

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7889



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

EXPLANATORY NOTE

Under Republic Act No. 5059 or “An Act Granting Life Pension and Franking Privilege to Former Presidents of the Philippines” which was enacted in 1967, all former presidents are entitled to a tax-free life pension of P40,000.00 annually.¹ Today, this pension given is now P96,000.00 annually or a measly P8,000 per month.² In addition, R.A. No. 2087, which was enacted in 1958, provides that the widow of any former President of the Philippines is entitled to a tax-free life pension of only P24,000.00 annually or P2,000 per month.³

In contrast, former presidents in the United States currently receive an annual pension payment of \$207,800.00 or half of their presidential salary, in addition to transition expenses, allowances for travel, office expenses, communications, and health care coverage.⁴ These were provided so that former Presidents would not have the only option “to write and lecture to gain a livelihood in their final days” if they did not have any other business or source of income.⁵

This bill thus seeks to provide retirement benefits to both former presidents and vice-presidents. It serves to assist these former officials and their families after their service to the country. This is also in consideration of the continued stature of these officials as public figures through informal roles that they continue to serve such as responding to mail and interview requests which also costs money.⁶ This bill, in effect, expands R.A. No. 5059 and repeals R.A. No. 2087.

¹ “Republic Act No. 5059,” *The LawPhil Project*,

https://www.lawphil.net/statutes/repacts/ra1967/ra_5059_1967.html

² “Presidential perks: Will Rodrigo Duterte shun these?” *Inquirer.net*, June 30, 2016,

<http://newsinfo.inquirer.net/793166/presidential-perks-rodrigo-duterte>

³ “Republic Act No. 2087,” *The Corpus Juris*, <http://www.thecorpusjuris.com/legislative/republic-acts/ra-no-2087.php>

⁴ Chris Isidore, “Here’s how much Obama’s pension is worth,” *CNN Philippines*, January 21, 2017,

<http://cnnphilippines.com/world/2017/01/21/barack-obama-pension-worth.html>

⁵ Representative Joseph William Martin, Jr., “Retirement, Clerical Assistants, and Free Mailing Privileges for Former Presidents of the United States,” remarks in the House, *Congressional Record*, vol. 104, part 15 (August 21, 1958), p. 18942.

⁶ Wendy Ginsberg and Daniel Richardson, “Former Presidents: Pensions, Office, Allowances, and Other Federal Benefits,” *Congressional Research Service*, March 16, 2016, <https://fas.org/sfp/crs/misc/RL34631.pdf>

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



ALFRED VARGAS

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AN ACT
GRANTING BENEFITS AND PRIVILEGES TO FORMER
PRESIDENTS VICE PRESIDENTS OF THE PHILIPPINES OR THEIR
SURVIVING SPOUSES, AMENDING FOR THIS PURPOSE REPUBLIC
ACT NO. 5059, REPEALING REPUBLIC ACT NO. 2087, AND FOR
OTHER PURPOSES

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

SECTION 1. Title. – This Act shall be known as the "Former Presidents and Vice Presidents' Benefits Act of 2018.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the state to maintain the dignity of the Office of the President and the Office of the Vice President and to honor former Presidents and Vice Presidents of the Republic by granting them certain benefits and privileges that will allow them to perform the duties and functions often required of a former President or Vice President.

SEC. 3. Eligibility. – All former Presidents and Vice Presidents shall be entitled to the benefits and privileges provided under this Act: Provided, That he/she was not removed from office through impeachment; he/she has not been convicted by final judgment of any crime involving corruption or moral turpitude; and he/she has not accepted any appointive employment and/or has not ran for any elective position in the government after his term of office as President or Vice President.

SEC. 4. Benefits. – Each former President and Vice President eligible under this Act 2 shall be entitled to the following benefits and privileges for the remainder of his/her life:

- (a) Tax-free retirement pension equivalent to the salary of an incumbent President and incumbent Vice President for the former President and Vice President, respectively;
- (b) Adequate personal security and protection detail of at least three (3) personnel to be provided by the Presidential Security Group and to be augmented by the Philippine National Police (PNP), as the need arises. The former President and Vice President shall have the right to choose the head of his/her own security detail;

- (c) All mail matters of the former President and Vice President addressed for delivery within the Philippines shall be received, transmitted and delivered in the mails of the Philippines free of postage if the envelope or wrapper of such mail matter bears on the left hand corner the name of said former President or Vice President; and
- (d) Fifty percent (50%) discount on all public transportation and foreign travel for him and an aide or accompanying person.

SEC. 5. *Benefits extended to the immediate family.* – The immediate family of the former President and Vice President shall be entitled to the following benefits:

- (a) Personal security and protection of at least three (3) personnel to be provided by the Presidential Security Group to be augmented by the Philippine National Police (PNP) or the children until they reach the age of 21, and for the surviving spouse for the remainder of his/her life or until he/she re-marries;
- (b) In case of the former President's death, the surviving spouse shall be entitled to a tax-free retirement pension equivalent to the salary of an incumbent President: Provided, that if such widow/widower of the former President re-marries, he/she shall lose the benefits and privileges provided under this Act;
- (c) In case of the former Vice President's death, the widow/widower shall be entitled to a tax-free retirement pension equivalent to the salary of an incumbent Vice President: Provided, That if such widow/widower of the former Vice President remarries, he/she shall lose the benefits and privileges provided under this Act; and
- (d) All mail matters of such widow/widower, addressed for delivery within the Philippines, shall be received, transmitted and delivered in the mails of the Philippines free of postage if the envelope or wrapper of such mail matter bears on the left upper corner his/her name.

SEC. 6. *Appropriations.* – The amount necessary to implement the provisions of this Act shall be included by the Department of Budget and Management in the annual General Appropriations Act (GAA).

SEC. 7. *Separability Clause.* – If any provision, section or part of this Act shall be declared unconstitutional or invalid, such declaration shall not affect, invalidate or impair any other provisions, sections or parts hereof but shall be merely confined to the provision, section or part thereof that is directly involved in the issue upon which judgment has been rendered.

SEC. 8. *Repealing Clause.* – Republic Act No. 2087 is hereby repealed accordingly. Further, all laws, decrees, orders, letters of instruction, rules and regulations or other issuances and parts thereof inconsistent with the provisions of this Act, including but not limited to Republic Act No. 5059, are likewise amended, modified or repealed accordingly.

SEC. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in two (2) newspaper of general circulation in the country or in the Official Gazette.

Approved,