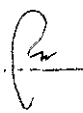




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SENATE

Senate Bill No. 2907

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

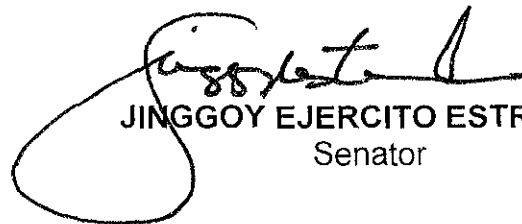
This measure is a consolidated/substituted bill drafted by the Committees on Public Order and Illegal Drugs, National Defense and Security and Education, Arts and Culture during the 14th Congress.

This bill seeks to amend Republic Act No. 6963, otherwise known as "*An Act Granting Special Financial Assistance and Benefits to the Family of Beneficiary of any police or military personnel or firemen killed or permanently incapacitated while in the performance of his duty or by reason of his office or position, and for other purposes*" by expanding and maximizing the scholarship grants extended to the family members of PNP, AFP, BFP and BJMP personnel.

A maximum of four (4) children of the deceased or permanently incapacitated personnel, regardless of the length of service shall receive scholarship assistance until the beneficiary completes his/her college education.

Funding for the scholarship program shall be sourced from the (1) net proceeds of the firearms license fees collected by the PNP-Firearms and Explosives Office; (2) 15% of the Fire Code fees; (3) maximum of 5% of the State Scholarship of the Department of Education; and (4) 10% of the Commission on Higher Education Scholarship Fund. Further, any deficiency in the financial requirements shall be sourced from the annual budget of the Department of Interior and Local Government. An inter-agency Uniformed-Personnel Scholarship Board shall be created to manage and administer the scholarship program, including the formulation of mechanics and requirements for the availment of scholarship grants.


In view of the foregoing, passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA
Senator

SENATE

Senate Bill No. 2907

RECEIVED BY. 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT

EXPANDING AND MAXIMIZING THE SCHOLARSHIP GRANTS EXTENDED TO THE FAMILY MEMBERS OF PERSONNEL OF THE PHILIPPINE NATIONAL POLICE (PNP), ARMED FORCES OF THE PHILIPPINES (AFP), BUREAU OF FIRE PROTECTION (BFP), AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6963, ENTITLED "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"

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

SECTION 1. Section 1 of Republic Act No. 6963 is hereby amended to read as follows:

“Sec. 1. The family or beneficiary of any personnel of the PHILIPPINE NATIONAL POLICE (PNP) ARMED FORCES OF THE PHILIPPINES (AFP), BUREAU OF FIRE PROTECTION (BFP) AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP) [police or military personnel, including any fireman assisting in a police or military action], who is killed or becomes permanently incapacitated while in the line of duty or by reason of his office or position, provided he/she has not committed any crime or human rights violation by final judgment on such occasion, shall be entitled to the special financial assistance provided for in this Act in addition to whatever compensation donation, insurance, gift, pension, grant or any form of benefit which said deceased or permanently incapacitated person or his / her family may receive or be entitled to.”

SEC. 2. Section 2 of Republic Act No. 6983 is hereby amended to read as follows:

- a. “PERSONNEL” – THE UNIFORMED PERSONNEL PNP, AFP, BFP AND BJMP;

