



Republic of the Philippines
SUPREME COURT
Manila

THIRD DIVISION

BERNARDINA P. BARTOLOME,
Petitioner,

G.R. No. 192531

Present:

- versus -

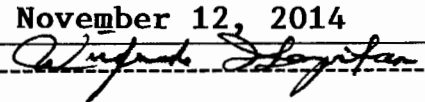
**SOCIAL SECURITY SYSTEM
and SCANMAR MARITIME
SERVICES, INC.,**

VELASCO, JR., *J.*, Chairperson,
VILLARAMA, JR.,
REYES,
PERLAS BERNABE, * and
JARDELEZA, *JJ.*

Respondents.

Promulgated:

November 12, 2014

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DECISION

VELASCO, JR., *J.*:

Nature of the Case

This Appeal, filed under Rule 43 of the Rules of Court, seeks to annul the March 17, 2010 Decision¹ of the Employees' Compensation Commission (ECC) in ECC Case No. SL-18483-0218-10, entitled *Bernardina P. Bartolome v. Social Security System (SSS) [Scanmar Maritime Services, Inc.]*, declaring that petitioner is not a beneficiary of the deceased employee under Presidential Decree No. (PD) 442, otherwise known as the *Labor Code of the Philippines*, as amended by PD 626.²

The Facts

John Colcol (John), born on June 9, 1983, was employed as electrician by Scanmar Maritime Services, Inc., on board the vessel *Maersk Danville*, since February 2008. As such, he was enrolled under the government's Employees' Compensation Program (ECP).³ Unfortunately, on June 2, 2008, an accident occurred on board the vessel whereby steel plates fell on John, which led to his untimely death the following day.⁴

* Acting Member per Special Order No. 1866 dated November 4, 2014.

¹ *Rollo*, pp. 59-64.

² Further amending certain articles of Presidential Decree No. 442 entitled "Labor Code of the Philippines"

³ *Rollo*, p. 59.

⁴ *Id.* at 60.

John was, at the time of his death, childless and unmarried. Thus, petitioner Bernardina P. Bartolome, John's biological mother and, allegedly, sole remaining beneficiary, filed a claim for death benefits under PD 626 with the Social Security System (SSS) at San Fernando City, La Union. However, the SSS La Union office, in a letter dated June 10, 2009⁵ addressed to petitioner, denied the claim, stating:

We regret to inform you that we cannot give due course to your claim because you are no longer considered as the parent of JOHN COLCOL as he was legally adopted by CORNELIO COLCOL based on documents you submitted to us.

The denial was appealed to the Employees' Compensation Commission (ECC), which affirmed the ruling of the SSS La Union Branch through the assailed Decision, the dispositive portion of which reads:

WHEREFORE, the appealed decision is AFFIRMED and the claim is hereby dismissed for lack of merit.

SO ORDERED.⁶

In denying the claim, both the SSS La Union branch and the ECC ruled against petitioner's entitlement to the death benefits sought after under PD 626 on the ground she can no longer be considered John's primary beneficiary. As culled from the records, John and his sister Elizabeth were adopted by their great grandfather, petitioner's grandfather, Cornelio Colcol (Cornelio), by virtue of the Decision⁷ in Spec. Proc. No. 8220-XII of the Regional Trial Court in Laoag City dated February 4, 1985, which decree of adoption attained finality.⁸ Consequently, as argued by the agencies, it is Cornelio who qualifies as John's primary beneficiary, not petitioner.

Neither, the ECC reasoned, would petitioner qualify as John's secondary beneficiary even if it were proven that Cornelio has already passed away. As the ECC ratiocinated:

Under Article 167 (j) of P.D. 626, as amended, provides (sic) that beneficiaries are the "dependent spouse until he remarries and dependent children, who are the primary beneficiaries. **In their absence, the dependent parents** and subject to the restrictions imposed on dependent children, the illegitimate children and legitimate descendants who are the secondary beneficiaries; Provided; that the dependent acknowledged natural child shall be considered as a primary beneficiary when there are no other dependent children who are qualified and eligible for monthly income benefit."

