prosecution Service, in a concurrent
13 capacity with the Office of the Solicitor General, before the Court of
14 Appeals and Supreme Court in all cases elevated to said courts by
15 way of appeal, certiorari or petition for review involving decisions,
16 issues and incidents arising from criminal cases prosecuted by the
17 National Prosecution Service before any trial court;

18 (7) Investigate or cause to be investigated, administrative
19 complaints against prosecutors, other prosecution officers and
20 other personnel in the Office of the Prosecutor General and the
21 various line services;

22 (8) Prepare legal opinions on queries involving violations of the
23 Revised Penal Code and special penal laws;

24 (9) Monitor all criminal cases filed with the National Prosecution
25 Service, maintain updated records of the status of each case, and
26 adopt such systems and procedures as will expedite the
27 monitoring and disposition of cases;

28 (10) Require the constituent offices to submit their respective
29 annual budget proposals and to prepare the budget of the National
30 Prosecution Service;

31 (11) Approve the appointment of personnel in the Office of the
32 Prosecutor General and in the line services in accordance with the
33 qualification, skills and competency standards as shall be
34 established by the Human Resources Management Service of the
35 NPS;

36 (12) Approve the transfer of prosecution support staff in the Office
37 of the Prosecutor General and in the line services, and exercise
38 disciplinary action over them in accordance with the Civil Service
39 Law, and other existing laws and regulations;

40 (13) Approve attendance of prosecutors and support staff in the
41 Office of the Prosecutor General and of Regional Prosecutors in
42 official conferences, seminars and other training programs;

43 (14) Approve the following requests of Regional Prosecutors and of
44 prosecutors and personnel in the Office of the Prosecutor General:
45 official leave of absence, with or without pay; overtime services;

1 official and personal travel; permission to exercise profession or to
2 engage in business outside of office hours; and claims and benefits
3 under existing laws;

4 (15) Approve requests of prosecutors and other personnel of the
5 NPS in the regional prosecution offices for official leave of absence,
6 with or without pay, for a period exceeding one (1) year, and for
7 official travel outside of the respective regions; and

8 (16) Other powers and functions inherent in a head of agency, and
9 that are relevant and necessary for the fulfillment of the mandate
10 of the NPS.

11
12 **Section 6.** Section 6 of Republic Act No. 10071 is hereby amended to read as
13 follows:

14 **Section 6. Regional Prosecution Office.** - There shall be at each
15 administrative region, including the National Capital Region (NCR),
16 a Regional Prosecution Office to be headed by a Regional
17 Prosecutor who shall be assisted by one (1) Deputy Regional
18 Prosecutor, one (1) Senior Assistant Regional Prosecutor, three (3)
19 Assistant Regional Prosecutors, and three (3) Associate Regional
20 Prosecutors.

21
22 **Section 7.** Section 7 of Republic Act No. 10071 is hereby amended to read as
23 follows:

24
25 **Section 7. Powers and Functions of the Regional Prosecutor.** - The
26 Regional Prosecutor shall, under the control and supervision of the
27 Office of the Prosecutor General, have the following powers and
28 functions:

29 (a) Implement policies, plans, programs, memoranda, orders,
30 circulars and rules and regulations of the OPG relative to the
31 investigation and prosecution of criminal cases in his/her region;

32 (b) Exercise immediate administrative supervision over all
33 provincial and city prosecutors and other prosecuting officers for
34 provinces and cities comprised within his/her region;

35 (c) Prosecute any case arising within the region;

36 (d) When so delegated by the Office of the Prosecutor General,
37 resolve with finality appeals from or petitions for review of
38 judgments and orders of provincial and city prosecutors and their
39 assistants within the region in cases where the imposable penalty
40 is at least prision mayor, or its equivalent. This notwithstanding,
41 the Office of the Prosecutor General is not precluded from
42 exercising his power or review over such resolutions of the
43 Regional Prosecutor in instances where lies grave abuse of
44 discretion on the part of the Regional Prosecutor, and from
45 determining the extent of the coverage of the power of review of the
46 Regional Prosecutors;

47 (e) Designate a prosecutor from any office of the provincial or city
48 prosecutor within the region as Acting Provincial or City

