

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

H. B. No. 3247



Introduced by **HONORABLE BELLAFLOR J. ANGARA-CASTILLO**

EXPLANATORY NOTE

The prosecutors of both the Department of Justice and the Office of the Ombudsman discharge a vital role in our criminal justice system. They share the heavy task of maintaining and upholding the rule of law. In their everyday life, they carry the uncommon burden of prosecuting offenders, as they prove their case through the entire judicial mill.

Such a way of life exacts complete devotion and dedication from our prosecutors. It is a sad commentary, however, that existing legislation all fall short in the appreciation of their work.

Thus, there is an urgent need to address this inequity, if only to stem the tide of demoralization that is slowly creeping within the ranks of our prosecutors. It is difficult for them to become effective partners in the fight for justice, when they themselves are laboring under oppressive conditions. Though it is their duty to preserve the law, it is ironic that our laws seem oblivious to their own plight and needs.

Consistent with the intent to address the plight of our prosecutors, this proposed bill aims to establish for them a generous retirement benefit package. There is an urgent need to provide a solid and competitive retirement package commensurate to the demands and pressure exacted from them. Because in the end, justice is about giving one's fair share, and it is high time that we give our prosecutors what is due them.

It is for these reasons that the immediate passage of this bill is earnestly requested.


BELLAFLOR J. ANGARA-CASTILLO
Representative
Lone District, Province of Aurora

H. B. No. 3247

Introduced by HONORABLE BELLAFLOR J. ANGARA-CASTILLO

AN ACT ESTABLISHING A RETIREMENT BENEFIT SYSTEM FOR
PROSECUTORS IN THE NATIONAL PROSECUTION SERVICE OF THE
DEPARTMENT OF JUSTICE AND IN THE OFFICE OF THE OMBUDSMAN,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the *“Expanded Retirement Law for Prosecutors in the National Prosecution Service and in the Office of the Ombudsman.”*

SEC. 2. Coverage. - This Act shall apply to prosecutors of both the National Prosecution Service of the Department of Justice and the Office of the Ombudsman.

SEC. 3. Retirement Benefits. - When a prosecutor, who has rendered at least twenty (20) years of service in the National Prosecution Service of the Department of Justice or in the Office of the Ombudsman, retires at the age of sixty-five (65) years, or resigns by reason of incapacity to discharge the duties of his office, the prosecutor shall receive a retirement pension based on the highest monthly salary in the government service, plus the monthly aggregate of transportation, living, and representation allowances, which the prosecutor was receiving at the time of retirement or resignation; *Provided, however,* That those who are promoted to a higher rank are still entitled to the said privilege; *Provided, however,* That those with less than twenty (20) years of service in the government, but with at least five (5) years of service as prosecutor shall be entitled to a pro-rata monthly pension computed as follows:

NO. OF YEARS IN GOVERNMENT	X	BASIC PAY PLUS THE HIGHEST MONTHLY AGGREGATE OF TRANSPORTATION, LIVING, AND REPRESENTATION ALLOWANCES
----- 20 YEARS		

SEC. 4. Conditions. - To maintain entitlement to the pension herein provided, no prosecutor, during the time he is receiving said pension, shall appear as counsel before any judicial or quasi-judicial agency in any civil case wherein the Government or any agency, subdivision, or instrumentality thereof is an adverse party, or in any criminal case wherein any officer or employee of the Government is accused of an offense committed in relation to his office, or collect any fee for his appearance in any administrative proceedings to maintain an interest adverse to the Government, whether national, provincial, or municipal, or to any of its legally constituted officers.

1 When a prosecutor covered under this Act shall assume an elective public office,
2 he shall not, upon assumption of office and during his term, receive the monthly
3 pension or any of the allowance due him.
4

5 **SEC. 5. *Automatic Increase.*** - All pension benefits of retired prosecutors of both
6 the National Prosecution Service and the Office of the Ombudsman shall be
7 automatically increased whenever there is an increase in the salary of the same position
8 from which he retired.
9

10 **SEC. 6. *Retroactivity.*** - The benefits under this Act shall be granted to all those
11 who retired prior to the effectivity of this Act.
12

13 **SEC. 7. *Applicability.*** - All benefits heretofore extended under Republic Act No.
14 910, and all other benefits that may be extended by way of any amendment thereto shall
15 likewise be given to the prosecutors covered by this Act.
16

17 **SEC. 8. *Appropriation.*** - Upon effectivity of this Act, the amount necessary to
18 carry out its provisions is hereby appropriated out of any funds in the National
19 Treasury not otherwise appropriated. Thereafter, such amount as may be necessary to
20 implement this Act shall be included in the Annual General Appropriations Act.
21

22 **SEC. 9. *Repealing Clause.*** - All laws, executive orders, presidential decrees,
23 proclamations, issuances, rules, and regulations or parts thereof inconsistent with the
24 provisions of this Act are hereby repealed or modified accordingly.
25

26 **SEC. 10. *Effectivity.*** - This Act shall take effect after fifteen (15) days following
27 its full publication in the Official Gazette or in two (2) newspapers of general
28 circulation, whichever comes first.
29

30 Approved,