

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



Senate
Office of the Secretary

'13 JUL 16 P4 58

SENATE

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S. No. 815

Introduced by Senator Antonio "SONNY" F. Trillanes IV

Explanatory Note

At least eight separate agencies today are working and operating for the welfare of veterans and military retirees. These include the Philippine Veterans Affairs Office (PVAO), the Philippine Veterans Assistance Commission (PVAC), the Board of Trustees of the Veterans of World War II (BTVWWII), the Philippine Veterans Investment and Development Corporation (PHIVIDEC), the PHIVIDEC Industrial Authority (PIA), the Philippine Veterans Bank, the Veterans Federation of the Philippines (VFP), and the AFP Retirement and Separation Benefits System (RSBS).

Despite the number of offices working for veterans' welfare, a lot still remains to be done to uplift the status of our veterans; majority of whom are now elderly, sick, underprivileged, disabled, and poor. There are still many reported cases of delayed pensions and double-listing, and some application for old-aged pension and other benefits are still left pending in the PVAO.

In the face of these realities, the need for systematic administration of veterans' benefits is clear. This bill, therefore, seeks to integrate the agencies working for veterans' welfare which have similar functions and mandate. It proposes to abolish the Philippine Veterans Affairs Office (PVAO), the Philippine Veterans Assistance Commission (PVAC), and the Board of Trustees of the Veterans of World War II (BTVWWII), thereby creating the Philippine Veterans Authority (PVA).

The Authority's main function shall be to harmonize all efforts in generating and maximizing financial sources and facilities that support all veterans welfare programs designed to alleviate the plights of our veterans.

The bill, likewise, provides for the creation of a Veterans Welfare Fund which shall guarantee the continuous payment of benefits and implementation of welfare programs and projects for veterans and their dependents, especially of continuing health and medical services program.

In view of the foregoing, the immediate approval of this measure is earnestly requested.

ANTONIO "SONNY" F. TRILLANES IV
Senator

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AN ACT
INTEGRATING ALL AGENCIES AND OFFICES ON VETERANS WELFARE,
CREATING FOR THE PURPOSE THE PHILIPPINE VETERANS AUTHORITY (PVA),
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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 "Philippine Veterans
2 Authority Act".

3
4 **SEC. 2. *Declaration of Policy.*** - The government recognizes the invaluable contribution
5 of the veterans as noble defenders of the State. Without whom, the nation and its people will not
6 be able to enjoy the fruits of freedom and democracy today. Such recognition goes with the
7 government's responsibility to compliment the invaluable devotion, patriotism, sacrifices, and
8 gallant deeds of veterans with the most responsive and continuing programs and projects for their
9 care, benefits, and welfare. The State also recognizes the veterans as equal partners in nation-
10 building who possess potential capabilities for economic progress and not as mere recipients of
11 government assistance

12
13 **SEC. 3. *Creation of the Philippine Veterans Authority.*** - There is hereby created a body
14 to be known as the Philippine Veterans Authority, hereinafter referred to as the Authority which
15 shall perform governmental and full propriety functions towards ensuring the provision of

1 immediate and adequate care, benefits, and other forms of assistance to veterans and their
2 dependents. The Authority shall be under the Office of the President and shall maintain its
3 principal office in Metro Manila and establish regional offices as may be necessary for the
4 proper conduct of its operations.

5

6 **SEC. 4. Powers and Functions of the Authority.** - The Authority shall have the
7 following powers and functions:

8 1) Initiate and formulate policies on recognition and welfare of Filipino veterans;

9 2) Formulate and implement a continuing, integrated, and comprehensive privileges and
10 benefits for veterans and their dependents that will restore the honor and dignity of veterans
11 here and abroad;

12 3) Discharge all responsibilities of government as may come from treaties, agreements,
13 and other commitments relative to veterans affairs;

14 4) Enter into contracts, either domestic or foreign, under such terms and condition that
15 are reasonable, just and advantageous to the Government in the pursuit of its objectives and
16 goals,

17 5) Receive and hold bequests, devises, gifts, purchases, or lease, either absolutely or in
18 trust for any of its purposes from foreign and domestic sources, any asset, grant or property,
19 real or personal, subject to such limitations as are provided in existing laws and regulations;

20 6) Convey such assets, grants or properties, invest and re-invest the same, as well as deal
21 with and expand its assets and income in such manner as will best promote its objectives;