⁵ Id. at 53.

⁶ Id. at 64.

⁷ Id. at 31.

⁸ Id. at 34.

The dependent parent referred to by the above provision relates to the **legitimate parent** of the covered member, as provided for by Rule XV, Section 1 (c) (1) of the Amended Rules on Employees' Compensation. **This Commission believes that the appellant is not considered a legitimate parent of the deceased, having given up the latter for adoption to Mr. Cornelio C. Colcol. Thus, in effect, the adoption divested her of the status as the legitimate parent of the deceased.**

X X X X

In effect, the rights which previously belong [sic] to the biological parent of the adopted child shall now be upon the adopting parent. Hence, in this case, the legal parent referred to by P.D. 626, as amended, as the beneficiary, who has the right to file the claim, is the adoptive father of the deceased and not herein appellant.⁹ (Emphasis supplied)

Aggrieved, petitioner filed a Motion for Reconsideration, which was likewise denied by the ECC.¹⁰ Hence, the instant petition.

The Issues

Petitioner raises the following issues in the petition:

ASSIGNMENT OF ERRORS

- I. The Honorable ECC's Decision is contrary to evidence on record.
- II. The Honorable ECC committed grave abuse in denying the just, due and lawful claims of the petitioner as a lawful beneficiary of her deceased biological son.
- III. The Honorable ECC committed grave abuse of discretion in not giving due course / denying petitioner's otherwise meritorious motion for reconsideration.¹¹

In resolving the case, the pivotal issue is this: Are the biological parents of the covered, but legally adopted, employee considered secondary beneficiaries and, thus, entitled, in appropriate cases, to receive the benefits under the ECP?

The Court's Ruling

The petition is meritorious.

The ECC's factual findings are not consistent with the evidence on record

⁹ Id. at 62-64.

¹⁰ Id. at 73.

¹¹ Id. at 15-16.

To recall, one of the primary reasons why the ECC denied petitioner's claim for death benefits is that even though she is John's biological mother, it was allegedly not proven that his adoptive parent, Cornelio, was no longer alive. As intimated by the ECC:

Moreover, there had been no allegation in the records as to whether the legally adoptive parent, Mr. Colcol, is dead, which would immediately qualify the appellant [petitioner] for Social Security benefits. Hence, absent such proof of death of the adoptive father, this Commission will presume him to be alive and well, and as such, is the one entitled to claim the benefit being the primary beneficiary of the deceased. Thus, assuming that appellant is indeed a qualified beneficiary under the Social Security law, in view of her status as other beneficiary, she cannot claim the benefit legally provided by law to the primary beneficiary, in this case the adoptive father since he is still alive.

We disagree with the factual finding of the ECC on this point.

Generally, findings of fact by administrative agencies are generally accorded great respect, if not finality, by the courts by reason of the special knowledge and expertise of said administrative agencies over matters falling under their jurisdiction.¹² However, in the extant case, the ECC had overlooked a crucial piece of evidence offered by the petitioner – Cornelio's death certificate.¹³

Based on Cornelio's death certificate, it appears that John's adoptive father died on October 26, 1987,¹⁴ or only less than three (3) years since the decree of adoption on February 4, 1985, which attained finality.¹⁵ As such, it was error for the ECC to have ruled that it was not duly proven that the adoptive parent, Cornelio, has already passed away.

***The rule limiting death
benefits claims to the
legitimate parents is contrary
to law***

This brings us to the question of whether or not petitioner is entitled to the death benefits claim in view of John's work-related demise. The pertinent provision, in this regard, is Article 167 (j) of the Labor Code, as amended, which reads:

ART. 167. Definition of terms. - As used in this Title unless the context indicates otherwise:

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¹² *Hipolito, Jr. vs. Cinco*, G.R. No. 174143, November 28, 2011, 661 SCRA 211, 326-327.

