



Eighteenth Congress
First Regular Session

HOUSE BILL NO. 2187



Introduced by
REPRESENTATIVE LOREN B. LEGARDA

AN ACT
GRANTING SURVIVORSHIP BENEFITS TO THE DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS, AND THE OMBUDSMAN, OR THE SURVIVING PARENTS OR NOMINATED PERSON OF SUCH DECEASED RETIREE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10084, ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS AND THE OMBUDSMAN, AND FOR OTHER PURPOSES"

Explanatory Note

This bill seeks to amend Republic Act No. 10084, which provides survivorship benefits to the surviving legitimate spouse of a deceased retired member of the Commission On Audit, Civil Service Commission, Commission On Elections, and the Ombudsman.

This measure will not cause any form of disparity in the compensation framework of Philippine government offices, but will actually serve as a model for all other government agencies to heed the call for fairness and equality to those members of these constitutionally-created offices who are unmarried, providing equal rights to the dependent children, as well as the surviving parents or nominated person of such deceased retiree.

Honoring the hard work and dedication of those who served in these offices, and recognizing the emerging nuances in the set-up of modern-day Filipino families, such bill is needed to ensure that qualified beneficiaries are rightfully provided with benefits and entitlements after the bereavement of the pensioner. Ultimately, this will contribute in our effort to recognize the commitment and sacrifices rendered by these officials in their service of our country and of the Filipino people.

The approval of this bill is earnestly sought.


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

CHAPTER I

CHAPTERS GENERALPROVISIONS

SECTION 1. Republic Act No. 10084 is hereby amended to include a new Section 1-A to read as follows:

"SEC. 1-A. IN CASE THE DECEASED RETIRED CHAIR OR COMMISSIONER OF THE COMMISSION ON AUDIT, THE COMMISSION ON ELECTIONS, THE CIVIL SERVICE COMMISSION, AND THE OMBUDSMAN WAS UNMARRIED, THE SURVIVORSHIP BENEFITS SHALL BE PAID AS FOLLOWS:

- a. WHEN THE DECEASED RETIREE WAS A SOLO PARENT, AS DEFINED UNDER REPUBLIC ACT 8972, OTHERWISE KNOWN AS THE "SOLO PARENTS' WELFARE ACT OF 2000", AND SURVIVED BY THE DEPENDENT CHILDREN OR OTHER

1 CHILDREN UNDER THE CARE OF THE DECEASED RETIREE AS
2 STIPULATED UNDER REPUBLIC ACT 9262, OTHERWISE
3 KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND
4 THEIR CHILDREN ACT OF 2004", INCLUDING CHILDREN WHO
5 HAVE REACHED THE AGE OF MAJORITY BUT ARE UNABLE TO
6 FULLY TAKE CARE OF THEMSELVES FROM ABUSE, NEGLECT,
7 CRUELTY, EXPLOITATION, OR DISCRIMINATION BECAUSE OF
8 A PHYSICAL OR MENTAL DISABILITY OR CONDITION AS
9 DEFINED UNDER REPUBLIC ACT 7610, OTHERWISE KNOWN
10 AS THE "SPECIAL PROTECTION OF CHILDREN AGAINST
11 ABUSE, EXPLOITATION AND DISCRIMINATION ACT", THE
12 DECEASED CHILDREN SHALL BE ENTITLED TO RECEIVE ON A
13 MONTHLY BASIS ALL THE RETIREMENT BENEFITS THAT THE
14 DECEASED RETIREE WAS RECEIVING AT THE TIME OF DEATH
15 UNDER THE PROVISIONS OF APPLICABLE RETIREMENT LAWS
16 THEN IN FORCE. THE MINOR DEPENDENT CHILDREN OR
17 OTHER DEPENDENT CHILDREN UNDER THE RETIREES' CARE
18 PRIOR TO THEIR DEATH SHALL BE DISQUALIFIED FROM
19 RECEIVING THE BENEFITS UPON REACHING THE AGE OF
20 MAJORITY, EXCEPT THOSE WHO ARE UNABLE TO FULLY
21 TAKE CARE OF THEMSELVES OR PROTECT THEMSELVES
22 BECAUSE OF A PHYSICAL OR MENTAL DISABILITY OR
23 CONDITION. ANY SUBSEQUENT DEATH OR
24 DISQUALIFICATION OF ANY OF THE DEPENDENT CHILDREN
25 SHALL NOT RESULT IN THE ACCRUAL OF THE FORFEITED
26 BENEFITS TO THE OTHER BENEFICIARIES.

b. WHEN THE UNMARRIED RETIREE DIED WITHOUT ISSUE, THE SURVIVING PARENTS, IF ANY, OR ANY PERSON NOMINATED BY THE CHAIR, COMMISSIONER, OR THE OMBUDSMAN, PRIOR TO OR ON THE DATE OF RETIREMENT SHALL RECEIVE ON A MONTHLY BASIS ALL RETIREMENT BENEFITS THAT THE DECEASED RETIREE WAS RECEIVING AT THE TIME OF DEATH UNDER THE PROVISIONS OF APPLICABLE RETIREMENT LAWS THEN IN FORCE: PROVIDED, THAT ANY SUBSEQUENT DEATH OR DISQUALIFICATION OF ANY OF THE FOREGOING BENEFICIARIES SHALL NOT RESULT IN THE ACCRUAL OF THE FORFEITED BENEFITS TO THE OTHER BENEFICIARIES."

SEC. 2. Republic Act No. 10084 is hereby amended to include a new Section 1-B to read as follows:

"SEC. 1-B. THE BENEFITS UNDER THIS ACT SHALL BE GRANTED TO A CHAIR OR COMMISSIONER OF THE COMMISSION ON AUDIT, THE CIVIL SERVICE COMMISSION, THE COMMISSION ON ELECTIONS, AND THE OMBUDSMAN WHO HAVE RETIRED PRIOR TO THE EFFECTIVITY OF THIS ACT: *PROVIDED*, THAT THE BENEFITS TO BE GRANTED SHALL BE PROSPECTIVE."

SEC. 3. Funds for the initial implementation of this Act shall be taken out of the current appropriations for the retirement benefits of the Chair and Commissioners of the constitutional commissions as well as the Ombudsman, or savings of said constitutional commissions and the Office of the Ombudsman. Thereafter, the amounts needed for the continued implementation hereof shall be included in the annual General Appropriations Act.

1 **SEC. 4** This Act shall take effect fifteen (15) days after its publication in the Official
2 Gazette or in any newspaper of general circulation.

3 Approved,