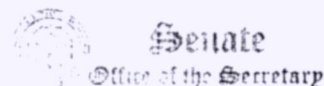


SENATE



Senate Bill No. 637

'19 JUL 22 A9:08

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Introduced by Senator FRANCIS N. PANGILINAN

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AN ACT  
GRANTING HAZARD PAY TO ALL PUBLIC PROSECUTORS, ASSOCIATE  
PROSECUTION ATTORNEYS, AND PROSECUTION ATTORNEYS DURING  
THEIR INCUMBENCY AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Article II, Sec. 5 of the Constitution declares as a State principle and policy that the “maintenance of peace and order, the protection of life, liberty and property and promotion of the general welfare are essential for the enjoyment by the people of the blessings of democracy.”

Our public prosecutors play a vital role in the administration of our criminal justice system. They are perceived to be powerful as they decide whether to prosecute any person, including notorious and dangerous members of our society, after determination of probable cause, for any crime the prosecutors believe have been committed. As a consequence of their decision to prosecute a case, our prosecutors have received constant death threats and many of them have been killed.

Since 2016, ten (10) prosecutors were killed and their deaths remain unresolved. Among the prosecutors killed were Mati City Prosecutor Rolando Acido (October 2016); Quezon City Prosecutor Johanne Noel Mingoa (January 2017); Caloocan Assistant Prosecutor Diosdado Azarcon (May 2017); Assistant Prosecutor Maria Ronatay (July 2017); Former Prosecutor Pablito Gahol (September 2017); Quezon Assistant Provincial Prosecutor Reymund Luna (September 2017); Prosecutor Rogelio Velasco (May 2018); Retired Prosecutor Geronimo Marabe, Jr. (May 2018); Prosecutor Madonna Joy Ednaco Tanyag (June 2018); and Former Cebu City Assistant Prosecutor Mary Ann Castro (January 2019).<sup>1</sup>

The National Prosecution Service (NPS) has expressed outrage and condemned the senseless killings of prosecutors. They, however, asserted that “they shall not cower in fear in this time of threat, intimidation and uncertainty” and committed to “continue to uphold the rule of law at any cost despite the apparent risks and danger involved.”<sup>2</sup>

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<sup>1</sup> Rappler, *List: Judges, prosecutors, lawyers killed under Duterte gov't. (3<sup>rd</sup> Update)*, Available at <https://www.rappler.com/newsbreak/iq/216239-list-judges-prosecutors-lawyers-killed-under-duterte-government>, Accessed on 8 July 2019.

<sup>2</sup> PNA, *NPS condemns ambush of QC deputy prosecutor*, Published on 13 May 2018, Available at <https://www.pna.gov.ph/articles/1035125>, Accessed on 8 July 2019.

This bill provides for a monthly hazard pay to all public prosecutors, including associate prosecution attorneys and prosecution attorneys of the National Prosecution Service (NPS), equivalent to 25% of their basic monthly salary, as determined by their salary grade.

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

A handwritten signature in black ink, appearing to read 'Francis N. Pangilinan', is written over a horizontal line. The signature is stylized and somewhat illegible due to the cursive nature of the handwriting.

FRANCIS N. PANGILINAN

SENATE



Senate

Office of the Secretary

Senate Bill No. 637

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

1        **SECTION 1.** *Short Title.* - This Act shall be known as the "Hazard Pay for Public  
2        *Prosecutors Act.*"

3        **SEC. 2.** *Grant of Hazard Pay.* - All public prosecutors, including associate  
4        prosecution attorneys and prosecution attorneys of the National Prosecution Service,  
5        shall be granted a monthly hazard pay during their incumbency in an amount equivalent  
6        to twenty-five percent (25%) of their basic monthly salary, as determined by their salary  
7        grade.

8        **SEC. 3.** *Tax Exemption and Non-Diminution of Benefits.* - The hazard pay for  
9        public prosecutors shall not be subject to tax and nothing in this Act shall be construed  
10       to diminish, in any manner, any benefit granted by existing laws, rules and regulations,  
11       local ordinances, and other issuances especially favorable to duly-appointed public  
12       prosecutors and associate prosecution attorneys.

13       **SEC. 4.** *Appropriations.* - The amount necessary for the initial implementation of  
14       this Act shall be charged against the available appropriations of the National Prosecution  
15       Service of the Department of Justice under the current General Appropriations Act.

1    Thereafter, such amounts as may be necessary for the continued implementation of this  
2    Act shall be included in the General Appropriations Act.

3           **SEC. 5. *Implementing Rules and Regulations.*** – The Department of Budget and  
4    Management shall, in consultation with the Department of Justice shall, within sixty (60)  
5    days after the effectivity of this Act, issue the implementing rules and regulations of this  
6    Act.

7           **SEC. 6. *Separability Clause.*** – Should any provision of this Act be declared  
8    unconstitutional or invalid, the remaining provisions shall continue to be valid and  
9    subsisting.

10          **SEC. 7. *Repealing Clause.*** – All laws, executive orders, administrative orders, rules  
11    and regulations, or parts thereof, that are inconsistent with this Act are hereby amended,  
12    repealed or modified accordingly.

13          **SEC. 8. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its  
14    publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*