¹³ *Rollo*, p. 74.

¹⁴ *Id.* at 37.

¹⁵ *Id.* at 34.

(j) 'Beneficiaries' means the dependent spouse until he remarries and dependent children, who are the primary beneficiaries. In their absence, **the dependent parents** and subject to the restrictions imposed on dependent children, the illegitimate children and legitimate descendants who are the **secondary beneficiaries**; Provided, that the dependent acknowledged natural child shall be considered as a primary beneficiary when there are no other dependent children who are qualified and eligible for monthly income benefit. (Emphasis supplied)

Concurrently, pursuant to the succeeding Article 177(c) supervising the ECC "[T]o approve rules and regulations governing the processing of claims and the settlement of disputes arising therefrom as prescribed by the System," the ECC has issued the Amended Rules on Employees' Compensation, interpreting the above-cited provision as follows:

RULE XV – BENEFICIARIES

SECTION 1. Definition. (a) Beneficiaries shall be either primary or secondary, and determined at the time of employee's death.

(b) The following beneficiaries shall be considered primary:

(1) The legitimate spouse living with the employee at the time of the employee's death until he remarries; and

(2) Legitimate, legitimated, legally adopted or acknowledged natural children, who are unmarried not gainfully employed, not over 21 years of age, or over 21 years of age provided that he is incapacitated and incapable of self - support due to physical or mental defect which is congenital or acquired during minority; Provided, further, that a dependent acknowledged natural child shall be considered as a primary beneficiary only when there are no other dependent children who are qualified and eligible for monthly income benefit; provided finally, that if there are two or more acknowledged natural children, they shall be counted from the youngest and without substitution, but not exceeding five.

(c) The following beneficiaries shall be considered secondary:

(1) The **legitimate parents** wholly dependent upon the employee for regular support;

(2) The legitimate descendants and illegitimate children who are unmarried, not gainfully employed, and not over 21 years of age, or over 21 years of age provided that he is incapacitated and incapable of self - support due to physical or mental defect which is congenital or acquired during minority. (Emphasis supplied)

Guilty of reiteration, the ECC denied petitioner's claim on the ground that she is no longer the deceased's legitimate parent, as required by the implementing rules. As held by the ECC, the adoption decree severed the relation between John and petitioner, effectively divesting her of the status of a legitimate parent, and, consequently, that of being a secondary beneficiary.

We disagree.

a. **Rule XV, Sec. 1(c)(1) of the Amended Rules on Employees' Compensation deviates from the clear language of Art. 167 (j) of the Labor Code, as amended**

Examining the Amended Rules on Employees' Compensation in light of the Labor Code, as amended, it is at once apparent that the ECC indulged in an unauthorized administrative legislation. In net effect, the ECC read into Art. 167 of the Code an interpretation not contemplated by the provision. Pertinent in elucidating on this point is Article 7 of the Civil Code of the Philippines, which reads:

Article 7. Laws are repealed only by subsequent ones, and their violation or non-observance shall not be excused by disuse, or custom or practice to the contrary.

When the courts declared a law to be inconsistent with the Constitution, the former shall be void and the latter shall govern.

Administrative or executive acts, orders and regulations shall be valid only when they are not contrary to the laws or the Constitution. (Emphasis supplied)

As applied, this Court held in *Commissioner of Internal Revenue v. Fortune Tobacco Corporation*¹⁶ that:

As we have previously declared, rule-making power must be confined to details for regulating the mode or proceedings in order to carry into effect the law as it has been enacted, and it cannot be extended to amend or expand the statutory requirements or to embrace matters not covered by the statute. **Administrative regulations must always be in harmony with the provisions of the law because any resulting discrepancy between the two will always be resolved in favor of the basic law.** (Emphasis supplied)

Guided by this doctrine, We find that Rule XV of the Amended Rules on Employees' Compensation is patently a wayward restriction of and a

¹⁶ G.R. Nos. 167274-75, July 21, 2008, 559 SCRA 160, 179.

substantial deviation from Article 167 (j) of the Labor Code when it interpreted the phrase “dependent parents” to refer to “legitimate parents.”

