

S. No. 2249
H. No. 5956

Republic of the Philippines
Congress of the Philippines
Metro Manila
Thirteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fourth day
of July, two thousand six.



[REPUBLIC ACT No. **9417**]

AN ACT TO STRENGTHEN THE OFFICE OF THE SOLICITOR GENERAL, BY EXPANDING AND STREAMLINING ITS BUREAUCRACY, UPGRADING EMPLOYEE SKILLS AND AUGMENTING BENEFITS, AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* — It is the declared policy of the State to protect the rights and promote the welfare of the Filipino worker. Pursuant to this policy and to ensure efficient and effective performance in the legal service of the Government, an expansion and streamlining shall be effected in the Office of the Solicitor General.

The legal and administrative staff of the Office of the Solicitor General shall be increased and their positions upgraded to adequately meet the Republic's burgeoning need for legal services. The litigation and other skills of lawyers of the Office of the Solicitor General shall be promoted, the benefits of employees augmented, and their welfare enhanced. Academic growth and the honing of legal and communications expertise shall be encouraged.

SEC. 2. *Expansion.* - The staff of the Office of the Solicitor General shall be increased and their positions upgraded. From fifteen (15) legal divisions, there shall be at least thirty (30) legal divisions in the Office of the Solicitor General, with a corresponding increase in the general and administrative support personnel and provision for ample office space. Each division, permanently headed by an Assistant Solicitor General, shall consist of ten (10) lawyers and such other personnel as may be necessary for the office to effectively carry out its functions.

The present administrative structure of the Office of the Solicitor General shall be reorganized into the Financial Management Service, Docket and Case Management Services, and the Human Resources Management Service. Each of these shall be composed of the necessary divisions and sections.

The legal and non-legal staff of the Office of the Solicitor General occupying the positions affected by the changes embodied in this Act at the time of its approval shall thereafter occupy the positions mandated by this Act, and discharge the duties and functions of their new positions and receive the corresponding salary and benefits without the necessity of any new appointment.

SEC. 3. *Standards.* - The Solicitor General shall have a cabinet rank and the same qualifications for appointment, rank, prerogatives, salaries, allowances, benefits and privileges as the Presiding Justice of the Court of Appeals; an Assistant Solicitor General, those of an Associate Justice of the Court of Appeals.

The qualifications for appointment, rank, prerogatives, salaries, and privileges of Solicitors shall be the same as judges, specified as follows:

Senior State Solicitor - Regional Trial Court Judge
 State Solicitor II - Metropolitan Trial Court Judge
 State Solicitor I - Municipal Trial Court in Cities
 Judge

The Solicitor General shall determine the qualifications, prerogatives and responsibilities of the Associate Solicitors.

SEC. 4. *Compensation.* - The basic monthly compensation of the Solicitor General, Assistant Solicitors General, State Solicitors and Associate Solicitors shall be as follows:

POSITION	SALARY GRADE	
	FROM	TO
Solicitor General	30	31
Assistant Solicitor General	29	30
Senior State Solicitor	28	29
State Solicitor II	27	28
State Solicitor I	26	27
Associate Solicitor III	25	26
Associate Solicitor II	22	25
Associate Solicitor I	18	24

The positions and salaries of non-legal personnel in the Office of the Solicitor General shall be raised to the level of their counterparts in the Court of Appeals.

Subject to the availability of funds, the salaries and privileges of personnel of the Office of the Solicitor General granted under this Act may be further increased to match any corresponding increase in salaries and privileges later granted to their respective counterparts in the Court of Appeals.

SEC. 5. *Benefits and Privileges.* - Subject to the availability of funds, the Office of the Solicitor General may provide its employees with the following benefits:

(1) Health care services through a health maintenance organization (HMO). Expenses for the mandatory annual executive check-up of the Solicitor General, the Assistant Solicitors General, and Service Heads, shall be for the account of the office;

(2) All employees shall be covered by accident insurance policies procured by the office at its own expense during travels while in the performance of their official duties and functions;

(3) Without prejudice to efficiency in the service, scholarships to deserving employees on official time and at the expense of the Office of the Solicitor General to enhance their academic growth and upgrade their knowledge and skills. Scholars under this provision shall be selected on the basis of competitive examination; and

(4) A provident fund which shall consist of contributions made both by the Office of the Solicitor General and by its lawyers and employees to a common fund for the payment of benefits to such lawyers or employees or their heirs.

SEC. 6. *Seminar and Other Professional Fees.* – Subject to the availability of funds, fees for relevant seminars, as well as professional membership fees for lawyers, registration fees, and related miscellaneous expenses incurred in completing the mandatory continuing legal education (MCLE) course shall be borne by the office. Professional membership, registration fees, including those for mandatory continuing professional education (CPE), and related miscellaneous expenses of other employees holding positions for which a professional license is required by the office shall also be borne by the Office of the Solicitor General.

SEC. 7. *Transportation Benefits.* – Subject to the availability of funds, employees shall be provided with contracted transportation services until such time that the office can procure additional motor vehicles for this purpose.

