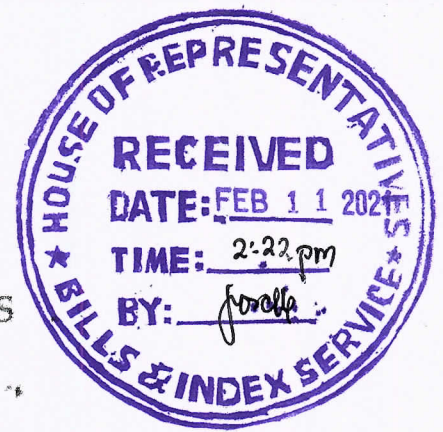


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH (18TH) CONGRESS
Second Regular Session

HOUSE BILL NO. 8671

Introduced by Rep. Corazon T. Nuñez-Malanyaon

EXPLANATORY NOTE

In consideration of their selfless dedication to the institution, members of the judiciary *as well as judiciary officials with judicial rank, salary and privileges* must be ensured of a reasonable amount of support after they leave the judiciary.

For while it is true that holders of positions with equivalent judicial rank do not perform the same functions as justices and judges, it must be stressed that the conferment of such rank is recognition of the substantial equality in the roles they play in the Judiciary *vis-a-vis* justices and judges.¹

Thus, the Supreme Court, for more than three decades now, has consistently promulgated Resolutions declaring that judiciary officials conferred judicial rank, salary and privileges shall retire under Republic Act No. (RA) 910.

Lamentably, RA 910² as amended by RA 9946³ limited its applications to members of the judiciary only; while the GSIS Act of 1997, took judiciary officials with judicial rank, salary and privileges out of its coverage and refunded their personal contribution to the GSIS fund.

¹ *Re: Request of Assistant Court Administrators*, 483 Phil. 16-32 (2004).

² Special Retirement Law of Judges and Justices, Republic Act No. 910, June 20, 1953.

³ An Act Granting Additional Retirement, Survivorship and Other Benefits to Members of the Judiciary, Republic Act No. 9946, January 13, 2010.

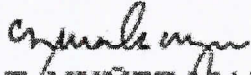
As a result, judiciary officials, after dedicating the best years of their lives to serve the institution, are left with no retirement benefits at all. Judiciary officials, despite old age, will be left with no choice but to start working again, assuming they could still work, just to cover their rising medical expenses.

This is what we seek to correct.

The exclusion of judiciary officials with judicial rank, salary and privileges from the coverage of RA 910, as amended by RA 9946, is not only discriminatory but also unreasonable.

Notably, the Supreme Court still allowed judiciary officials to retire under RA 910 despite the RA 9946 amendment.⁴ Hence, pursuant to the intention of the Supreme Court and the equal protection clause, a uniform retirement law for both members of the judiciary and judiciary officials is absolutely necessary.

The immediate passage of this bill is hereby earnestly sought.


CORAZON T. NUÑEZ-MALANYAON
First District Davao Oriental

⁴ Re: Application for Retirement under Republic Act No. 910, as Amended, of Atty. Ma. Luisa L. Laureta, Division Clerk of Court, Second Division, Supreme Court, A.M. No. 13987-Ret., August 9, 2011.

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2 HOUSE OF REPRESENTATIVES
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8 HOUSE BILL NO. 8671
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10 —
11 Introduced by Rep. Corazon T. Nuñez-Malanyaon
12

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14
15 **AN ACT PROVIDING FOR A RETIREMENT LAW FOR JUDICIARY**
16 **OFFICIALS CONFERRED WITH JUDICIAL RANK, SALARY AND**
17 **PRIVILEGES, AMENDING FURTHER FOR THAT PURPOSE**
18 **REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO.**
19 **9946, PROVIDING**
20 **FUNDS THEREFOR AND FOR OTHER PURPOSES**
21

22 *Be it enacted by the Senate and the House of Representatives of the Philippines*
23 *in Congress assembled:*
24

25 SECTION 1. IN ACCORDANCE WITH SUPREME COURT
26 RESOLUTIONS DECLARING REPUBLIC ACT NO. 910 AS THE
27 RETIREMENT LAW FOR JUDICIARY OFFICIALS CONFERRED BY
28 RESOLUTION OF THE SUPREME COURT OR BY LAW WITH JUDICIAL
29 RANK, SALARY, AND PRIVILEGES, WHICH RESOLUTIONS THE
30 SUPREME COURT PROMULGATED IN THE INTERPRETATION AND
31 APPLICATION OF ITS CONSTITUTIONAL POWERS OF FISCAL
32 AUTONOMY AND ADMINISTRATIVE SUPERVISION OF COURTS AND
33 COURT PERSONNEL, THIS ACT, REPUBLIC ACT NO. 910, AS
34 AMENDED, SHALL BE THE RETIREMENT LAW FOR THE SAME
35 OFFICIALS; *PROVIDED*, THAT THE JUDICIARY OFFICIALS SHALL BE
36 ENTITLED TO THE RETIREMENT BENEFITS PRESCRIBED BY THIS
37 ACT FOR THE MEMBERS OF THE JUDICIARY TO WHOSE RANK THEIR
38 RESPECTIVE POSITIONS ARE EQUATED BY SUPREME COURT
39 RESOLUTION OR BY LAW; *PROVIDED FURTHER*, THAT HENCEFORTH
40 THE SAME JUDICIARY OFFICIALS SHALL RETIRE COMPULSORILY AT
41 AGE SEVENTY (70).
42

1 SEC. 2. SECTIONS 3-A AND 3-B OF REPUBLIC ACT NO. 910, AS
2 AMENDED BY REPUBLIC ACT NO. 9946, ARE AMENDED FURTHER TO
3 READ AS FOLLOWS:
4

5 "SEC. 3-A. All pension benefits of retired members of the Judiciary
6 AND JUDICIARY OFFICIALS WITH JUDICIAL RANK, SALARY
7 AND PRIVILEGES shall be automatically increased whenever there is an
8 increase in the salary AND ALLOWANCES of the same position from
9 which he/she retired.
10

11 "SEC. 3-B. The benefits under this Act shall be granted to all those
12 who have retired prior to the effectivity of this Act, INCLUDING
13 JUDICIARY OFFICIALS WITH JUDICIAL RANK, SALARY AND
14 PRIVILEGES WHO COMPULSORILY RETIRED UNDER THIS ACT
15 AT AGE SIXTY-FIVE (65) IN ACCORDANCE WITH LAW AT THE
16 TIME OF RETIREMENT, AND THOSE WHO AVAILED OF
17 OPTIONAL OR DISABILITY RETIREMENT UNDER THIS ACT;
18 *Provided*, [That the benefits shall be applicable only to members of the
19 Judiciary, *Provided further*] That the benefits to be granted shall be
20 prospective."
21

22 SEC. 3. The amount necessary for the initial implementation of this Act
23 shall be charged against the current year's savings of the Judiciary. Thereafter,
24 such sums as may be necessary for the continued implementation of this Act shall
25 be included in the annual General Appropriations Act.
26

27 SEC. 4. All laws, decrees, orders, rules and regulations or parts thereof
28 inconsistent with the provisions of this Act are hereby repealed or modified
29 accordingly.
30

31 SEC. 5. This Act shall take effect fifteen (15) days following the
32 completion of its publication in the *Official Gazette* or any two (2) newspapers of
33 general circulation.
34

35
36 Approved,