

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
Nineteenth Congress
First Regular Session
HOUSE BILL NO. 7623



Introduced by Rep. Anthony R.T. Golez Jr. MD, MBAH

EXPLANATORY NOTE

Officials and employees of the Department of Foreign Affairs undergo a very tiresome career as they are assigned abroad; leaving their home, family, and friends. As such this representation finds it proper that officials and employees of the Department of Foreign Affairs be provided ample compensation after they retire from service.

The proposed law herein finds its basis in the Constitution, which states that: "the State shall, from time to time, review to upgrade the pensions and benefits due to retirees of both the government and private sectors" (Section 8, Article XVI, 1987 Constitution). Further, the Philippine Foreign Service Act of 1991 also recognizes the hardships that employees and officers in the foreign service experience. The existing laws remarks that "the President upon recommendation of the Secretary may, as soon as practicable, submit for enactment by Congress a foreign affairs retirement and disability system, taking into account the difficulties of foreign service personnel in setting aside sufficient savings to take care of their eventual retirement in the Philippines due to old age or some other disability, with the increased burden of establishing a home in the Philippines after completion of their tour of duty abroad" (Section 62, R.A. No. 7157).

This representation finds it fair and justified to improve the retirement benefits of those who have rendered service in the Department of Finance. The sacrifice of those who served rendered government service away from their motherland for several years truly deserved a premium in their retirement benefits.

Passage of the proposed law is earnestly being prayed.


HON. ANTHONY R.T. GOLEZ JR. MD, MBAH
Malasakit at Bayanihan Party List

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**AN ACT IMPROVING THE RETIREMENT BENEFITS IN THE
DEPARTMENT OF FOREIGN AFFAIRS**

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

Section 1. Short Title. The Act shall be known as the "*Improvement of Retirement Benefits in the DFA Act.*"

Section 2. Coverage. All officials and employees who served the Department of Foreign Affairs (DFA) for at least fifteen (15) years and are qualified to receive a monthly pension from the Government Service Insurance System shall be eligible for the availment of the retirement benefits provided in the Act.

Said eligible officials and employees of the DFA shall receive, during the residue of their natural life, an additional pension which shall be the difference between their monthly pension and the highest monthly salary of an incumbent officer or employee occupying the same or equivalent rank and subject to further adjustment as provided under this Act.

This Act shall also apply prospectively to DFA officers and employees who retired prior to the effectivity of this Act. All other officers and employees of the DFA who have also retired after serving in the DFA but who have not met all the above-mentioned requirements, shall instead be covered by applicable benefits under the GSIS Act, as amended.

Section 3. Adjustment of Monthly Pension. The monthly pension benefits of all retirees of the DFA, as provided under Republic Act No. 7157, shall upon the effectivity of this Act, be automatically adjusted to the existing rate, and any subsequent increase thereof, of the salary grade of the rank they held upon their retirement.

Section 4. Additional Entitlements. All officers and employees covered by section 2 of this Act, shall be eligible for disability and death benefits in the same manner provided under the GSIS Act, as amended, and other relevant laws.

Section 5. *Exemption of Pension from Income Tax, Attachment, Levy, Garnishment.* - Any pension granted to a beneficiary under this Act shall not, wholly or partly, be subject to income tax, attachment, execution, forfeiture, or retention under any legal or equitable proceedings. nor shall any lien of any kind or under any consideration be imposed thereon.

Section 6. *Survivorship Benefits.* In case of death of a DFA retiree or personnel who has met the requirements provided in section 2, the following shall be entitled to receive the adjusted retirement benefits that the deceased was receiving or entitled to receive: (a) their surviving spouse, during their lifetime, or until they remarry; and (b) their dependent children. Said benefits shall be distributed or apportioned in accordance with the GSIS Act, as amended.

Section 7. *Appropriation and Funding Source* -The differential funding requirements for the initial implementation of this Act shall be charged against the current year's savings of the DFA.

Thereafter, the annually differential amount necessary for GSIs to pay the adjusted monthly pension and other benefits to implement the provisions of this Act shall be included in the General Appropriations Act annually, to be sourced from the DFA's annual consular income as a percentage thereof.

Section 8. *Implementing Rules and Regulations.* -Within one hundred eighty (180) days after the effectivity of this Act, DFA shall issue the necessary rules and regulations for the effective implementation of this Act, in coordination with relevant government agencies.

Section 9. *Separability Clause.* If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected shall continue to be in full force and effect.

Section 10. *Repealing Clause.* All laws, decrees, executive orders, or rules and regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

Section 11. *Enacting Clause.* -This Act shall take effect fifteen (15) days from its publication in the official Gazette.

Approved,