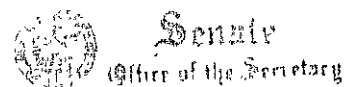


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



12 MAY -8 P2:07

SENATE

S. B. No. 3185

RECEIVED BY:

Introduced by **Senator Gregorio B. Honasan II**

EXPLANATORY NOTE

The proud men and women of Philippine military and law enforcement take it upon themselves to bear the responsibility of ensuring the welfare of the Filipino people, daily. Their mettle is tested constantly whether they are on or off duty, in their efforts to maintain peace, order, and security. In this pursuit, they often face situations that force them to make life and death decisions, where they gather their courage in order to ascertain their patriotic objectives.

For those who go, by "gallantry and intrepidity above and beyond the call of duty," the highest honor is awarded, the Medal of Valor. With this award, gratuities that are aimed at addressing social and financial difficulties are granted to individuals who have exhibited an extra-ordinary sense of supreme self-sacrifice in order to accomplish distinctive acts of heroism. The purposes of such gratuities are two-fold. The first being: to reward the awardee for his/her distinguished performance. Further: to encourage other men and women to perform equally heroic deeds, all in the interest of the country.

To date there have been forty-one (41) recipients of this most prestigious award. However, it is unfortunate to note that the benefits that come with the Medal of Valor are only afforded to military, Philippine Constabulary (PC) and Integrated National Police (INP) personnel.

R.A. No. 9049, otherwise known as "*An Act Granting Gratuity and Privileges to an Awardee of the Medal of Valor*" only covers military and individuals who were integrated in to the Philippine National Police (PNP) under P.D. No. 1687 or the decree "Granting Monthly Gratuity and Other Privileges to an Awardee of the Medal of Valor." Sadly, members of the PNP who were awarded the Medal of Valor subsequent to the enactment of R.A. No. 6975, known as "*An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for other purposes*," cannot legally avail of the aforementioned benefits.

With this being said, the PNP Medal of Valor awardees, who are most certainly faced with the same hazards as their military counterparts have to be given the same honor and recognition as military personnel.

In light of this and in the pursuit of equal protection under the law, they should also be awarded the privileges outlined in R.A. No. 9049.

Through this, it is hoped that the patriotic fire be lit, and the nationalist consciousness be further awakened in the hearts and minds of the brave men and women in the PNP who risk their lives daily that our people may live with peace of mind.

In view of the foregoing, approval of this bill is sought.




GREGORIO B. HONASAN II

FIFTEENTH CONGRESS OF THE REPUBLIC)
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'12 MAY -8 P2:07

SENATE
S. B. No. **3185**

RECEIVED BY: 

Introduced by **Senator Gregorio B. Honasan II**

AN ACT
AMENDING CERTAIN PROVISIONS IN REPUBLIC ACT NO. 9049, OTHERWISE
KNOWN AS "AN ACT GRANTING MONTHLY GRATUITY AND PRIVILEGES TO AN
AWARDEE OF THE MEDAL OF VALOR" 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. 9049 is hereby amended, to read as follows:

"Section 1. It is hereby declared the policy of the State to consistently honor its military **AND POLICE HEROES** in order to strengthen the patriotic spirit and nationalist consciousness of the military **AND THE POLICE**. Towards this end, the State shall give due recognition to an awardee of the Medal of Valor of his/her supreme self-sacrifice and distinctive acts of heroism and gallantry by providing adequate social services and financial rewards in order to encourage men and women to perform heroic deeds for their country."

SEC. 2. Section 2 of Republic Act No. 9049 is hereby amended, to read as follows:

"Section 2. A Medal of Valor awardee will henceforth be entitled to a lifetime monthly gratuity of [Twenty thousand pesos (P20, 000.00)] **TWENTY FIVE THOUSAND PESOS (P25,000.00)**. This gratuity is separate and distinct from any salary or pension which the awardee is currently receiving or will receive from the government of the Philippines: *Provided*, that in the event of death of the awardee, the same shall accrue in equal shares and with the right of accretion to the surviving spouse until **HE**/she remarries and to the children, legitimate, or adopted or illegitimate, until they reach the age of eighteen (18) or until they marry, whichever

comes earlier: *Provided, further,* That such gratuity shall not be included in the computation, of gross income and shall be exempt from taxation under Title III, Chapter VI of Republic Act No. 8424, otherwise known as then "Tax Reform Act of 1997.