- b. "BOARD"-THE INTER-AGENCY SCHOLARSHIP BOARD HEREIN REFERRED TO AS THE UNIFORMED-PERSONNEL SCHOLARSHIP BOARD AS PROVIDED UNDER SECTION 10 OF THIS ACT.
- c. the term "family" or 'BENEFICIARY – [as used in this Act shall refer to] The surviving legal spouse and his/her legitimate children, or parents, or brothers and sisters, or aunts and uncles, in that respective order: PROVIDED, THAT IF THE PERSONNEL IS A SOLO PARENT, THE PERTINENT PROVISION OF RA 8972 OR THE SOLO PARENT ACT SHALL APPLY. Provided, FURTHER, that if the [police or military] personnel [or fireman is ESPOUSING a MUSLIM [Muslim] FAITH, the pertinent provisions of the Code of Muslim Personal Laws (Shari'a) shall apply; and
- d. DEATH OF INJURY IN THE LINE OF DUTY – AS USED IN REFERENCE TO THE DEATH OR INJURY SUFFERED BY THE LINE OF DUTY SHALL BE CONSTRUED TO MEAN THAT THE DEATH OR INJURY WAS CAUSED WHILE IN THE PERFORMANCE OF ANY POLICE, MILITARY, FIRE OR JAIL DUTY AND OPERATION, AS THE CASE MAY BE, OR BY REASON OF THEIR POSITION. PROVIDED, THAT, WHERE THE DEATH OR INJURY WAS DUE TO HIS/HER OWN ACT, THE LATTER MUST BE LAWFUL AND SUCH DEATH OR INJURY MUST NOT BE SELF-INFLICTED OR ABETTED BY HIS/HER GROSS NEGLIGENCE, ALCOHOLISM, DRUG ADDICTION, OR ABUSE OR AUTHORITY. PROVIDED, FURTHER, THAT THE PHRASE 'LINE OF DUTY" SHALL INCLUDE GOING TO AND COMING FROM HIS/HER OFFICE OR ON AS TO WHETHER OR NOT THE DEATH OR INJURY SUSTAINED BY ANY PNP, AFP, BFP, OR BJMP PERSONNEL IS IN THE LINE OF DUTY OR BY REASON OF HIS/HER OFFICE OR POSITION SHALL BE DECIDED IN HIS/HER FAVOR."

SEC. 3. Section 3 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 3. The special financial assistance referred to in Section one hereof shall be that which is equivalent to the average six (6) months salary, including allowances and bonuses, during the last twelve (12) months preceding the death or permanent incapacity of the PERSONNEL [officer] which shall not be considered as part of the estate of the deceased and which shall be exempt from attachment, garnishment or execution and from income and other taxes."

SEC. 4. Section 4 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 4. It shall be the duty of the cashier from whom the deceased PERSONNEL OF THE POLICE, MILITARY, FIRE OR JAIL BUREAU [or permanently incapacitated police or military personnel or fireman] used to receive his/her salary, within three (3)

days from receipt of a written certification from the station or unit commander of the fact of death and the circumstances thereof, to deliver to the beneficiaries such special financial assistance as stated in Section Three hereof. In case of permanent disability, a certification by the proper medical officer designated by the CHIEF OF THE PNP, OR the CHIEF OF STAFF OF THE AFP, OR THE CHIEF OF THE BFP, OR THE CHIEF OF THE BJMP, [the Chief of Staff of the Armed Forces of the Philippines or the Director General of the Integrated National Police] as the case may be, is necessary for the payment of the aforesaid special financial assistance. After said payment, a report with the formal certificate of death or permanent incapacity shall be submitted to the CHIEF OF THE PNP, OR CHIEF OF THE BJMP [Secretary of National Defense or the Director General of the Integrated National Police]."

SEC. 5. Section 5 of Republic Act No, 6963 is hereby amended to read as follows:

"Sec. 5. In order to assure the payment of the special financial assistance referred to in this Act, without any need of any appropriation act or ordinance, the payment shall come from the expected salary, allowances and bonuses of the deceased or permanently incapacitated POLICE, MILITARY, FIRE OR JAIL PERSONNEL [police or military personnel or fireman] for the next six(6) months after his/her death or permanent incapacity: Provided That, the position left vacant by the deceased or permanently incapacitated POLICE, MILITARY, FIRE OR JAIL PERSONNEL [police or military personnel or fireman] on account of his/her death incapacity shall not be filled during that period of six (6) months: Provided, further, That if the public welfare and interest so demand, as determined by the CHIEF OF THE PNP, IN THE CASE OF POLICE PERSONNEL; OR THE CHIEF OF STAFF OF THE AFP, IN CASE OF MILITARY PERSONNEL; OR THE CHIEF OF THE BFP, IN THE CASE OF FIRE PERSONNEL; OR THE CHIEF OF THE BJMP, IN THE CASE OF JAIL PERSONNEL, [municipal or city mayor or provincial governor, in the case of a police personnel or fireman, or the Secretary of National Defense, in the case of military personnel] the position left vacant by the deceased or permanently incapacitated personnel may be filled without waiting for the expiration of the six months period earlier mentioned, in which case, the funds out of which the special financial assistance already received by the family of the deceased or permanently incapacitated personnel shall be replenished out of the emergency savings of the CONCERNED BUREAU, UPON THE DIRECTION IN WRITING BY THEIR CHIEFS OR DIRECTORS [municipality, city or province, or the department, upon the direction in writing by the municipal or city mayor or governor of the province, department secretary.] to their respective treasurers or cashiers. [Provided, finally, That, in the event of such emergency, no emergency savings as provided herein exist, the regional commander or the provincial commander, as the case may be, may draw augmentation personnel from any municipality in the province or region to fill up the vacancy until such time that the municipality where the vacancy occurred can fill up such vacancy with regular personnel.]"

