



## HOUSE OF REPRESENTATIVES

H. No. 5956

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BY REPRESENTATIVES DE VENECIA, NOGRALES, SALCEDA, DATUMANONG,  
JARAULA, CUENCO, ZUBIRI, GULLAS, ABLAN, VILLAROSA, CHATTO AND  
NANTES, PER COMMITTEE REPORT NO. 2074

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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:*

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

6           The legal and administrative staff of the Office of the Solicitor General  
7 shall be increased to adequately meet the Republic's burgeoning need for legal

1 services. The litigation and other skills of lawyers of the Office of the Solicitor  
2 General shall be promoted, and the academic growth and the honing of legal  
3 and communications expertise shall be encouraged.

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

12       The present administrative structure of the Office of the Solicitor  
13 General shall be reorganized into the Financial Management Services, Docket  
14 and Case Management Services and the Human Resource Management  
15 Services. Each of these shall be composed of the necessary divisions and  
16 sections.

17       The legal and non-legal staff of the Office of the Solicitor General  
18 occupying the positions affected by the changes embodied in this Act at the  
19 time of its approval shall thereafter occupy the positions mandated by this Act,  
20 and discharge the duties and functions of their new positions and receive the

1 corresponding salary and benefits without the necessity of any new  
2 appointment.

3         **SEC. 3. *Standards.*** – The Solicitor General shall have a cabinet rank  
4 and the same qualifications for appointment, rank, prerogatives, salaries,  
5 allowances, benefits and privileges as the Presiding Justice of the Court of  
6 Appeals; an Assistant Solicitor General, those of an Associate Justice of the  
7 Court of Appeals. The Solicitor General shall determine the qualifications,  
8 prerogatives and responsibilities of the Associate Solicitors.

9         **SEC. 4. *Compensation.*** – The salary grade of the Solicitor General,  
10 Assistant Solicitors General, Solicitors and Associate Solicitors shall be as  
11 follows:

<b>POSITION</b>	<b>SALARY GRADE</b>	
	<b>From</b>	<b>To</b>
1. Solicitor General	30	31
2. Assistant Solicitor General	29	30
3. Solicitor III	28	29
4. Solicitor II	27	28
5. Solicitor I	26	27
6. Associate Solicitor III	25	26
7. Associate Solicitor II	22	25
8. Associate Solicitor I	18	24

1           SEC. 5. *Other Benefits.* – Consistent with the provisions of Executive  
2 Order No. 292, otherwise known as the Revised Administrative Code of 1987,  
3 employees of the Office of the Solicitor General are allowed to receive  
4 honoraria and allowances from client departments, agencies and  
5 instrumentalities of the Government. In addition, the legal staff of the Office  
6 of the Solicitor General may receive appearance fees from the said bodies.

7           SEC. 6. *Franking Privilege.* – All official mail matters and telegrams of  
8 the Office of the Solicitor General addressed for delivery within the  
9 Philippines shall be received, transmitted and delivered free of charge:  
10 *Provided,* That such mail matters when addressed to private persons or  
11 nongovernment offices shall not exceed one hundred and twenty (120) grams.

12           SEC. 7. *Grant of Special Allowances.* – The Solicitor General,  
13 Assistant Solicitor General, Solicitor I to III and Associate Solicitor I to III  
14 shall be granted special allowances in amounts to be determined by the  
15 Secretary of the Department of Budget and Management (DBM) and the  
16 Solicitor General.

17           The grant of special allowance shall be implemented uniformly in such  
18 sums and amounts and up to the extent only that can be supported by the  
19 funding source specified in Section 8 hereof: *Provided,* That the said special  
20 allowance shall not exceed One hundred percent (100%) of the basic salary of

1 prosecutors as provided in Republic Act No. 6758, otherwise known as the  
2 Salary Standardization Law.

3       SEC. 8. *Funding Source.* – The amount necessary to implement the  
4 special allowances granted under this Act shall be sourced from and charged  
5 against the:

6       (a) Twenty-five percent (25%) of monetary awards given by the courts  
7 to client departments, agencies and instrumentalities of the government,  
8 including those under court-approved compromise agreements;

9       (b) Fifty-percent (50%) of fees collected by the Special Committee on  
10 Naturalization under Republic Act No. 9139;

11       (c) One hundred percent (100%) of fees collected under Administrative  
12 Order No. 117 dated February 7, 1994 reconstituting and reactivating the  
13 Special Committee on Naturalization to resume the processing and evaluation  
14 of all pending petitions for naturalization, Executive Order No. 460 dated  
15 December 3, 1997 and Executive Order No. 482 dated May 7, 1998; and

16       (d) All other income, fees and revenues earned and collected by the  
17 Office of the Solicitor General.

18       SEC. 9. *Effects of Subsequent Salary Increases.* – Upon  
19 implementation of any subsequent increases in the salary rates provided under  
20 Republic Act No. 6758, as amended, all special allowances granted under  
21 Section 7 hereof shall be considered as an implementation of the said salary

1 increases as may be provided by law. The special allowance equivalent to the  
2 increase in the basic salary as may be provided by law shall be converted as  
3 part of the basic salary: *Provided*, That the amounts converted as basic salary  
4 shall be funded from the regular appropriations of the Office of the Solicitor  
5 General. Any excess in the allowance granted under this Act not converted as  
6 basic salary shall continue to be granted as such and shall continue to be  
7 funded under Section 8 of this Act.

8       SEC. 10. *Implementing Rules and Regulations.* – Within ninety (90)  
9 days from the approval of this Act, the DBM and the Office of the Solicitor  
10 General shall adopt and issue the rules and regulations for the effective  
11 implementation of this Act.

12       SEC. 11. *Appropriations.* – The amount necessary for the  
13 reorganization of the Office of the Solicitor General and its operating  
14 requirements shall be included in the annual General Appropriations Act.

15       SEC. 12. *Repealing Clause.* – Pertinent provisions of Executive Order  
16 No. 292, the Revised Administrative Code of 1987, as amended, Republic Act  
17 No. 9139, Executive Order No. 460 dated December 3, 1997, Executive Order  
18 No. 482 dated May 7, 1998, Administrative Order No. 117 dated February 7,  
19 1994, and all laws, decrees, orders, rules and regulations or parts thereof which  
20 are contrary to or inconsistent with the provisions of this Act, are hereby  
21 repealed or amended accordingly.

1           SEC. 13. *Separability Clause.* – If any provision of this Act is declared  
2   invalid or unconstitutional, the provisions not affected thereby shall continue to  
3   be in full force and effect.

4           SEC. 14. *Effectivity.* – This Act shall take effect upon its approval  
5   fifteen (15) days following its publication in the *Official Gazette* or in two  
6   newspapers of general circulation in the Philippines.

Approved,

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