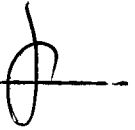


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

23 SEP 12 P 4 :37

SENATE
S. B. No. 2436

RECEIVED BY: _____



INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

AN ACT
STANDARDIZING THE RETIREMENT BENEFITS OF JUSTICES, JUDGES, AND
JUDICIARY OFFICIALS CONFERRED WITH JUDICIAL RANK, SALARY AND
PRIVILEGES, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 910, AS AMENDED

EXPLANATORY NOTE

The 1987 Philippine Constitution mandates the Congress to provide for the standardization of compensation of government officials and employees, including those in government-owned or controlled corporations with original charters, taking into account the nature of the responsibilities pertaining to, and the qualifications required for their positions.

In 1954, Republic Act No. 910 was enacted to provide retirement benefits for the justices of the Supreme Court and the Court of Appeals. Subsequent legislations had expanded the coverage of R.A. No. 910 to include justices or judges of other courts, such as the Sandiganbayan, the Court of Tax Appeals (CTA), the Regional Trial Court (RTC), the Metropolitan Trial Court, the Municipal Trial Court (MTC), the Municipal Circuit Trial Court, the Shari' a District Court, the Shari' a Circuit Court, and any other court.¹

¹ https://lawphil.net/judjuris/juri2017/sep2017/am_17-08-01-sc_2017.html#:~:text=His%20application%20for%20disability%20retirement,monthly%20pension%20based%20on%20R.A.

However, the law was limited by R.A. 8291 or the GSIS Act of 1997 resulting to loss of entitlement of the judiciary officials to all retirement benefits provided by R.A. 910 as amended, including survivorship and death benefits. Notwithstanding the law, in 2010, the Court issued Revised Administrative Circular No. 81-2010 (RAC 81-2010), or the Guidelines on the Implementation of R.A. No. 9946 to continue allowing judiciary officials to retire under R.A. No. 910.

Notwithstanding the measure, the Department of Budget and Management (DBM) is of the position that a resolution is not the law that would merit the release of retirement benefits provided under R.A. No. 910.

In consideration of the aforementioned instances, this measure seeks to standardize the retirement benefits of justices, judges, including judiciary officials with judicial rank, salary and privileges who compulsorily retired at the age of sixty-five (65) in accordance with law at the time of their retirement, and those who availed themselves of optional or disability retirement.

It is incumbent upon us to give due recognition for the invaluable services of all the members of the judiciary being the premier institution that champions justice and upholds the rule of law.

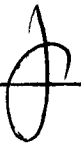
In view of the foregoing, the immediate passage of this bill is earnestly sought.


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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**AN ACT
STANDARDIZING THE RETIREMENT BENEFITS OF JUSTICES, JUDGES, AND
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PRIVILEGES, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 910, AS AMENDED**

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

1 **SECTION 1.** Section 1 of Republic Act No. 910, as amended by Republic Act
2 No. 9946, is further amended to read as follows:
3 "Section 1. When a Justice of the Supreme Court, the Court of Appeals, the
4 Sandiganbayan, or of die Court of Tax Appeals, or a Judge of the regional trial
5 court, metropolitan trial court, municipal trial court, municipal circuit trial court,
6 shari'a district court, shari'a circuit court, or any other court hereafter
7 established, **OR A JUDICIARY OFFICIAL CONFERRED WITH THE SAME**
8 **RANK AS A JUSTICE OR A JUDGE OF SAID COURTS,** who has rendered
9 at least fifteen (15) years of service in the Judiciary or in any other branch of
10 the Government, or in both, (a) retires for having attained the age of seventy
11 years, or (b) resigns by reason of his/her incapacity to discharge the duties of
12 his/her office as certified by the Supreme Court, he/she shall receive during the
13 residue of his/her natural life, in the manner hereinafter provided, the salary
14 ~~{which}~~ plus the highest monthly aggregate of transportation, representation
15 and other allowances such as personal economic relief allowance (PERA) and

