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SENATE

S. No. 1173

REG. BY:

BY: *[Signature]*

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

It is clearly enshrined in the Constitution that war is renounced as an instrument of national policy. In light of adopting generally-accepted principles of internal law and promoting peace, justice, freedom and amity with all nations, our country has been sending peacekeeping and/or expeditionary contingents overseas in compliance with its international commitments as a member of the United Nations (UN).

Republic Act No. 573 or the Philippine Military to the United Nations Act, which was enacted in 1950, provided for the creation, organization, equipage and rates of pay of the Philippine Expeditionary Force to Korea. However, there is no legislation that determines the rates of pay and financial support that members of the contingents should receive, particularly regarding financial assistance provided by the UN.

This bill¹ seeks to standardize the rates of pay, allowances and benefits of officers and enlisted personnel of the Armed Forces of the Philippines (AFP) serving overseas with a Philippine peacekeeping/expeditionary contingent. The measure provides guidelines for the proper treatment and utilization of funds for contingents, especially from the UN, thus, removing too much discretion on the part of the AFP but not sacrificing the needs of men and women on the field.

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

ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ A version of this bill was filed by Representatives Biazon, Sarmiento (C.), Zubiri, Quisumbing And Calixto-Rubiano in the 15th Congress.



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

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S. No. 1173

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT

PRESCRIBING RATES OF PAY AND ALLOWANCES FOR OFFICERS AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES (AFP) WHILE ON OVERSEAS DUTY WITH A PHILIPPINE EXPEDITIONARY OR PEACEKEEPING CONTINGENT PURSUANT TO A PHILIPPINE COOPERATIVE COMMITMENT TO A UNITED NATIONS SANCTION OR POLICY AND FOR OTHER PURPOSES

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

I. PRELIMINARY PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the "*Armed Forces of the Philippines Peacekeeping/Expeditionary Contingent/Force Law of 2013*".

SEC. 2. *Purpose.* – This Act shall provide the special rates of pay and allowances for uniformed military personnel of an Armed Forces of the Philippines (AFP) expeditionary/peacekeeping contingent serving overseas, pursuant to a Philippine cooperative commitment to a United Nations enforcement of sanctions and/or policies.

SEC. 3. *Declaration of Policy.* – Aware of the hazards and the financial dislocation which attend overseas duty service of AFP uniformed personnel in the enforcement of United Nations sanctions and policies, this legislation seeks to determine, rationalize, establish and standardize the rates of pay and allowances for officers and enlisted personnel in order to provide them adequate material and financial support and benefits.

1 **SEC. 4. *Applicability.*** – The provisions of this Act shall apply only to officers and
2 enlisted personnel on active duty of the AFP serving as members of a Philippine
3 expeditionary/peacekeeping contingent. “Overseas duty” and “service overseas” shall refer to
4 and include any period of service commencing from the date of departure from the Philippines
5 for service in a foreign territory and terminating with the individual’s disembarkation or landing
6 on Philippine soil; Provided, That when an individual is authorized to return to the Philippines
7 temporarily, he shall be deemed to be rendering service overseas during the period of his
8 temporary stay not exceeding fifteen (15) days.

9
10 **II. ADDITIONAL PAY AND ALLOWANCES**

11 **SEC. 5. *Additional Pay for Overseas Duty.*** – (a) In addition to their monthly base pay,
12 officers and enlisted personnel shall, on account of service overseas as members of a Philippine
13 expeditionary/peacekeeping contingent hereinabove referred to, receive an additional overseas
14 duty pay. Officers shall receive additional pay equivalent to fifty percent (50%) of their base pay.
15 Enlisted personnel, while serving overseas, shall receive additional pay equivalent to seventy-
16 five percent (75%) of their base pay and quarters allowance; Provided, That enlisted personnel
17 shall not, while receiving overseas pay under the provisions of this Act, be entitled to additional
18 pay for hazardous duty and/or combat duty pay.

19 (b) Except as otherwise specifically provided above, officers and enlisted personnel
20 receiving additional pay as hereinabove provided shall not be disqualified from receiving other
21 additional pay to which they may be entitled under laws and regulations of general application to
22 officers and/or enlisted personnel of the AFP.

23
24 **SEC. 6. *Allowances.*** – Officers and enlisted personnel shall be entitled during their
25 overseas duty service to rations, barracks accommodations, medical attendance, clothing and
26 subsistence and quarters allowance as are provided by laws and regulations of general
27 application to said personnel of the AFP. They shall be furnished adequate winter and other

1 protective clothing and additional rations or subsistence allowance as may be provided in the
2 appropriations for this purpose.

3

4 **SEC. 7. *Additional Financial Support.*** – The aforementioned provisions shall not
5 preclude said military personnel from receiving additional subsistence allowance which may be
6 provided by the United Nations relative to or on the occasion of their overseas duty service.

7

8 **SEC. 8. *Foreign Funding.*** – Funds provided by the United Nations for the use of the
9 AFP expeditionary/peacekeeping contingent shall take the nature of public funds and shall be
10 deposited with the National Treasury for the specific use of the AFP and only for the said
11 specified purpose; Provided, That the said funds shall be immediately released to the AFP in
12 order to expedite compliance with the country's international commitment to provide said
13 contingency force.

14

15 **SEC. 9. *Implementing Rules and Regulations.*** – The Secretary of National Defense
16 shall prepare and promulgate the implementing rules and regulations to carry out the purpose and
17 intent of this Act.

18

19 **SEC. 10. *Appropriations.*** – Such sums as may be necessary to carry out the provisions of
20 this Act shall be included in the General Appropriations Act.

21

22 **SEC. 11. *Repealing Clause.*** - All laws, executive orders, rules and regulations or parts
23 thereof which are inconsistent with this Act are hereby repealed or amended accordingly.

24

25 **SEC. 12. *Separability Clause.*** – If, for any reason, any provision of this Act or any
26 portion thereof or the application of such provision thereof is declared invalid or
27 unconstitutional, the remainder of this Act shall not be affected by such declaration.

1 **SEC. 13. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
2 any two (2) newspapers of general circulation.

Approved,