It bears stressing that a similar issue in statutory construction was resolved by this Court in *Diaz v. Intermediate Appellate Court*¹⁷ in this wise:

It is Our shared view that the word "relatives" should be construed in its general acceptation. Amicus curiae Prof. Ruben Balane has this to say:

The term relatives, although used many times in the Code, is not defined by it. In accordance therefore with the canons of statutory interpretation, it should be understood to have a general and inclusive scope, inasmuch as the term is a general one. *Generalia verba sunt generaliter intelligenda*. That the law does not make a distinction prevents us from making one: *Ubi lex non distinguit, nec nos distinguere debemus*. xxx

According to Prof. Balane, to interpret the term relatives in Article 992 in a more restrictive sense than it is used and intended is not warranted by any rule of interpretation. Besides, he further states that when the law intends to use the term in a more restrictive sense, it qualifies the term with the word collateral, as in Articles 1003 and 1009 of the New Civil Code.

Thus, the word "relatives" is a general term and when used in a statute it embraces not only collateral relatives but also all the kindred of the person spoken of, unless the context indicates that it was used in a more restrictive or limited sense — which as already discussed earlier, is not so in the case at bar. (Emphasis supplied)

In the same vein, the term “parents” in the phrase “dependent parents” in the afore-quoted Article 167 (j) of the Labor Code is used and ought to be taken in its general sense and cannot be unduly limited to “legitimate parents” as what the ECC did. The phrase “dependent parents” should, therefore, include all parents, whether legitimate or illegitimate and whether by nature or by adoption. When the law does not distinguish, one should not distinguish. Plainly, “dependent parents” are parents, whether legitimate or illegitimate, biological or by adoption, who are in need of support or assistance.

Moreover, the same Article 167 (j), as couched, clearly shows that Congress did not intend to limit the phrase “dependent parents” to solely legitimate parents. At the risk of being repetitive, Article 167 provides that “in their absence, the dependent parents and subject to the restrictions imposed on dependent children, the illegitimate children and legitimate descendants who are secondary beneficiaries.” Had the lawmakers contemplated “dependent parents” to mean legitimate parents, then it would have simply said descendants and not “legitimate descendants.” The manner

¹⁷ G.R. No. L-66574, February 21, 1990, 182 SCRA 427, 435.

by which the provision in question was crafted undeniably show that the phrase “dependent parents” was intended to cover all parents – legitimate, illegitimate or parents by nature or adoption.

b. Rule XV, Section 1(c)(1) of the Amended Rules on Employees’ Compensation is in contravention of the equal protection clause

To insist that the ECC validly interpreted the Labor Code provision is an affront to the Constitutional guarantee of equal protection under the laws for **the rule, as worded, prevents the parents of an illegitimate child from claiming benefits under Art. 167 (j) of the Labor Code, as amended by PD 626.** To Our mind, such postulation cannot be countenanced.

As jurisprudence elucidates, equal protection simply requires that all persons or things similarly situated should be treated alike, both as to rights conferred and responsibilities imposed. It requires public bodies and institutions to treat similarly situated individuals in a similar manner.¹⁸ In other words, the concept of equal justice under the law requires the state to govern impartially, and it may not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective.¹⁹

The concept of equal protection, however, does not require the universal application of the laws to all persons or things without distinction. What it simply requires is equality among equals as determined according to a valid classification. Indeed, the equal protection clause permits classification. Such classification, however, to be valid must pass the test of *reasonableness*. The test has four requisites: (1) The classification rests on substantial distinctions; (2) It is germane to the purpose of the law; (3) It is not limited to existing conditions only; and (4) It applies equally to all members of the same class. “Superficial differences do not make for a valid classification.”²⁰

In the instant case, there is no compelling reasonable basis to discriminate against illegitimate parents. Simply put, the above-cited rule promulgated by the ECC that limits the claim of benefits to the legitimate parents miserably failed the test of reasonableness since the classification is not germane to the law being implemented. We see no pressing government concern or interest that requires protection so as to warrant balancing the rights of unmarried parents on one hand and the rationale behind the law on

¹⁸ *Biraogo v. The Philippine Truth Commission of 2010*, G.R. Nos. 192935 and 193036, December 7, 2010, 637 SCRA 78, 167.

