Mr. Speaker:

The Committees on Justice and Appropriations, to which were referred House Bill No. 8547 introduced by Representative Rufus B. Rodriguez, entitled:

"AN ACT PROVIDING FOR A RETIREMENT LAW FOR JUDICIARY OFFICIALS CONFERRED WITH JUDICIAL RANK, SALARY AND PRIVILEGES, AMENDING FURTHER FOR THAT PURPOSE REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO. 9946, PROVIDING 7 FUNDS THEREFOR AND FOR OTHER PURPOSES";

and House Bill No. 8671 introduced by Representative Corazon T. Nuñez-Malanyaon, entitled:

"AN ACT PROVIDING FOR A RETIREMENT LAW FOR JUDICIARY OFFICIALS CONFERRED WITH JUDICIAL RANK, SALARY AND PRIVILEGES, AMENDING FURTHER FOR THAT PURPOSE REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO. 9946, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES"

have considered the same and recommend that the attached House Bill No. 10272 entitled:

"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"


Respectfully submitted,

ERIC GO YAP  
Chairperson  
Committee on Appropriations

VICENTE "CHING" S. E. VELOSO III  
Chairperson  
Committee on Justice

THE HONORABLE SPEAKER  
HOUSE OF REPRESENTATIVES  
QUEZON CITY
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
Third Regular Session  

HOUSE BILL NO. 10272  
(in substitution of House Bills Numbered 8547 and 8671)  


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  

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

SECTION 1. Section 1 of Republic Act No. 910, as amended by Republic Act No. 9946, is further amended to read as follows:  

"Section 1. When a Justice of the Supreme Court, the Court of Appeals, the Sandiganbayan, or of the Court of Tax Appeals, or a Judge of the regional
trial court, metropolitan trial court, municipal trial court, municipal circuit
trial court, shari’a district court, shari’a circuit court, or any other court
hereafter established, OR A JUDICIARY OFFICIAL CONFERRED WITH
THE SAME RANK AS A JUSTICE OR A JUDGE OF SAID COURTS, who
has rendered at least fifteen (15) years service in the Judiciary or in any
other branch of the Government, or in both, (a) retires for having attained
the age of seventy years, or (b) resigns by reason of his/her incapacity to
discharge the duties of his/her office as certified by the Supreme Court,
he/she shall receive during the residue of his/her natural life, in the manner
hereinafter provided, the salary [which] plus the highest monthly aggregate
of transportation, representation and other allowances such as personal
economic relief allowance (PERA) and additional compensation allowance
which he/she was receiving at the time of his/her retirement, or resignation,
and non-wage benefit in the form of education scholarship to one (1) child
of all Justices, [and] Judges, OR JUDICIARY OFFICIALS, to free tuition
fee in a state university or college, WITHOUT PREJUDICE TO THE
AVAILMENT OF RIGHTS TO FREE TERTIARY EDUCATION UNDER
EXISTING LAWS: Provided, That such grant will cover only one (1)
bachelor’s degree. When a Justice of the Sandiganbayan or of the Court of
Tax Appeals, or a Judge of the regional trial court, metropolitan trial court,
municipal trial court, municipal circuit trial court, shari’a district court,
shari’a circuit court, or any other court hereafter established, OR A
JUDICIARY OFFICIAL CONFERRED WITH THE SAME RANK AS A
JUSTICE OR A JUDGE OF SAID COURTS, has attained the age of sixty
(60) years and has rendered at least fifteen (15) years service in the
Government, the last three (3) of which shall have been continuously
rendered in the Judiciary, he/she shall likewise be entitled to retire and
receive during the residue of his/her natural life also in the manner
hereinafter provided, the salary plus the highest monthly aggregate of
transportation, representation and other allowances such as personal
economic relief allowance (PERA) and additional compensation allowance
which he/she was then receiving and the non-wage benefit in the form of
education scholarship to one (1) child of all Justices, [and] Judges, OR
JUDICIARY OFFICIALS, to free tuition fee in a state university or college,
WITHOUT PREJUDICE TO THE AVAILMENT OF RIGHTS TO FREE
TERTIARY EDUCATION UNDER EXISTING LAWS: Provided, however,
That any Justice, [or] Judge, OR JUDICIARY OFFICIAL with less than
fifteen (15) years service in the Government or Judiciary, who shall retire
due to reasons hereinafore provided, shall be entitled to a pro-rata monthly
pension computed as follows:

\[
\text{Number of years in the Government or Judiciary} \times 15 \text{ years} \times \text{Basic pay plus the highest monthly aggregate transportation, representation and other allowances (PERA and additional compensation allowance)}
\]

