

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

Sixteenth Congress  
Third Regular Session



House Bill No. **6024**

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Introduced by **AKBAYAN Representatives**  
**Ibarra "Barry" M. Gutierrez III and Angelina L. Katoh**  
and 6<sup>th</sup> District-Quezon City Representative **Jose Christopher Y. Belmonte**

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**EXPLANATORY NOTE**

Since the enactment of Republic Act No. 10368 in 25 February 2013, various challenges have emerged in its implementation, owing to developments that were not foreseen at the time. One of these is the big number of claimants that have applied for recognition and reparation with the Human Rights Victims' Claims Board (HRVCB).

The HRVCB, one of the two implementing bodies created by the law and constituted on February 2014, has received 75,537 applications for reparation and/or recognition, as of the deadline of filing of applications on 30 May 2015. Previously, Congress had passed Joint Resolution No.03, signed by President Benigno Aquino III on 17 February 2015, extending the period of application to accommodate the big number of applicants.

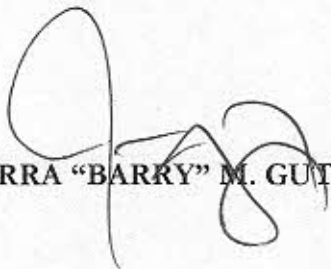
Under the law, the HRCVB's work period ends on 12 May 2016, and with its present complement of personnel and available resources, it is almost impossible for it to finish adjudicating all the claims on time.

Each of the claims needs to be thoroughly deliberated upon in order to judiciously resolve the legitimate claims and to investigate and dispose of the fraudulent ones. Only then will the HRVCB be able to discharge its mandate, and give a measure of justice to all deserving claimants.

Keenly aware of the fast approaching expiration of the term of the HRVCB, it is clear that the entire operation and processes will take more time than originally anticipated.

Hence, there is a need to extend the term of the HRVCB for at least another year in order to give the HRVCB sufficient time to complete its work, and to provide it with the wherewithal to do so. A couple of other provisions also need to be amended for clarity purposes.

In view of the foregoing, the immediate enactment of this bill is urgently sought.



IBARRA "BARRY" M. GUTIERREZ III



ANGELINA L. KATOH



JOSE CHRISTOPHER Y. BELMONTE

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**AN ACT**  
**AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10368,**  
**ENTITLED "AN ACT PROVIDING FOR REPARATION AND**  
**RECOGNITION OF VICTIMS OF HUMAN RIGHTS VIOLATIONS**  
**DURING THE MARCOS REGIME, DOCUMENTATION OF SAID**  
**VIOLATIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
**PURPOSES."**

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

- 1 **SECTION 1.** Section 5 of Republic Act No. 10368 is hereby amended to read as follows:  
2  
3       "*Section 5. Nonmonetary Reparation.*—The Department of Health  
4       (DOH), the Department of Social Welfare and Development  
5       (DSWD), the Department of Education (DepED), the  
6       Commission on Higher Education (CHED), the Technical  
7       Education and Skills Development Authority (TESDA), and  
8       such other government agencies shall render the necessary  
9       services as nonmonetary reparation for HRVVs and/or their  
10      families, as may be determined by the Board pursuant to the  
11      provisions of this Act. The amount necessary for this purpose  
12      shall be sourced from the budget of the agency concerned in  
13      the annual General Appropriations Act (GAA). The  
14      Commission on Human Rights (CHR) shall monitor and/or  
15      facilitate the implementation of this Section after the term of  
16      the HRVCB expires."

17 SECTION 2. Section 12 of Republic Act No. 10368 is hereby amended to read as follows:

18  
19 “Section 12. Rank, Salary, Emoluments and Allowances of the  
20 Chairman, Members of the Board and other Officers and Personnel of  
21 the Board.—The Chairperson and the Members of the Board  
22 shall have the rank, salary, emoluments and allowances  
23 equivalent to as those of a Presiding Justice and Associate  
24 Justice of the Court of Appeals, respectively, which shall not  
25 be decreased during their term of office. The emoluments  
26 shall include fees, compensation, pensions and retirement  
27 benefits. When a Member of the Board shall have served the  
28 full term of office provided under Section 29 of this Act, he  
29 or she shall automatically be entitled to a lump sum payment  
30 of the monthly salary and other allowances that said Board  
31 Member was receiving at the time of his or her retirement for  
32 three (3) years; and thereafter, upon survival after the  
33 expiration of this period of three (3) years, to a further  
34 annuity payable monthly during the rest of his or her natural  
35 life equivalent to the amount of the monthly salary and other  
36 allowances he was receiving on the date of his or her  
37 retirement. The lump sum retirement benefit shall be taken  
38 from the operating budget provided under Section 14 hereof.  
39 The monthly pensions, however, shall be included as a  
40 specific item in the annual budget of the Commission on  
41 Human Rights from the General Appropriations Act.  
42 When a Member of the Board has retired at the time of  
43 death, the surviving legitimate spouse shall be entitled to  
44 receive all the retirement benefits that the deceased Member  
45 of the Board would have received. The surviving spouse shall  
46 continue to receive such retirement benefits until the  
47 surviving spouse's death or remarriage.  
48 After the Board becomes *functus officio*, all other officers and  
49 personnel of the board shall be entitled to retirement benefits  
50 and/or separation pay in accordance with existing applicable  
51 laws.”

52  
53 SECTION 3. Section 13 of Republic Act No. 10368 is hereby amended to read as follows:

54  
55 “Section 13. Secretariat of the Board.—The Board shall be  
56 assisted by a Secretariat which may come from the existing  
57 personnel of the CHR, without prejudice to the hiring of  
58 additional personnel as determined by the Board to  
59 accommodate the volume of required work. The following  
60 shall be the functions of the Secretariat:

- 61  
62 a) Receive, evaluate, process and investigate applications for  
63 claims under this Act;  
64  
65 b) Recommend to the Board the approval of applications  
66 for claims;  
67  
68 c) Assist the Board in technical functions; and  
69  
70 d) Perform other duties that may be assigned by the Board.  
71

72 The Chairperson of the Board shall appoint a Board Secretary  
73 who shall head the Secretariat for the duration of the  
74 existence of the Board. There shall be a Technical Staff Head  
75 with a rank of a Division Chief assisted by at least five (5)  
76 nine (9) Legal Officers and three (3) forty-five (45) Paralegal  
77 Officers; and an Administrative Staff Head assisted by three  
78 (3) four (4) Administrative Support Staff.  
79

80 When necessary, the Board may hire additional contractual  
81 employees or contract a service provider to provide services  
82 of counselors, psychologists, social workers and public  
83 education specialists, among others, to augment the services  
84 of the Secretariat: ~~Provided, That the maximum contract~~  
85 ~~amount per year shall not exceed more than fifteen percent~~  
86 ~~(15%) of the total annual operating budget of the Board."~~  
87

88 **SECTION 4.** Section 14 of Republic Act No. 10368 is hereby amended to read as follows:  
89

90 "Section 14. *Operating Budget of the Board.*— The operating  
91 budget of the Board shall be funded from the Ten billion  
92 peso (P10,000,000,000.00) fund, with Ten million pesos  
93 (P10,000,000.00) as its initial operating budget: *Provided, That*  
94 *it shall not exceed Fifty million pesos (P50,000,000.00)*  
95 Seventy-five million pesos (P75,000,000.00) a year."  
96

97 **SECTION 5.** A new provision after Section 22 of Republic Act No. 10368,  
98 denominated as "*Section 22-A*" is hereby added to read as follows:  
99

100 "Section 22-A. *Franking Privilege.*—The HRVCB may transmit  
101 through registered mail with return card and/or ordinary  
102 mail, free of charge, all official communications and papers  
103 directly connected with the conduct of its duties, functions

104 and/or its exercise of administrative supervision over its  
105 personnel.

106  
107 The envelope or wrapper of the privileged mail matter shall  
108 bear on the left upper corner, "Human Rights Victims'  
109 Claims Board" together with its address, and on the right  
110 upper corner, the words "Private or unauthorized use to  
111 avoid payment of postage is penalized by fine or  
112 imprisonment, or both.

113  
114 The HRVCB shall provide for the standard mailing envelope  
115 and the standard rubber stamp for purposes of compliance  
116 with the preceding paragraph."  
117

118 **SECTION 6.** Section 29 of Republic Act No. 10368 is hereby amended to read as follows:

119  
120 "Section 29. *Work Period; Sunset Clause.* The Board shall  
121 complete its work within ~~two (2) years from the effectivity of~~  
122 ~~the IRR promulgated by it~~ three (3) years from May 12, 2014.  
123 After such period, it shall become *functus officio*."

124  
125 Whenever administratively feasible, officers and personnel of  
126 the Board shall be given priority in the hiring by the Human  
127 Rights Violations Victims' Memorial Commission or the  
128 Commission on Human Rights, subject however to civil  
129 service laws, rules and other issuances on the matter."  
130

131 **SECTION 7. *Separability Clause.***—If, for any reason, any section or provision of this  
132 Act is declared invalid or unconstitutional, such other sections or provisions not affected  
133 thereby shall remain in full force and effect.

134  
135 **SECTION 8. *Repealing Clause.***—All laws, decrees, executive orders, rules and  
136 regulations or parts thereof inconsistent with any of the provisions of this Act,  
137 particularly of Republic Act No. 10368, are hereby repealed or modified accordingly.

138  
139 **SECTION 9. *Effectivity Clause.*** — This Act shall take effect fifteen (15) days after its  
140 complete publication in the *Official Gazette* or in at least two (2) national newspapers of  
141 general circulation.

Approved,