

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES)
First Regular Session

H.B. No. 2621

Introduced by **Congresswoman NUR-ANA I. SAHIDULLA**
Representative, 2nd District, SULU

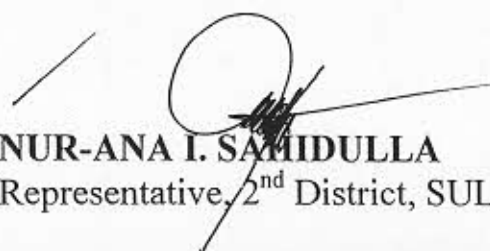
EXPLANATORY NOTE

In this time and at this age, believe it or not, there is not a single municipal trial court operating in the 19 municipalities in this Representation's home province of Sulu. The province is entitled to four regional trial courts. Not one is sitting in the province on a regular basis. The judges more often than not hold sessions in Zamboanga City.

There is, thus, no effective judicial remedy to redress the grievances of the people of Sulu. The appalling absence of trial courts in Sulu and its municipalities bespeaks the perilous times besetting Sulu. Without trial courts to arbitrate grievances according to the Rule of Law, the Rule of the Gun will prevail as it seems to prevail today in the province. Serious threats to the security and the safety of the populace of Sulu, including kidnappings, abductions, ambushes, and outright killings, appear to be horrendously common place in the province. Hence, this attempt to provide incentives to attract qualified judges to accept appointments to and hold regular sessions permanently in the province and municipalities concerned.

The incentives involve doubling the salaries, emoluments, allowances, perks and benefits of the trial court judges for provinces such as Sulu and other local government subdivisions that are similarly situated. Also, security details of police officers or troops of the armed forces at the choice of the Judges concerned shall be provided. The costs of such security details shall be borne by the judicial department and the local government units concerned in equal amounts.

It is understood that the judges of all levels of trial courts assigned to Sulu and other local government units plagued with similar security problems described above shall benefit from the bill's package of incentives ONLY if they sit and hold regular court sessions in their places of assignment. In the event that the judges so assigned to these perilous posts get killed in the line of duty, their heirs shall receive double the benefits that the heirs of judges who are assigned in other places are entitled to under the law. It is for this reasons that an Amendment to RA 9227 and the passage of this bill is needed.



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AN ACT AMENDING SECTION 2 OF REPUBLIC ACT NO. 9227, OTHERWISE KNOWN AS AN ACT GRANTING ADDITIONAL COMPENSATION IN THE FORM OF SPECIAL ALLOWANCES FOR JUSTICES, JUDGES AND ALL OTHER POSITIONS IN THE JUDICIARY WITH THE EQUIVALENT RANK OF JUSTICES OF THE COURT OF APPEALS AND JUDGES OF THE REGIONAL TRIAL COURT, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 5 of Republic Act. No. 9227 is hereby amended to read, as follows:

Sec. 2. Grant of Special Allowances. - All justices, judges and all other positions in the Judiciary with the equivalent rank of justices of the Court of Appeals and judges of the Regional Trial Court as authorized under existing laws shall be granted special allowances equivalent to one hundred percent (100%) of the basic monthly salary specified for their respective salary grades under Republic Act No. 6758, as amended, otherwise known as the Salary Standardization Law, to be implemented for a period of four (4) years. The grant of special allowances shall be implemented uniformly in such sums or amounts equivalent to twenty-five percent (25%) of the basic salaries of the positions covered hereof. Subsequent implementation shall be in such sums and amounts and up to the extent only that can be supported by the funding source specified in Sec. 3 hereof.

