



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
First Regular Session

HOUSE BILL NO. **7775**



Introduced by Representatives: FERDINAND MARTIN G. ROMUALDEZ, MANUEL JOSE "MANNIX" M. DALIPE, FERDINAND ALEXANDER A. MARCOS, YEDDA MARIE K. ROMUALDEZ, JUDE A. ACIDRE

AN ACT
GRANTING HAZARD PAY TO PUBLIC PROSECUTORS EXPOSED TO HAZARDOUS SITUATIONS AND PERFORMING HAZARDOUS DUTIES RELATED TO ASSIGNED CASES AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This bill seeks to grant hazard pay to public prosecutors exposed to hazardous situations and performing hazardous duties related to their assigned cases.

Article II, Section 5 of the 1987 Philippine Constitution declares that the *"maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."*

Public prosecutors play a vital role in the administration of criminal justice. They are primarily responsible for the preliminary investigation and prosecution of all criminal cases. They safeguard the fundamental rights of the persons involved in criminal proceedings and ensure public security. In the performance of their functions, they are assigned to investigate and prosecute cases involving national security, dangerous drugs, terrorism, and notorious

criminals. As a consequence of their duties and exposure to hazardous situations, many prosecutors have received death threats and a number of them have been killed in the line of duty.

During the past ten years, among the prosecutors killed were Batangas Assistant Provincial Prosecutor Alexander Sandoval (June 2013); Marawi City Assistant Prosecutor Saipal Alawi, Sr. (May 2014); Mati City Prosecutor Rolando Acido (October 2016); Quezon City Prosecutor Johanne Noel Mingoa (January 2017); Caloocan Assistant Prosecutor Diosdado Azarcon (May 2017); Assistant Prosecutor Maria Ronatay (July 2017); Former Prosecutor Pablito Gahol (September 2017); Quezon Assistant Provincial Prosecutor Reymund Luna (September 2017); Quezon City Deputy Prosecutor Rogelio Velasco (May 2018); Former Prosecutor Geronimo Marabe, Jr. (May 2018); Cebu City Assistant Prosecutor Mary Ann Castro (January 2019); Manila Senior Assistant City Prosecutor Jovencio Senados (July 2020); and Cavite Assistant Prosecutor Edilberto Mendoza (December 2021).

Given the precarious nature of their work, prosecutors who are assigned to conduct inquest proceedings, preliminary investigation, prosecution and investigation of complex and other high-profile crimes are thereby exposed to risks and perils to their lives which should entitle them to a hazard pay.

Thus, the proposed legislation seeks to entitle prosecutors who are performing hazardous duties or exposed to hazardous situations, additional compensation by way of hazard pay equivalent to twenty percent (20%) of the prosecutor's basic monthly salary.

In view of the foregoing, the approval of this bill is earnestly sought.



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Party-List, Tingog Sinirangan



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**Introduced by Representatives: FERDINAND MARTIN G.
ROMUALDEZ, MANUEL JOSE “MANNIX” M. DALIPE, FERDINAND
ALEXANDER A. MARCOS, YEDDA MARIE K. ROMUALDEZ, JUDE
A. ACIDRE**

1 **AN ACT**
2 **GRANTING HAZARD PAY TO PUBLIC PROSECUTORS EXPOSED**
3 **TO HAZARDOUS SITUATIONS AND PERFORMING HAZARDOUS**
4 **DUTIES RELATED TO ASSIGNED CASES AND APPROPRIATING**
5 **FUNDS THEREFOR**

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7 *Be it enacted by the Senate and the House of Representatives of the Philippines*
8 *in Congress assembled:*
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11 **SECTION 1. *Short Title.*** – This Act shall be known as the “*Public*
12 *Prosecutors’ Hazard Pay Act.*”

13 **SECTION 2. *Declaration of Policy.*** – It is the policy of the State to
14 maintain peace and order, protect life, liberty and property, and promote the
15 general welfare of the people for the enjoyment of the blessings of democracy.
16 To realize this policy, the State recognizes the indispensable role of the public
17 prosecutors in our criminal justice system. Towards this end, the State shall
18 provide the necessary support to ensure that public prosecutors are properly
19 compensated and insured as they perform their functions.

