



SENATE

S. No. 2373

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PREPARED BY THE COMMITTEES ON JUSTICE AND HUMAN RIGHTS; AND FINANCE WITH SENATORS ANGARA, PACQUIAO, GO, GATCHALIAN, BINAY AND GORDON AS AUTHORS

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AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE AND DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE NATIONAL PROSECUTION SERVICE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

- 1           SECTION 1. *Survivorship Benefits.* – In case of the  
2 death of a retired member of the National Prosecution  
3 Service (NPS) or a member thereof who is eligible to retire  
4 optionally at the time of death, the surviving legitimate  
5 spouse and dependent children of said deceased member  
6 shall be entitled to receive all the retirement benefits that

1 the deceased prosecutor was receiving or entitled to  
2 receive. For this purpose, members of the NPS shall  
3 include the prosecutors in the Office of the Secretary of  
4 Justice, the Regional Prosecution Offices and the Offices of  
5 the Provincial and City Prosecutors.

6 A "dependent" as used in this Section, refers to the  
7 legitimate, illegitimate, or legally adopted child who is  
8 chiefly dependent on the said deceased member of the NPS  
9 if said dependent is not more than twenty-one (21) years of  
10 age, unmarried and not gainfully employed or if such  
11 dependent, regardless of age, is incapable of self-support  
12 because of mental or physical defect or condition. The  
13 surviving legitimate spouse shall continue to receive such  
14 retirement benefits during his or her lifetime until he or  
15 she remarries: *Provided*, That the surviving spouse and  
16 dependent children shall equally share the retirement  
17 benefits.

18 SEC. 2. *Appropriations.* - Funds for the initial  
19 implementation of this Act shall be taken out from the  
20 current appropriations for the retirement of members of

1 the NPS; thereafter, such sum as may be necessary for the  
2 continued implementation hereof shall be included in the  
3 Annual General Appropriations Act.

4 SEC. 3. *Retroactivity.* – The benefits mentioned in  
5 Section 1 hereof shall be granted to the aforementioned  
6 survivors of members of the NPS including those who died  
7 one (1) year prior to the effectivity of this Act.

8 SEC. 4. *Separability.* – If any provision or section of  
9 this Act is held to be unconstitutional or invalid, the other  
10 provisions or sections hereof, which are not affected  
11 thereby shall continue to be in full force and effect.

12 SEC. 5. *Effectivity.* – This Act shall take effect fifteen  
13 (15) days after the complete publication in the *Official*  
14 *Gazette* or in a newspaper of general circulation.

Approved,