It is a condition of the pension provided for herein that no retiring Justice,
[or] Judge, OR JUDICIARY OFFICIAL CONFERRED WITH THE SAME
RANK AS A JUSTICE OR A JUDGE of the aforementioned courts or his/her
surviving spouse receiving the benefits of this Act during the time that
he/she is receiving the 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 incumbent or former officer or employee of the government is accused
of an offense committed in relation to his/her office, or collect any fee for
his/her appearance in any administrative proceedings to maintain an
interest 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 or his/her surviving spouse
entitled to the benefits of this Act shall assume an elective public office,
he/she shall not, upon assumption of office and during his/her term, receive
the monthly pension due to him/her.]”

SEC. 2. Section 3-A of the same Act, as amended, is further amended to read as
follows:

“SEC. 3-A. All pension benefits of retired members of the Judiciary AND
JUDICIARY OFFICIALS WITH JUDICIAL RANK, SALARY AND
PRIVILEGES shall be automatically increased whenever there is an
increase in the salary AND ALLOWANCES of the same position from which
[he/she] THEY retired.

SEC. 3. Section 3-B of the same Act, as amended, is further amended to read as
follows:

“SEC. 3-B. The benefits under this Act shall be granted to all those who
have retired prior to the effectivity of this Act, INCLUDING JUDICIARY
OFFICIALS WITH JUDICIAL RANK, SALARY AND PRIVILEGES WHO
COMPULSORILY RETIRED AT THE AGE OF SIXTY-FIVE (65) YEARS
IN ACCORDANCE WITH LAW AT THE TIME OF THEIR RETIREMENT,
AND THOSE WHO AVAILED THEMSELVES OF OPTIONAL OR
DISABILITY RETIREMENT UNDER THIS ACT; Provided, [That the
benefits shall be applicable only to members of the Judiciary, Provided
further] That the benefits to be granted shall be prospective.”

SEC. 4. The amount necessary for the initial implementation of this Act shall be
charged against the current year’s savings of the Judiciary. Thereafter, such sums as
may be necessary for the continued implementation of this Act shall be included in the
annual General Appropriations Act.

SEC. 5. If any provision or part of this Act is declared invalid or unconstitutional,
the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 6. All laws, rules, regulations, orders, circulars and other issuances or parts
thereof which are inconsistent with the provisions of this Act are hereby repealed,
amended or modified accordingly.

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

Approved,
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


Committee Referral: COMMITTEE ON JUSTICE
Committee Chairperson: REP. VICENTE “CHING” S.E. VELOSO III

OBJECTIVE:

● To recognize the substantial equality in the roles of judiciary officials conferred with judicial rank in the Judiciary vis-à-vis the members of the Judiciary.

KEY PROVISIONS:

● Entitles judiciary officials with judicial rank to all retirement benefits being received by their counterpart judges and justices under Republic Act (RA) No. 910, as amended by RA No. 9946.

● Includes in the grant of the benefits judiciary officials who have retired prior to the effectivity of this Act, including judiciary officials conferred with the judicial rank who compulsory retired at age sixty-five (65).
● Deletes the provision disqualifying retirees receiving retirement benefits from receiving such benefits upon assuming elective office.

RELATED LAWS:

● Republic Act No. 910 (An Act to Provide for the Retirement of Justices of the Supreme Court and of the Court of Appeals, For the Enforcement of the Provisions Hereof by the Government Service Insurance System, and to Repeal Commonwealth Act Numbered Five Hundred And Thirty-Six)

● Republic Act No. 9946 (An Act Granting Additional Retirement, Survivorship, and other Benefits to Members of the Judiciary, Amending for the Purpose Republic Act No. 910, as Amended, Providing Funds Therefor and for Other Purposes)