22 7) Call on other agencies and instrumentalities of the government and the private sector
23 for cooperation, support and assistance in the performance of its assigned tasks and
24 functions;

1 8) Pursue the satisfactory resolution of the World War II Filipino veterans' outstanding
2 issues with the U.S. Government;

3 9) Formulate and implement a continuing information dissemination program that will
4 ensure that all veterans and their dependents are aware and knowledgeable of the ready
5 program of privileges and benefits available to them;

6 10) Inculcate into minds of the people a strong sense of nationalism, unity, and love of
7 country through a national consciousness program focusing on the virtues of veterans as true
8 patriots who fought for their cherished freedom;

9 11) Adopt rules and regulations for the transaction of its business and enforcement of its
10 policies, orders, and decisions;

11 12) Formulate and promulgate policies, rules, and regulations as may be found necessary
12 to govern the adjudication of claims for veterans benefits;

13 13) Formulate policies, plans, programs, and projects for the administration of a
14 hospitalization, medical care, and treatment program for the veterans and their dependents;

15 14) Coordinate with any department, bureau, office, agency, or instrumentality of the
16 government and private entities or organizations for the purpose of allowing the veterans to
17 avail themselves of opportunities, facilities, and assistance in pursuit of their projects,
18 business enterprises, and other economic activities in line with the national development
19 goals;

20 15) Administer and develop national shrines of military significance and cemeteries for
21 veterans and, for that purpose, enter into agreements or coordinate with the Department of
22 Tourism, Department of Public Works and Highways, and other departments, agencies, and
23 instrumentalities of the government, for the interdepartmental or inter-agency planning,
24 funding, and execution of the development plans for said shrines and cemeteries; and

1 16) Perform such other functions which are not inconsistent with this Act as are
2 necessary for the effective exercise of the aforementioned functions.

3
4 **SEC. 5. *The Administrator; Qualifications.*** - The Administrator shall manage the day-
5 to-day conduct of operations of the Authority. He shall be assisted by a Deputy Administrator.
6 The Administrator and Deputy Administrator shall be appointed by the President and shall be
7 entitled to the salary and emoluments of an Undersecretary and Bureau Director, respectively.

8 No person shall be appointed Administrator and Deputy Administrator of the Authority
9 unless they are veterans or military retirees known for their dedication and service, citizens and
10 residents of the Philippines, of good moral character and with proven competence in public
11 administration and management, and familiarity with veterans affairs.

12
13 **SEC. 6. *Appointment of Officials/ Employees of the Authority.*** - The Administrator
14 shall have the power to appoint all officers and employees of the Authority whose appointment
15 shall be based on merit and fitness and shall be governed by the Civil Service Laws and other
16 related laws.

17
18 **SEC. 7. *Abolition of Agencies and Offices on Veterans Welfare.*** - The existing agencies
19 administering benefits to veterans such as the Philippines Veterans Office (PVAO), the
20 Philippine Veterans Assistance Commission (PVAC), and the Board of Trustees of the Veterans
21 of World War II (BTVWWII) are hereby abolished. The powers, functions, all applicable funds
22 and appropriations, records, assets, and properties of the abolished agencies are hereby
23 transferred or absorbed by the Authority.

1 The Authority shall, by virtue of this Act, succeed to all rights and assume all contracts
2 and liabilities of PVAO, PVAC, and BTVWWII which shall be acted upon in accordance with
3 the Auditing Code and other pertinent laws, rules, and regulations.

4 Employees separated from the service as a result of the abolition of PVAO, PVAC,
5 BTVWWII shall, within six (6) months from their separation from the service, receive the
6 separation benefits to which they are entitled under existing laws and regulations: *Provided*, That
7 in hiring applicants to the newly-created agency, priority shall be given to existing employees to
8 be affected by the reorganization.

9
10 **SEC. 8. *Creation of a Veterans Welfare Fund (VWF)*.** - There is hereby created a
11 Veterans Welfare Fund (VWF) to guarantee the continuous payment of benefits and
12 implementation of welfare programs and projects for veterans and their dependents, especially
13 for continuing health and medical services program for veterans. The first of these programs
14 shall be the entitlement of veterans and their dependents to avail of the services and facilities of
15 any hospital and medical clinic, both government and private, expenses for which shall be cared
16 to the VWF in accordance with the guidelines set by the Authority.

