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SENATE

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Senate Bill No. 1491

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Introduced by Senator FRANCIS G. ESCUDERO

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AN ACT  
INSTITUTIONALIZING A COMPREHENSIVE BENEFIT PROGRAM  
TO ACTIVE MEMBERS OF THE ARMED FORCES OF THE  
PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE KILLED  
OR WOUNDED IN LEGITIMATE ACTIONS OR OPERATIONS AND  
CREATING A TRUST FUND THEREFOR

EXPLANATORY NOTE

This bill finds its roots in Presidential Decree No. 577<sup>1</sup>, Republic Act No. 6963<sup>2</sup> and the most recent Comprehensive Social Benefit Program (CSBP) of the government.

Given the sad state of our military and police in terms of compensation and benefits vis-à-vis their sworn duty to protect and secure the State, and preserve and maintain peace and order, it is but imperative that we make comprehensive and institutional all reasonable assistance that may be accorded them by the State.

The officers, men and women of the Armed Forces of Philippines and the Philippine National Police deserve nothing less than a reasonable and tangible recognition of their dedication and commitment to the country, especially their families who, when they are killed or wounded in action or operation, are somewhat left hollow both emotionally, spiritually and financially.

Essentially, this bill earmarks 20 billion pesos in trust fund to finance and make available 5 types of assistance, after consolidating and even expanding what the laws already provide, viz: a) special financial assistance; b) shelter assistance; c) health and medical care assistance; d) full scholarship assistance; and e) cost of living assistance. This fund shall be implemented and managed by a Board called the Comprehensive Benefit Program Fund Board composed of the Office of the President, the Department of National Defense, the Department of the Interior and Local Government, the Department of Budget and Management, the Department of Finance, the Department of

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<sup>1</sup> EXEMPTING DEPENDENTS OF MILITARY PERSONNEL WHO DIE OR BECOME INCAPACITATED IN LINE OF DUTY FROM THE PAYMENT OF TUITION AND MATRICULATION FEES IN PUBLIC OR PRIVATE SCHOOLS, UNIVERSITIES, COLLEGES, AND OTHER EDUCATIONAL INSTITUTIONS. November 11, 1974

<sup>2</sup> AN ACT GRANTING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS TO THE FAMILY OR BENEFICIARY OF ANY POLICE OR MILITARY PERSONNEL OR FIREMAN KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION AND FOR OTHER PURPOSES. September 4, 1990

Social Welfare and Development, the Commission on Higher Education, the Armed Forces of the Philippines and the Philippine National Police.

The gallantry, bravery and heroism in making the ultimate sacrifice for flag, freedom and democracy can never be understated and to honor the same may be put into naught if not translated into reality of according them what they truly deserve.

Hence, this bill is filed for Congress' immediate consideration and approval.

RESPECTFULLY SUBMITTED.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

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

1           **Section 1. Short Title.** – This Act shall be known as the AFP and PNP  
2 Comprehensive Benefit Program Act.

3           **Section 2. Declaration of Policy.** – It hereby declared a policy of the State to  
4 accord its military and police the rightful and reasonable benefit in the performance of  
5 their sworn duty in defending and securing the State, and maintaining peace and order  
6 in the country. Their heroism and gallantry in the service can never be understated as  
7 they sacrifice both life and limb for the country and the people.

8           Towards this end, it is imperative upon the State to provide an institutionalized  
9 comprehensive benefit program that shall answer the necessities and basic needs of  
10 soldiers, policemen, policewomen, and their families and dependents, especially after  
11 being killed or wounded in legitimate actions or operations sanctioned by the  
12 government and the State.

13           **Section 3. Coverage and Scope.** – This Act shall cover all active officers and  
14 members of the Armed Forces of the Philippines (AFP) and the Philippine National  
15 Police (PNP) who are killed or wounded in a legitimate action or operation.  
16 Notwithstanding any provisions of law to the contrary, it shall provide for five (5) types  
17 of assistance, namely: a) full scholarship assistance b) special financial assistance; c)  
18 shelter assistance; d) health and medical care assistance; and e) cost of living assistance.

19           **Section 4. Institutionalization of the Comprehensive Social Benefits Program**  
20 **(CSBP).** – The CSBP jointly established and developed by the Department of National  
21 Defense (DND) and the Department of the Interior and Local Government (DILG) in  
22 cooperation with the Office of the President is hereby institutionalized. In which case,  
23 the policies set by the CSBP are hereby adopted insofar as they are not inconsistent with  
24 the provisions of this Act and subject to the following standards:

1 a) The benefits to be granted shall include the five (5) types of assistance  
2 enumerated in Section 3 of this Act;

3 b) The amounts and the applicability for each type of assistance shall be  
4 determined on the basis of the severity of the physical or bodily damage and injury  
5 sustained by an active officer or member of the AFP and the PNP in a legitimate action  
6 or operation;

7 c) The assistance shall be uniform and equal in each type and application,  
8 and shall ensure that the most reasonable and rightful amount for each type of  
9 assistance is given depending on the capacity of the fund pursuant to Sections 5 and 6  
10 of this Act.

