



SENATE

S. No. 1917

INTRODUCED BY SENATORS LEGARDA, ANGARA
AND DRILON

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"

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
- 2 to include a new Section 1-A to read as follows:

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

9 "(A) WHEN THE DECEASED RETIREE
10 WAS A SOLO PARENT, AS DEFINED UNDER
11 REPUBLIC ACT NO. 8972, OTHERWISE
12 KNOWN AS THE 'SOLO PARENTS' WELFARE
13 ACT OF 2000', AND SURVIVED BY
14 DEPENDENT CHILDREN OR OTHER
15 CHILDREN UNDER THE CARE OF THE
16 DECEASED RETIREE AS STIPULATED UNDER
17 REPUBLIC ACT NO. 9262, OTHERWISE
18 KNOWN AS THE 'ANTI-VIOLENCE AGAINST
19 WOMEN AND THEIR CHILDREN ACT OF 2004',
20 INCLUDING CHILDREN WHO HAVE

1 REACHED THE AGE OF MAJORITY BUT
2 ARE UNABLE TO FULLY TAKE CARE OF
3 THEMSELVES OR PROTECT THEMSELVES
4 FROM ABUSE, NEGLECT, CRUELTY,
5 EXPLOITATION, OR DISCRIMINATION
6 BECAUSE OF A PHYSICAL OR MENTAL
7 DISABILITY OR CONDITION AS DEFINED
8 UNDER REPUBLIC ACT NO. 7610, OTHERWISE
9 KNOWN AS THE 'SPECIAL PROTECTION OF
10 CHILDREN AGAINST ABUSE, EXPLOITATION
11 AND DISCRIMINATION ACT', THE
12 DEPENDENT CHILDREN SHALL BE
13 ENTITLED TO RECEIVE ON A MONTHLY
14 BASIS ALL THE RETIREMENT BENEFITS
15 THAT THE DECEASED RETIREE WAS
16 RECEIVING AT THE TIME OF DEATH UNDER
17 THE PROVISIONS OF APPLICABLE
18 RETIREMENT LAWS THEN IN FORCE. THE
19 MINOR DEPENDENT CHILDREN SHALL BE
20 DISQUALIFIED FROM RECEIVING THE

1 BENEFITS UPON REACHING THE AGE OF
2 MAJORITY. ANY SUBSEQUENT DEATH OR
3 DISQUALIFICATION OF ANY OF THE
4 DEPENDENT CHILDREN SHALL NOT RESULT
5 IN THE ACCRUAL OF THE FORFEITED
6 BENEFITS TO THE OTHER BENEFICIARIES.

7 " (B) WHEN THE RETIREE DIED
8 WITHOUT ISSUE, THE SURVIVING PARENTS,
9 IF ANY, OR UNLESS OTHERWISE
10 DISQUALIFIED BY LAW, ANY PERSON OR
11 PERSONS NOMINATED BY THE CHAIRMAN,
12 COMMISSIONER, OR THE OMBUDSMAN,
13 SHALL, PRIOR TO OR ON THE DATE OF
14 RETIREMENT RECEIVE ON A MONTHLY
15 BASIS ALL THE RETIREMENT BENEFITS
16 THAT THE DECEASED RETIREE WAS
17 RECEIVING AT THE TIME OF DEATH UNDER
18 THE PROVISIONS OF APPLICABLE
19 RETIREMENT LAWS THEN IN FORCE:
20 *PROVIDED*, THAT THE NOMINEES SHALL

1 BE LIMITED TO TWO (2) PERSONS ONLY:
2 *PROVIDED, FURTHER*, ANY SUBSEQUENT
3 DEATH OR DISQUALIFICATION OF ANY OF
4 THE FOREGOING BENEFICIARIES SHALL
5 NOT RESULT IN THE ACCRUAL OF THE
6 FORFEITED BENEFITS TO THE OTHER
7 BENEFICIARIES."

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

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

19 SEC. 3. Funds for the initial implementation of this
20 Act shall be taken out of the current appropriations for

1 the retirement benefits of the Chairman and
2 Commissioners of the Constitutional Commissions as well
3 as the Ombudsman, or savings of said Constitutional
4 Commissions and the Office of the Ombudsman.
5 Thereafter, the amounts needed for the continued
6 implementation hereof shall be included in the annual
7 General Appropriations Act.

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

Approved,