

Senator ROY. Mr. President, I ask that the bill be approved with the amendments contained in the committee report on second reading.

The PRESIDENT. Is there any objection? (*Silence.*) The Chair hears none. Senate Bill No. 181 together with the amendments contained in the committee report is approved on second reading.

APPROVAL ON THIRD READING OF S. B. NO. 181

Senator ROY. Mr. President, the bill is certified and I move that the bill be approved on third reading.

The PRESIDENT. Voting on third reading on Senate Bill No. 181 is now in order. The Secretary will please read the title of the bill only, if there is no objection. (*There was none.*)

The SECRETARY:

"AN ACT RAISING THE QUALIFICATIONS OF CITY JUDGES, ENLARGING THE JURISDICTION OF THE CITY COURT AND FOR OTHER PURPOSES".

The PRESIDENT. The Senate will now proceed to vote on the bill. The Secretary will please call the roll.

The SECRETARY:

Senator	Alejandro D. Almendras	Yes.
"	Gaudencio E. Antonino	Absent.
"	Dominador R. Aytona	Absent.
"	Jose W. Diokno	Yes.
"	Eva Estrada-Kalaw	Yes.
"	Rodolfo T. Ganzon	Yes.
"	Maria Kalaw-Katigbak	Absent.
"	Wenceslao R. Lagumbay	Absent.
"	Juan R. Liwag	Yes.
"	Genaro F. Magsaysay	Yes.
"	Manuel P. Manahan	Absent.
"	Raul S. Manglapus	Yes.
"	Camilo Osias	Absent.
"	Sergio Osmeña, Jr.	Absent.
"	Ambrosio Padilla	Absent.
"	Gil J. Puyat	Absent.

Senator	Francisco Rodrigo	Abstention.
"	Gerardo M. Roxas	Yes.
"	Jose J. Roy	Yes.
"	Jovito R. Salonga	Yes.
"	Lorenzo Sumulong	Yes.
"	Lorenzo M. Tañada	Yes.
"	Tecla S. Ziga	Yes.
The PRESIDENT		Yes.

The PRESIDENT. With fourteen affirmative votes, no negative vote and one abstention, Senate Bill No. 181 is approved on third reading.

CONSIDERATION AND APPROVAL ON SECOND READING OF S. B. NO. 327

Senator ROY. Mr. President, I move that we consider on second reading Senate Bill No. 327.

The PRESIDENT. Consideration on second reading of Senate Bill No. 327 is now in order. The Secretary will please read the bill.

The SECRETARY:

AN ACT PROVIDING FOR RETIREMENT BENEFITS OR MUNICIPAL AND CITY JUDGES, FURTHER AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED NINE HUNDRED AND TEN, AS AMENDED.

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

SECTION 1. Sections one, two, three, four and five of Republic Act Numbered Nine hundred and ten, as amended, are hereby further amended to read as follows:

"SECTION 1. When a Justice of the Supreme Court or of the Court of Appeals, a Judge of the Courts of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, OR A CITY OR MUNICIPAL JUDGE who has rendered at least twenty years' service either in the judiciary or in any other branch of the Government, or in both (a) retires for having attained the age of seventy year, or (b) resigns by reason of his incapacity to discharge the duties of his office, he shall receive during the residue of his natural life, in the manner hereinafter provided, the salary which he was receiving at the time of his retirement or resignation. And when a justice of the Supreme Court or of the Court of Appeals or a judge

of the Courts of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, OR A CITY OR MUNICIPAL JUDGE has attained the age of SIXTY [sixty-five] years and has rendered at least twenty years' service in the Government, THE LAST FIVE [fifteen or more] of which SHALL have been continuously rendered [as such.] IN THE JUDICIARY he shall likewise be entitled to retire and receive during the residue of his natural life, in the manner also hereinafter prescribed, the salary which he was then receiving. It is a condition of the pension provided for herein that no retiring Justice or Judge of a Court of Record OR CITY OR MUNICIPAL JUDGE during the time that he is receiving said pension shall appear as counsel before any court in any civil case wherein the Government or any subdivision or instrumentality thereof is the adverse party, or in any criminal case wherein an officer or employee of the Government is accused of an offense committed in relation to his Office, or collect any fee for his appearance in any administrative proceedings to maintain an interest adverse to the Government, national, provincial or municipal, or to any of its legally constituted officers. It is also a condition of the pension provided for herein that when a member of the judiciary entitled to the benefits of this Act shall [return to] ASSUME AN ELECTIVE public [elective] office, he shall not, upon assumption of office and during his term, receive the monthly pension due him."