17 The VWF shall be sourced from the remaining balances and accumulated earnings of the
18 Veterans Claim Settlement Fund, (VCSF) from the United States, Reparations Pay from Japan,
19 and the Sinking Fund for Backpays, which are hereby transferred to the Authority. It shall be
20 constituted further by income from the operations Veterans Memorial Medical Center (VMMC)
21 and donations from veterans organizations and foreign and domestic entities.

22 Twenty percent (20%) of the net profits of the Philippine Veterans Bank (PW), after
23 deducting its guaranteed earnings of the preferred shares, shall be remitted directly to the
24 Authority and shall form part of the Veterans Welfare Fund.

1 Fifty percent (50%) of the cash dividends pertaining to the shares of the Government in
2 the Philippine Veterans Investment Development Corporation (PHIVIDEC) shall be
3 automatically applied to the payment of the subscription of the Government until fully paid for,
4 and the balance over to the Authority and shall form part of the Veterans Welfare Fund (VWF).

5 All veterans funds being administered by the Philippine Veterans Bank (PVB) and other
6 agencies and which are not encumbered or earmarked for any individual veteran or organization
7 shall constitute the Veterans Welfare Fund (VWF) to be placed under the administration,
8 management, and control of the Authority.

9 The Philippine Charity Sweepstakes Office (PCSO) is hereby authorized to hold annually
10 a sweepstakes draw exclusively for the benefit of the Authority. The whole proceeds of the
11 sweepstakes draw shall, after deducting the payment of the prizes and expenses as provided in
12 Section six of Republic Act No. 1169, as amended, be turned over to the Authority to form part
13 of the Veterans Welfare Fund (VWF).

14

15 **SEC. 9. Organizational Structure of the Authority.** - The Administrator of the
16 Authority is hereby authorized to formulate and adopt an organizational structure for the
17 Authority, including the creation of regional offices, whenever necessary, for the efficient and
18 effective discharge of its powers and functions. Essentially, the organizational structure of the
19 Authority shall complement the following components:

- 20 1. Veterans Health Service and Research Administration
- 21 2. Veterans Benefits Administration
- 22 3. National Memorial Affairs
- 23 4. Budgetary and Financial Management
- 24 5. Information Resources Management
- 25 6. Personnel Management and Labor Relations

1 7. Capital Facilities and Real Property Program

2 8. Planning, Studies, Evaluation

3 There shall be separate bureaus created in the Authority for each of Veterans Health
4 Service and Research Administration, Veterans Benefits Administration, and National Memorial
5 Affairs.

6 The staffing pattern of the Authority shall be prescribed by the Administrator, in
7 accordance with rules and regulations prescribed by Civil Service Commission and the
8 Department of Budget and Management, within sixty (60) days after the approval of this Act.
9 Authorized positions created therein shall be filled by regular appointments by the President or
10 the Administrator as the case may be: Provided, however, That such individuals comply with the
11 qualifications standards set by the Civil Service Commission for the position that they shall be
12 appointed to.

13
14 **SEC. 10. *Creation of Adjudication Body.*** - There is hereby created an Adjudication
15 Body to hear and decide cases in connection with veterans affairs. Such Adjudication Body shall
16 be composed of the Administrator as Chairman and four (4) associate members, two (2) of whom
17 shall be lawyers, and have extensive knowledge of veterans affairs. Such Adjudication Body
18 shall hear and determine any veterans claim or complaint filed in accordance with the procedure
19 to be formulated by the Body, subject to the approval of the President and Congress.

20
21 **SEC. 11. *Disability Rating Board.*** - A Disability Rating Board of three members
22 composed of a physician, a lawyer, and a layman who is well versed in veterans' laws, rules and
23 regulations, under the direct supervision of the Administrator, is hereby created in the Authority.
24 This Board shall be a fulltime body and shall determine the extent of the disability of the person
25 applying for disability pension based on findings and recommendations of any authorized

1 Certificate of Disability Discharge Board (CDD) and all clinical records in accordance with the
2 Scheduled Rating Disabilities approved by the Administrator or such other schedule which may
3 subsequently be promulgated by him, except for conditions as hereunder provided. A majority
4 vote of the members of the Board shall be sufficient to sustain the rating of any individual case:
5 *Provided, however,* That in the case of officers and enlisted personnel of the Armed Forces of the
6 Philippines a certification by the Secretary of National Defense, upon recommendation of the
7 Chief of Staff, Armed Forces of the Philippines as to the military status and service connection
8 of the disability of the person applying for disability pension, shall be binding and conclusive
9 upon the Board.

