


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



24 AUG 27 P 7:23

SENATE
S. No. 2803

RECEIVED BY 

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
AMENDING SECTION 271 OF ACT NO. 2711, OTHERWISE KNOWN AS THE
REVISED ADMINISTRATIVE CODE, AS AMENDED

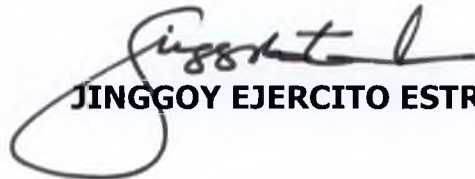
EXPLANATORY NOTE

Under the existing laws, judges from the first level courts (Metropolitan Trial Court, Municipal Trial Court, Municipal Circuit Trial Court and Shari'a Circuit Court) and the second level courts (Regional Trial Courts, Shari'a District Courts and Family Courts) have dissimilar number of days of leave credits earned in a year. Judges of the second level courts earn sixty (60) days leave credits as provided by Section 271 of the Revised Administrative Code while judges of the first level courts earn thirty (30) days leave credits as provided by Section 98-A of Republic Act No. 296 as amended by Republic Act No. 3086. These judges, regardless of level and station perform similar judicial functions.

Section 1, Article III (Bill of Rights) provides that, "No person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the laws." Inconsistency in the grant of benefit such as the grant of leave credits among the judges violate their right to equal protection of law."

The Honorable Judges from the first level courts clamor for equality in the leave credits similar to those judges in the second level courts to cure the apparent inconsistent treatment of judges in the grant of leave credits.

The immediate passage of this bill is highly recommended.



JINGGOY EJERCITO ESTRADA



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

1 Section 1. Section 271 of Act No. 2711, otherwise known as the Revised
2 Administrative Code, as amended, is hereby further amended to read as follows:

3 "Sec. 271. *Leave of Absence of Judges* [~~of First Instance~~]
4 **IN ALL LEVELS.**—During the yearly court vacation, the
5 judges [~~of first instance~~] **IN ALL LEVELS** not specially
6 assigned to vacation duty shall be **ASSIGNED** upon
7 vacation leave. In case of those who are assigned to
8 vacation duty, they shall be entitled to vacation leave at any
9 subsequent time for the same number of days that they
10 spend on vacation duty but not exceeding two months per
11 year, one month of said leave being cumulative."

12 Sec. 2. *Separability Clause.* — If any provision or part hereof is held invalid or
13 unconstitutional, the remainder of the law or the provision or part not otherwise
14 affected shall remain valid and subsisting.

15 Sec. 3. *Repealing Clause.* — Section 98-A of Republic Act No. 296, as
16 amended, is hereby amended accordingly. Any law, presidential decree or issuance,
17 executive order, letter of instruction, administrative order, rule, or regulation

1 contrary to or inconsistent with the provisions of this Act are hereby repealed,
2 modified, or amended accordingly.

3 Sec. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in at least two (2) newspapers of general
5 circulation.

Approved,