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SENATE

SENATE BILL No. 1917

RECEIVED

Introduced by Senator Loren Legarda

AN ACT

GRANTING SURVIVORSHIP BENEFITS TO THE DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS, AND THE OMBUDSMAN, WHO IS A SOLO PARENT, OR THE SURVIVING PARENTS OR NOMINATED PERSONS OF SUCH DECEASED RETIREE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10084, ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS AND THE OMBUDSMAN, AND FOR OTHER PURPOSES"

EXPLANATORY NOTE

This bill seeks to amend Republic Act No. 10084, which provides survivorship benefits to the surviving legitimate spouse of a deceased retired member of any of the constitutionally-created offices.

Honoring the hard work and dedication of those who served in these offices, and recognizing the nuances in the composition of families nowadays, it grants benefits for the dependent children of solo parent retirees, and the surviving parents, or *nominated person/s of the deceased retiree who died without issue*, to ensure that the deceased retiree's qualified beneficiaries are provided for after the bereavement of the pensioner.

The approval of this bill is earnestly sought.

LOREN LEGARDA



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GRANTING SURVIVORSHIP BENEFITS TO THE DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS, AND THE OMBUDSMAN, WHO IS A SOLO PARENT, OR THE SURVIVING PARENTS OR NOMINATED PERSONS OF SUCH DECEASED RETIREE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10084, ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS AND THE OMBUDSMAN, AND FOR OTHER PURPOSES"

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

1 **SECTION 1.** Republic Act No 10084 is hereby amended to include a new
2 Section 1-A to read as follows:

3 **"SEC. 1-A.** IN CASE THE DECEASED RETIRED CHAIRMAN OR
4 COMMISSIONER OF THE COMMISSION ON AUDIT, THE COMMISSION
5 ON ELECTIONS, THE CIVIL SERVICE COMMISSION, AND THE
6 OMBUDSMAN WAS UNMARRIED, THE SURVIVORSHIP BENEFITS SHALL
7 BE PAID AS FOLLOWS:

8 a. WHEN THE DECEASED RETIREE WAS A SOLO PARENT, AS
9 DEFINED UNDER REPUBLIC ACT 8972, OTHERWISE KNOWN

1 AS THE "SOLO PARENTS' WELFARE ACT OF 2000", AND
2 SURVIVED BY DEPENDENT CHILDREN OR OTHER CHILDREN
3 UNDER THE CARE OF THE DECEASED RETIREE AS
4 STIPULATED UNDER REPUBLIC ACT 9262, OTHERWISE
5 KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND
6 THEIR CHILDREN ACT OF 2004", INCLUDING CHILDREN WHO
7 HAVE REACHED THE AGE OF MAJORITY BUT ARE UNABLE TO
8 FULLY TAKE CARE OF THEMSELVES OR PROTECT
9 THEMSELVES FROM ABUSE, NEGLECT, CRUELTY,
10 EXPLOITATION, OR DISCRIMINATION BECAUSE OF A
11 PHYSICAL OR MENTAL DISABILITY OR CONDITION AS
12 DEFINED UNDER REPUBLIC ACT 7610, OTHERWISE KNOWN
13 AS THE "SPECIAL PROTECTION OF CHILDREN AGAINST
14 ABUSE, EXPLOITATION AND DISCRIMINATION ACT", THE
15 DEPENDENT CHILDREN SHALL BE ENTITLED TO RECEIVE ON
16 A MONTHLY BASIS ALL THE RETIREMENT BENEFITS THAT
17 THE DECEASED RETIREE WAS RECEIVING AT THE TIME OF
18 DEATH UNDER THE PROVISIONS OF APPLICABLE
19 RETIREMENT LAWS THEN IN FORCE. THE MINOR
20 DEPENDENT CHILDREN SHALL BE DISQUALIFIED FROM
21 RECEIVING THE BENEFITS UPON REACHING THE AGE OF
22 MAJORITY. ANY SUBSEQUENT DEATH OR
23 DISQUALIFICATION OF ANY OF THE DEPENDENT CHILDREN
24 SHALL NOT RESULT IN THE ACCRUAL OF THE FORFEITED
25 BENEFITS TO THE OTHER BENEFICIARIES.

- 26 b. WHEN THE RETIREE DIED WITHOUT ISSUE, THE SURVIVING
27 PARENTS, IF ANY, OR UNLESS OTHERWISE DISQUALIFIED BY
28 LAW, ANY PERSON OR PERSONS NOMINATED BY THE
29 CHAIRMAN, COMMISSIONER, OR THE OMBUDSMAN, SHALL,
30 PRIOR TO OR ON THE DATE OF RETIREMENT RECEIVE ON A
31 MONTHLY BASIS ALL THE RETIREMENT BENEFITS THAT THE
32 DECEASED RETIREE WAS RECEIVING AT THE TIME OF DEATH

1 UNDER THE PROVISIONS OF APPLICABLE RETIREMENT LAWS
2 THEN IN FORCE: *PROVIDED*, THAT THE NOMINEES SHALL BE
3 LIMITED TO TWO (2) PERSONS ONLY: *PROVIDED, FURTHER*,
4 ANY SUBSEQUENT DEATH OR DISQUALIFICATION OF ANY OF
5 THE FOREGOING BENEFICIARIES SHALL NOT RESULT IN THE
6 ACCRUAL OF THE FORFEITED BENEFITS TO THE OTHER
7 BENEFICIARIES.”
8

9 **SEC. 2.** Republic Act No. 10084 is hereby amended to include a new Section
10 1-B to read as follows:

11 **“SEC. 1-B.** THE BENEFITS UNDER THIS ACT SHALL BE GRANTED
12 TO A CHAIRMAN OR COMMISSIONER OF THE COMMISSION ON AUDIT,
13 THE CIVIL SERVICE COMMISSION, THE COMMISSION ON ELECTIONS,
14 AND THE OMBUDSMAN WHO HAVE RETIRED PRIOR TO THE
15 EFFECTIVITY OF THIS ACT: *PROVIDED*, THAT THE BENEFITS TO BE
16 GRANTED SHALL BE PROSPECTIVE.”

17 **SEC. 3.** Funds for the initial implementation of this Act shall be taken out of
18 the current appropriations for the retirement benefits of the Chairman and
19 Commissioners of the constitutional commissions as well as the Ombudsman, or
20 savings of said constitutional commissions and the Office of the Ombudsman.
21 Thereafter, the amounts needed for the continued implementation hereof shall be
22 included in the annual General Appropriations Act.

23 **SEC. 4.** This Act shall take effect fifteen (15) days after its publication in the
24 Official Gazette or in any newspaper of general circulation.

25 Approved,