1 Prosecutor to investigate and prosecute a case in instances where
2 parties question the partiality or bias of a particular city or
3 provincial prosecutor or where the city or provincial prosecutor
4 voluntarily inhibits himself/herself by reason of relationship to any
5 of the parties within the sixth (6th) civil degree of consanguinity or
6 affinity;

7 (f) With respect to his/her regional office and the offices of the
8 provincial and city prosecutors within his region, he/she shall:

9 (1) Approve the appointment of support personnel in accordance
10 with the qualification, skills and competency standards as may be
11 established by the Human Resources Management Service of the
12 NPS;

13 (2) Approve the transfer of support personnel within the
14 jurisdiction of the regional office and exercise disciplinary actions
15 over them in accordance with the Civil Service law, other existing
16 laws and regulations;

17 (3) Approve the following requests of prosecutors and personnel
18 within the region: official leave of absence, with or without pay, for
19 a period not exceeding one (1) year; overtime services; official travel
20 within the region; permission to exercise their profession or to
21 engage in business outside of office hours; and claims and benefits
22 under existing laws;

23 (4) Exercise immediate administrative supervision over all
24 provincial and city prosecutors, their assistants and all other
25 prosecuting officers of the provinces and cities within his/her
26 region;

27 (5) Investigate administrative complaints against prosecutors and
28 other prosecuting officers within the region and submit his/her
29 recommendation to the Office of the Prosecutor General, which
30 shall, after review thereof and where warranted, impose the
31 corresponding administrative sanction/s in accordance with law;

32 (6) Approve attendance of personnel in conferences, seminars and
33 other training programs within the region;

34 (7) Prepare the budget for the region for approval of the Office of
35 the Prosecutor General and administer the same;

36 (8) Approve requisition for supplies, materials and equipment, as
37 well as books, periodicals and the like and other items for the
38 region in accordance with the approved supply procurement
39 program;

40 (9) Negotiate and conclude contracts for services or for furnishing
41 supplies, materials and equipment and the likes within the
42 budgetary limits set for the region;

43 (10) Within his/her region, monitor the submission of all reports
44 as may be required by the Office of the Prosecutor General;

45 (11) Coordinate with the regional offices of other departments,
46 bureaus and agencies of the government and with local
47 governments units in the region; and

1 (12) Perform such other duties and functions as may be provided
2 by law or as may further be delegated by the Office of the
3 Prosecutor General.
4

5 **Section 8.** The last paragraph of Section 8 of Republic Act No. 10071 shall be
6 deleted, and the said Section shall now read as follows:

7 **Section 8.** *The Provincial Prosecutor or City Prosecutor.* There shall
8 be for each province or city a Provincial or City Prosecutor, as the
9 case may be, who shall be assisted by at least one (1) Deputy
10 Provincial Prosecutor or Deputy City Prosecutor and such number
11 of assistant and associate prosecutors as provided for hereinafter.
12 *Provided, however,* that whenever a new province or city is created,
13 it shall have a provincial prosecutor or city prosecutor, a deputy
14 provincial prosecutor or deputy city prosecutor and such number
15 of assistant and associate prosecutors as there are court branches
16 therein at the ratio of two (2) prosecutors for each branch of
17 regional trial court, one (1) prosecutor for each branch of
18 metropolitan trial court or municipal trial court in cities, and one
19 (1) prosecutor for every two (2) municipal trial courts in
20 municipalities or branches thereof or municipal circuit trial courts.

21 Upon the establishment of the new province or city, position items
22 of Prosecutor of the Office of the Provincial Prosecutor for the
23 mother province in excess of the new equivalent pursuant to the
24 ratio established above for the courts or branches thereof that
25 remained to be served by the office shall be transferred
26 automatically to the Office of the provincial Prosecutor or Office of
27 the City Prosecutor for the new province or city, as the case may
28 be: *Provided, further,* That when all or almost all of the regional
29 trial court branches are seated at the city, the number of
30 prosecutors for the city shall be proportional to the territorial
31 jurisdiction covered by such branches of the courts.

32 In case a province is reverted to the mother province or a city is
33 reconverted into a municipality for whatever reason, all the
34 prosecution position items of the Office of the Provincial Prosecutor
35 or Office of the City Prosecutor shall go to the Office of the
36 Provincial Prosecutor for the mother province: *Provided,*
37 *however,* That the position title provincial prosecutor or city
38 prosecutor for the former province or city shall be changed to
39 Assistant Provincial Prosecutor or Associate Prosecutor, as the
40 case may be, and shall have the corresponding rank provided in
41 Section 15.
42

43 **Section 9.** The first paragraph of Section 9 of Republic Act No. 10071 shall be
44 deleted, and the said Section shall now read as follows:

45 **Section 9.** *Powers and Functions of the Provincial or City*
46 *Prosecutor.* The Provincial or City Prosecutor shall:

47 (a) Investigate and/or cause to be investigated all charges of
48 crimes, misdemeanors and violations of penal laws and ordinances
49 within their respective jurisdictions, and have the necessary
50 information or complaint prepared or made and filed against the
51 persons accused. In the conduct of such investigations he or any
52 of his/her assistants shall receive the statements under oath or
53 take oral evidence of witnesses, and for this purpose may by

1 subpoena summon witnesses to appear and testify under oath
2 before him/her, and the attendance or evidence of an absent or
3 recalcitrant witness may be enforced by application to any trial
4 court; and

5 (b) Have charge of the prosecution of all crimes, misdemeanors and
6 violations of city or municipal ordinances in the courts at the
7 province or city and therein discharge all the duties incident to the
8 institution of criminal actions, subject to the provisions of second
9 paragraph of Section 5 hereof.

10
11 **Section 10.** Section 12 of Republic Act No. 10071 is hereby amended to read
12 as follows:

13
14 **Section 12. *Realignment of the Position Items.*** - Upon the approval
15 of this Act, the Office of the Prosecutor General shall transfer
16 vacant excess position items of prosecutors to the cities within the
17 province or to the province of which the cities used to be
18 municipalities or to other cities within the province: *Provided,*
19 *however,* That if the position items are occupied, they shall be
20 transferred as soon as they become vacant or when the incumbent
21 prosecutors consent to their transfer.

22 When new cities or provinces are created and court branch seats
23 are realigned or redistributed, the Office of the Prosecutor General
24 shall correspondingly create or realign position items of
25 prosecutors to the new cities or provinces from the provinces
26 where cities are located or the provinces used to be part of,
27 without prejudice to the provision of Section 8 hereof.

28 After the approval of this Act, branches of the Regional Trial Court
29 that are seated in the city hitherto try and hear criminal cases filed
30 by either the office of the provincial prosecutor or office of the city
31 prosecutor shall proportionally divide themselves into branches
32 where criminal and other cases filed, and those to be prosecuted
33 and or defended by the Office of the Provincial Prosecutor shall be
34 exclusively raffled to, tried and heard, and branches where
35 criminal and other cases filed, and those to be prosecuted or
36 defended by the Office of the City Prosecutor shall be exclusively
37 raffled to, tried and heard. Upon such division, the Office of the
38 Prosecutor General shall also realign position items of prosecutor
39 of the Office of the Provincial Prosecutor and the Office of the City
40 Prosecutor affected.

41
42 **Section 11.** Section 14 of Republic Act No. 10071 is hereby amended to read
43 as follows:

44 **Section 14. *Qualifications, Rank and Appointment of the Prosecutor***
45 ***General.*** - The Prosecutor General is a cabinet rank and shall have
46 the same qualifications for appointment, rank, category,
47 prerogatives, salary grade and salaries, allowances, emoluments,
48 and other privileges, shall be subject to the same inhibitions and
49 disqualifications, and shall enjoy the same retirement and other
50 benefits as those of an Associate Justice of the Supreme Court and
51 shall be appointed by the President.

1
2 **Section 12.** Section 16 of Republic Act No. 10071 is hereby amended to read
3 as follows:

4 **“Section 16.** *Qualifications, Ranks, and Appointments of*
5 *Prosecutors, and other Prosecution Officers.* – Prosecutors with the
6 rank of Prosecutor V shall have the same qualifications for
7 appointment, rank, category, prerogatives, salary grade, and
8 salaries, allowances, and emoluments and other privileges, shall
9 be subject to the same inhibitions and disqualifications, and shall
10 enjoy the same retirement and other benefits as those of an
11 associate justice of the Court of Appeals.

