

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Third Regular Session

House Bill No. 5833



Introduced by Rep. **SALACNIB F. BATERINA**

EXPLANATORY NOTE

The Constitution lays down the policy that the State shall, from time to time, review to upgrade the benefits due to the retirees in government (Art. XVI, Sec 8).

This bills seeks to enhance the retirement benefits set forth in various retirement laws for the Supreme Court, Court of Appeals and Sandiganbayan Justices, for members of the three (3) Constitutional Commissions, and for the Ombudsman and the Deputy Ombudsmen. It adds survivorship benefits for the surviving spouse, and in proper cases the parents, in an amount equivalent to the regular pension of deceased retirees.

Survivorship benefits as a concept is not new in our retirement program. It was originally an integral part of the retirement system of the Armed Forces of the Philippines. This feature has been transposed into the general retirement plan for civilian personnel.

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In furtherance of this laudable policy, the author of this bill recommends to incorporate it with particularity into the retirement laws governing the Supreme Court, Court of Appeals and Sandiganbayan Justices, for members of the three (3) Constitutional Commissions, and for the Ombudsman and the Deputy Ombudsmen.

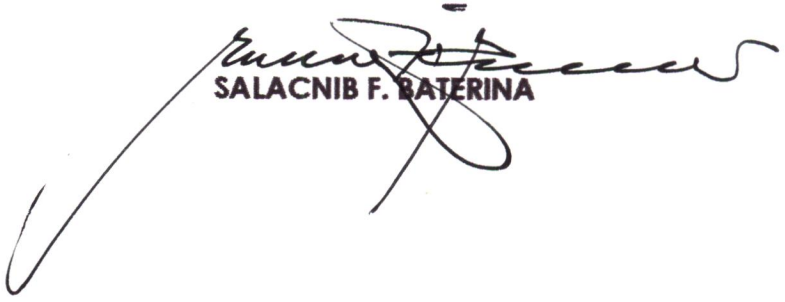
It is publicly known that service in these government offices is highly vulnerable to security risks. To realize this is to appreciate the retiree's courage in the faithful discharge of their responsibilities in office and their unquestioned loyalty to the Republic.

Looking to them as retirees, there is a concomitant gesture from the policy-making body to view their past with gratitude and to usher them into the future with an assurance of economic security.

This bill is one such gesture.

Being a bestowal of privilege, this bill is not without safeguards against unduly extending its scope. It nominates as beneficiaries only the surviving spouse or, in proper cases the parents, of the deceased.

On a note that retirement laws are socio-economic in character, and therefore, must be liberally construed in favor of beneficiaries, undersigned author earnestly urges the early approval of this bill.



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AN ACT PROVIDING FOR THE PAYMENT OF SURVIVOR'S BENEFITS TO THE SPOUSE OR IN PROPER CASES THE PARENTS OF A DECEASED RETIRED MEMBER OF THE SUPREME COURT OR THE LOWER COLLEGIATE COURTS, OR OF A DECEASED RETIRED MEMBER OF A CONSTITUTIONAL COMMISSION, OR OF A DECEASED RETIRED OMBUDSMAN OR DEPUTY OMBUDSMAN, AND FOR OTHER PURPOSES

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

1 SECTION 1. The regular pension benefits received by a retired Member of
2 the Supreme Court, the lower collegiate courts established by the Constitution
3 or by law; a retired member of a Constitutional Commission, or a retired
4 Ombudsman or Deputy Ombudsman shall, upon his death, redound to the
5 benefit of the surviving spouse in an amount equivalent to such regular pension.

6 If the retiree is unmarried as when he or she is single, or legally separated,
7 separated in fact or the marriage is otherwise annulled, when in these cases the
8 legal obligation to support the spouse has ceased, the benefits shall devolve
9 upon the surviving mother and/or father, likewise in an amount equivalent to
10 the regular pension of the deceased.

11 SEC. 2. The benefits under this Act shall extend to the surviving spouse of a
12 retiree of said Courts, Constitutional Commissions or a retired Ombudsman or
13 Deputy Ombudsman who died after the effectivity of the 1987 Constitution and



1 before this Act except those who have remarried in which case they shall not
2 be entitled to such benefits.

3 The preceding paragraph notwithstanding, the beneficial effects of this Act
4 shall retroact in every case to surviving parents of unmarried deceased retirees.

5 SEC. 3. This grant to the surviving beneficiaries shall co-extend with the
6 residue of their natural life, unless a surviving spouse remarries after availing
7 himself or herself of such benefits.

8 SEC. 4. The laws governing the retirement of Members of the Supreme
9 Court, the lower collegiate courts, the Constitutional Commissions, and of the
10 Ombudsman and his Deputies are hereby amended accordingly.

11 SEC. 5. Funds for the initial implementation of this Act shall be taken out of
12 the appropriations and/or savings of the court, Commission or Office of the
13 Ombudsman as the case may be. Thereafter, such sums as may be necessary
14 shall be included in the annual General Appropriations Act.

15 SEC. 6. This Act shall take effect fifteen (15) days from its publication in at
16 least two newspapers of general circulation in the Philippines.

17 Approved.

