

GRANTING EMERGENCY MONTHLY INCENTIVE ALLOWANCE TO LAWYERS IN THE BUREAU OF AGRARIAN LEGAL ASSISTANCE AND IN THE REGIONAL AND FIELD OFFICES OF THE DEPARTMENT OF AGRARIAN AND PROV...

PRESIDENTIAL DECREE NO. 1426, June 10, 1978

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WHEREAS, it is imperative that the agrarian reform program of the government be implemented with maximum efficiency and speed;

WHEREAS, in the implementation of the program there are many legal problems that have arisen requiring the continuous and dedicated service of the lawyers;

WHEREAS, the Bureau of Agrarian Legal Assistant (BALA) of the Department of Agrarian Reform (DAR) is charged with the functions, among others, of giving legal assistance and services to be beneficiaries of the agrarian reform program;

WHEREAS, it has been ascertained that several lawyers had left the BALA and other regional offices of the DAR and still others are intending to leave due to the low salary being provided for lawyers positions and the reason why several lawyer positions remain unfilled while other agencies, including the private sector, continue to attract applicants to their offices because they offer higher salaries and many fringe benefits; and

WHEREAS, if the present situation is allowed to continue the speedy termination of thousands of agrarian cases pending before DAR and the various courts will be adversely affected and this will be remedied by giving the remaining lawyers in the BALA and in the DAR regional and field offices monthly incentive allowances to augment their low salaries and at the same time attract new lawyer applicants.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the constitution, do hereby order and decree:

SECTION 1. All lawyers in the Bureau of Agrarian Legal Assistance and in the regional and field offices of the Department of Agrarian reform holding regular positions shall receive monthly incentive allowance in the manner herein indicated, as follows:

Position Monthly Incentive Allowance

1st Step 2nd Step 2nd Step

Group A P 200 P 100 P 100

Trial Attorney II

Legal Officer III

Research Attorney I

Research Attorney II

Group B 250 150 150

Legal Officer IV

Senior Research Attorney

Group C 300 175 175

Trial Attorney III

Senior Legal Officer

Group D 350 200 200

Chief Legal Officer

Trial Attorney IV

Chief Research Attorney

Group E

Assistant Director 1,000 -

Director 1,500 -

SEC. 2. Regular and support personnel of the BALA who are assigned in the Central Office (Bureau Proper) shall be paid monthly emergency incentive allowance at the rate of fifty percent (50%) of the corresponding monthly rate provided for in Group A hereof. However, in cases of each other DAR lawyers who are performing supportive legal services shall be given fifty percent (50%) of the incentive allowances corresponding to the above groupings where his CCPC salary range or CESO rank belong.

SEC. 3. BALA lawyers whose positions are embraced in the Career Executive Service (CES) shall continue to enjoy whatever allowances they are entitled to receive under the CES simultaneously with the allowances herein provided.

SEC. 4. The Secretary of Agrarian Reform shall, through the recommendation of the BALA Director, promulgate rules and regulations for the implementation of this Decree.

SEC. 5. In order to carry out the provisions of this Decree the sum of THREE MILLION SEVEN HUNDRED TWENTY-ONE AND TWO HUNDRED PESOS (P3,721,200.00) is hereby appropriated from the National Treasury. However, for the current calendar year, the amount necessary for the payment of the first step of the incentive allowance plan hereof shall be taken from the salary savings of the Department of Agrarian Reform. Thereafter, the sum needed to fully implement the herein incentive allowance plan shall be included in the Annual General Appropriations Act.

SEC. 6. All laws, decrees, executive orders, rules and regulations, or part thereof inconsistent with this Decree are hereby repealed, amended or modified accordingly.

SEC. 7. This incentive allowance plan provided herein shall take effect on January 1, 1978.

Done in the City of Manila, this 10th day of June in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

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