

H. No. 6654

S. No. 2709

Republic of the Philippines
Congress of the Philippines
Metro Manila
Twelfth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand three.

[REPUBLIC ACT NO. 9279]

AN ACT GRANTING ADDITIONAL COMPENSATION IN THE FORM OF SPECIAL ALLOWANCES FOR THE MEMBERS OF THE NATIONAL PROSECUTION SERVICE AND THE STATE COUNSELS IN THE DEPARTMENT OF JUSTICE, AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to maintain and keep a roster of qualified, committed and efficient government prosecutors, prosecution attorneys, state counsels and undersecretaries who have direct supervision over prosecutors and state counsels in the Department of Justice (DOJ) by providing them with incentives commensurate to their positions and functions.

SEC. 2. *Grant of Special Allowances.* – To carry out the declared policy of this Act, all members of the National Prosecution Service, the Office of the Chief State Counsel, and the undersecretaries who have direct supervision over the prosecutors and state counsels in the DOJ shall be granted special allowances

in amounts to be determined by the Secretary of the Department of Budget and Management (DBM) and the Secretary of Justice.

The grant of special allowances shall be in such amounts and up to the extent only that can be supported by the funding source specified in Section 3 hereof: *Provided*, That the said special allowance shall not exceed one hundred percent (100%) of the basic salary of prosecutors, state counsels and undersecretaries concerned, as provided in Republic Act No. 6758, otherwise known as the Salary Standardization Law, as amended.

SEC. 3. *Funding Source.* – The amount necessary to implement the additional compensation in the form of special allowances granted under this Act shall be sourced from the collections of the National Prosecution Service and the Office of the Chief State Counsel of the Office of the Secretary of Justice from any increase in fees or new fees that they are hereby authorized to assess for various services rendered in accordance with Section 54, Chapter 12, Book IV of Executive Order No. 292, otherwise known as the Administrative Code of 1987, Batas Pambansa Blg. 325, and other laws. These collections shall be deposited as a Special Trust Fund which shall be administered by the Secretary of Justice for the benefit of the members of the National Prosecution Service, the Office of the Chief State Counsel and the undersecretaries concerned, and shall be made available for payment of benefits herein provided.

SEC. 4. *Effects of Subsequent Salary Increases.* – Upon implementation of any subsequent increases in the salary rates provided under Republic Act No. 6758, as amended, all special allowances granted under this Act to the members of the National Prosecution Service, the Office of the Chief State Counsel and the undersecretaries who have direct supervision over the prosecutors and state counsels shall be considered as an implementation of the said salary increases as may be provided by law. The special allowance equivalent to the increase in the basic salary as may be provided by law shall be converted as part of basic salary: *Provided*, That the amounts converted as basic salary shall be funded from the regular appropriations of the Department of Justice. Any excess in the allowances granted under this Act not converted as basic salary shall continue to be granted as such and shall continue to be funded under Section 3 of this Act.

SEC. 5. *Implementing Rules and Regulations.* – The DBM and the DOJ shall issue the necessary rules and regulations for

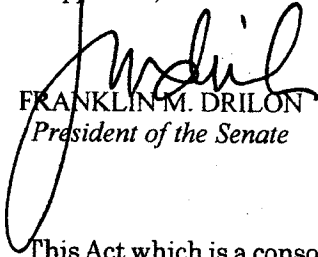
the effective implementation of this Act not later than ninety (90) days from approval hereof.

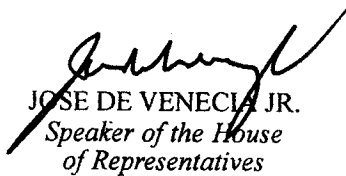
SEC. 6. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

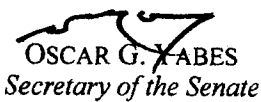
SEC. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

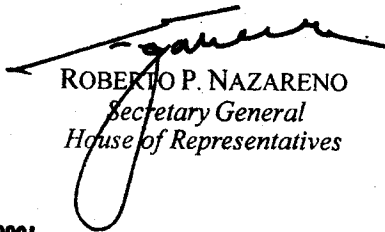
Approved,


FRANKLIN M. DRILON
President of the Senate

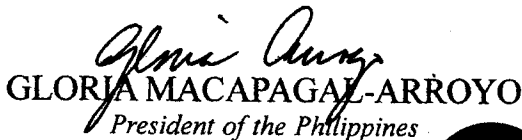

JOSE DE VENEZIA JR.
*Speaker of the House
of Representatives*

This Act which is a consolidation of House Bill No. 6654 and Senate Bill No. 2709 was finally passed by the House of Representatives and the Senate on February 4, 2004.


OSCAR G. YABES
Secretary of the Senate


ROBERTO P. NAZARENO
*Secretary General
House of Representatives*

Approved: **MAR 3 0 2004**


GLORIA MACAPAGAL-ARROYO
President of the Philippines