"SEC. 2. In case a Justice of the Supreme Court or the Court of Appeals or a Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, CITY OR MUNICIPAL COURT dies while in actual service, his heirs shall receive a lump sum equivalent to five years' salary based upon the salary that said Justice or Judge was receiving at the time of his demise, if by reason of his length of service in the Government he were already entitled to the benefits of this Act. The same benefits provided FOR in this section shall be extended to any incumbent Justice of the Supreme Court or of the Court of Appeals, or a Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, OR CITY OR MUNICIPAL COURT, as the case may be, who, without having attained the length of service required in Section one hereof, shall have to retire upon reaching the age of seventy years, or for other causes, such as illness OR PERMANENT PHYSICAL DISABILITY, to be certified to by the tribunal to which the Justice concerned belongs, or by the Secretary of Justice in the case of an incumbent Judge of the Court of

First Instance, and other similar Courts of Record, OR A CITY OR MUNICIPAL JUDGE, which render him incapacitated to continue in his position."

"SEC. 3. Upon retirement, a Justice of the Supreme Court or the Court of Appeals, or a Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, A CITY OR MUNICIPAL JUDGE shall be automatically entitled to a lump sum payment of five years' salary based upon the [last] HIGHEST annual salary that said Justice or Judge [was receiving at the time of his retirement] HAS RECEIVED and thereafter, upon survival after the expiration of this period of five years, to a further annuity payable monthly during the residue of his natural life, equivalent to the amount of the monthly salary he was receiving on the date of his retirement: PROVIDED, HOWEVER, THAT IF THE REASON FOR THE RETIREMENT BE WITH THE ATTENDANCE OF ANY PERMANENT DISABILITY CONTRACTED DURING HIS INCUMBENCY IN OFFICE AND PRIOR TO THE DATE OF RETIREMENT, HE SHALL RECEIVE ONLY A GRATUITY EQUIVALENT TO TEN YEARS' SALARY WITH NO FURTHER ANNUITY PAYABLE MONTHLY DURING THE REST OF THE RETIREE'S NATURAL LIFE."

"SEC. 4. A retiring Justice, [or] Judge OF A COURT OF RECORD; OR A CITY OR MUNICIPAL JUDGE who is entitled to the benefits of any prior retirement gratuity Act shall have the option to choose between the benefits in such Act and those herein provided for and in such case he shall be entitled only to the benefits so chosen: *Provided, however,* That a Justice, [or] Judge OF A COURT OF RECORD, OR A CITY OR MUNICIPAL JUDGE retired under any prior retirement Act and who is thereafter appointed to the Supreme Court, or to the Court of Appeals, or to the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, or Juvenile and Domestic Relations, as the case may be, shall be entitled to the benefits of this Act on condition that, in case he has not fully refunded to the Government the gratuity previously received by him, there shall be deducted from the amount payable to him under this Act such monthly installments as are required in Section six of Act Numbered Four thousand and fifty-one, as amended, until the gratuity already received by him shall have been refunded in full."

"SEC. 5. The Government Service Insurance System shall take charge of the enforcement and operation

ration of this Act, and no Justice of the Supreme Court or of the Court of Appeals, Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, [or] Juvenile and Domestic Relations, OR CITY OR MUNICIPAL JUDGE shall be entitled to receive any gratuity or pension herein provided for unless from the month following the approval of this Act, in case of an actual incumbent, or from the month following his appointment and qualification as such, in case of future appointment, he shall have contributed to the funds of the System by paying a monthly premium IN ACCORDANCE WITH THE FOLLOWING RATES [of one hundred pesos] which fund shall also be made available for the payment of the benefits of this Act:

OFFICIALS	RATE PER MONTH
MUNICIPAL JUDGES	₱ 40
CITY JUDGES	75
ALL OTHERS	100"

SEC. 2. Such sum as may be necessary to carry out the purposes of this amendatory Act is hereby appropriated out of any funds in the National Treasury not wise appropriated.

SEC. 3. All Act or part of Acts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect upon its approval.

Senator ROY. Mr. President, I ask for approval of the bill on second reading.

The PRESIDENT. Is there any objection to the approval of the bill on second reading? (*Silence.*) There being none, the bill is approved on second reading.

APPROVAL ON THIRD READING
OF SENATE BILL NO. 327

Senator ROY. Mr. President, this bill is certified. I ask that we vote on it on third reading.

The PRESIDENT. Voting on third reading on Senate Bill No. 327 is now in order. The Secretary will please read the title of the

bill only, if there is no objection. (*There was none.*)

The SECRETARY:

"AN ACT PROVIDING FOR RETIREMENT BENEFITS OF MUNICIPAL AND CITY JUDGES, FURTHER AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED NINE HUNDRED AND TEN, AS AMENDED".

The PRESIDENT. The Senate will now proceed to vote on the bill. The Secretary will please call the roll.

The SECRETARY:

Senator Alejandro D. Almendras	.....	Yes
" Gaudencio E. Antonino	.....	Absent
" Dominador R. Aytona	.....	Absent
" Jose W. Diokno	.....	Yes
" Eva Estrada-Kalaw	.....	Yes
" Rodolfo T. Ganzon	.....	Absent
" Maria Kalaw-Katigbak	.....	Absent
" Wenceslao R. Lagumbay	.....	Absent
" Juan R. Liwag	.....	Yes
" Genaro F. Magsaysay	.....	Yes
" Manuel P. Manahan	.....	Absent
" Raul S. Manglapus	.....	Yes
" Camilo Osias	.....	Absent
" Sergio Osmeña, Jr.	.....	Yes
" Ambrosio Padilla	.....	Yes
" Gil J. Puyat	.....	Absent

SENATOR RODRIGO EXPLAINS HIS VOTE

Senator RODRIGO. Mr. President.

The PRESIDENT. The Gentleman from Bulacan.

Senator RODRIGO. May I explain my vote, Mr. President.

The PRESIDENT. The gentleman may proceed.

SENATOR RODRIGO EXPLAINS HIS VOTE

Senator RODRIGO. Mr. President, my vote is an abstention, just like I have voted this

way in most of the bills of general application. The reason, Mr. President, is not because I am against the fundamental or basic objective of this measure; but the reason is that during this last day, last night of our regular session, I have not had time to really study and consider the bill. And it has been our experience, Mr. President, that during the first months of our 100 days of session, a sponsor would sponsor a bill and he would start out by saying "This is a very simple bill." And after we study this "very simple bill," it takes us sometimes two days to scrutinize the bill and to study amendments to the bill.

And so, I would like to state that if my vote is an abstention on this bill, it is not because I am against the objective of the bill. I listened to the title of the bill. It seems all right. But truth to tell, I have not even read this bill. And so, I cannot in conscience vote in favor of this bill; neither can I in conscience vote against the bill. And so, my vote is an abstention.

And, Mr. President, I would like to make it of record that in all other bills of general application on which I vote "Abstain," I base my vote of abstention on the same reasons I have given.

The SECRETARY:

Senator Francisco Rodrigo	Abstain
" Gerardo M. Roxas	Yes
" Jose J. Roy	Yes
" Jovito R. Salonga	Yes
" Lorenzo Sumulong	Yes
" Lorenzo M. Tañada	Yes
" Tecla S. Ziga	Yes
The PRESIDENT	Yes

The PRESIDENT. With fifteen affirmative votes, no negative vote and one abstention, Senate Bill No. 327 is approved on third reading.

CONSIDERATION AND APPROVAL ON SECOND READING OF HOUSE BILL NO. 6107

Senator ROY. Mr. President, I move that we now consider House Bill No. 6107.

The PRESIDENT. Consideration of House Bill No. 6107 is now in order.

The Secretary will please read the bill.

The SECRETARY:

AN ACT CREATING THE MUNICIPALITY OF GLORIA IN THE PROVINCE OF ORIENTAL MINDORO.

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

SECTION 1. The barrios of Maligaya, Kawit, Malusak, Balite, Dalagan, Tinalunan, Calamundingan, Bulbogan, Langang, Banus, Agus, Batingan, Papandungin, Malamig, Tubag, Malayong, Malubay, Mirayan, Guimbonan Aagsalin,, Manguyang, Banutan, Boong-Lupa, Tambong, and Maragooc in the Municipality of Pinalayanan, Province of Oriental Mindoro, are separated from said municipality, and constituted into a distinct and independent municipality, to be known as the Municipality of Gloria, same province. The seat of government of the new municipality shall be in the present site of the barrio of Maligaya.

SEC. 2. The first officials of the Municipality of Gloria shall be elected in the general elections of the year nineteen hundred sixty-seven.

SEC. 3. This Act shall take effect upon its approval.

Senator ROY. Mr. President, I ask for approval of the bill on second reading.

The PRESIDENT. Is there any objection to the approval of the bill on second reading? (Silence.) There being none, the bill is approved on second reading.

APPROVAL ON THIRD READING OF HOUSE BILL NO. 6107

Senator ROY. The bill is certified, Mr. President. I ask that we vote on it on third reading.

The PRESIDENT. Voting on third reading on House Bill No. 6107 is now in order. The Secretary will please read the title of the