10

11 **SEC. 12. *The Veterans Memorial Medical Center (VMMC).*** - The Veterans Memorial
12 Medical Center shall become a bureau under the control and supervision of the Administrator as
13 a medical facility for hospitalization, medical care, treatment, rehabilitation, research, and
14 medical education for the promotion of the health and welfare of veterans, their dependents, and
15 other persons authorize to receive medical attention.

16 The VMMC shall be headed by a Director and shall have a professional staff and
17 administrative staff.

18 The VMMC shall formulate and implement a continuing health and medical services
19 program for veterans and their dependents pursuant to Republic Act No. 6948 as amended by
20 Republic Act No. 7696 and in compliance with the particular objective and priority program
21 behind the creation of the Veterans Welfare Fund (VWF) as provided for in Section 10 of this
22 Act.

23

24 **SEC. 13. *Administration and Development of National Shrines of Military***
25 ***Significance and Veterans Mortuaries and Cemeteries.*** - The Authority shall be responsible for

1 the administration, maintenance, and development of Corregidor Island, Dambana ng Kagitingan
2 and Mt. Samat in Bataan, Bantayog ng Kiangin in Ifugao and such other historic battlefields of
3 military significance, military veterans cemeteries/mortuaries, memorials and other facilities as
4 may hereafter be determined and placed under its responsibility For this purpose, the
5 Administrator shall organize the corresponding bureau under the Authority and may call on any
6 department, bureau, office, agency, or instrumentality of the government for such assistance as
7 may be necessary in the preparation and execution of plans or in the maintenance of the services
8 to be established and shall furthermore, take appropriate action for the conduct of studies and
9 preparation of a general program for the development of national parks embracing all the historic
10 areas of military significance, and recommend to the President a plan for appropriate memorials
11 or monuments whenever they are deemed desirable, taking into account the topography,
12 vegetation, degree of environmental disturbances, and historical background of the places
13 selected for the purpose.

14
15 **SEC. 14. *Office of Veterans Affairs in the US.*** - An Office of Veterans Affairs is
16 established in the Philippine Embassy in the United States of America to pursue the claims of
17 Filipino veterans of World War II for the full restoration of their rights, privileges, and benefits
18 from the United States Government.

19 For the attainment of this goal, the Office of Veterans Affairs is mandated with the task
20 of making formal representations, consultations and negotiations with appropriate offices of the
21 United States of America Executive and Legislative branches.

22 The Office shall have a staff consisting of the Head of Office appointed by the President
23 of the Philippines, two administrative assistants assigned by the Administrator and such other
24 locally hired personnel as the Head of Office may find necessary

25

1 **SEC. 15. *Inter-agency Committees.*** - Upon the request of the Authority or any of its
2 Bureaus, all government agencies involved in the approval and implementation of projects of the
3 Authority or its duly authorized or endorsed entities, whether government or private, shall
4 expeditiously act upon and resolve the matter subject to the approval of the President. The
5 Administrator may, whenever necessary, initiate the activation of an ad hoc interagency
6 committee for an efficient and effective orchestration of efforts of concerned entities in the
7 implementation of programs, projects, and activities of the Authority.

8
9 **SEC. 16. *Transitory Provision.*** - The officers and employees of the PVAO, PVAC, and
10 BTVWWII shall continue in a holdover capacity until such time as the new officers and
11 employees of the Authority shall have been duly appointed pursuant to the provisions of this Act.

12
13 **SEC. 17. *Appropriations.*** - To carry out the provisions of this Act, the appropriations for
14 the current fiscal year as well as the existing funds, assets, and resources of the transferred and
15 abolished offices mention un Section 9 hereof shall be transferred to the Authority to include the
16 Veterans Welfare Fund (VWF) mentioned in Section 10 of this Act. Thereafter, such amounts as
17 may be necessary to carry out the provisions of this Act shall be included in the Annual General
18 Appropriations Act.

19
20 **SEC. 18. *Repealing Clause.*** - All laws or parts thereof which are inconsistent with the
21 provisions of this Act are hereby repealed or modified accordingly.

22
23 **SEC. 19. *Separability Clause.*** - If for any reason, any section or provision of this Act is
24 declared unconstitutional or invalid, the other sections or provisions hereof which are not
25 affected thereby shall continue in full force and effect.

1 **SEC. 20. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
2 complete publication in two (2) newspapers of general circulation.

· Approved,