

**[ REPUBLIC ACT NO. 5095, June 17, 1967 ]**

**AN ACT PROVIDING FOR RETIREMENT BENEFITS OF MUNICIPAL AND CITY JUDGES, FURTHER AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED NINE HUNDRED AND TEN, AS AMENDED.**

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

SECTION 1. Sections one, two, three, four and five of Republic Act Numbered Nine hundred and ten, as amended, are hereby further amended to read as follows:

"SECTION 1. When a justice of the Supreme Court or of the Court of Appeals, a judge of Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, or a city or municipal judge who has rendered at least twenty 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 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, a judge of Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, or a city or municipal judge has attained the age of sixty years and has rendered at least twenty years service in the Government, the last five of which shall have been continuously rendered in the judiciary, he shall likewise be entitled to retire and receive during the residue of his natural life, also in the manner hereinafter provided, the salary which he was then receiving. It is a condition of the pension provided for herein that no retiring justice or judge of a court of record or city or municipal judge 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, 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 entitled to the benefits of this Act shall assume an elective public office, he shall not, upon assumption of office and during his term, receive the monthly pension due him.

"SEC. 2. In case a justice of the Supreme Court or Court of Appeals or a judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, Juvenile and Domestic Relations, city or municipal court dies while in actual service, his heirs shall receive a lump sum equivalent to five years' salary, based upon the salary that said justice or judge was receiving at the time of his demise, if by reason