

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2076



Introduced **by SALACNIB F. BATERINA**

EXPLANATORY NOTE

In the new retirement law covering GSIS employees (Republic Act No. 8291, otherwise known as "The GSIS ACT OF 1997"), a member of the GSIS is eligible for retirement benefits when he/she has rendered at least fifteen (15) years of service and is at least sixty years of age at the time of retirement. Under this new law, a GSIS retiree has two (2) options: (1) The five year lump sum (60 x Basic Monthly Pension) plus the Basic Monthly Pension for life starting at the end of the 5-year guaranteed period" or (2) The cash payment (18 x Basic Monthly Pension) plus the Basic Monthly Pension for life starting immediately upon retirement.

In line with the above-mentioned GSIS Act of 1997, this bill seeks to reduce to fifteen (15) years of service in the Judiciary the eligibility of a Justice or Judge who retires at the compulsory age of seventy (70) years for the basic monthly pension for life starting at the end of the 5-year guaranteed period. Five years after his retirement, the 5-year lump sum received by a 70-year old Justice or Judge is already substantially depleted and he now needs the basic monthly pension for life starting at the end of the 5-year guaranteed period, similar to an employee of the GSIS who has rendered at least fifteen (15) years of service, for his and his family's support, medical and other needs. At the age of 75 years, a retired Justice or Judge is already deteriorating in health brought about by old age and needs this additional financial assistance and support for himself in the twilight years of his life when he can no longer work with much vigor to earn a living. This bill will benefit the survivors who may be few in number or who may have only a few years to live.

In light of the foregoing, immediate passage of this bill is earnestly sought.


SALACNIB F. BATERINA

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AN ACT
PROVIDING FOR THE RETIREMENT BENEFITS OF JUSTICES AND ALL
JUDGES IN THE JUDICIARY, FURTHER AMENDING FOR THE
PURPOSE SECTION ONE OF REPUBLIC ACT NUMBERED NINE
HUNDRED AND TEN, AS AMENDED.

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

SECTION 1. Section one of Republic Act Numbered Nine Hundred And Ten, as amended further amended to read as follows:

“Sec. 1. When a Justice of the Supreme Court or of the Court of Appeals, a Judge of the Regional Trial Court, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, or a city or municipal judge who has rendered at least fifteen (15) years in the service in the judiciary or in any other branch of the Government, or in both, (a) retires for having attained the age of seventy years, or (b) resigns by reason of his incapacity to discharge the duties of his office, he shall receive during the residue of his natural life, in the manner hereinafter provided, the salary he was receiving at the time of his retirement, and, thereafter, any increase in the salary of incumbent judges of the same rank shall also accrue in his favor. And when a justice of the Supreme Court or of the Court of Appeals, a judge of the Regional Trial Court, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, or a city or municipal judge, has attained the age of sixty and has rendered at least twenty years of service in the Government, the last five of which has been continuously rendered in the judiciary, he shall likewise be entitled to retire and receive during the residue of his natural life, also in the manner hereinafter provided, the salary he was then receiving. It is a



condition of the pension provided for herein that no retiring justice or judge of a court of record or city municipal judge during the time that he is receiving said pension shall appear as counsel before any court in any civil case wherein the Government or any subdivision or instrumentality thereof is the adverse party, or in any criminal case wherein an officer or employee of the Government is accused of an offense committed in relation to his office, or collect any fee for his appearance in any administrative proceeding to maintain an interest adverse to the Government, national, provincial, or municipal, or to any of its legally constituted officers. It is also a condition of the pension provided for herein that when a member of the judiciary entitled to the benefits of this Act shall assume an elective public office, he shall not, upon assumption of office and during his term receive the monthly pension due him."

SEC. 2. Such sum as may be necessary to carry out the purpose of this amendatory Act is hereby appropriated out of the funds of the National Treasury not otherwise appropriated.

SEC. 3. All Acts or part of this Acts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect upon approval and shall have retroactive effect.

Approved,

A handwritten signature in black ink, appearing to be "Munoz", written over a horizontal line.