SEC. 6. Section 6 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 6. If any POLICE, MILITARY, FIRE OR JAIL PERSONNEL [police or military personnel or fireman] is injured or wounded while in the performance of higher official duties, the hospitalization expenses of such [police or military] personnel [or fireman] shall be shouldered by the office where he/she belongs, chargeable against the salary savings of such office without the need of any appropriation act or ordinance."

SEC. 7. Section 7 of Republic Act No. 6963 is hereby amended to read follows:

"Sec. 7. [The surviving spouse] ONE OF THE BENEFICIARIES of the deceased or permanently incapacitated POLICE, MILITARY, FIRE OR JAIL PERSONNEL [police, military, fire or jail personnel] shall be given priority in employment in a government agency or office where his/her qualifications are fitted. [Provided that, if the spouse is already employed or not employable or if he/she waives his/her employment privilege, then an employable son or daughter shall be granted the said privilege.]"

SEC 8. Section 8 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 8. A MAXIMUM OF FOUR (4) CHILDREN OF THE DECEASED OR PERMANENTLY INCAPACITATED POLICE, MILITARY, FIRE OR JAIL PERSONNEL, REGARDLESS OF THE LENGTH OF SERVICE, SHALL BE EXTENDED SCHOLARSHIP UP TO COLLEGE IN AN EDUCATIONAL INSTITUTION AS MAY BE DETERMINED BY THE BOARD, SUBJECT TO THE POLICIES ON THE TUITION OF SAID INSTITUTION; PROVIDED THAT, ONLY ONE (1) CHILD OF PERSONNEL IN ACTIVE DUTY WHO SERVED FOR AT LEAST TWO (2) YEARS PRIOR TO THE DATE OF APPLICATION FOR GRANT MAY BE ENTITLED TO THE SCHOLARSHIP; PROVIDED, FURTHER, THAT, IN CASES OF SINGLE AND/OR UNMARRIED PERSONNEL, THE SCHOLARSHIP SHALL BENEFIT ONLY ONE (1) AMONG THE OTHER ENUMERATED BENEFICIARIES AS DEFINED IN THIS ACT. PROVIDED, FURTHERMORE, THAT THE FUNDS SHALL GIVE PRIORITY TO THE SCHOLARSHIP OF ALL QUALIFIED CHILDREN OF THE DECEASED OR PERMANENTLY INCAPACITATED PERSONNEL; PROVIDED, FINALLY, THAT THE SCHOLARSHIP SHALL INCLUDE PAYMENT OR EXPENSES FOR TUITION, MISCELLANEOUS AND OTHER FEES, AS WELL AS COST OF BOOKS AND OTHER MATERIALS. [All surviving children of the deceased or permanently incapacitated police or military personnel or fireman shall be extended scholarship up to college in a none exclusive institution, subject to the policies on tuition of said institution. The scholarship privilege shall be limited to the National Police Commission or the Department of National Defense, as the case may be, upon presentation to it of the approved enrollment or registration form.]"

