

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

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 2910

Introduced by **Hon. Frederick F. Abueg**



EXPLANATORY NOTE

The within proposed bill is inspired by the same motivation that animated the enactment of Republic Act 9227 which granted additional compensation in the form of special allowances to, infer alia, Justices of the Supreme Court. It, in effect, extends to the Chairman/Commissioners of the three (3) independent Constitutional Commissions (Commission on Audit, Commission on Elections and Civil Service Commissions) and the Ombudsman the same benefits enjoyed by the Supreme Court Justices, as far as applicable, under the said RA 9227.

Enactment of this bill would be in consonance with the fiscal autonomy and independence attribute enjoyed by the three (3) Constitutional Commissions and the Ombudsman under the 1987 Constitution which thereby fleshed out more meaningfully and lent more significance.

In regard to RA 9227, it will be recalled that before its enactment, the salary levels and retirement benefits of the Members of the Constitutional Commissions and the Ombudsman were at par with and in the same category as that of the Justices of the Supreme Court. The herein proposed bill is, thus, a recognition of its necessity and aims to standardize the compensation structure and retirement benefits amongst Supreme Court Justices, Members of the Constitutional Commissions and the Ombudsman.

The three (3) independent Constitutional Commissions as fixtures in the 1987 Constitution are concerned with specialized areas of governance – administration of

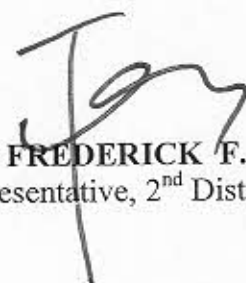
the electoral process (COMELEC), administration of the civil service (Civil Service Commission), and administration of fiscal controls of the government (COA) – and, hence, are designed as specialized agencies of government.

These three (3) Commissions play the role of countervailing institutions by providing an independent check to the three (3) branches of government (Legislative, Executive, and Judiciary) in respect to their respective areas of concern and competence. In a real sense, given the nature of their responsibilities as well as the unique role that they play in the scheme of things, they virtually constitute the fourth (4th) branch of government that is perceived as co-equal and co-important with the other branches, including the Judiciary, particularly the Supreme Court.

The Ombudsman, likewise an independent constitutional body, enjoys the same rank and salary as that of the Chairmen of the Constitutional Commissions and plays a vital role as the constitutional mechanism for enforcement of accountability of all public officers.

The within proposed legislation is designed to provide an additional financial incentive by which to entice and attract capable men and women of proven probity and independence to serve in such highly sensitive offices as the Constitutional Commissions and the Ombudsman with utmost responsibility, integrity, loyalty and efficiency.

In view hereof, prompt approval of the within proposed bill is respectfully urged.



FREDERICK F. ABUEG
Representative, 2nd District of Palawan

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HOUSE BILL NO. 2910

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AN ACT
AUTHORIZING THE RECEIPT OF ADDITIONAL COMPENSATION IN
THE FORM OF SPECIAL ALLOWANCES BY MEMBERS OF THE
CONSTITUTIONAL COMMISSIONS AND THE OMBUDSMAN, AND FOR
OTHER PURPOSES

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

1 **Section 1. Declaration of Policy.** – It is hereby declared the policy of the State
2 to adopt measures calculated to guarantee and safeguard the independence of the
3 Commission on Audit, the Commission on Elections, and the Civil Service
4 Commission, and the Ombudsman as well as flesh out and lend more meaning,
5 significance and substance to the fiscal autonomy enjoyed by these constitutional
6 bodies as mandated by the 1987 Constitution, and to ensure an efficient and effective
7 discharge of their powers, functions and responsibilities in their respective areas of
8 concern as specialized agencies of the government.

9 **Sec. 2. Special Allowances as Additional Compensation.** – Any provision of
10 law to the contrary notwithstanding, the Chairmen/Commissioners of the Commission
11 on Audit, the Commission on Elections, and the Civil Service Commission, and the
12 Ombudsman are hereby authorized to receive additional compensation in the form of

1 special allowances in an amount equivalent to one hundred percent (100%) of their
2 basic monthly-salary as specified for their respective salary grades under the Salary
3 Standardization Law.

4 The entitlement to the special allowances as herein authorized shall be
5 implemented uniformly for a period of four (4) years commencing the current
6 calendar year in such sums or amounts equivalent to twenty-five percent (25%) of the
7 basic salaries of the positions covered by this Act. Subsequent implementation shall
8 be to the extent only of such sums and amounts as can be supported by the funding
9 source specified in Section 3 hereof.

10 The amounts corresponding to the special allowances herein authorized shall
11 henceforth be incorporated in and form an integral part of the basic salaries of the
12 Members of the Constitutional Commission and the Ombudsman.

13 **Sec. 3. *Funding Source.*** – Funds for the initial implementation of this Act to
14 be set aside and allocated as “Special Allowances” in the books of account of the
15 Constitutional Commissions and the Office of the Ombudsman shall be charged to and
16 taken out of the current appropriations and/or available saving/s therein.

17 The Department of Budget and Management shall invariably include in the
18 annual General Appropriations Act for the subsequent calendar years the necessary
19 outlay for the said Special Allowances as the funding source for the continued
20 implementation of this Act.

21 **Sec. 4. *Inclusion in the Computation of Retirement Benefits.*** – In order to
22 upgrade the retirement benefits presently enjoyed by retired Members of the
23 Constitutional Commissions and the Ombudsman pursuant to applicable retirement

1 laws, the life pension that they are receiving monthly from the government shall be
2 adjusted automatically forthwith so as to include in the computation thereof the
3 amount equivalent to the special allowances herein authorized.

4 **Sec. 5. Issuance of Implementing Guidelines.** – The Chairmen of the
5 Constitutional Commissions and the Ombudsman shall jointly issue the necessary
6 guidelines for the proper implementation of this Act within ninety (90) days FROM
7 THE APPROVAL HEREOF.

8 **Sec. 6. Repealing Clause.** – All laws, decrees, orders, rules and regulations or
9 parts thereof which are inconsistent with the provisions of this Act are hereby repealed
10 or modified accordingly.

11 **Sec. 7. Separability Clause.** – If any provision of this Act is declared invalid or
12 unconstitutional, the provisions thereof not affected by such declaration shall continue
13 to be in full force and effect.

14 **Sec. 8. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspaper of general circulation.

Approved,