Eighthenth 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.

LOREN B. LEGARDA
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OMBUDSMAN, OR THE SURVIVING PARENTS OR NOMINATED PERSON OF
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Be it enacted in the Senate and House of Representatives of the Philippines in
Congress assembled:

CHAPER 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
CHILDREN UNDER THE CARE OF THE DECEASED RETIREE AS
STIPULATED UNDER REPUBLIC ACT 9262, OTHERWISE
KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND
THEIR CHILDREN ACT OF 2004", INCLUDING CHILDREN WHO
HAVE REACHED THE AGE OF MAJORITY BUT ARE UNABLE TO
FULLY TAKE CARE OF THEMSELVES FROM ABUSE, NEGLECT,
CRUELTY, EXPLOITATION, OR DISCRIMINATION BECAUSE OF
A PHYSICAL OR MENTAL DISABILITY OR CONDITION AS
DEFINED UNDER REPUBLIC ACT 7610, OTHERWISE KNOWN
AS THE "SPECIAL PROTECTION OF CHILDREN AGAINST
ABUSE, EXPLOITATION AND DISCRIMINATION ACT", THE
DECEASED CHILDREN SHALL BE ENTITLED TO RECEIVE ON A
MONTHLY BASIS ALL THE RETIREMENT BENEFITS THAT THE
DECEASED RETIREE WAS RECEIVING AT THE TIME OF DEATH
UNDER THE PROVISIONS OF APPLICABLE RETIREMENT LAWS
THEN IN FORCE. THE MINOR DEPENDENT CHILDREN OR
OTHER DEPENDENT CHILDREN UNDER THE RETIREES' CARE
PRIOR TO THEIR DEATH SHALL BE DISQUALIFIED FROM
RECEIVING THE BENEFITS UPON REACHING THE AGE OF
MAJORITY, EXCEPT THOSE WHO ARE UNABLE TO FULLY
TAKE CARE OF THEMSELVES OR PROTECT THEMSELVES
BECAUSE OF A PHYSICAL OR MENTAL DISABILITY OR
CONDITION. ANY SUBSEQUENT DEATH OR
DISQUALIFICATION OF ANY OF THE DEPENDENT CHILDREN
SHALL NOT RESULT IN THE ACCRUAL OF THE FORFEITED
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 RETIRRED 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.
SEC. 4 This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,