



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

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4028



Introduced by HON. MIRO S. QUIMBO

EXPLANATORY NOTE

The duty of a public prosecutor demands more than legal expertise. It requires courage, impartiality, and an unwavering commitment to the rule of law – even in the face of personal risk. Their work is critical not only in delivering justice to victims but also in maintaining peace and order throughout the nation. In the performance of their mandate, prosecutors regularly confront dangerous criminal elements and prosecute high-stakes cases involving illegal drugs, terrorism, graft and corruption, and environmental violations, among others. While noble, their indispensable role routinely exposes prosecutors to serious danger.

Even in recent years, violence against prosecutors is still prevalent, including threats, intimidation tactics, and, tragically, murders. The threat to life, more so a peaceful life, for a prosecutor is high. However, these senseless acts of violence seek not only to endanger human lives, but the very ability of the State to effectively dispense justice. From 2013 to 2021, there have been at least 13 reported killings of prosecutors. Just recently, in 2024, Prosecutor Eleanor dela Peña assigned to Malito, Davao Occidental was among the victims of these violent acts.

Thus, it is incumbent upon the government to provide more support for our

public prosecutors and more recognition of the dangerous work they do for our justice system. In light of these, the proposed measure, which was already passed in the 19th Congress, seeks to provide a modest, yet significant, hazard pay allowance of Five thousand pesos (Php 5,000) to public prosecutors of the National Prosecution Service while in the performance of hazardous duties.

In support of public prosecutors nationwide, the approval of this bill is earnestly sought.

A stylized, handwritten signature in black ink, consisting of a large, looping 'Q' followed by a smaller 'S' and a final flourish.

HON. MIRO S. QUIMBO
Representative
Second District, Marikina City



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

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

CHAPTER I
GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as the "*Hazard Pay for Public Prosecutors Act*"

SEC. 2. *Declaration of Policy.* - It is the policy of the State to maintain peace and order, protect life, liberty, and property, and promote the general welfare of the people for the enjoyment of the blessings of democracy. To realize this policy, the State recognizes the indispensable role of the public prosecutors in our criminal justice system. To this end, the State shall provide the necessary support to ensure

that public prosecutors are properly compensated as they perform their functions in hazardous situations related to their assigned cases.

SEC. 3. Coverage. — All public prosecutors of the National Prosecution Service of the Department of Justice who are actually performing any of the hazardous duties and are exposed to the conditions described in Section 4 of this Act, as certified by the Secretary of Justice or a duly authorized representative, including public prosecutors who are tasked to authorize the prosecution of hazardous cases mentioned in this Section, or who approve, review, reverse, or modify resolutions on inquest proceedings or preliminary investigations involving such hazardous cases, are likewise entitled to receive hazard pay as provided in this Act.

SEC. 4. Hazard Pay. — All covered public prosecutors are entitled to receive a monthly hazard pay of Five thousand pesos (₱5,000.00) in addition to their regular compensation, while in the performance of the following hazardous duties:

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

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

(c) Assigned to conduct the inquest proceeding, preliminary investigation,

and prosecution of cases involving transnational crimes, including illicit trafficking of narcotic drugs and psychotropic substances, money laundering, terrorism, arms smuggling, trafficking in persons, piracy, and other crimes with significant impact on the political, economic and socio-cultural stability and security of the country;

(d) Assigned to conduct the inquest proceeding, preliminary investigation, and prosecution of cases involving illegal logging, illegal mining, illegal fishing, illegal dumping of hazardous waste, as well as the destruction, exploitation, illegal gathering, smuggling, illegal trade, or trafficking of all kinds of flora, fauna, marine life, minerals, precious metals, and other natural resources, and all other crimes, offenses and prohibited acts with significant impact on the environment;

(e) Assigned or exposed to hazardous situations, including assignment in strife-torn or embattled areas, distressed or isolated stations, disease-infested areas, and areas declared by a competent authority to be under a state of calamity or emergency;

(f) Assigned to conduct the inquest proceeding, preliminary investigation, and prosecution of offenders who have been previously convicted of any of the crimes mentioned in paragraphs (a) to (d) of this Section; and

(g) Assigned to other hazardous duties and circumstances analogous to the foregoing, as determined by the Secretary of Justice.

SEC. 5. *Tax Exemption and Non-Diminution of Benefits.* — The hazard pay provided in this Act shall form part of the exclusions from taxable gross income with Section 32 (b) (7) (e) of the National Internal Revenue Code of 1997, as amended: *Provided*, That nothing in this Act shall be construed to diminish, in any manner, any benefit granted to duly appointed public prosecutors under existing laws, rules and regulations, local ordinance, and other issuances.

SEC. 6. *Implementing Rules and Regulations.* — Within sixty (60) days from the effectivity of this Act, the Secretary of Budget and Management and the Secretary of Justice shall jointly promulgate rules and regulations for the effective implementation of this Act.

SEC. 7. *Appropriations.* — The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriation of the Department of Justice. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 8. *Separability Clause.* — If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC 9. *Repealing Clause.* — All laws, decrees, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 10. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,