¹⁹ *Id.*

²⁰ *Id.* at 168.

the other. On the contrary, the SSS can better fulfill its mandate, and the policy of PD 626 – that employees and their dependents may promptly secure adequate benefits in the event of work-connected disability or death - will be better served if Article 167 (j) of the Labor Code is not so narrowly interpreted.

There being no justification for limiting secondary parent beneficiaries to the legitimate ones, there can be no other course of action to take other than to strike down as unconstitutional the phrase “illegitimate” as appearing in Rule XV, Section 1(c)(1) of the Amended Rules on Employees’ Compensation.

Petitioner qualifies as John’s dependent parent

In attempting to cure the glaring constitutional violation of the adverted rule, the ECC extended illegitimate parents an opportunity to file claims for and receive death benefits by equating dependency and legitimacy to the exercise of parental authority. Thus, as insinuated by the ECC in its assailed Decision, had petitioner not given up John for adoption, she could have still claimed death benefits under the law.

To begin with, nowhere in the law nor in the rules does it say that “legitimate parents” pertain to those who exercise parental authority over the employee enrolled under the ECP. It was only in the assailed Decision wherein such qualification was made. In addition, assuming *arguendo* that the ECC did not overstep its boundaries in limiting the adverted Labor Code provision to the deceased’s legitimate parents, and that the commission properly equated legitimacy to parental authority, petitioner can still qualify as John’s secondary beneficiary.

True, when Cornelio, in 1985, adopted John, then about two (2) years old, petitioner’s parental authority over John was severed. However, lest it be overlooked, one key detail the ECC missed, aside from Cornelio’s death, was that **when the adoptive parent died less than three (3) years after the adoption decree, John was still a minor, at about four (4) years of age.**

John’s minority at the time of his adopter’s death is a significant factor in the case at bar. Under such circumstance, parental authority should be deemed to have reverted in favor of the biological parents. Otherwise, taking into account Our consistent ruling that adoption is a personal relationship and that there are no collateral relatives by virtue of adoption,²¹ who was then left to care for the minor adopted child if the adopter passed away?

²¹ *Johnston vs. Republic*, No. L-18284, April 30, 1963, 7 SCRA 1040, 1042.

To be sure, reversion of parental authority and legal custody in favor of the biological parents is not a novel concept. Section 20 of Republic Act No. 8552²² (RA 8552), otherwise known as the Domestic Adoption Act, provides:

Section 20. *Effects of Rescission.* – If the petition [for rescission of adoption] is granted, **the parental authority of the adoptee's biological parent(s), if known, or the legal custody of the Department shall be restored if the adoptee is still a minor** or incapacitated. The reciprocal rights and obligations of the adopter(s) and the adoptee to each other shall be extinguished. (emphasis added)

The provision adverted to is applicable herein by analogy insofar as the restoration of custody is concerned. The manner herein of terminating the adopter's parental authority, unlike the grounds for rescission,²³ justifies the retention of vested rights and obligations between the adopter and the adoptee, while the consequent restoration of parental authority in favor of the biological parents, simultaneously, ensures that the adoptee, who is still a minor, is not left to fend for himself at such a tender age.

