

**NINETEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
Third Regular Session }**



24 JUN -3 A11 :11

SENATE

S. NO. 2701

RECEIVED BY:

Introduced by Senator Francis "Tol" N. Tolentino

**AN ACT
AMENDING SECTIONS 2 AND 3 OF REPUBLIC ACT NO. 11059
OTHERWISE KNOWN AS THE RETIREMENT LAW OF THE OFFICE OF
THE OMBUDSMAN, AND PROVIDING FUNDS THEREFOR**

EXPLANATORY NOTE

Section 1 Article XI of the 1987 Constitution provides that "public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives."

Anchored on the above-mentioned principle and serving as the "protector of the people", the Office of the Ombudsman, as created by the 1987 Constitution, places a higher level of accountability on government workers.

This high level of responsibility imposes upon the Office the performance of highly technical and sensitive powers and functions. While there is already an existing law which gives the Office of the Ombudsman an already competitive retirement package, there is a need to expand Republic Act No. 11059 to a wider coverage and provide retirement benefits that would be commensurate to the sensitive nature of the office.

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

FRANCIS "TOL" N. TOLENTINO

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

1 **SECTION 1.** Section 2 of Republic Act No. 11059 is hereby amended to read
2 as follows:

3 **"Section 2. Coverage.** - This Act shall apply to the Ombudsman
4 and his or her Deputies, the Special Prosecutor, and to all officials
5 and employees of the Office of the Ombudsman from Salary Grade
6 [26] **25** to 29 who are performing legal prosecution, investigation
7 and corruption prevention functions, and whose position requires
8 membership in the Philippine bar or a Master's degree in a relevant
9 field as a qualification."

10
11 **SEC. 2.** Section 3 of Republic Act No. 11059 is hereby amended to read as
12 follows:

13 **"Section 3. Retirement Benefits.** -

14 xxx

1 Upon retirement, an Ombudsman official or employee covered by
2 this Act shall automatically be entitled to a lump sum of five (5)
3 years gratuity computed on the basis of the highest monthly salary
4 plus the highest aggregate transportation, living and
5 representation allowances he or she was receiving on the date of
6 his or her retirement, and thereafter, upon survival after the
7 expiration of five (5) years, to further annuity payable monthly
8 during the residue of his her natural life pursuant to the first
9 paragraph of this section: **PROVIDED, THAT IN THE CASE OF**
10 **THE OMBUDSMAN AND HIS DEPUTIES, THEY SHALL BE**
11 **ENTITLED TO SAID ANNUITY PAYABLE MONTHLY AFTER**
12 **THE EXPIRATION OF THREE (3) MONTHS FROM THE DATE**
13 **OF HIS OR HER RETIREMENT:** *Provided, however,* if the reason
14 for the retirement by any total permanent disability, as certified by
15 the Ombudsman, contracted during the retiree's incumbency in the
16 office and prior to the date of retirement he or she shall receive a
17 gratuity equivalent to ten (10) years salary and allowances
18 aforementioned: *Provided, further,* That should the retirement be
19 with the attendance of any partial permanent disability, as certified
20 by the Ombudsman, contracted during the retiree 's incumbency
21 and prior to the date of the retirement, he or she shall receive an
22 additional gratuity equivalent to two (2) years lump sum that he or
23 she survives after ten (10) years or seven (7) years, as the case
24 may be he or she shall receive a monthly retirement pension as
25 computed under this Act during the residue of his or her natural
26 life pursuant to Section 3 of this Act."

27
28 *Approved,*