

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE

RECEIVED BY



Senate Bill No. 713

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Under the existing laws, judges from the first level courts (Metropolitan Trial Court, Municipal Trial Court, Municipal Circuit Trial Court and Shari'a Circuit Court) and the second level courts (Regional Trial Courts, Shari'a District Courts and Family Courts) have dissimilar number of days of leave credits earned in a year, to wit: judges of the second level courts earn sixty (60) days leave credits (Section 271, Revised Administrative Code as amended by Republic Act No. 1802 and Republic Act No. 4307) while judges of the first level courts earn thirty (30) days leave credits (Sec. 98-A, Republic Act No. 296 as amended by Republic Act No. 3086). These judges, regardless of level and station perform similar judicial functions.

Section 1, Article III (Bill of Rights) provides, "No person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the laws." Inconsistency in the grant of benefit such as the grant of leave credits among the judges violate their right to equal protection of law.

The Honorable Judges from the first level courts clamor for equal sixty (60) day credit similar to those judges in the second level courts to cure the apparent inconsistent treatment of judges in the grant of leave credits.

Thus, the urgent passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA
Senator

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OFFICE OF THE SECRETARY

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AN ACT
TO AMEND SECTION TWO HUNDRED AND SEVENTY ONE OF
THE REVISED ADMINISTRATIVE CODE, AS LAST AMENDED BY
REPUBLIC ACT NUMBERED FOUR THOUSAND THREE HUNDRED SEVEN,
RELATIVE TO VACATION LEAVE OF JUDGES OF FIRST INSTANCE

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

SECTION 1. Section Two hundred seventy one of Act Numbered Two
Thousand Seven Hundred Eleven, as last amended by Republic Act Numbered
Four Thousand Three Hundred Seven, is hereby further amended to read as
follows:

"Sec. 271. Leave of Absence of Judges IN ALL LEVELS. -
During the yearly court vacation, the judges IN ALL LEVELS, not
specially assigned to vacation duty shall be ASSIGNED upon
vacation leave. In case of those who are assigned to vacation duty,
they shall be entitled to vacation leave at any subsequent time for
the same number of days that they spend on vacation duty but not
exceeding SIXTY (60) DAYS per year, THIRTY (30) DAYS of said
leave being cumulative."

SEC. 2. Effectivity. - This Act shall take effect after fifteen (15) days
following completion of its publication in at least two (2) newspapers of general
circulation.

Approved,