

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



FOURTEENTH (14TH) CONGRESS
First Regular Session

HOUSE BILL NO. 3071

Introduced by Hon. Ronald V. Singson

EXPLANATORY NOTE

This bill seeks to upgrade the monthly pension of retired judges of inferior courts by providing an automatic increase in their pensions upon the increase in salary or compensations of incumbent judges of the inferior court.

The Constitution mandates the preservation of the judiciary's fiscal autonomy and independence as a co-equal and coordinate branch of government. For this purpose, several laws have been passed ensuring the independence of the members of the judiciary. One such laws deals with their retirement, RA No. 910 as amended. Under Section 3-A of said law, it provides explicitly that any increase in the salary of the incumbent justices of the Supreme Court and of the Court of Appeals shall be made applicable to the pension of its retired justices. While retired justices of the Court benefited from any increase in the salary of the incumbents, the law does not provide the same to the judges of the inferior Courts. The pension of the retired judges is not commensurate to the salary of the incumbent judges.

The flaw of RA No. 910 as amended has kept the judges of the inferior courts from enjoying the full benefits granted under R.A. 9227, entitled "An Act Granting Additional Compensation in the Form of Special Allowances for Justices, Judges and All Other Positions in the Judiciary with the Equivalent Rank of Justices of the Court of Appeals and Judges of the Regional Trial Court, and for Other Purposes". Since the special allowances that are being received by incumbent justices under Section 6 of R. A. No. 9227, are actually part of their increased basic salary, a fortiori, said increased salary of the incumbent justice becomes the basis of the retirement pension of the retired justice at the time of his cessation in office. Unfortunately, R.A. No. 9227 does not likewise provide that retired judges of the lower court are entitled to the aforesaid special allowance.