



REPUBLIC OF THE PHILIPPINES
House of Representatives
CONSTITUTION HILLS, QUEZON CITY

TWENTIETH CONGRESS
First Regular Session

House Bill No. 5568



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

Introduced by Representative SHIRLYN L. BAÑAS-NOGRALES

EXPLANATORY NOTE

Public prosecutors play a vital and indispensable role in the administration of justice. In the performance of their official duties, they are often exposed to high-risk situations and assigned to prosecute cases involving crimes that threaten public order, national security, and community safety.

To recognize the nature and gravity of their work, this measure seeks to grant a monthly hazard pay of Five Thousand Pesos (₱5,000.00) to public prosecutors who are exposed to hazardous situations or perform hazardous duties, including the handling of cases involving national security, terrorism, illegal drugs, corruption, environmental offenses, and transnational crimes, as well as assignments in areas under a state of calamity, emergency, or other hazardous conditions as determined by the Secretary of Justice.

The administration of justice is a fundamental pillar of a democratic society, and at the forefront of this system are public prosecutors – legal professionals who serve as the State’s representatives in criminal proceedings. Their role is critical in ensuring that laws are enforced, offenders are held accountable, and the rights of victims are protected. In fulfilling these responsibilities, prosecutors often confront grave risks, as they handle cases involving organized crime, terrorism, drug syndicates, human trafficking, corruption, and other serious offenses that expose them – and, at times, their families – to threats, intimidation, harassment, and even physical harm.

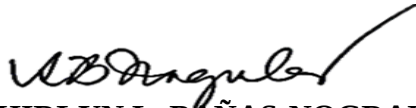
Many prosecutors are likewise deployed in strife-torn, calamity-stricken, or isolated areas, where security and health risks are heightened. Despite these dangers, public prosecutors are not currently entitled to hazard pay or any form of risk allowance under existing laws, in contrast to other frontline public servants such as law enforcement officers, health workers, and emergency responders.

This measure seeks to address this disparity by institutionalizing hazard pay for public prosecutors who perform hazardous duties or are exposed to dangerous conditions in the line of duty. The proposed hazard pay shall be tax-exempt and non-diminutive of existing benefits, and its implementation shall be funded from the current appropriations of the

Department of Justice, with subsequent allocations to be included in the annual General Appropriations Act.

In ensuring fair compensation and adequate protection for public prosecutors, this measure affirms the State's recognition of their indispensable contribution to upholding the rule of law and the effective administration of justice.

In view of the foregoing, the immediate passage of this Bill is earnestly sought.



SHIRLYN L. BAÑAS-NOGRALES



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

SECTION 1. Short Title. – This Act shall be known as the "*Public Prosecutors Protection and Hazard Compensation Act.*"

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to uphold and protect the welfare of public prosecutors who serve at the forefront of the criminal justice system. Recognizing the critical role they play in enforcing the law, safeguarding public interest, and ensuring accountability, the State affirms its duty to provide them with adequate protection, support, and fair compensation, especially when their work exposes them to conditions of risk, danger, or threat.

SECTION 3. Coverage. – This Act shall apply to all public prosecutors of the National Prosecution Service under the Department of Justice who are actually performing hazardous duties or are exposed to the conditions described in Section 4 of this Act, as certified by the Secretary of Justice or a duly authorized representative. Public prosecutors who authorize, approve, review, reverse, or modify resolutions on inquest proceedings or preliminary investigations involving such hazardous cases shall likewise be entitled to the hazard pay provided under this Act.

SECTION 4. Hazard Pay. – All covered public prosecutors shall be entitled to a monthly hazard pay of Five Thousand Pesos (₱5,000.00), in addition to their regular compensation, while assigned to conduct inquest proceedings, preliminary investigations, or prosecutions involving any of the following hazardous duties:

- a. Cases involving crimes against national security, the law of nations, the fundamental laws of the State, public order, and offenses committed by public officers under Act No. 3815, otherwise known as the *Revised Penal Code*;
- b. Cases involving Republic Act No. 9165 (*Comprehensive Dangerous Drugs Act of 2002*), Republic Act No. 10591 (*Comprehensive Firearms and Ammunition Regulation Act*), Republic Act No. 3019 (*Anti-Graft and Corrupt Practices Act*), Republic Act No. 9160 (*Anti-Money Laundering Act of 2001*), and Republic Act No. 11479 (*Anti-Terrorism Act of 2020*);

- c. Cases involving transnational crimes, including drug and arms trafficking, money laundering, terrorism, human trafficking, piracy, and other offenses that significantly affect national stability and security;
- d. Cases involving environmental crimes, including illegal logging, mining, fishing, waste dumping, and the illegal trade, smuggling, or exploitation of wildlife, marine life, minerals, and other natural resources;
- e. Cases involving *Republic Act No. 10175 (Cybercrime Prevention Act of 2012)* and other laws penalizing offenses committed through information and communications technologies, such as *Republic Act No. 10173 (Data Privacy Act of 2012)*, *Republic Act No. 8484 (Access Devices Regulation Act of 1998)*, and *Republic Act No. 11934 (SIM Registration Act of 2022)*;
- f. Cases involving offenders previously convicted of any of the crimes mentioned in paragraphs (a) to (e) of this Section;
- g. Assignments or exposures to hazardous situations, including deployment in conflict-affected or distressed areas, isolated or disease-prone stations, or areas under a state of calamity or emergency; and
- h. Performance of other analogous hazardous duties or circumstances as may be determined by the Secretary of Justice.

SECTION 5. *Tax Exemption and Non-Diminution of Benefits.* – The hazard pay granted under this Act shall be exempt from income tax and shall be considered among the exclusions from gross income pursuant to 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 reduce, restrict, or in any manner diminish any existing benefits, privileges, or entitlements accorded to duly appointed public prosecutors under prevailing laws, rules and regulations, local ordinances, or other issuances.

SECTION 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.

SECTION 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.

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

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

SECTION 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,