1 additional compensation allowance which he/she was receiving at the time of
 2 his/her retirement, or resignation, and non- wage benefit in the form of
 3 education scholarship to one (1) child of all Justices, ~~{and}~~ Judges, **AND**
 4 **JUDICIARY OFFICIALS**, to free tuition fee in a state university or college,
 5 **WITHOUT PREJUDICE TO THE AVAILMENT OF RIGHTS TO FREE**
 6 **TERTIARY EDUCATION UNDER EXISTING LAWS: *Provided*,** That such
 7 grant will cover only one (1) bachelor's degree. When a Justice of the Supreme
 8 Court, the Court of Appeals, the Sandiganbayan or of the Court of Tax Appeals,
 9 or a Judge of the regional trial court, metropolitan trial court, municipal trial
 10 court, municipal circuit trial court, shari'a district court, shari'a circuit court, or
 11 any other court hereafter established, **OR A JUDICIARY OFFICIAL**
 12 **CONFERRED WITH THE SAME RANK AS A JUSTICE OR A JUDGE OF**
 13 **SAID COURTS**, has attained the age of sixty (60) years and has rendered at
 14 least fifteen (15) years of service in the Government, the last three (3) of which
 15 shall have been continuously rendered in the Judiciary, he/she shall likewise be
 16 entitled to retire and receive during the residue of his/her natural life also in
 17 the manner hereinafter provided, the salary plus the highest monthly aggregate
 18 of transportation, representation, and other allowances such as personal
 19 economic relief allowance (PERA) and additional compensation allowance which
 20 he/she was then receiving and the non-wage benefit in the form of education
 21 scholarship to one (1) child of all Justices, ~~{and}~~ Judges, **AND JUDICIARY**
 22 **OFFICIALS**, to free tuition fee in a state university or college, **WITHOUT**
 23 **PREJUDICE TO THE AVAILMENT OF RIGHTS TO FREE TERTIARY**
 24 **EDUCATION UNDER EXISTING LAWS: *Provided*,** however, That any
 25 Justice, ~~[or]~~ Judge, **OR JUDICIARY OFFICIAL** with less than fifteen (15)
 26 years of service in the Government or Judiciary, who shall retire due to reasons
 27 hereinabove provided, shall be entitled to a pro-rata monthly pension computed
 28 as follows:

30 Number of years in the Government		Basic pay plus the highest monthly
31 or Judiciary		aggregate transportation, representation
32 _____	x	and other allowances (PERA and additional

1 **ACCORDANCE WITH LAW AT THE TIME OF THEIR RETIREMENT, AND**
2 **THOSE WHO AVAILED THEMSELVES OF OPTIONAL OR DISABILITY**
3 **RETIREMENT UNDER THIS ACT; *Provided,*** [That the benefits shall be
4 applicable only to members of the Judiciary, *Provided further*] That the benefits
5 to be granted shall be prospective."
6

7 **SEC. 4. *Appropriation.*** - The amount necessary for the initial implementation
8 of this Act shall be charged against the current year's savings of the Judiciary.
9 Thereafter, such sums as may be necessary for the continued implementation of this
10 Act shall be included in the annual General Appropriations Act.
11

12 **SEC. 5. *Separability Clause.*** - If any provision or part of this Act is declared
13 invalid or unconstitutional, the remaining parts or provisions not affected shall remain
14 in full force and effect.
15

16 **SEC. 6. *Repealing Clause.*** - All laws, decrees, executive orders, rules and
17 regulations, parts or provisions thereof that are contrary to or inconsistent with the
18 provisions of this Act are hereby repealed, amended, or modified accordingly.
19

20 **SEC. 7. *Effectivity Clause*** - This Act shall take effect fifteen (15) days after its
21 publication in the Official Gazette or in a newspaper of general circulation.

Approved,