

HOUSE OF REPRESENTATIVES

H. No. 10272

BY REPRESENTATIVES RODRIGUEZ, LEACHON, LOYOLA, BELMONTE, VILLARICA, NUÑEZ-MALANYAON, BARBA, VELOSO, YAP (E.), GONZAGA, SANCHEZ, FORTUN, ZARATE, GONZALES (A.), ALBANO (A.), TALLADO, ROBES, NOGRALES (J.J.), ERIGUEL, ROQUE, GORRICETA, DALIPE, ARENAS, GARCIA (P.J.), GATCHALIAN, REVILLA, YU, AGABAS, FARIÑAS (R.C.), QUIMBO, ERMITA-BUHAIN, BAUTISTA-BANDIGAN, BIAZON, CALDERON, CAMPOS, CUARESMA, DAZA, DUAVIT, FARIÑAS I (R.C.), FRASCO, GARCIA (J.E.), GASATAYA, GO (E.C.), GONZALEZ, JALOSJOS, LIMKAICHONG, MATUGAS, SAGARBARRIA, SUANSING (H.), SUAREZ (D.), SY-ALVARADO, TEJADA, UY (J.), VARGAS, VIOLAGO, ZAMORA (W.K.), BENITEZ, BERNOS, BORDADO, BRAVO, CABREDO, CAMINERO, CARI, CASTRO (F.L.), CO (A.N.), DAGOOC, DALOG, DELOS SANTOS, DELOSO-MONTALLA, DIMAPORO (A.), DIMAPORO (M.K.), DUJALI, DY (F.M.C.), ESPINA, GULLAS, GUYA, LABADLABAD, MACEDA, NATIVIDAD-NAGAÑO, NAVA, OUANO-DIZON, PLAZA, SALIMBANGON, SILVERIO, TAMBUNTING, TAN (A.S.), TAN (A.), TIANGCO, TUTOR, VERGARA, VILLA, ELAGO, GO (M.), SAKALURAN AND SARMIENTO, PER COMMITTEE REPORT NO. 1246

AN ACT

STANDARDIZING THE RETIREMENT BENEFITS OF JUSTICES, JUDGES, AND JUDICIARY OFFICIALS CONFERRED WITH JUDICIAL RANK, SALARY AND PRIVILEGES, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 910, AS AMENDED

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

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2 **SECTION 1.** Section 1 of Republic Act No. 910, as amended by Republic Act No.
3 9946, is further amended to read as follows:

4 "Section 1. When a Justice of the Supreme Court, the Court of Appeals, the
5 Sandiganbayan, or of the Court of Tax Appeals, or a Judge of the regional
6

1 trial court, metropolitan trial court, municipal trial court, municipal circuit
2 trial court, shari'a district court, shari'a circuit court, or any other court
3 hereafter established, **OR A JUDICIARY OFFICIAL CONFERRED WITH**
4 **THE SAME RANK AS A JUSTICE OR A JUDGE OF SAID COURTS**, who
5 has rendered at least fifteen (15) years service in the Judiciary or in any
6 other branch of the Government, or in both, (a) retires for having attained
7 the age of seventy years, or (b) resigns by reason of his/her incapacity to
8 discharge the duties of his/her office as certified by the Supreme Court,
9 he/she shall receive during the residue of his/her natural life, in the manner
10 hereinafter provided, the salary [which] plus the highest monthly aggregate
11 of transportation, representation and other allowances such as personal
12 economic relief allowance (PERA) and additional compensation allowance
13 which he/she was receiving at the time of his/her retirement, or resignation,
14 and non-wage benefit in the form of education scholarship to one (1) child
15 of all Justices, [and] Judges, **OR JUDICIARY OFFICIALS**, to free tuition
16 fee in a state university or college, **WITHOUT PREJUDICE TO THE**
17 **AVAILMENT OF RIGHTS TO FREE TERTIARY EDUCATION UNDER**
18 **EXISTING LAWS: Provided**, That such grant will cover only one (1)
19 bachelor's degree. When a Justice of the Sandiganbayan or of the Court of
20 Tax Appeals, or a Judge of the regional trial court, metropolitan trial court,
21 municipal trial court, municipal circuit trial court, shari'a district court,
22 shari'a circuit court, or any other court hereafter established, **OR A**
23 **JUDICIARY OFFICIAL CONFERRED WITH THE SAME RANK AS A**
24 **JUSTICE OR A JUDGE OF SAID COURTS**, has attained the age of sixty
25 (60) years and has rendered at least fifteen (15) years service in the
26 Government, the last three (3) of which shall have been continuously
27 rendered in the Judiciary, he/she shall likewise be entitled to retire and
28 receive during the residue of his/her natural life also in the manner
29 hereinafter provided, the salary plus the highest monthly aggregate of
30 transportation, representation and other allowances such as personal
31 economic relief allowance (PERA) and additional compensation allowance
32 which he/she was then receiving and the non-wage benefit in the form of
33 education scholarship to one (1) child of all Justices, [and] Judges, **OR**
34 **JUDICIARY OFFICIALS**, to free tuition fee in a state university or college,
35 **WITHOUT PREJUDICE TO THE AVAILMENT OF RIGHTS TO FREE**
36 **TERTIARY EDUCATION UNDER EXISTING LAWS: Provided**, however,
37 That any Justice, [or] Judge, **OR JUDICIARY OFFICIAL** with less than
38 fifteen (15) years service in the Government or Judiciary, who shall retire
39 due to reasons hereinabove provided, shall be entitled to a pro-rata monthly
40 pension computed as follows:

$\frac{\text{Number of years in the Government or Judiciary}}{15 \text{ years}}$	X	Basic pay plus the highest monthly aggregate transportation, representation and other allowances (PERA and additional compensation allowance)
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41 It is a condition of the pension provided for herein that no retiring Justice,
42 [or] Judge, **OR JUDICIARY OFFICIAL CONFERRED WITH THE SAME**
43 **RANK AS A JUSTICE OR A JUDGE** of the aforementioned courts or his/her
44 surviving spouse receiving the benefits of this Act during the time that

1 he/she is receiving the said pension shall appear as counsel before any court
2 in any civil case wherein the government or any subdivision or
3 instrumentality thereof is the adverse party, or in any criminal case wherein
4 an incumbent or former officer or employee of the government is accused
5 of an offense committed in relation to his/her office, or collect any fee for
6 his/her appearance in any administrative proceedings to maintain an
7 interest to the Government, national, provincial or municipal, or to any of
8 its legally constituted officers. [It is also a condition of the pension provided
9 for herein that when a member of the judiciary or his/her surviving spouse
10 entitled to the benefits of this Act shall assume an elective public office,
11 he/she shall not, upon assumption of office and during his/her term, receive
12 the monthly pension due to him/her.]”

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14 **SEC. 2.** Section 3-A of the same Act, as amended, is further amended to read as
15 follows:

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17 “SEC. 3-A. All pension benefits of retired members of the Judiciary **AND**
18 **JUDICIARY OFFICIALS WITH JUDICIAL RANK, SALARY AND**
19 **PRIVILEGES** shall be automatically increased whenever there is an
20 increase in the salary **AND ALLOWANCES** of the same position from which
21 [he/she] **THEY** retired.”

22
23 **SEC. 3.** Section 3-B of the same Act, as amended, is further amended to read as
24 follows:

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26 “SEC. 3-B. The benefits under this Act shall be granted to all those who
27 have retired prior to the effectivity of this Act, **INCLUDING JUDICIARY**
28 **OFFICIALS WITH JUDICIAL RANK, SALARY AND PRIVILEGES WHO**
29 **COMPULSORILY RETIRED AT THE AGE OF SIXTY-FIVE (65) YEARS**
30 **IN ACCORDANCE WITH LAW AT THE TIME OF THEIR RETIREMENT,**
31 **AND THOSE WHO AVAILED THEMSELVES OF OPTIONAL OR**
32 **DISABILITY RETIREMENT UNDER THIS ACT; Provided, [That the**
33 **benefits shall be applicable only to members of the Judiciary, Provided**
34 **further] That the benefits to be granted shall be prospective.”**

35
36 **SEC. 4.** The amount necessary for the initial implementation of this Act shall be
37 charged against the current year’s savings of the Judiciary. Thereafter, such sums as
38 may be necessary for the continued implementation of this Act shall be included in the
39 annual General Appropriations Act.

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41 **SEC. 5.** If any provision or part of this Act is declared invalid or unconstitutional,
42 the remaining parts or provisions not affected shall remain in full force and effect.

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44 **SEC. 6.** All laws, rules, regulations, orders, circulars and other issuances or parts
45 thereof which are inconsistent with the provisions of this Act are hereby repealed,
46 amended or modified accordingly.

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48 **SEC. 7.** This Act shall take effect fifteen (15) days after its publication in the
49 *Official Gazette* or in a newspaper of general circulation.

Approved,