12 Prosecutors with the rank of Prosecutor IV shall have the same
13 qualifications for appointment, rank, category, prerogatives, salary
14 grade and salaries, allowances, emoluments and other privileges,
15 shall be subject to the same inhibitions and disqualifications, and
16 shall enjoy the same retirement and other benefit as those of a
17 Judge of the Regional Trial Court.

18 Prosecutors with the rank of Prosecutor III shall have the same
19 qualifications for appointment, rank, category, prerogatives, salary
20 grade and salaries, allowances, emoluments and other privileges,
21 shall be subject to the same inhibitions and disqualifications, and
22 shall enjoy the same retirement and other benefit as those of a
23 Judge of the Metropolitan Trial Court.

24 Prosecutors with the rank of Prosecutor II shall have the same
25 qualifications for appointment, rank, category, prerogatives, salary
26 grade and salaries, allowances, emoluments and other privileges,
27 shall be subject to the same inhibitions and disqualifications, and
28 shall enjoy the same retirement and other benefit as those of a
29 Judge of the Municipal Trial Court in cities.

30 Prosecutors with the rank of Prosecutor I shall have the same
31 qualifications for appointment, rank, category, prerogatives, salary
32 grade and salaries, allowances, emoluments and other privileges,
33 shall be subject to the same inhibitions and disqualifications, and
34 shall enjoy the same retirement and other benefit as those of a
35 Judge of the Metropolitan Trial Court in municipalities.

36 Any increase after the approval of this Act in the salaries,
37 allowances or retirement benefits or any upgrading of the grades or
38 levels thereof of any or all of the Justices or Judges referred to
39 herein to whom said emoluments are assimilated shall apply to the
40 corresponding prosecutors.

41 All the above prosecutors shall be selected from among qualified
42 and professionally trained members of the legal profession who are
43 of proven integrity and competence, as determined by the Human
44 Resources Management Service of the NPS in accordance with the
45 selection and promotion standards and process that must be
46 established immediately after the effectivity of this Act. All
47 prosecutors of the NPS, including the Prosecutor General, shall
48 serve until they reach the age of sixty five (65) years old: *Provided,*
49 *however,* That the ages of "seventy (70) years" and "sixty-five (65)

1 years" and the years of service "twenty (20) years" provided in
2 Republic Act No. 910, as amended, and other retirement laws for
3 judges. shall be understood as "sixty-five (65) years" and "sixty (60)
4 years," and fifteen (15) years," respectively, when applied to
5 prosecutors.

6 The 'qualifications for appointment' mentioned in this Section and
7 in Section 14 of this Act shall be in addition to the requirements of
8 prosecutorial experience, skills, and competencies that shall be
9 established by the Human Resources Management Services of the
10 NPS as herein provided.

11 Subject to Section 20 hereof, the salaries, allowances and benefits
12 of all personnel of the National Prosecution Service shall be paid
13 entirely out of national funds and included in the annual
14 appropriations of the DOJ. *Provided however*, That this provision
15 is without prejudice to the grant of allowances to the above-
16 mentioned prosecutors by their respective local governments in
17 amounts not exceeding fifty-percent (50%) of their basic salaries;
18 *Provided, further*, That the whole of the allowances or portion
19 thereof, whether granted by the national or local government shall
20 be exempt from the income tax.

21 The salaries, allowances and other emoluments herein fixed shall
22 not apply to officers other than those of prosecutors in the
23 National Prosecution Service, notwithstanding any provision of law
24 assimilating the salaries of other officers to those herein
25 mentioned.

26
27 **Section 13.** Section 19 of Republic Act No. 10071 is hereby amended to read
28 as follows:

29 **Section 19. No Undermining of Security of Tenure.** - Nothing in
30 this Act shall be construed to allow the transfer, except as
31 provided herein or in case of temporary assignment, as public
32 interest may require, of any prosecutor to another office or station,
33 or to undermine the security of tenure of incumbent prosecutors
34 as provided in the laws. Such temporary assignment shall not
35 exceed three (3) months without his or her written consent. No
36 chief of prosecution office in the National Prosecution Service
37 shall be detailed or assigned to another office or station, except in
38 a concurrent capacity and with his or her written consent.

