

[REPUBLIC ACT NO. 9946, January 13, 2010]

**AN ACT GRANTING ADDITIONAL RETIREMENT, SURVIVORSHIP,
AND OTHER BENEFITS TO MEMBERS OF THE JUDICIARY,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 910, AS
AMENDED, PROVIDING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

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

SECTION 1. Section 1 of Republic Act No. 910, as amended, is hereby further amended to read as follows:

"SECTION 1. When a Justice of the Supreme Court, the Court of Appeals, the Sandiganbayan, or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court, municipal circuit trial court, shari'a district court, shari'a circuit court, or any other court hereafter established who has rendered at least fifteen (15) years service in the Judiciary or in any other branch of the Government, or in both, (a) retires for having attained the age of seventy years, or (b) resigns by reason of his/her incapacity to discharge the duties of his/her office as certified by the Supreme Court, he/she shall receive during the residue of his/her natural life, in the manner hereinafter provided, the salary which plus the highest monthly aggregate of transportation, representation and other allowances such as personal economic relief allowance (PERA) and additional compensation allowance which he/she was receiving at the time of his/her retirement, or resignation, and non-wage benefit in the form of education scholarship to one (1) child of all Justices and Judges to free tuition fee in a state university or college: *Provided*, That such grant will cover only one (1) bachelor's degree. When a Justice of the Sandiganbayan or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court, municipal circuit trial court, shari'a district court, shari'a circuit court, or any other court hereafter established has attained the age of sixty (60) years and has rendered at least fifteen (15) years service in the Government, the last three (3) of which shall have been continuously rendered in the Judiciary, he/she shall likewise be entitled to retire and receive during the residue of his/her natural life also in the manner hereinafter provided, the salary plus the highest monthly aggregate of transportation, representation and other allowances such as personal economic relief allowance (PERA) and additional compensation allowance which he/she was then receiving and the non-wage benefit in the form of education scholarship to one (1) child of all Justices and Judges to free tuition fee in a state university or college: *Provided*,

however, That any Justice or Judge with less than fifteen (15) years service in the Government or Judiciary, who shall retire due to reasons hereinabove provided, shall be entitled to a pro-rata monthly pension computed as follows:

Number of years in the Government or Judiciary	Basic pay plus the highest monthly aggregate transportation, representation and other allowances (PERA and additional compensation allowance)
15 years	

It is a condition of the pension provided for herein that no retiring Justice or Judge of the aforementioned courts or his/her surviving spouse receiving the benefits of this Act during the time that he/she is receiving said pension shall appear as counsel before any court in any civil case wherein the Government or any subdivision or instrumentality thereof is the adverse party, or in any criminal case wherein an incumbent or former officer or employee of the Government is accused of an offense committed in relation to his/her office, or collect any fee for his/her appearance in any administrative proceedings to maintain an interest to the Government, national, provincial or municipal, or to any of its legally constituted officers. It is also a condition of the pension provided for herein that when a member of the Judiciary or his/her surviving spouse entitled to the benefits of this Act shall assume an elective public office, he/she shall not, upon assumption of office and during his/her term, receive the monthly pension due to him/her."

SEC. 2. Section 2 of the same Republic Act, as amended, is hereby further amended to read as follows:

"SEC. 2. In case a Justice of the Supreme Court or Court of Appeals, the Sandiganbayan or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court in cities, municipal trial court, municipal circuit trial court, shari'a district court, shari'a circuit court, or any other court hereafter established, dies while in actual service, regardless of his/her age and length of service as required in Section 1 hereof, his/her heirs shall receive a lump sum of five (5) years' gratuity computed on the basis of the highest monthly salary plus the highest monthly aggregate of transportation, representation and other allowances such as personal economic relief allowance (PERA) and additional compensation allowance received by him/her as such Justice or Judge: *Provided, however,* That where the deceased Justice or Judge has rendered at least fifteen (15) years either