

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 4748



Introduced by Rep. CARMELO G. LAZATIN, JR.

AN ACT

MANDATING THE GRANT OF HAZARD PAY TO PUBLIC PROSECUTORS EXPOSED TO HAZARDOUS SITUATIONS AND PERFORMING HAZARDOUS DUTIES RELATED TO ASSIGNED CASE, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Prosecutors play a vital role in the administration of justice in the country. They are always on the frontline of the judicial service, ensuring the fair administration of law and the protection of citizens.

Threats and danger to their personal safety and even those of their families are very common among prosecutors given the nature of their profession. They are responsible for the prosecution of criminals, aiding in the preliminary investigation of cases, helping topple criminal organizations and risking their lives in the performance of their duties and responsibilities.

In fact, in an article posted online at the Human Rights Watch page, entitled “Record High Killing of Philippine Lawyers”, it was cited that from 1972 to 2021 there were 110 lawyers killed, 61 of whom were killed in 2016 alone. This clearly manifests the threats and perils to lives of prosecutors.

Hence, this measure aims to acknowledge the risky nature of this profession and to promote the security and welfare of prosecutors. By providing hazard pay to prosecutors, the State gives due recognition and fulfills its responsibility to protect those who are committed to the fair administration of justice.

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


CARMELO G. LAZATIN, JR.



Republic of the Philippines

House of Representatives

Quezon City, Metro Manila

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THEREFOR**

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

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

3 **SECTION 2.** *Declaration of Policy*- Article II, Section 5 of the 1987 Constitution of the
4 Philippines provides that the maintenance of peace and order, the protection of life, liberty, and
5 property, and the promotion of the general welfare are essential for the enjoyment by all the people
6 of the blessings of democracy.

7 To this end, the State shall endeavor to promote the protection of prosecutors whose
8 functions are essential to the fair administration of justice in the country. It shall provide necessary
9 support to facilitate the proper compensation of prosecutors who are assigned cases that expose
10 them to hazardous situations.

11 **SECTION 3.** *Coverage*- it hereby provided under this Act that all public prosecutors of
12 the National Prosecution Service of the Department of Justice who, by reason of their official

functions, are exposed to hazardous situations and are required to perform hazardous duties, shall be entitled to hazard pay.

SECTION 4. *Grant of Hazard Pay* – All public prosecutors who are performing duties in hazardous situations and are exposed to hazards by reason of their assigned cases shall be entitled to receive a monthly hazard pay of Five Thousand Pesos (P5,000.00) in addition to their basic salary. Those eligible shall be certified by the Secretary of Justice.

Eligibility shall be certified by the Secretary of Justice or his or her authorized representative, based on objective criteria to be outlined in the Implementing Rules and Regulations of this Act.

SECTION 5. *Tax exemption* – Section 32(b) (7)(e) of the National Internal Revenue Code of 1997 shall be applied in the grant of hazard pay to prosecutors which provides for the exclusion of such benefit from the taxable gross income.

SECTION 6. *Implementing Rules and Regulations*. The Department of Budget and Management and the Department of Justice, shall jointly promulgate the necessary rules and regulation for the implementation of this Act within ninety (90) days from its effectivity.

SECTION 7. *Appropriations*. – The funding for the continuous grant of Hazard pay to public prosecutors under this Act shall be sourced from annual appropriation of the Department of Justice and shall be allocated in its annual budget.

SECTION 8. *Separability Clause*. - If any part or provision of this Act is declared invalid or unconstitutional, the other parts hereof not affected thereby shall remain valid.

SECTION 9. *Repealing Clause*- All laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SECTION 10. *Effectivity*. - 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,