



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 6257



Introduced by Representatives Jorge Antonio P. Bustos and Presley C. De Jesus

EXPLANATORY NOTE

This bill seeks to grant additional benefits to prosecutors of the National Prosecution Service, amending for the purpose Republic Act (RA) No. 10071, otherwise known as the "*Prosecution Service Act of 2010*."

RA 10071, enacted on April 8, 2010, created and established a National Prosecution Service composed of the prosecution staff in the Office of the Secretary of Justice and such number of regional prosecution offices, offices of the provincial prosecutor and offices of the city prosecutor. They are primarily responsible for the preliminary investigation and prosecution of all cases involving violations of penal laws under the supervision of the Secretary of Justice.

The existing law provides retirement benefits and special allowances to prosecutors. However, the great risks and perils that prosecutors encounter also need to be properly compensated. It is only reasonable that they are granted hazard pay because of the threat and imminent danger they face due to the nature of their profession.

This proposed measure seeks to grant additional benefits to prosecutors by providing a monthly hazard pay during their incumbency in an amount equivalent to twenty-five percent (25%) of their basic salary. Corollary to this benefit is the issuance of service firearms for their protection against death threats as a consequence of the performance of their duty to prosecute cases involving notorious and dangerous characters of the society. Further, this bill grants

survivorship benefits, primarily to the surviving legitimate spouse and the dependent children. The survivorship pension shall be based on the highest monthly salary plus the highest monthly aggregate of transportation, living and representation allowances which the deceased had been receiving at the time of death.

The additional benefits and privileges are being proposed under this measure in recognition of the important tasks of prosecutors and the sacrifice that they make to ensure that criminal cases are prosecuted, miscarriage of justice is avoided, and that ultimately, justice is served.

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



CONG. JORGE ANTONIO P. BUSTOS



CONG. PRESLEY C. DE JESUS



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1 **AN ACT**
2 **GRANTING ADDITIONAL BENEFITS TO PROSECUTORS OF THE**
3 **NATIONAL PROSECUTION SERVICE, AMENDING FOR THE**
4 **PURPOSE REPUBLIC ACT NO. 10071, OTHERWISE KNOWN AS THE**
5 **"PROSECUTION SERVICE ACT OF 2010"**

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

8 SECTION 1. A new section denominated as Section 20-A is inserted after
9 Section 20 of Republic Act No. 10071, to read as follows:

10 "SEC. 20-A. **HAZARD PAY.** – PROSECUTORS OF THE
11 NATIONAL PROSECUTION SERVICE ARE ENTITLED TO
12 RECEIVE A MONTHLY HAZARD PAY DURING THEIR
13 INCUMBENCY IN AN AMOUNT EQUIVALENT TO
14 TWENTY-FIVE PERCENT (25%) OF THEIR BASIC
15 MONTHLY SALARY."

1 SEC. 2. A new section denominated as Section 21-A is inserted after Section
2 21 of the same Act, to read as follows:

3 "SEC. 21-A. ***SURVIVORSHIP BENEFITS.*** – IN CASE OF
4 DEATH OF A PROSECUTOR OF THE NATIONAL
5 PROSECUTION SERVICE WHILE IN ACTUAL SERVICE,
6 REGARDLESS OF AGE AND LENGTH OF SERVICE, OR
7 AFTER RETIRING FROM THE SERVICE FOR HAVING
8 ATTAINED THE AGE OF SIXTY-FIVE (65) YEARS, THE
9 SURVIVING LEGITIMATE SPOUSE AND DEPENDENT
10 CHILDREN ARE ENTITLED TO A MONTHLY
11 SURVIVORSHIP PENSION BASED ON THE HIGHEST
12 MONTHLY SALARY PLUS THE HIGHEST MONTHLY
13 AGGREGATE OF TRANSPORTATION, LIVING AND
14 REPRESENTATION ALLOWANCES WHICH THE
15 DECEASED HAD BEEN RECEIVING AT THE TIME OF
16 DEATH.

17 FOR PURPOSES OF THIS ACT, THE SURVIVORSHIP
18 PENSION SHALL BE PAID AS FOLLOWS:

19 A) WHEN THE SURVIVING LEGITIMATE SPOUSE IS
20 THE ONLY SURVIVOR, THE SAID SPOUSE SHALL

1 RECEIVE THE SURVIVORSHIP PENSION FOR LIFE OR
2 UNTIL THE SPOUSE REMARRIES;

3 B) WHEN DEPENDENT CHILDREN ARE THE ONLY
4 SURVIVORS, THEY ARE ENTITLED TO RECEIVE THE
5 SURVIVORSHIP PENSION: *PROVIDED*, THAT THE
6 DEPENDENT MUST BE BELOW TWENTY-ONE (21) YEARS
7 OF AGE, UNMARRIED AND NOT GAINFULLY EMPLOYED
8 OR REGARDLESS OF AGE, IS INCAPABLE OF SELF-
9 SUPPORT DUE TO MENTAL OR PHYSICAL DISABILITY;

10 C) WHEN THE SURVIVORS ARE THE LEGITIMATE
11 SPOUSE AND THE DEPENDENT CHILDREN, THE
12 LEGITIMATE SPOUSE IS ENTITLED TO RECEIVE THE
13 SURVIVORSHIP PENSION FOR LIFE OR UNTIL THE
14 SPOUSE REMARRIES, AND THE DEPENDENT CHILDREN
15 ARE ENTITLED TO RECEIVE TEN PERCENT (10%) OF THE
16 SURVIVORSHIP PENSION SUBJECT TO THE CONDITIONS
17 MENTIONED IN THE IMMEDIATELY PRECEDING
18 PARAGRAPH (2) HEREOF.”

19 SEC. 3. A new section denominated as Section 23-A is inserted after Section
20 23 of the same Act, to read as follows:

1 “SEC. 23-A. *ISSUANCE OF SERVICE FIREARMS.* –
2 UPON ISSUANCE OF A VALID LICENSE, ALL INCUMBENT
3 PROSECUTORS OF THE NATIONAL PROSECUTION
4 SERVICE MAY BE ISSUED A SERVICE FIREARM AND
5 MAY BE GRANTED A PERMIT TO CARRY FIREARM
6 OUTSIDE OF RESIDENCE BY THE CHIEF OF THE
7 PHILIPPINE NATIONAL POLICE OR A DULY AUTHORIZED
8 REPRESENTATIVE AS PROVIDED UNDER SECTION 7 OF
9 REPUBLIC ACT NO. 10591, ALSO KNOWN AS THE
10 “COMPREHENSIVE FIREARMS AND AMMUNITION
11 REGULATION ACT.” PROSECUTORS MAY, HOWEVER,
12 OPT NOT TO AVAIL OF THE SERVICE FIREARM BEING
13 ISSUED TO THEM.”

14 SEC. 4. All laws, decrees, ordinances and rules inconsistent with the
15 provisions of this Act are modified or repealed accordingly.

16 SEC. 5. This Act shall take effect fifteen (15) days after its publication in the
17 *Official Gazette* or in a newspaper of general circulation.

18 Approved,