SEC. 9. Section 9 of Republic Act 6963 is hereby amended to read as follows:

"SEC. 9. TO FINANCE AND SUPPORT THE SCHOLARSHIP GRANTS HEREIN PROVIDED; THE NET PROCEEDS OF THE FIREARMS LICENSE FEES COLLECTED BY THE FIREARMS AND EXPLOSIVES OFFICE OF THE PHILIPPINE NATIONAL POLICE, FIFTEEN PERCENT (15%) OF THE FIRE CODE FEES COLLECTED PURSUANT TO PD 1185, A MAXIMUM OF FIVE PERCENT (5%) OF THE STATE SCHOLARSHIP OF THE DEPARTMENT OF EDUCATION PURSUANT TO RA 6728, AND TEN PERCENT (10%) OF THE COMMISSION ON HIGHER EDUCATION (CHED) SCHOLARSHIP FUND PURSUANT TO RA 7722 TO BE SET ASIDE FOR THE TERTIARY LEVEL SCHOLARSHIP GRANT, SHALL BE REMITTED DIRECTLY TO THE BOARD. PROVIDED, THAT IN ORDER TO SUPPLEMENT THE SCHOLARSHIP GRANTS IN THE TERTIARY LEVEL, THE CHED THROUGH THE STATE UNIVERSITIES AND COLLEGES (SUCs) SHALL, AS FAR AS PRACTICABLE, ALLOT AT LEAST FIVE PERCENT (5%) OF THEIR TOTAL ENROLEES TO THE BENEFICIARIES OF THE PERSONNEL FREE OF CHARGE AND EXEMPTED FROM THE REQUIRED QUALIFICATION EXAMS FOR ADMISSION BY THE SUCs UPON SATISFYING THE SCREENING PROCESS TO BE ADMINISTERED BY THE BOARD. PROVIDED, FURTHER, THAT ANY DEFICIENCY IN THE FINANCIAL REQUIREMENTS OF THE SCHOLARSHIP PROGRAM SHALL BE FUNDED OUT FROM THE ANNUAL GENERAL APPROPRIATIONS ACT BY CONGRESS TO BE INCLUDED IN THE ANNUAL BUDGET OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT. PROVIDED, FINALLY, THAT THE PNP, AFP, BFP AND BJMP MAY, IF NECESSITATED, GENERATE ADDITIONAL SOURCE OF FUNDS TO FURTHER SUPPORT THEIR SCHOLARSHIP PROGRAM. [The amounts necessary to fund the scholarship assistance mentioned above shall be taken from the proceeds of the license fees for firearms collected by the Philippine Constabulary: Provided, that the collection from the said license fees for one year following the approval of this Act shall constitute the initial fund reserve for the purpose of this Act, to be replenished or enhanced by collections in the succeeding years.]"

SEC. 10. Section 10 of Republic Act No. 6963 is hereby amended to read as follows:

"SEC. 10. The SCHOLARSHIP funds collected HEREIN [from the firearms licensing fees] shall be MANAGED AND ADMINISTERED BY AN INTER-AGENCY SCHOLARSHIP BOARD TO BE KNOWN AS THE UNIFORMED-PERSONNEL SCHOLARSHIP BOARD. THE BOARD SHALL BE COMPOSED OF THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT AND SECRETARY OF THE DEPARTMENT OF NATIONAL DEFENSE AS CO-CHAIRMEN AND FOUR (4) MEMBERS TO REPRESENT THE PNP, AFP, BFP AND BJMP. THE BOARD SHALL SERVE AS THE POLICY MAKING BODY TO BE VESTED WITH THE AUTHORITY