39
40 **Section 14.** A new Section 21-A shall be inserted in Republic Act No. 10071 to
41 read as follows:

42 **Section 21-A. Forfeitable Leave Privilege.**-All prosecutors in the
43 National Prosecution Service shall be entitled annually to thirty
44 (30) days forfeitable leave with pay in addition to the fifteen (15)
45 days vacation leave and fifteen (15) days sick leave privileges
46 provided by law. In the computation thereof, Saturdays, Sunday
47 and holidays shall be excluded.

48 The forfeitable leave privilege shall be non-cumulative and non-
49 convertible to cash.

1 **Section 15.** A new Section 21-B shall be inserted in Republic Act No. 10071 to
2 read as follows:

3 **Section 21-B. Hazard Pay.**-All prosecutors in the National
4 Prosecution Service shall, during their incumbency, be entitled to
5 a monthly incentive in the form of a tax-exempt hazard pay in the
6 amount equivalent to twenty-five percent (25%) of their basic
7 salary per month.

8
9 **Section 16.** A new Section 21-C shall be inserted in Republic Act No. 10071 to
10 read as follows:

11 **Section 21-C. Survivorship Benefits-** Upon death of any
12 prosecutor of the National Prosecution Service, if said prosecutor
13 has retired or was in the service at the time of death, the surviving
14 legitimate spouse and dependent children of said prosecutor shall
15 be entitled to receive on a monthly basis all the retirement benefits
16 that the deceased was receiving or entitled to receive at the time of
17 death under the provisions of the applicable retirement laws then
18 in force.

19 A "dependent" means a legitimate, illegitimate or legally adopted
20 child who is chiefly dependent on the above-enumerated deceased
21 NPS prosecutors, if such dependent is not more than twenty-one
22 (21) years of age, unmarried and not gainfully employed, or if such
23 dependent, regardless of age, is incapable of self-support because
24 of mental or physical defect.

25 The said surviving legitimate spouse shall continue to receive such
26 retirement benefits during his/her lifetime or until he/she
27 remarries; *Provided*, that if the surviving legitimate spouse is
28 receiving benefits under existing retirement laws, he/she shall
29 only be entitled to the difference between the amount provided for
30 in this Act and the benefits he/she is receiving; *Provided further*,
31 that said benefits shall be granted all aforementioned prosecutors
32 of the NPS who died or retired prior to the effectivity of this Act.

33 Funds for the initial implementation of this Section shall be taken
34 out of the current appropriations for the retirement of the
35 prosecutors of the NPS and/or savings of said office. Thereafter,
36 such sums as may be necessary for the continued implementation
37 of this Section shall be included in the annual general
38 appropriations act.

39
40 **Section 17.** Section 26 of Republic Act No. 10071 is hereby amended to read
41 as follows:

42 **Section 26. Appropriation.** - There is hereby appropriated initially
43 the sum of One Hundred Million Pesos (P100,000,000.00) from the
44 funds of the National Treasury not otherwise appropriated, for the
45 organization and operational expenses of the National Prosecution
46 Service for a period of one (1) year from the effectivity of this Act.
47 The said amount shall be added to the annual budget of the NPS.

1 **Section 18.** A new Section 26-A is hereby inserted in RA 10071 to read as
2 follows:

3 **Section 26-A. Implementing Rules and Regulations.** - Within
4 sixty (60) days from the effectivity of this Act, the Office of the
5 Prosecutor General, in coordination with the Office of the Secretary
6 of Justice and the Office of the Secretary of Budget and
7 Management, shall promulgate such rules and regulations as may
8 be necessary to carry out the provisions of this Act.
9

10 **Section 19. Repealing Clause.** - All acts, laws, decrees, executive orders, letters
11 of instructions and regulations or any part thereof which are inconsistent with
12 any provision of this Act are hereby repealed and/or modified accordingly.
13

14 **Section 20. Separability Clause.** - If for any reason, any selection or provision
15 of his Act is declared to be unconstitutional or invalid, the other sections or
16 provisions of this Act which are not otherwise affected shall continue in full
17 force and effect.
18

19 **Section 21. Effectivity.** - This Act shall take effect after fifteen (15) days
20 following its publication in at least two (2) newspapers of general circulation or
21 in the Official Gazette.
22

23 **Approved,**
24