Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6108

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Introduced by **REP. JOSE FRANCISCO "KIKO" B. BENITEZ, Ph.D.**

EXPLANATORY NOTE

The bill seeks to increase the monthly pension and disability benefits of retirees of the Department of Foreign Affairs (DFA) to be at par with the current pay scale enjoyed by those in active service.

Article XVI, Section 8 of the 1987 Philippine Constitution mandates that "the State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and private sectors."

On the other hand, Section 62 of Republic Act No. 7157, otherwise known as the Philippine Foreign Service Act of 1991, in part provides that "the President upon recommendation of the Secretary may, as soon as practicable, submit for enactment by Congress a foreign affairs retirement and disability system, taking into account the difficulties of foreign service personnel in setting aside sufficient savings to take care of their eventual retirement in the Philippines due to old age or some other disability, with the increased burden of establishing a home in the Philippines after completion of their tour of duty abroad."

This is an important step to duly compensate Philippine foreign service personnel whose invaluable services to the country have helped advance Philippine interests, improve relations with other countries, and protect Filipinos globally.

Personnel of the DFA are at the frontlines of Philippine foreign relations, sometimes risking their lives under dangerous conditions in their countries of assignment. They face complex challenges of living in foreign lands with different cultures, particularly as pioneers in opening new Posts. They are primarily responsible for responding and attending immediately to Filipinos in distress especially during critical times, disasters, security threats, and other crisis situations. Their patriotism, integrity, professionalism and genuine concern for the welfare of our *kababayans* here and abroad are sincere expressions of their devotion to the country in achieving the aspirations of the Filipino people.

During their active service, the retired diplomats have demonstrated their resilience as the Philippines' first line of representation in dealing with a plethora of concerns. They have tirelessly sought opportunities to promote Philippine trade, investment, tourism, and culture. They have been the voice of the Filipino people overseas and have spearheaded the one country team approach to matters of national interest. Their initiative, competence, professionalism and creativity have resulted in enduring bilateral and multilateral partnerships, strategic agreements and collaborative engagements that continue to be harnessed for our people's benefits.

These complex responsibilities require DFA personnel to be vigilant and ready to perform their duties at all times. As specialists in the arena of diplomacy and citizen services abroad, foreign service personnel deserve to be honored and cared for in their retirement through an adjustment of monthly pension, and thereby allowing them to afford a decent living in the face of inflation and rising cost of living.

It is the intention of this bill to provide both present and future retirees of the foreign service support that is adequate and responsive to their needs, and to reassure them that their dedication and loyalty to the Filipino people is not forgotten.

In view of the foregoing, immediate approval of this bill is earnestly sought.

JOSE FRANCISCO "KIKO" B. BENITEZ

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Introduced by **REP. JOSE FRANCISCO "KIKO" B. BENITEZ, Ph.D.**

AN ACT
ADJUSTING THE MONTHLY PENSION AND DISABILITY BENEFITS OF RETIREES OF THE DEPARTMENT OF FOREIGN AFFAIRS

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

SECTION 1. Short Title. – The Act shall be known as the "Foreign Affairs Retirement and Disability Benefits Act."

SEC. 2. Covered Retirees and Retirement Benefits. – This Act shall apply to all retired officers and employees of the DFA who:

a. served in the Department for at least 15 years; and
b. are eligible to receive a monthly pension from the Government Service Insurance System (GSIS).

They shall receive, during the residue of their natural life, an additional pension which shall be the difference between their monthly pension and the highest monthly salary of an incumbent officer or employee occupying the same or equivalent rank and subject to further adjustment as provided under this Act.

This Act shall also apply prospectively to DFA officers and employees who retired prior to the effectivity of this Act.

All other officers and employees of the DFA who have also retired after serving in the DFA but who have not met all the above mentioned requirements, shall instead be covered by applicable benefits under the GSIS Act, as amended.

SEC. 3. Adjustment of Monthly Pension. – The monthly pension benefits of all retirees of the DFA, as provided under Republic Act No. 7157, shall, upon the effectivity of this Act, be automatically adjusted to the existing rate, and any subsequent increase thereof, of the salary grade of the rank they held upon their retirement.

SEC. 4. Additional Entitlements. – All officers and employees covered by Section 2 of this Act, shall be eligible for disability and death benefits in the same manner provided under the GSIS Act, as amended, and other relevant laws.

SEC. 5. Exemption of Pension from Income Tax, Attachment, Levy, Garnishment. – Any pension granted to a beneficiary under this Act shall not, wholly or partly, be subject to income tax, attachment, execution, forfeiture, or retention under any legal or equitable proceedings, nor shall any lien of any kind or under any consideration be imposed thereon.

SEC. 6. Survivorship Benefits. – In case of death of a DFA retiree or personnel who has met the requirements provided in Section 2, the following shall be entitled to receive the adjusted retirement benefits that the deceased was receiving or entitled to receive: (a) their surviving spouse, during their lifetime, or until they remarry; and (b) their dependent children. Said benefits shall be distributed or apportioned in accordance with the GSIS Act, as amended.

SEC. 7. Appropriation and Funding Source. – The differential funding requirements for the initial implementation of this Act shall be charged against the current year's savings of the DFA.

Thereafter, the annual differential amount necessary for GSIS to pay the adjusted monthly pension and other benefits to implement the provisions of this Act shall be included in the General Appropriations Act annually, to be sourced from the DFA's annual consular income as a percentage thereof.

SEC. 8. Implementing Rules and Regulations. – Within one hundred eighty (180) days after the effectivity of this Act, DFA shall issue the necessary rules and regulations for the effective implementation of this Act, in coordination with relevant government agencies.

SEC. 9. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected shall continue to be in full force and effect.

SEC. 10. Repealing Clause. – All laws, decrees, executive orders, or rules and regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 11. Effectivity Clause. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette.