

AN ACT TO PROVIDE FOR THE RETIREMENT OF JUSTICES OF THE SUPREME COURT AND OF THE COURT OF APPEALS, FOR THE ENFORCEMENT OF THE PROVISIONS HEREOF BY THE GOVERNMENT SERVICE INSURAN...

REPUBLIC ACT NO. 910, June 20, 1953

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

SECTION 1. When a Justice of the Supreme Court or of the Court of Appeals who has rendered at least twenty years' service either 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 incapacity to discharge the duties of his office, he shall receive during the residue of his natural life, in the manner hereinafter provided, the salary which he was receiving at the time of his retirement or resignation. And when a Justice of the Supreme Court or of the Court of Appeals has attained the age of fifty-seven years and has rendered at least twenty years' service in the Government, ten or more of which have been continuously rendered as such Justice or as judge of a court of record, he shall be likewise entitled to retire and receive during the residue of his natural life, in the manner also hereinafter prescribed, the salary which he was then receiving. It is a condition of the pension provided for herein that no retiring Justice during the time that he 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 officer or employee of the Government is accused of an offense committed in relation to his office, or collect any fee for his appearance in any administrative proceedings to maintain an interest adverse to the Government, insular, provincial or municipal, or to any of its legally constituted officers.

SEC. 2. In case a Justice of the Supreme Court or of the Court of Appeals dies. while in actual service, his heirs shall receive a lump sum amounting to the salary that said Justice was receiving at the time of his demise for five years if by reason of his length of service in the Government he were already entitled to the benefits of this Act; otherwise his heirs shall only receive a lump sum equivalent to his last salary for two years, in addition to a reimbursement of all premiums that he may have paid under this Act. The same benefits provided in this Section shall be extended to any incumbent Justice of the Supreme Court or of the Court of Appeals who, without having attained the length of service required in section one hereof, shall have to retire upon reaching the age of seventy years, or for other causes, such as illness, to be certified to by the tribunal to which the Justice concerned belongs, which render him incapacitated to continue in his position.

SEC. 3. Upon retirement a Justice of the Supreme Court or of the Court of Appeals shall be automatically entitled to a lump sum payment of the monthly salary that said Justice was receiving at the time of his retirement for five years, and thereafter upon survival after the expiration of this period of five years, to a further annuity payable monthly during the residue of his natural life equivalent to the amount of the monthly salary he was receiving on the date of his retirement.

SEC. 4. A retiring Justice who is entitled to the benefits of any prior retirement gratuity Act shall have the option to choose between the benefits in such Act and those herein provided for, and in such case he shall be entitled

only to the benefits so chosen: Provided, however, That a Justice retired under any prior Act and who is thereafter appointed to the Supreme Court or to the Court of Appeals, shall be entitled to the benefits of this Act on condition that, in case he has not fully refunded to the Government the gratuity previously received by him, there shall be deducted from the amount payable to him under this Act such monthly installments as are required in section six of Act Numbered Four thousand and fifty-one, as amended, until the gratuity already received by him shall have been refunded in full.

SEC. 5. The Government Service Insurance System shall take charge of the enforcement and operation of this Act, and no Justice of the Supreme Court or of the Court of Appeals shall be entitled to receive any gratuity or pension herein provided unless from the month following the approval of this Act, in case of an actual Justice of any of said courts, or from the month following his appointment and qualification as such Justice, in case of future appointment, he shall have contributed to the funds of the System by paying a monthly premium of fifty pesos.

SEC. 6. Commonwealth Act Numbered Five hundred and thirty-six and any other provision in conflict with this Act are hereby repealed.

SEC. 7. This Act shall take effect upon its approval.

Approved, June 20, 1953.

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