11 d) The full scholarship assistance shall be made priority and given the  
12 highest amount in all the types of assistance in Section 3 of this Act. It shall consist of all  
13 expenses for education, whether in public or private school, such as but not limited to  
14 tuition fees, miscellaneous and other fees, board and lodging, transportation expenses,  
15 book allowance and similar or analogous expenses. Moreover, under this type of  
16 assistance, the children of a soldier, policeman or policewoman who is killed in a  
17 legitimate action or operation shall be given priority in any applicable law providing  
18 free tertiary education; and

19 e) Any changes or adjustments in the amounts for each type of assistance  
20 shall be reflective of all pertinent social and economic indicators such as, but not limited  
21 to, the inflation rate and consumer price index as determined by the Philippine Statistics  
22 Authority (PSA) and other agencies concerned.

23 **Section 5. Trust Fund.** - To carry out the provisions of this Act, there is hereby  
24 constituted an irrevocable trust fund in the amount of Twenty Billion Pesos  
25 (Php20,000,000,000.00), to be known as the Comprehensive Benefit Program Trust Fund  
26 or the Fund. Its purpose is to ensure the immediate and certain access and availability  
27 of the types of assistance provided for in this Act.

28 **Section 6. Utilization of the Trust Fund.** - The Fund shall be perpetually  
29 maintained and shall be used exclusively for the benefit of those mentioned in Section 3  
30 of this Act.

31 However, for purposes of the initial and immediate implementation of this Act,  
32 an amount equivalent to the applicable types of assistance that may be provided  
33 pursuant to the provisions of this Act to soldiers, policemen and policewomen who  
34 have been killed in legitimate actions or operations prior to the effectivity of this Act  
35 may be sourced from the Fund and accordingly disbursed by the Board, created in  
36 Section 7 of this Act, within two (2) years commencing from the date of the effectivity of  
37 this Act.

38 All fund releases approved by the Board shall be released directly to the agencies  
39 concerned.

40 **Section 7. Fund Management and Supervision.** - To manage and supervise the  
41 Fund, there is hereby created the Comprehensive Benefit Program Fund Board or the  
42 Board, which shall formulate policies, implementing rules and regulations, guidelines  
43 and other related functions to oversee, manage and supervise the operations of the  
44 Fund. The Board may likewise in its discretion choose any or all of the types of

1 assistance that may be granted and adjust their corresponding amounts pursuant to  
2 Sections 3 and 4 of this Act.

3 The Board shall consist of nine (9) members: 1) the President of the Republic or  
4 his/her designated representative, who shall serve as Chairperson of the Board; 2) the  
5 DND Secretary or his/her designated representative; 3) the DILG Secretary or his/her  
6 designated representative; 4) the Department of Budget and Management (DBM)  
7 Secretary or his/her designated representative; 5) the Department of Social Welfare and  
8 Development (DSWD) Secretary or his/her designated representative; 6) the  
9 Department of Finance Secretary or his/her designated representative; 7) the  
10 Commission on Higher Education (CHED) Chairperson or his/her designated  
11 representative; 8) the AFP Chief of Staff or his/her designated representative; and 9) the  
12 PNP Chief or his/her designated representative.

13 **Section 8. *Implementing Rules and Regulations.*** - To effectively carry out the  
14 provisions of this Act, the Board shall promulgate the necessary implementing rules  
15 and regulations within ninety (90) days from the effectivity of this Act.

16 **Section 9. *Retroactivity Clause.*** This Act shall take effect retroactively in so far  
17 as it shall redound to the benefit of soldiers, policemen and policewomen who have  
18 been killed or wounded in legitimate actions or operations.

19 **Section 10. *Repealing and Amendatory Clause.*** -All laws, decrees, orders,  
20 regulations and policies inconsistent with the provisions of this Act are hereby repealed  
21 and/or amended accordingly.

22 **Section 11. *Separability Clause.*** - If any provision or part of this Act is held  
23 invalid or unconstitutional, the other provisions not affected hereby shall remain valid  
24 and subsisting.

25 **Section 12. *Effectivity.*** - This Act shall take effect fifteen (15) days after its  
26 publication in two (2) newspapers of general circulation or in the *Official Gazette*,  
27 whichever comes first.

28 *Approved,*