The provisions of this Act shall apply to the Medal of Valor awardees under Presidential Decree No. 1687 who have since been integrated to the Philippine National Police (PNP) **AND MEMBERS OF THE PHILIPPINE NATIONAL POLICE UNDER REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990" AS AMENDED BY REPUBLIC ACT NO. 8551, OTHERWISE KNOWN AS THE "PHILIPPINE NATIONAL POLICE REFORM AND REORGANIZATION ACT OF 1998":** *Provided,* That the appropriations therefore, shall come from the Philippine National Police.

The President of the Philippines is hereby authorized, upon the joint recommendation of the Chief of Staff of the Armed Forces of the Philippines, **CHIEF OF THE PHILIPPINE NATIONAL POLICE,** the Secretaries of the Department of National Defense, **THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT/NATIONAL POLICE COMMISSION,** and the Department of Budget and Management, to adjust at a reasonable time and rates the lifetime monthly gratuity of the awardees: *Provided,* That in computing for the rate of adjustment of the lifetime monthly gratuity, they shall take into consideration applicable economic and social factors or indicia such as the inflation rate: *Provided, further,* That no increase under this section shall be authorized with three (3) years following the effectivity of this Act and no oftener than once every five (5) years thereafter."

SEC. 3. Section 4 of Republic Act No. 9046 is hereby amended, to read as follows:

"Section 4. Notwithstanding the limitation [imposed by Presidential Decree No. 577 on the scholarship program of military personnel] **ON THE RESPECTIVE SCHOLARSHIP PROGRAM IMPOSED BY PRESIDENTIAL DECREE NO. 577 FOR THE MILITARY PERSONNEL AND BY REPUBLIC ACT NO. 6963 FOR THE POLICE PERSONNEL,** who died or are incapacitated in the line of duty, an awardee of Medal of

Valor and his/her heirs/ beneficiaries shall be exempted from the payment of tuition and matriculation fees in public or private schools, universities, colleges and other educational institutions in any pre-school, baccalaureate or post-graduate courses such as or including course leading to the degree of Doctor of Medicine (MD), Bachelor of Laws (LLB), and Bachelor of Science in Nursing (BSN) or allied and similar courses.”

SEC. 4. Section 5 of Republic Act No. 9049 is hereby amended, to read as follows:

Section 5. A Medal of Valor awardee and/or a son or daughter, upon reaching the age of admission as a cadet/cadette in the Philippine Military Academy **AND/OR PHILIPPINE NATIONAL POLICE ACADEMY**, shall be given a quota if interested to join the cadet corps of said military **OR POLICE INSTITUTION** or otherwise priority for direct commission, call to active duty (CAD) and/or enlistment in regular/force of the AFP, [if qualified] **OR UNDER THE RULE, FOR LATERAL ENTRY OR RECRUITMENT INTO THE PNP, IF QUALIFIED.”**

SEC. 5. Section 7 of Republic Act No. 9049 is hereby amended, to read as follows:

“Section 7. The amount necessary to initially implement the provisions of this Act shall be charged against the **RESPECTIVE** current savings of the Armed Forces of the Philippines **FOR MILITARY AWARDEE AND OF THE PHILIPPINE NATIONAL POLICE FOR POLICE AWARDEE**. In the event that the available savings is not enough to fully implement the additional benefits, the grant of the same shall be applied uniformly to all awardees/beneficiaries thereafter, such sums as may be needed to fully implement the grant of additional benefits shall be included in the **RESPECTIVE** annual budget of the Armed Forces of the Philippines and **THE PHILIPPINE NATIONAL POLICE.”**

SEC. 6. Section 8 of Republic Act No. 9049 is hereby amended to read as follows:

“Section 8. The **RESPECTIVE SECRETARIES** [Secretary] of the Department of National Defense **AND THE DEPARTMENT OF INTERIOR AND LOVAL GOVERNMENT/CHAIRMAN OF THE NAPOLCOM**, jointly with the **SECRETARIES OF THE DEPARTMENT OF EDUCATION**

[Department of Education, Culture and Sports] , **THE** Department of Health, **THE** Department of Transportation and Communications, **THE** Department of Finance and other appropriate government agencies shall issue the necessary rules and regulations to carry out the objectives of this decree: Provided, That current recipients of this gratuity shall likewise, be granted the additional privileges as provided for in this Act.”

SEC. 7. Repealing Clause. All other laws, rules and regulations, decrees, issuances or any parts thereof inconsistent with this Act are likewise hereby repealed, modified or amended accordingly.

SEC. 8. Separability Clause. If any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected shall continue in full force and effect.

SEC. 9. Effectivity. This Act shall take effect after fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved.