

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



'22 JUL 27 P4 :46

SENATE
S. B. No. 910

RECEIVED BY. _____

Introduced by Senator SONNY ANGARA

AN ACT

EXPANDING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS GRANTED TO BENEFICIARIES OF UNIFORMED PERSONNEL OF THE PHILIPPINE NATIONAL POLICE, ARMED FORCES OF THE PHILIPPINES, BUREAU OF FIRE PROTECTION, BUREAU OF JAIL MANAGEMENT AND PENOLOGY, PHILIPPINE COAST GUARD, NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF CORRECTIONS, AND PHILIPPINE DRUG ENFORCEMENT AGENCY KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6963, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Since 1990, Republic Act No. 6963 has long entitled the families of soldiers, police and firemen to special financial assistance if ever their loved one is killed or permanently incapacitated while on the line of duty. Such financial assistance only befits the selfless service to the nation offered by these uniformed personnel.

Soldiers, police and firemen, however, are not the only government frontliners who risk life and limb to safeguard the safety and peace of all Filipinos. To this list, we must include those from the Bureau of Jail Management and Penology, the Philippine Coast Guard, National Bureau of Investigation, Bureau of Corrections, and the Philippine Drug Enforcement Agency. Their families deserve the same special financial assistance should they meet their untimely demise while doing their job, considering they are often their family's breadwinners.

It is for the reasons stated above that we are filing the foregoing measure, repealing Republic Act No. 6963 and proposing in its stead a legislation that expands

its original scope. This measure also creates a Dependents Welfare Office in each of the agencies covered to administer the financial assistance hereon mandated.

Present circumstances, including ongoing maritime disputes and the campaign against criminality and drugs, only make the passage of this measure all the more imperative. Hence, we call on our colleagues to act on this promptly.



SONNY ANGARA





Senate

Office of the Secretary

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

1 SECTION 1. *Short Title.* – This act shall be known as the "*Uniformed*
2 *Personnel Special Financial Assistance Act.*"

3 SEC. 2. *Scope.* – The family or beneficiary of any Uniformed Personnel of the
4 Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of
5 Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Philippine
6 Coast Guard (PCG), National Bureau of Investigation (NBI), Bureau of Corrections
7 (BUCOR) and Philippine Drug Enforcement Agency (PDEA) assisting in a duly
8 authorized operation, who is killed or becomes permanently incapacitated while in
9 the performance of his duty or by reason of his office or position, provided he has
10 not committed any crime or human rights violations by final judgment on such
11 occasion, shall be entitled to the special financial assistance provided for in this Act
12 in addition to whatever compensation, donation, insurance, gift, pension, grant, or

1 any form of benefit which said deceased or permanently incapacitated person or his
2 family may receive or be entitled to.

3 For purposes of this act, Uniformed Personnel shall be construed as personnel
4 of the PNP, AFP, BFP, BJMP, PCG, NBI, BUCOR, and PDEA who are directly,
5 regardless of which capacity, assigned to or involved in operations with real and
6 immediate threat to life or in routine duty with unexpected or imminent danger.

7 SEC. 3. *Beneficiaries.* – The term “family” as used in this Act shall refer to the
8 surviving legal spouse and his legitimate children or parents, or brothers and sisters,
9 or aunts and uncles, in that respective order: *Provided:* That, if the uniformed
10 personnel is a Muslim, the pertinent provisions of the Code of Muslim Personal Laws
11 (*Shari’a*) shall apply.

12 SEC. 4. *Special Financial Assistance.* – The special financial assistance referred
13 to in Section Two hereof shall be that which is equivalent to the average six (6)
14 months salary, including allowances and bonuses, during the last twelve (12)
15 months preceding the death of the officer which shall not be considered a part of
16 the estate of the deceased and which shall be exempt from attachment,
17 garnishment or execution and from income and other taxes.

18 SEC. 5. *Provision of Special Financial Assistance.* – It shall be the duty of the
19 cashier or concerned service chief from whom the deceased or permanently
20 incapacitated uniformed personnel used to receive his/her salary, within three (3)
21 days from receipt of a written certification from the concerned office or bureau head,
22 station or unit commander of the fact of death and the circumstances thereof, to
23 deliver to the beneficiaries such special financial assistance as stated in Section
24 Three hereof. In case of permanent disability, a certification by the proper medical
25 officer designated by the Chief of the PNP, or the Chief of AFP, or the Chief of the
26 BFP, or the Director of the BJMP, or the Commandant of the PCG, or the Director
27 General of the NBI, Director General of the BUCOR, or the Director General of the
28 PDEA, as the case may be, is necessary for the payment of the aforesaid financial
29 assistance. After said payment, a report with the formal certificate of death or
30 permanent incapacity shall be submitted to the Secretary of National Defense, or the
31 Secretary of Interior and Local Government, or the Secretary of Transportation, or
32 the Secretary of Justice, or the PDEA Director General, as the case may be.

