

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

First Regular Session

Thirteenth Congress

HOUSE BILL NO. 2293



Introduced by **MONICO O. PUENTEVELLA**

EXPLANATORY NOTE

In July 18, 1984, President Ferdinand E. Marcos promulgated Presidential Decree No. 1949 entitled "ESTABLISHING A JUDICIARY DEVELOPMENT FUND AND FOR OTHER PURPOSES". Its purposes were:

1. To ensure the independence of the Judiciary by the State;
2. To preserve and enhance the independence of the Judiciary, the economic conditions of the members and personnel of the Judiciary which must be periodically reviewed and upgraded; and
3. To ensure that the Judiciary, in the discharge of its functions and duties, can generate its own funds and resources to help augment its budgetary requirements and ensure the uplift of its members and personnel;

The said PD established a Judiciary Development Fund for the benefit of the members and personnel of the Judiciary to help ensure and guarantee the independence of the Judiciary as mandated by the Constitution and public policy and required by the impartial administration of justice. The Fund was derived from, among others, the increase in the legal fees prescribed in the amendments to Rule 141 of the Rules of Court to be promulgated by the Supreme Court of the Philippines. The Fund shall be used to augment the allowances of the members and personnel of the Judiciary and to finance the acquisition, maintenance and repair of office equipment and facilities; Provided, That a least eighty percent (80%) of the Fund shall be used for cost of living allowances, and not more than twenty percent (20%) of the said Fund shall be used for office equipment and facilities of the Courts located where the legal fees are collected; Provided, further, That said allowances of the members and personnel of the Judiciary shall be distributed in proportion of their basic salaries; and, Provided, finally, That bigger allowances may be granted to those receiving a basic salary of less than P1,000.00 a month.

Section provided that the said fund shall be administered by the Chief Justice of the Supreme Court who shall have the sole exclusive power and duty to approve the authorize disbursements and expenditures of the Fund in accordance with the guidelines set in said Decree and its implementing rules and regulations.

The fund is audited, like all other public moneys by the Commission on Audit through the Auditor of the Supreme Court or his duly authorized representative which shall undertake a quarterly audit of the receipts, revenues, uses, disbursements and expenditures of the fund, and shall submit the appropriate report in writing to the Chairman of the Commission on Audit and to the Chief Justice of the Supreme Court, copy furnished the Presiding Appellate Justice of the Intermediate Appellate Court and all Executive Judges.

As a result of the legal skirmishes arising from the recent Impeachment cases filed against Justices of the Supreme Court, it may be prudent to amend this Presidential Decree to democratize the use of said fund.

Hence, this proposed measure.


MONICO O. PUENTEVELLA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

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2293
HOUSE BILL NO. _____

Introduced by MONICO O. PUENTEVELLA

AN ACT
AMENDING PRESIDENTIAL DECREE NO. 1949 ENTITLED
"ESTABLISHING A JUDICIARY DEVELOPMENT FUND" AND FOR
OTHER PURPOSES.

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

SECTION 1. Sections 1 & 2 of Presidential Decree No. 1949 entitled "ESTABLISHING A JUDICIARY DEVELOPMENT FUND AND FOR" is hereby amended to read as follows:

"Sec. 1. ~~xxxx~~ Provided, that at least NINETY PERCENT (90%) of the Fund shall be used for cost of living allowances, and not more than TEN PERCENT (10%) of said Fund shall be use for office equipment and facilities of the Courts located where the legal fees are collected; Provided, further, that said allowances of the members and personnel of the Judiciary shall be distributed in proportion of their basic salaries; and, Provided, finally, that bigger allowances may be granted to those receiving a basic salary of less than Five THOUSAND PESOS (P 5,000.00) a month.

"Sec. 2. The [Chief Justice of the] Supreme Court shall administer and allocate the Fund and shall have the sole exclusive power and duty to approve the authorize disbursements and expenditures of the Fund in accordance with the guidelines set in this Decree and its implementing rules and regulations.

SEC. 2. Effectivity. - This Act shall take effect two (2) days after its publication in the Official Gazette or in at least (2) national newspapers of general circulation in the Philippines, whichever comes earlier.

Approved,