

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 350

Introduced by **HONORABLE ROMERO "MIRO" S. QUIMBO**

EXPLANATORY NOTE

The Solicitor General is the Government official authorized to appear before the courts and defend the Government, its departments, agencies and instrumentalities, Congress included. The daunting and sensitive legal duties of the Office of the Solicitor General (OSG) shows that there is an imperative need for the amendment of Republic Act No. 9417 or "An Act to Strengthen the Office of the Solicitor General by Expanding and Streamlining its Bureaucracy, Upgrading Employee Skills and Augmenting Benefits, and Appropriating Funds Therefor and For Other Purposes."

This bill seeks for the further strengthening of the OSG as an institution, as well as providing its lawyers and employees benefits and privileges already being enjoyed by their counterparts in other government offices. This is to ensure that it will be able to perform its mandate of upholding State interest and faithfully carry out its role as the Tribune of the People. The crucial role played by the Solicitor General dictates that the qualifications for appointment, rank, category, prerogatives, salaries, allowances, emoluments, benefits and privileges of the Solicitor General be upgraded to that of an Associate Justice of the Supreme Court. While this move does not change the Solicitor General's present salary grade of 31, it will serve to enhance the prestige and honor carried by the said position.

And, while R.A. No. 9417 already provides that Senior State Solicitors and State Solicitors of the OSG shall have the same rank, salaries, and privileges as that of trial court judges, many benefits provided for by R.A. No. 9946, otherwise known as an Act Granting Additional Retirement, Survivorship, and other Benefits to Members of the Judiciary, like retirement under R.A. No. 910, are reserved for members of the judiciary only. Ironically, the counterparts of Senior OSG lawyers in the National Prosecution Service (NPS) and Public Attorney's Office (PAO) already enjoy many other benefits, which senior OSG lawyers are deprived of. There is a need, therefore, to equalize the benefits and privileges received by these government lawyers by similarly affording them the same prerogatives, salaries, allowances, benefits and privileges given to their counterparts in the Judiciary, NPS and the PAO.

The amendments on survivorship, authority to borrow and increase of the OSG's share in monetary awards or assets given by courts to client departments and assets awarded to the Government in forfeiture proceedings to 20% serve to



further strengthen the OSG by increasing its source of income for the payment of the mandated benefits and expansion under R.A. No. 9417.

In view thereof, the expedient approval of this bill is strongly recommended.



ROMERO "MIRO" S. QUIMBO
Representative
Second District, Marikina City

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HOUSE BILL NO. 350

Introduced by **REP. ROMERO "MIRO" S. QUIMBO**

1 **AN ACT**
2 **TO FURTHER STRENGTHEN THE OFFICE OF THE SOLICITOR GENERAL,**
3 **AMENDING FOR THE PURPOSE OF REPUBLIC ACT NO. 9417 AND**
4 **APPROPRIATING FUNDS THEREFOR**
5

6 *Be it enacted by the Senate and House of Representatives of the Philippines in*
7 *Congress assembled:*
8

9 **SECTION 1.** Section 3 of Republic Act No. 9417 is hereby amended to read as
10 follows:
11

12 **"SEC. 3 Standards.** - The Solicitor General shall have cabinet
13 rank and the same qualifications for appointment, rank, CATEGORY,
14 prerogatives, salaries, [benefits] EMOLUMENTS, [and] privileges, AND
15 RETIREMENT AND ALL OTHER BENEFITS of [a Presiding Justice of the
16 Court of Appeals] AN ASSOCIATE OF JUSTICE OF THE SUPREME
17 COURT; an Assistant Solicitor General, those of an Associate Justice of
18 the Court of Appeals.
19

20 The qualifications for appointment, rank, CATEGORY,
21 prerogatives, salaries, ALLOWANCES, EMOLUMENTS, [benefits]
22 privileges, AND RETIREMENT AND ALL OTHER BENEFITS of Solicitors
23 shall be the same as judges, specified as follows:
24

25	Senior State Solicitor	-	Regional Trial Court Judge
26	State Solicitor II	-	Metropolitan Trial Court in Cities
27			Judge

28
29 The Solicitor General shall determine the qualifications, and
30 responsibilities of the Associate Solicitors."