To emphasize, We can only apply the rule by analogy, especially since RA 8552 was enacted after Cornelio's death. Truth be told, there is a lacuna in the law as to which provision shall govern contingencies in all fours with the factual milieu of the instant petition. Nevertheless, We are guided by the catena of cases and the state policies behind RA 8552²⁴ wherein the paramount consideration is the best interest of the child, which We invoke to justify this disposition. It is, after all, for the best interest of the child that someone will remain charged for his welfare and upbringing should his or her adopter fail or is rendered incapacitated to perform his duties as a parent at a time the adoptee is still in his formative years, and, to

²² An act establishing the rules and policies on the domestic adoption of Filipino children and for other purposes

²³ Sec. 19, RA 8552

²⁴ **Section 2. *Declaration of Policies.*** – (a) It is hereby declared the policy of the State to ensure that every child remains under the care and custody of his/her parent(s) and be provided with love, care, understanding and security towards the full and harmonious development of his/her personality. Only when such efforts prove insufficient and no appropriate placement or adoption within the child's extended family is available shall adoption by an unrelated person be considered.

(b) In all matters relating to the care, custody and adoption of a child, his/her interest shall be the paramount consideration in accordance with the tenets set forth in the United Nations (UN) Convention on the Rights of the Child; UN Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children with Special Reference to Foster Placement and Adoption, Nationally and Internationally; and the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption. Toward this end, the State shall provide alternative protection and assistance through foster care or adoption for every child who is neglected, orphaned, or abandoned.

(c) It shall also be a State policy to:

xxx

(ii) Prevent the child from unnecessary separation from his/her biological parent(s);

Our mind, in the absence or, as in this case, death of the adopter, no one else could reasonably be expected to perform the role of a parent other than the adoptee's biological one.

Moreover, this ruling finds support on the fact that even though parental authority is severed by virtue of adoption, the ties between the adoptee and the biological parents are not entirely eliminated. To demonstrate, the biological parents, in some instances, are able to inherit from the adopted, as can be gleaned from Art. 190 of the Family Code:

Art. 190. Legal or intestate succession to the estate of the adopted shall be governed by the following rules:

xxx

(2) When the parents, legitimate or illegitimate, or the legitimate ascendants of the adopted concur with the adopter, they shall divide the entire estate, one-half to be inherited by the parents or ascendants and the other half, by the adopters;

xxx

(6) When only collateral blood relatives of the adopted survive, then the ordinary rules of legal or intestate succession shall apply.

Similarly, at the time of Cornelio Colcol's death, which was prior to the effectivity of the Family Code, the governing provision is Art. 984 of the New Civil Code, which provides:

Art. 984. In case of the death of an adopted child, leaving no children or descendants, his parents and relatives by consanguinity and not by adoption, shall be his legal heirs.

From the foregoing, it is apparent that the biological parents retain their rights of succession to the estate of their child who was the subject of adoption. While the benefits arising from the death of an SSS covered employee do not form part of the estate of the adopted child, the pertinent provision on legal or intestate succession at least reveals the policy on the rights of the biological parents and those by adoption vis-à-vis the right to receive benefits from the adopted.

In the same way that certain rights still attach by virtue of the blood relation, so too should certain obligations, which, We rule, include the exercise of parental authority, in the event of the untimely passing of their minor offspring's adoptive parent. We cannot leave undetermined the fate of a minor child whose second chance at a better life under the care of the adoptive parents was snatched from him by death's cruel grasp. Otherwise, the adopted child's quality of life might have been better off not being adopted at all if he would only find himself orphaned in the end. Thus, We

hold that Cornelio's death at the time of John's minority resulted in the restoration of petitioner's parental authority over the adopted child.

On top of this restoration of parental authority, the fact of petitioner's dependence on John can be established from the documentary evidence submitted to the ECC. As it appears in the records, petitioner, prior to John's adoption, was a housekeeper. Her late husband died in 1984, leaving her to care for their seven (7) children. But since she was unable to "give a bright future to her growing children" as a housekeeper, she consented to Cornelio's adoption of John and Elizabeth in 1985.

