

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
Second Regular Session

House Bill No. 5073



Introduced by HON. DOUGLAS RA. CAGAS

EXPLANATORY NOTE

At the heart of a strong justice system is the indispensable and complementary role of the State's prosecutorial and counseling arm. The National Prosecution Service, the Office of the Chief State Counsel, and the Office of the Ombudsman, are mandated to uphold the rule of law as a component of the justice system.

It is said to note, however, that our prosecutors and the state counselors earn less than those in the Judiciary. Such situation has produced a migratory effect. After spending a few years in the NPS, the OCSC, or the OMB, they resign and join the ranks of the Judiciary. This is further aggravated by the imbalance between the number of prosecutors and state counselors with that of the number of regional and other trial courts in the country, resulting to a heavy workload. In short, our prosecutors and state counselors are overworked and underpaid.

This bill seeks to correct the aforementioned inequities. The increase in salaries and the granting of additional services and privileges to the members of the National Prosecution Service, the Office of the Chief State Counsel, and the Office of the Ombudsman, to place them at par with those in the Judiciary would deter the current practice of migration. Likewise, the proposed measure would dissuade the prosecutors and state counselors from being entangled in the web of corruption. Finally, this would benefit the entire justice system, for there would be a continuous supply of competent and dedicated lawyers from the Department of Justice and the Office of the Ombudsman servicing our court system.

It is for these reasons that approval of this bill is earnestly sought.


DOUGLAS RA. CAGAS

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**AN ACT RATIONALIZING THE COMPENSATION BENEFITS AND
OTHER PRIVILEGES AND INCENTIVES FOR THE MEMBERS OF THE
NATIONAL PROSECUTION SERVICE AND THE OFFICE OF THE CHIEF
STATE COUNSEL IN THE DEPARTMENT OF JUSTICE, AND THE OFFICE
OF THE OMBUDSMAN, PROVIDING FUNDS THEREFOR,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Declaration of Policy.* – At the heart of a strong justice system is the indispensable and complementary role of the State's prosecutorial and counseling arm. It is, therefore, hereby declared a policy of the State to adopt effective measures to ensure an independent, responsive and efficient National Prosecution Service, Office of the Chief State Counsel, and Office of the Ombudsman, worthy of public trust and confidence.

Accordingly, this Act aims to:

- (a) Raise the level of competence and to ensure the integrity of the prosecutors and state counselors; and
- (b) Improve the compensation system for members of the National Prosecution Service, the Office of the Chief State Counsel, and the Office of the Ombudsman, to be able to attract the best and the brightest.

SECTION 2. *Salary Schedule for Prosecutors and Counselors.* – All members of the National Prosecution Service and Office of the Chief State Counsel in the Department of Justice, and the Office of the Ombudsman, shall receive the following monthly salaries in accordance with their respective salary grades under Republic Act No. 6758, as amended, otherwise known as the Salary Standardization Law:

SALARY GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
18	31,682	32,474	33,286	34,118	34,972	35,844	36,742	37,660
19	33,584	34,422	35,282	36,166	37,070	37,996	38,946	39,918
20	35,598	36,488	37,796	38,336	39,294	40,276	41,282	42,316
21	37,020	37,948	38,896	39,868	40,864	41,884	42,934	44,006
22	38,502	39,464	40,450	41,462	42,500	43,562	44,650	45,766
23	40,040	41,042	42,070	43,122	44,196	45,304	46,436	47,598
24	41,646	42,686	43,754	44,846	45,970	47,118	48,296	49,504
25	43,330	44,394	45,502	46,642	47,806	49,002	50,226	51,484
26	45,042	46,168	47,324	48,506	49,718	50,960	52,236	53,542
27	46,844	48,016	49,218	50,446	51,706	53,000	54,324	55,684
28	48,718	49,936	51,186	52,464	53,774	55,118	56,498	57,910
29	50,666	51,934	53,230	54,562	55,928	57,326	58,758	60,226
30	57,750	59,194	60,676	62,190	63,746	65,340	66,972	68,646

SECTION 3. Coverage. – The Salary Schedule set forth in Section 2 of this Act shall exclusively cover the following positions:

A. In the National Prosecution Service:

POSITION	SALARY GRADE
Chief State Prosecutor	30
Assistant Chief State Prosecutor	29 step 6
Regional State Prosecutor	29 step 5
Prosecutor IV	29
Prosecutor III	28
Prosecutor II	27
Prosecutor I	26
Associate Prosecution Attorney II	22
Associate Prosecution Attorney I	18

B. In the Office of the Chief State Counsel:

POSITION	SALARY GRADE
Chief State Counsel	30
Assistant Chief State Counsel	29
State Counsel V	28
State Counsel IV	27
State Counsel III	26
State Counsel II	25
State Counsel I	24
Associate State Counsel II	22
Associate State Counsel I	18

C. In the Office of the Ombudsman:

POSITION	SALARY GRADE
Ombudsman	31
Special Prosecutor	30
Overall Deputy Ombudsman	30
Deputy Ombudsman	30
Deputy Special Prosecutor	29
Assistant Ombudsman	29
Asst. Special Prosecutor III	28
Graft Investigation Officer III	28
Graft Investigation and Prosecution Officer III	28
Asst. Special Prosecutor II	27
Graft Investigation and Prosecution Officer II	27
Asst. Special Prosecutor I	26
Graft Investigation and Prosecution Officer I	26
Associate Graft Investigation and Prosecution Officer III	22
Associate Graft Investigation and Prosecution Officer II	18

SECTION 4. *Limitations.* – Positions in government offices other than in the National Prosecution Service, the Office of the Chief State Counsel, and the Office of the Ombudsman that are equal in rank to the above positions, or are given the same rank and privileges of the above positions under existing laws, shall not be covered by the Salary Schedule provided in section 2 hereof.

SECTION 5. *Incentive Scheme.* – To carry out the declared policy of this Act, the Secretary of Justice, for the Department of Justice, and the Ombudsman for the Office of the Ombudsman, are hereby authorized to prepare and adopt an incentive scheme for officers and employees in the Department of Justice and in the Office of the Ombudsman not otherwise covered by Section 2 and 3 of this Act.

SECTION 6. *Authority to Utilize Income.* – The Secretary of Justice and the Ombudsman are hereby authorized to utilize the income of the Department of Justice and the Office of the Ombudsman, respectively, to augment the resulting increases in compensation and incentives authorized under this Act.

SECTION 7. *Fund Source.* – The funds necessary to carry out the provisions of this Act shall be charged against the collections of the Department of Justice and the Office of the Ombudsman from fees they are hereby authorized to assess for various services rendered in accordance with existing laws, including Executive Order No. 292 and Batas Pambansa Blg. 325. These collections shall be deposited in a Trust Fund exclusively for the benefit of the Department of Justice or the Office of the Ombudsman, and shall be made available for payment of the benefits herein provided: *Provided, however,* that should such amount be adequate, the needed balance shall be taken from any funds in the National Treasury not otherwise appropriated.

SECTION 8. *Implementing Guidelines.* – The Department of Justice and the Office of the Ombudsman shall issue the necessary guidelines, in coordination with the Department of Budget and Management, for the proper implementation of this Act within ninety (90) days from approval hereof.

SECTION 9. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,