

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

House Bill No. **1442**

Introduced by: HON. HUSSIN U. AMIN

EXPLANATORY NOTE

Government prosecutors are in the forefront of the fight against criminality and the proper dispensation justice. They partake a gargantuan task of determining the existence of probable cause and proving the commission of crime beyond reasonable doubt.

Aside from prosecution, they appear for the government in land registration, adoption, legal separation and annulment cases.

Under the Local Government Code, they assume the position of provincial or city attorney in the absence of the latter. Under the Omnibus Election Code they discharge the formidable tasks as Vice-Chairman of the Board of Canvassers.

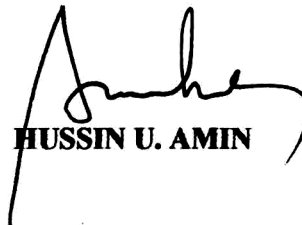
The members of the Legal Staff of the Department of Justice are likewise burdened with responsible and heavy tasks. As counsel of the government they assist the Secretary of Justice in rendering legal opinions, represent the country in treaty negotiations and appear in courts as designated counsels of foreign governments in filing and prosecuting petitions for extradition and requests for mutual legal assistance. They decide questions concerning the legality of local ordinances and rules on citizenship in certain areas.

The prosecutors and the legal staff have workloads heavier than lawyers in the private sector. Yet they earn less than their counterparts in the private sector. This situation has so demoralized and greatly affected the prosecutors and legal staff who after a few years of public service, resign in order to join the private sector.

As a consequence, few and few lawyers have taken interest in joining the Department as prosecutors.

As a step to remedy this iniquity and to attract more lawyers, this bill has been filed to increase the salaries of Prosecutors and the Legal Staff of the Department of Justice by authorizing the Secretary of Justice to prepare a compensation structure for the National Prosecution Service (NAPROSS) and the Legal Staff which shall be based on a comprehensive job analysis and audit of actual duties and responsibilities and shall be comparable with the prevailing compensation plan in the practice of the legal profession in the private sector. Such compensation plan shall be subject to the approval by the President. The compensation structure for the NAPROSS and the Legal Staff shall be exempt from the Republic Act No. 6758 otherwise known as the Salary Standardization Law.

In view of the foregoing considerations, approval of this measure is earnestly requested.



HUSSIN U. AMIN

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AN ACT
PROVISING FOR A SEPARATE COMPENSATION SCHEME FOR
LAWYER POSTIONS IN THE OFFICE OF THE SECRETARY OF JUSTICE,
DEPARTMENT OF JUSTICE, THEREBY EXEMPTING THE SAID
POSITIONS FROM REPUBLIC ACT NO. 6758, OTHERWISE KNOWN AS
THE SALARY STANDARDIZATION LAW.

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

Section 1. any provision of law to the contrary notwithstanding, all lawyer positions under the Office of the Secretary of Justice, which shall include but not limited to the Secretary, Undersecretaries, Assistant Secretaries, members of the National Prosecution Service and members of the Legal Staff shall be exempt from the coverage of the Salary Standardization Law or Republic Act No. 6758.

The Secretary of Justice is hereby authorized to prepare a compensation structure for said lawyer positions which shall be based on a comprehensive job analysis and audit of actual duties and responsibilities and shall be comparable with the prevailing compensation plan in practice of the legal profession in the private sector. Such compensation plan shall be subject to the approval of the President.

SECTION 2. The Department of Justice shall issue the necessary guidelines in consultation with the Department of Budget and Management (DBM) for the implementation of this Act within ninety (90) days from approval hereof.

SECTION 3. The amount necessary to implement this Act shall be included in the General Appropriations Act of the year following its enactment into law.

SECTION 4. This Act shall take effect upon its approval.

Approved,