FOURTEENTH CONGRESS OF THE) REPUBLIC OF THE PHILIPPINES) Second Regular Session)

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SENATE

9 MAY 13 P3:52

COMMITTEE REPORT NO. 407 COMMITTEE REPORT NO.

Prepared and submitted jointly by the Committees on National Defense and Security, and Finance on MAY 1.3 2009.

Re: Senate Bill No. 3240

Recommending its approval in substitution of House Bill No. 4214.

Sponsors: Senators Biazon and Angara

MR. PRESIDENT:

The Committees on National Defense and Security, and Finance, to which was referred **House Bill No. 4214**, introduced by Representatives Roman, Diaz, Cua (J.), Padilla, Gonzales (N.), De Guzman, Agbayani, Velarde and Romulo, entitled:

"AN ACT CREATING THE MILITARY SERVICE BOARD AND PROVIDING FUNDS THEREFOR"

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached Senate Bill No. <u>3240</u>, prepared by the Committees, entitled:

"AN ACT CREATING THE MILITARY SERVICE BOARD AND PROVIDING FUNDS THEREFOR"

be approved in substitution of House Bill No. 4214, with Senators Biazon, Angara, and the members of the Committees as authors thereof.

Respectfully submitted:

Committee Chairmen:

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Finance Member, National Defense and Security

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RODOLFO COBIAZON National Defense and Security Member, Finance



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May avenus: AQUILINO Q. PIMENTEL, JR. Minority Leader,

HON. JUAN PONCE ENRILE Senate President Senate of the Philippines Pasay City

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Prepared by the Committees on National Defense and Security, and	Finance,	with	Senators	Biazon	and
Angara, and the members of the Committees as authors					

AN ACT

CREATING THE MILITARY SERVICE BOARD AND PROVIDING FUNDS THEREFOR

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

1 SECTION 1. Creation of the Board. - A Military Service Board, hereinafter referred to as the Board, to be supervised by the Philippine Veterans Affairs Office (PVAO) and 2 3 under the general supervision of the Secretary of the Department of National Defense, is 4 hereby created to review and reevaluate pending claim-applications previously filed in the 5 former Military Service Boards by any person who claims to have performed military service 6 in the Philippines during the period beginning December 8, 1941 and ending July 3, 1946. 7 and to determine the validity of the claims for the purpose of confirming the military service 8 rendered and qualifying the applicants for military veterans status.

9 **SEC. 2.** *Composition.* – The Board shall be composed of a retired military officer, 10 preferably a World War II veteran, as Chairperson, two (2) representatives from the PVAO 11 and two (2) veterans of World War II from the recognized veterans organizations. The 12 Chairperson and four (4) members shall be selected and appointed by the Secretary of 13 National Defense from a list of nominees submitted by the PVAO.

- SEC. 3. Period of Existence. The Board shall cease to exist three (3) years after
 the effectivity of this Act.
- SEC. 4. Limitation. The Board shall consider only those applications already filed
 and pending with the Military Service Boards which were created pursuant to Republic Act
 No. 8440 and Executive Order No. 198, series of 2003.
- SEC. 5. Unauthorized Fees. No person, natural or juridical, shall charge a claimant
 any fee in connection with any claim for confirmation of service. Any person found to have

directly or indirectly solicited, contracted for, charged or received or attempted to solicit,
charge or receive any fee or compensation shall be fined not less than Twenty thousand
pesos (P20, 000.00) nor more than Fifty thousand pesos (P50,000.00) and imprisoned for
not less than six (6) years and one (1) day nor more than twelve (12) years.

SEC. 6. *Finality of Decisions.* – The Board shall have the exclusive authority to pass
 judgment on a claim for confirmation of military service. The decision of the Board shall be
 final.

8 **SEC. 7.** *Prospective Entitlement.* – Honors, awards and decorations resulting from 9 this Act shall accrue to any person. However, all monetary compensation and benefits shall 10 be applied prospectively.

11 **SEC. 8.** *Resultant Benefits.* – Any entitlement of a person to receive veterans 12 benefits as a result of this Act shall be administered by the PVAO in accordance with 13 existing laws and regulations.

14 **SEC. 9.** *Report to the President and Congress.* – Within thirty (30) days after the 15 expiration of its operations, the Board shall submit to the President and to Congress an 16 accomplishment report detailing the number of claims acted upon and accounting for its 17 funds.

SEC. 10. Implementing Rules and Regulations. – The Secretary of National Defense shall, within thirty (30) days from the effectivity of this Act, issue the necessary rules and regulations for the implementation of this Act.

SEC. 11. Appropriations. – The amount of Four million pesos (P4,000,000.00) chargeable against the savings of the Department of National Defense under the current General Appropriations Act is hereby appropriated for the first year of implementation of this Act. Thereafter, the funds needed for the continued operation of the Board, pursuant to Section 3 hereof, shall be included in the annual General Appropriations Act.

SEC. 12. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
 parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

28 **SEC. 13.** *Effectivity.* - This Act shall take effect fifteen (15) days following its 29 publication in at least two (2) national newspapers of general circulation.

30 Approved,

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