PROVIDED, HOWEVER, THAT ALL JUDGES OF THE MUNICIPAL OR CITY AND REGIONAL TRIAL COURTS ASSIGNED TO AND ACTUALLY HOLDING COURT SESSIONS ON A PERMANENT BASIS IN ANY MUNICIPALITY, CITY OR IN SUCH PROVINCES AS SULU AND OTHER EQUALLY HAZARDOUS AREAS SHALL RECEIVE SALARIES, EMOLUMENTS, PERKS AND ALLOWANCES DOUBLE THOSE RECEIVED BY JUDGES OF THE SAME LEVEL WHO ARE ASSIGNED ELSEWHERE IN THE COUNTRY. IN ADDITION, THE SAID JUDGES SHALL BE PROVIDED SECURITY DETAILS OF NOT LESS THAN FIVE OR MORE THAN SEVEN POLICE OFFICERS OR ELEMENTS OF THE ARMED FORCES. THE COSTS OF MAINTAINING THE SECURITY DETAIL AFOREMENTIONED SHALL BE SHARED IN EQUAL AMOUNTS BY AND SHALL BE TAKEN FROM THE BUDGETS OF THE JUDICIAL DEPARTMENT AND THE PROVINCE CONCERNED IN THE CASE OF THE REGIONAL TRIAL COURTS.

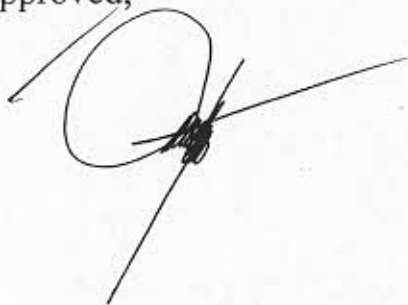
THE COSTS OF MAINTAINING THE SECURITY DETAIL IN THE OTHER LOCAL GOVERNMENT UNITS MENTIONED ABOVE SHALL BE SHARED IN EQUAL AMOUNTS BY AND SHALL BE TAKEN FROM THE BUDGETS OF THE JUDICIAL DEPARTMENT AND THE LOCAL GOVERNMENT UNITS CONCERNED. THE SHARES OF THE PROVINCES, THE CITIES OR THE MUNICIPALITIES CONCERNED SHALL BE AUTOMATICALLY DEDUCTED FROM THEIR INTERNAL REVENUE SHARES AT THE START OF EVERY FISCAL YEAR. IN THE EVENT THAT JUDGES SO ASSIGNED AS DESCRIBED ABOVE ARE KILLED IN THE LINE OF DUTY,

THEIR HEIRS SHALL RECEIVE DOUBLE THE BENEFITS THAT THE HEIRS OF JUDGES ASSIGNED ELSEWHERE IN THE COUNTRY WHO DIE IN THE LINE OF DUTY ARE ENTITLED TO. JUDGES SO ASSIGNED MAY NOT BE TEMPORARILY DETAILED OR PERMANENTLY TRANSFERRED ELSEWHERE WITHOUT THE CONSENT OF THE JUDGES AND THE LOCAL GOVERNMENT UNITS CONCERNED. IN THE EVENT THAT THEY ARE TEMPORARILY DETAILED OR PERMANENTLY TRANSFERRED ELSEWHERE WITH THEIR CONSENT AND THAT OF THE LOCAL GOVERNMENT UNITS CONCERNED, THEY SHALL NO LONGER RECEIVE THE ENTITLEMENTS PROVIDED FOR IN THIS ACT. THE ADDITIONAL SALARIES, EMOLUMENTS, PERKS AND BENEFITS SPECIFIED IN THIS ACT SHALL CONTINUE TO BE GRANTED TO THE JUDGES CONCERNED UNTIL THE SECURITY SITUATION IN THE PLACES OF THEIR ASSIGNMENTS SHALL HAVE STABILIZED AS CERTIFIED TO BY THE COURT ADMINISTRATOR AND THE SECRETARY OF THE DEPARTMENT OF LOCAL GOVERNMENTS.

SECTION 2. Repealing Clause. - All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 3. Effectively - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any *two* (2) newspapers of general circulation.

Approved,

A handwritten signature in black ink, consisting of a large, stylized 'Q' or 'O' shape with a long horizontal stroke extending to the right and a diagonal stroke crossing it.