SEC. 8. *Other Benefits.* – Consistent with the provisions of Executive Order No. 292, otherwise known as the Revised Administrative Code of 1987, the legal staff of the Office of

the Solicitor General are allowed to receive honoraria and allowances from client departments, agencies, and instrumentalities of the Government.

SEC. 9. *Franking Privilege.* – All official mail matters and telegrams of the Office of the Solicitor General addressed for delivery within the Philippines shall be received, transmitted, and delivered free of charge: *Provided*, That such mail matters when addressed to private persons or nongovernment offices shall not exceed one hundred and twenty (120) grams.

SEC. 10. *Grant of Special Allowances.* – The Solicitor General, Assistant Solicitors General, Senior State Solicitors, State Solicitors I and II, and Associate Solicitors I to III shall be granted special allowances in amounts to be determined by the Secretary of the Department of Budget and Management and the Solicitor General.

The grant of special allowances shall be implemented uniformly in such sums and amounts and up to the extent only that can be supported by the funding source specified in Section 11 hereof: *Provided*, That the said special allowance shall not exceed One hundred percent (100%) of the basic salary of solicitors as provided in Republic Act No. 6758, otherwise known as the Salary Standardization Law.

SEC. 11. *Funding.* – The funds required for the implementation of this Act, including those for health care services, insurance premiums, professional, educational, registration fees, contracted transportation benefits, and other benefits above, shall be taken from:

(i) five percent (5%) of monetary awards given by the Courts to client departments, agencies and instrumentalities of the Government, including those under court-approved compromise agreements;

(ii) fifty percent (50%) of fees collected by the Special Committee on Naturalization; and

(iii) all other income, fees and revenues earned and collected by the Office of the Solicitor General.

For this purpose, the Office of the Solicitor General is hereby authorized to charge deputation, certification and other similar fees in the cases that it handles.

The amounts collected pursuant to this section shall constitute a trust fund in the name of the Office of the Solicitor General to be managed and used by the Solicitor General to carry out the provisions of this Act.

SEC. 12. *Effects of Subsequent Salary Increases.* – Upon implementation of any subsequent increases in the salary rates provided under Republic Act No. 6758, as amended, all special allowances granted under Section 10 hereof shall be considered as an implementation of the said salary increases as may be provided by law. The special allowances equivalent to the increase in the basic salary as may be provided by law shall be converted as part of the basic salary: *Provided, That the amounts converted as basic salary shall be funded from the regular appropriations of the Office of the Solicitor General. Any excess in the allowances granted under this Act not converted as basic salary shall continue to be granted as such and shall continue to be funded under Section 11 of this Act.*

SEC. 13. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Solicitor General, in coordination with the Secretary of Budget and Management, shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 14. *Appropriations.* – The amount needed to implement office streamlining and physical expansion shall be taken from the funds and budget of the Office of the Solicitor General under the annual General Appropriations Acts.

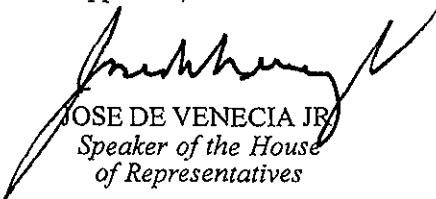
SEC. 15. *Repealing Clause.* – Pertinent provisions of Executive Order No. 292, the Revised Administrative Code of 1987, as amended, Republic Act No. 9139, Executive Order No. 460 dated December 3, 1997, Executive Order No. 482 dated May 7, 1998, Administrative Order No. 117 dated February 17, 1994, and all laws, decrees, orders, rules and regulations

or parts thereof which are contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

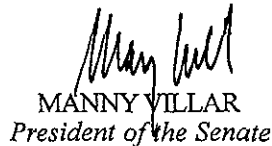
SEC. 16. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

SEC. 17. *Effectivity.* – This Act shall take effect after fifteen (15) days from its publication in two national newspapers of general circulation.

Approved,

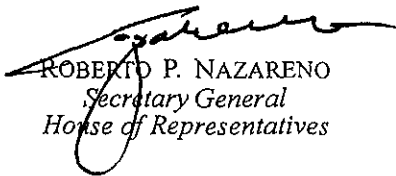


JOSE DE VENECIA JR.
*Speaker of the House
of Representatives*

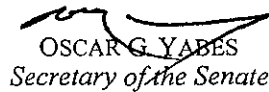


MANNY VILLAR
President of the Senate

This Act which is a consolidation of Senate Bill No. 2249 and House Bill No. 5956 was finally passed by the Senate and the House of Representatives on February 5, 2007 and February 6, 2007, respectively.



ROBERTO P. NAZARENO
*Secretary General
House of Representatives*



OSCAR G. YABES
Secretary of the Senate

Approved:

GLORIA MACAPAGAL-ARROYO

President of the Philippines

Lapsed into law on MAR 30 2007
without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution.