

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6456**



Introduced by AKBAYAN Party-List Representative Tomasito S. Villarín

EXPLANATORY NOTE

On 5 May 2010, Republic Act No. 10084 was signed into law. It provided that in case of death of a retired Chairman or Commissioners of the Constitutional Commissions and the Ombudsman, the surviving legitimate spouse of said deceased retiree shall receive the all the monthly retirement benefits that the said retiree was receiving at the time of his/her demise.

The law was enacted pursuant to Article XVI, Section 8 of the 1987 Constitution which mandates that the "State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and private sectors."

The intent and purpose of RA No. 10084 will be more fully realized when it is amended to include the Chair and Commissioners of the Commission on Human Rights (CHR) inasmuch as the CHR is similarly situated to the other constitutionally-created offices presently covered, namely the Commission on Audit, Commission on Elections, Civil Service Commission and the Ombudsman. The CHR is also a public office created under Article XIII, Section 17 of the Constitution and performs an equally critical function in society as that of the other offices also created by the Constitution.

Support for this bill which seeks to bestow the surviving legitimate spouses of the Chairman and Commissioners of the CHR the survivorship benefits provided under RA No. 10084 is earnestly sought.

A handwritten signature in blue ink, appearing to be "Tomasito S. Villarín", written over a set of horizontal lines.

TOMASITO S. VILLARIN

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AN ACT

AMENDING REPUBLIC ACT NO. 10084 ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS AND THE OMBUDSMAN, AND FOR OTHER PURPOSES"

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

Section 1. Section 1 of Republic Act No. 10084 is hereby amended to read as follows:

"Section 1. In case of the death of a retired Chairman or Commissioner of the Commission on Audit, the Commission on Elections, the Civil Service Commission, [and] the Ombudsman, **AND THE COMMISSION ON HUMAN RIGHTS**, the surviving spouse of said deceased retiree was receiving at the time of his/her demise under the provisions of applicable retirement laws then in force. The said surviving legitimate spouse shall continue to receive such retirement benefits during his/her lifetime or until he/she remarries: *Provided*, That if the surviving legitimate spouse is receiving benefits under existing retirement laws, he/she shall only be entitled to the difference between the amount provided for in this Act and the benefits he/she is receiving."

Section 2. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,