1 SEC. 6. *Filling of Positions.* – In order to assure the payment of the special
2 financial assistance referred to in this Act, without any need of any appropriation act
3 or ordinance, the payment shall come from the expected salary, allowances and
4 bonus of the deceased or permanently incapacitated uniformed personnel for the
5 next six (6) months after his/her death or incapacity: *Provided,* That the position left
6 vacant by the deceased or permanently incapacitated uniformed personnel on
7 account of death or incapacity shall not be filled during that period of six (6)
8 months: *Provided, further,* That if the public welfare and interest so demand, as
9 determined by the municipal or city mayor or provincial governor, in case of a police
10 personnel or fireman, or by the Secretary of National Defense, in case of a military
11 personnel, or by the Secretary of Interior and Local Government, in case of a BJMP
12 personnel, or by the Secretary of Transportation, in case of a PCG personnel, or by
13 the Secretary of Justice, in case of a NBI personnel or of a BUCOR personnel, or by
14 the Director General of PDEA, in case of a PDEA personnel, the position left vacant
15 by the deceased personnel, or permanently incapacitated personnel may be filled
16 without waiting for the expiration of the six (6) months period earlier mentioned, in
17 which case, the funds out of which the special financial assistance already received
18 by the family of the deceased or permanently incapacitated personnel shall be
19 replenished out of the emergency savings of the municipality, city or province, or the
20 department, upon the direction in writing by the municipal or city mayor or governor
21 of the province, or department secretary, to their respective treasurers or
22 cashiers: *Provided, finally,* That, in the event of such emergency, no emergency
23 savings as provided herein exist, the regional chief or the provincial chief, as the
24 case may be, may draw augmentation personnel from any municipality in the
25 province or region to fill up the vacancy until such time that the municipality where
26 the vacancy occurred can fill up such vacancy with regular personnel.

27 SEC. 7. *Hospitalization Expenses.* – If any uniformed personnel is injured or
28 wounded or in any manner suffers any injury in the performance of his official
29 duties, the hospitalization expenses, including necessary medicines and medical
30 equipment, of such uniformed personnel shall be shouldered by the office where
31 he/she belongs, chargeable against the salary savings of such office without the
32 need of any appropriation act or ordinance.

1 SEC. 8. *Priority in Civil Service.* – The surviving spouse of the deceased or
2 permanently incapacitated uniformed personnel shall be given priority in
3 employment in a government or agency or office where his/her qualifications are
4 fitted: *Provided,* That, if the spouse is already employed or not employable or if
5 he/she waives such employment privilege, then an employable dependent shall be
6 granted the said privilege.

7 SEC. 9. *Scholarship Assistance.* – All surviving children of the deceased or
8 permanently incapacitated uniformed personnel shall be extended scholarship up to
9 college in a nonexclusive institution, subject to the policies on the tuition of said
10 institution. The scholarship privilege shall be limited to the payment of tuition and
11 miscellaneous fees payable to the school and shall be remitted by the National Police
12 Commission or the Department of National Defense or the Department of Interior
13 and Local Government or the Department of Justice or the PDEA, as the case may
14 be, upon presentation to it of the approved enrollment or registration form.

15 SEC. 10. *Funding of Scholarship Assistance.* – The amounts necessary to fund
16 the scholarship assistance for the surviving children of the deceased or permanently
17 incapacitated uniformed personnel shall be separately utilized and sourced as
18 follows:

- 19 a) For PNP, license fees collected by the PNP Firearms and Explosives Office;
- 20 b) For AFP, prevailing funds exclusively allocated for scholarship including
21 applicable grants and donations and other service income;
- 22 c) For BFP, subsidy income from the National Government;
- 23 d) For PCG, collection from permits and licenses fees, fines and penalties,
24 service income, and other general income; and,
- 25 e) For NBI, income from government services, particularly NBI Clearance Fees,
26 including miscellaneous income.

27 For PDEA, BUCOR, and BJMP, amounts necessary for the scholarship
28 assistance shall be augmented to their respective budgets under the annual General
29 Appropriations Act.

30 The same agencies may determine or generate additional sources of funds for
31 the continuity of their scholarship assistance.

1 SEC. 11. *Creation of Dependents Welfare Office.* – There shall be a
2 Dependents Welfare Office created in each agency covered by this Act. To prevent
3 redundancy and to expedite the delivery of benefits, the establishment of such office
4 may be done by appointing an existing bureau or division to concurrently perform
5 functions to implement the provisions of this Act.

6 SEC. 12. *Penalties.* – The delay, refusal, or prevention in any manner, without
7 justifiable reason, by any government official or employee, after due process, shall
8 be tantamount to gross neglect of duty and shall be sufficient grounds for the
9 dismissal from civil service, in addition to any criminal and administrative penalties
10 imposable under existing laws.

11 SEC. 13. *Non-diminution of Benefits.* – The Special Financial Assistance and
12 other benefits provided under this Act shall be without prejudice to other similar
13 benefits that may be received by uniformed personnel.

14 SEC. 14. *Implementing Rules and Regulations.* – Within sixty (60) days from
15 the approval of this Act, the PNP, AFP, BFP, BJMP, PCG, NBI, BUCOR, and PDEA
16 shall promulgate the rules and regulations implementing the provisions of this Act.

17 SEC. 15. *Separability Clause.* – If any portion or provision of this Act is
18 subsequently declared invalid or unconstitutional, other provisions hereof which are
19 not affected thereby shall remain in full force and effect.

20 SEC. 16. *Repealing Clause.* – Republic Act No. 6963 is hereby repealed and all
21 other laws, acts, presidential decrees, executive orders, presidential proclamations,
22 issuances, rules and regulations, or parts thereof which are contrary to or
23 inconsistent with any of the provisions of this Act are hereby repealed, amended, or
24 modified accordingly.

25 Sec. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its
26 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,