TO COME-UP WITH THE MECHANICS AND REQUIREMENTS FOR SCHOLARSHIP PROGRAM IN ATTAINING THE OBJECTIVES OF THIS ACT. THE BOARD SHALL HOWEVER DELEGATE THE RESPONSIBILITY TO IMPLEMENT THE SCREENING, ADMISSION, DISQUALIFICATION AND OTHER SCHOLARSHIP- RELATED AVAILMENT PROCESSES TO THE RESPECTIVE SCHOLARSHIP BODY OF THE PNP, AFP, BFP AND BJMP IN ACCORDANCE WITH THE GUIDELINES TO BE DEvised BY THE BOARD. THE BOARD SHALL HAVE THE AUTHORITY TO ACCEPT DONATIONS, CONTRIBUTIONS, GRANTS IN CASH OR IN KIND, FROM VARIOUS SOURCES, DOMESTIC OR FOREIGN. SAID DONATIONS SHALL BE USED EXCLUSIVELY TO COMPLEMENT THE FUNDING REQUIREMENTS OF THE SCHOLARSHIP PROGRAM SUBJECT TO THE EXISTING GOVERNMENT ACCOUNTING AND AUDITING RULES AND REGULATIONS; *PROVIDED*, THAT ANY DONATION, CONTRIBUTION OR FINANCIAL AID WHICH MAY BE MADE TO THE BOARD SHALL BE EXEMPT FROM TAXES OF ANY KIND AND SHALL CONSTITUTE ALLOWABLE DEDUCTIONS IN FULL FROM THE INCOME OF THE DONORS, CONTRIBUTORS OR GIVERS FOR INCOME TAX PURPOSES. FURTHERMORE, THE BOARD IS AUTHORIZED TO INVEST SO MUCH OF THE FUND FOR THE PURPOSE OF GENERATING ADDITIONAL REVENUE FOR THE BENEFIT OF THE SCHOLARSHIP PROGRAM. [turned over to the National Police Commission which shall administer the same for the purpose of this Act in the case of Integrated National Police members and firemen, and the Department of National Defense in the case of military personnel.]"

SEC. 11. - Insert a new Sec. 12 in RA 6963 to read as follows:

"Sec. 12. IN ORDER TO QUALIFY FOR THE SCHOLARSHIP PROGRAM, ASIDE FROM THE BASIC REQUIREMENTS FOR ELIGIBILITY PROVIDED FOR UNDER SEC. 8 OF THIS ACT, THE BENEFICIARIES SHALL UNDERGO AND COMPLY WITH THE FOLLOWING:

- A) SCREENING PROCESS FOR THE AVAILMENT OF SCHOLARSHIP GRANT TO BE GIVEN ON A UNIFORMED FINANCIAL SCALE IN ALL EDUCATIONAL LEVEL
- B) SCREENING PROCESS TO QUALIFY BENEFICIARIES UNDER THE SUCs SCHOLARSHIP SCHEME
- C) MAINTAINING GRADE POLICY FOR CONTINUOUS AVAILMENT OF SCHOLARSHIP GRANT
- D) SCHOLARSHIP DURATION RULE BASED ON THE FOLLOWING:

TERTIARY LEVEL - UP TO 4 TO 5 YEARS DEPENDING ON THE COURSE

SECONDARY LEVEL - UP TO 4 YEARS

PRIMARY LEVEL - UP TO 7 YEARS

- E) SUCH OTHER STANDARDS, RULES, MECHANICS AND REQUIREMENTS AS MAY BE SET BY THE BOARD."

SEC. 12. Section 12 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. [12]. 13. Nothing in this Act shall be construed to prejudice and diminish whatever benefits a POLICE, MILITARY, FIRE OR JAIL PERSONNEL [member of the military establishment or the Integrated National Police] is entitled to receive under existing laws."

SEC. 13 . - Insert a new Sec. 14 in RA 6963 to read as follows:

"Sec. 14. THE UNIFORMED-PERSONNEL SCHOLARSHIP BOARD CREATED UNDER THIS ACT SHALL PREPARE AND ISSUE THE NECESSARY RULES AND REGULATIONS FOR THE EFFECTIVE IMPLEMENTATION OF THIS ACT."

SEC. 14. All succeeding sections are hereby renumbered accordingly.

SEC. 15. All acts, laws, decrees, executive orders and rules and regulations which are contrary to or inconsistent with this Act are hereby repealed, and/or modified accordingly.

SEC. 16. This Act shall take effect fifteen (15) days after the completion of its publication in two (2) newspapers circulation. Beneficiaries who reach the age of majority and remains unmarried while enjoying the benefits of this Act but have not completed their secondary education shall continue to be entitled to the benefits until they complete secondary school.

Approved,