Following Cornelio's death in 1987, so records reveal, both petitioner and John repeatedly reported "Brgy. Capurictan, Solsona, Ilocos Norte" as their residence. In fact, this very address was used in John's Death Certificate²⁵ executed in Brazil, and in the Report of Personal Injury or Loss of Life accomplished by the master of the vessel boarded by John.²⁶ Likewise, this is John's known address as per the ECC's assailed Decision.²⁷ Similarly, this same address was used by petitioner in filing her claim before the SSS La Union branch and, thereafter, in her appeal with the ECC. Hence, it can be assumed that aside from having been restored parental authority over John, petitioner indeed actually excised the same, and that they lived together under one roof.

Moreover, John, in his SSS application,²⁸ named petitioner as one of his beneficiaries for his benefits under RA 8282, otherwise known as the "Social Security Law." While RA 8282 does not cover compensation for work-related deaths or injury and expressly allows the designation of beneficiaries who are not related by blood to the member unlike in PD 626, John's deliberate act of indicating petitioner as his beneficiary at least evinces that he, in a way, considered petitioner as his dependent. Consequently, the confluence of circumstances – from Cornelio's death during John's minority, the restoration of petitioner's parental authority, the documents showing singularity of address, and John's clear intention to designate petitioner as a beneficiary - effectively made petitioner, to Our mind, entitled to death benefit claims as a secondary beneficiary under PD 626 as a dependent parent.

All told, the Decision of the ECC dated March 17, 2010 is bereft of legal basis. Cornelio's adoption of John, without more, does not deprive petitioner of the right to receive the benefits stemming from John's death as a dependent parent given Cornelio's untimely demise during John's minority. Since the parent by adoption already died, then the death benefits

²⁵ *Rollo*, p. 41.

²⁶ *Id* at 44.

²⁷ *Id* at 59.

²⁸ *Id* at 40.

under the Employees' Compensation Program shall accrue solely to herein petitioner, John's sole remaining beneficiary.

WHEREFORE, the petition is hereby **GRANTED**. The March 17, 2010 Decision of the Employees' Compensation Commission, in ECC Case No. SL-18483-0218-10, is **REVERSED** and **SET ASIDE**. The ECC is hereby directed to release the benefits due to a secondary beneficiary of the deceased covered employee John Colcol to petitioner Bernardina P. Bartolome.

No costs.

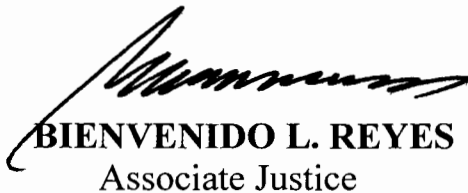
SO ORDERED.

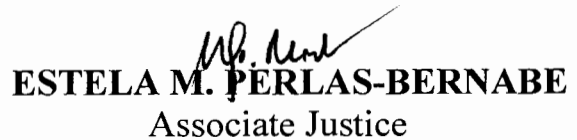



PRESBITERO J. VELASCO, JR.
Associate Justice

WE CONCUR:


MARTIN S. VILLARAMA, JR.
Associate Justice

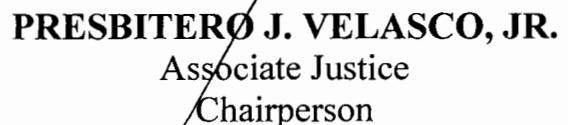

BIENVENIDO L. REYES
Associate Justice


ESTELA M. PERLAS-BERNABE
Associate Justice


FRANCIS H. JARDELEZA
Associate Justice

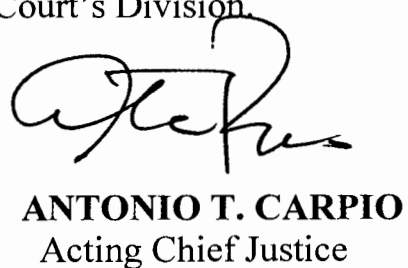
ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ANTONIO T. CARPIO
Acting Chief Justice