

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteen Congress
First Regular Session

HOUSE BILL NO. 6348



Introduced by Representative JONATHAN KEITH T. FLORES

EXPLANATORY NOTE

Prosecutors of the National Prosecution Service (NPS) play a very important role in our criminal justice system. The prosecutor is the primary representative of the State in all matters related to the resolution of crimes. Prosecutors decide whether to prosecute charges of crimes, misdemeanors and violations of penal laws and ordinances and when so decided, pursue these in the courts and therein discharge all duties incident to the institution of criminal actions.

NPS prosecutors investigate and prosecute criminal and felons of all kinds: members of drug syndicates, terrorists, rebels, murderers, kidnappers, robbers, rapists, pedophiles, extortionists, and the like. They investigate and prosecute all nature of violations: petty crimes and heinous crimes, ordinary crimes and organized crimes, crimes violating national security, crimes violating personal liberty.

The government provides survivorship benefits to the Officials and employees of the Office of the Ombudsman (RA 110591), the members of the Judiciary (RA 9946) and other government officials. It is high time NPS prosecutors also be granted survivorship benefits. This would be a recognition of the sacrifice they have made and continue to make, risking personal safety and that of their families. When they leave their families, the State should be there to take care of those they leave behind.

The grant of survivorship benefits to NPS prosecutors shall not entail additional costs to the State as the same shall simply be a continuation of the payment of their pension to the surviving spouse and/or qualified dependent children or parents.

Section 8, Article XVI of the 1987 Constitution provides that the State shall, from time to time, review to increase the pensions and other benefits due to retirees of both the government and the private sectors.

Thus, approval of the bill is earnestly sought.

JONATHAN KEITH T. FLORES
Representative, 2nd District of Bukidnon

HOUSE OF REPRESENTATIVES

Introduced by Representative JONATHAN KEITH T. FLORES

House Bill No. 6348

An Act
Granting Survivorship Benefits to the Surviving Legitimate Spouse and
Dependent Children of a Deceased Retired Member of the National
Prosecution Service (NPS), Appropriating Funds Therefor and for Other
Purposes

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

1 Section 1. *Survivorship Benefits* – In case of the death of a retired member of the
2 National Prosecution Service (NPS) or a member thereof who is eligible to retire
3 optionally at the time of death, the surviving legitimate spouse and dependent children
4 of said deceased member shall be entitled to receive all the retirement benefits that the
5 deceased was receiving or entitled to receive. Members of the NPS shall include the
6 prosecutors in the office of the Secretary of Justice, the Regional Prosecution Offices
7 and Offices of the Provincial and City Prosecutors. A "dependent" means a legitimate or
8 illegitimate or legally adopted child who is chiefly dependent on the said deceased
9 member of the NPS if said dependent is not more than twenty-one (21) years of age,
10 unmarried and not gainfully employed or if such dependent, regardless of age, is
11 incapable of self-support because of mental or physical defect. The said surviving
12 legitimate spouse shall continue to receive such retirement benefits during his/her
13 lifetime until he/she remarries: Provided, the surviving spouse and dependent children
14 shall each equally share the retirement benefits. Provided, further, in case the deceased
15 member has no surviving legitimate spouse and dependent children, the parents of said
16 decedent shall receive such retirement benefits.

17 Section 2. *Appropriations* – Funds for the initial implementation of this act shall
18 be taken out from the current appropriations for the retirement of members of the NPS;
19 thereafter, such sum as may be necessary for the continued implementation hereof shall
20 be included in the Annual General Appropriations Act.

21 Section 3. *Retroactivity* – The benefits mentioned in Section 1 hereof shall be
22 granted to aforementioned survivors of members of the National Prosecution Service
23 including those who die one (1) year prior to the effectivity of this Act.

24 Section 4. *Effectivity* – this Act shall take effect fifteen (15) days after its
25 publication in the Official Gazette or in any two (2) newspapers of general circulation.

26 Approved.