1 SECTION 3. **Coverage.** – The public prosecutors of the National
2 Prosecution Service of the Department of Justice who are actually performing
3 any of the hazardous duties and exposed to the conditions enumerated in
4 Section 4 of this Act, as certified by the Secretary of Justice or an authorized
5 representative, are entitled to the benefits under this Act.

6 SECTION 4. **Hazard Pay.** – A public prosecutor is entitled to hazard pay
7 equivalent to twenty percent (20%) of the basic monthly salary while in the
8 performance of the following hazardous duties:

9 (a) Assigned to conduct the inquest, preliminary investigation, and
10 prosecution of cases involving crimes against national security and the law of
11 nations, the fundamental laws of the State, public order, and those crimes
12 committed by public officers as defined and penalized under Act No. 3815,
13 otherwise known as “*The Revised Penal Code*”;

14 (b) Assigned to conduct the inquest, preliminary investigation, and
15 prosecution of cases involving Republic Act (RA) No. 9165, as amended,
16 otherwise known as the “*Comprehensive Dangerous Drugs Act of 2002*”, RA
17 10591, otherwise known as the “*Comprehensive Firearms and Ammunition*
18 *Regulation Act*”, RA 3019, as amended, commonly known as the “*Anti-Graft*
19 *and Corrupt Practices Act*”, RA 9160, as amended, otherwise known as the
20 “*Anti-Money Laundering Act of 2001*” and RA 11479, otherwise known as
21 “*The Anti-Terrorism Act of 2020*”;

1 (c) Assigned to conduct the inquest, preliminary investigation, and
2 prosecution of cases involving transnational crimes, including illicit trafficking
3 of narcotic drugs and psychotropic substances, money laundering, terrorism,
4 arms smuggling, trafficking in persons, piracy, and other crimes with significant
5 impact on the political, economic and socio-cultural stability and security of the
6 country;

7 (d) Assigned or exposed to hazardous situations, including assignment
8 in strife-torn or embattled areas, distressed or isolated stations, disease-infested
9 areas and areas declared under state of calamity or emergency; and

10 (e) Assigned to conduct the inquest, preliminary investigation, and
11 prosecution of offenders who have been previously convicted of any of the
12 crimes mentioned in paragraphs (a) to (c) of this Section.

13 **SECTION 5. *Tax Exemption and Non-Diminution of Benefits.*** – The
14 hazard pay provided in this Act is not subject to tax and nothing in this Act is
15 construed to diminish, in any manner, any benefit granted by existing laws,
16 rules and regulations, local ordinances, and other issuances to duly appointed
17 public prosecutors.

18 **SECTION 6. *Implementing Rules and Regulations.*** – Within sixty (60)
19 days from the effectivity of this Act, the Secretary of Budget and Management
20 and the Secretary of Justice shall jointly formulate and issue the guidelines,
21 rules and regulations for the effective implementation of this Act.

1 SECTION 7. ***Appropriations.*** – The amount necessary for the initial
2 implementation of this Act shall be charged against the current appropriations of
3 the Department of Justice. Thereafter, such sum as may be necessary for the
4 continued implementation of this Act shall be included in the General
5 Appropriations Act.

6 SECTION 8. ***Separability Clause.*** – If any provision or part of this Act is
7 declared invalid or unconstitutional, the remaining parts or provisions not
8 affected shall remain in force and effect.

9 SECTION 9. ***Repealing Clause.*** – All laws, decrees, executive orders,
10 rules and regulations, or parts thereof contrary to or inconsistent with the
11 provisions of this Act are amended, repealed or modified accordingly.

12 SECTION 10. ***Effectivity Clause.*** – This Act shall take effect fifteen (15)
13 days after its publication in the *Official Gazette* or in a newspaper of general
14 circulation.

15 Approved,