

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

'14 DEC 17 P5:05

SENATE
S.B. NO. 2525

RECEIVED BY: *Ji*

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT AUGMENTING SURVIVORSHIP BENEFITS OF HEIRS OF SOLDIERS WHO
DIED IN THE LINE OF DUTY BEFORE COMPLETION OF TWENTY YEARS OF
ACTIVE SERVICE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE 1044
AS AMENDED

EXPLANATORY NOTE

The members of our Armed Forces of the Philippines ("AFP") are no ordinary public servants. While not belittling the efforts of our corps of civilian public servants, the members of the AFP's dedication is unique in the sense that they are always ready to sacrifice their lives in defense of the nation. Such unique dedication or commitment to serve at the cost of one's life must also be rewarded, commensurate to the danger faced by said members of the AFP.

Upon review of the benefits given to families of soldiers killed in action especially those with less than twenty (20) years in service, it appears that the current survivorship benefits for these families may be insufficient. Thus, families left by soldiers killed in action are victimized twice: once by the death of a father and or husband, mother and or wife; and again by the possible lifetime suffering attributable to the loss of a breadwinner.

An important legacy of the death of our heroes for their children and spouse, can be education, which would hopefully enable said families to stand on their own feet in due time.

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



MARIA LOURDES NANCY S. BINAY
Senator

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3 ACTIVE SERVICE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE 1044
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5

6 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
7 *assembled:*
8

9 SECTION 1. Section 4 of Presidential Decree 1044 is hereby amended as follows:
10

11 "Sec. 4. *Death in line of duty before completion of twenty years of active service*
12

13 (a) If, before completing twenty years of active service, an officer or enlisted
14 person dies in line of duty, he shall be considered as separated, and his survivors
15 shall be entitled with right of accretion, to a monthly life annuity, the amount of
16 which shall be fifty per cent of the base and longevity pay, computed on the basis
17 of the next higher grade than the permanent grade held by the officer or enlisted
18 person at the time of his separation, or under any of the options that they may
19 elect under the existing AFP Retirement and Separation System.
20

21 THE CHILDREN OF THE OFFICER OR ENLISTED PERSON SHALL BE
22 ENTITLED TO FULL SCHOLARSHIP IN ALL PUBLIC SCHOOLS, STATE
23 UNIVERSITIES AND COLLEGES. THEY SHALL BE ENTITLED TO
24 PREFERENCE FOR ADMISSION TO THEIR DESIRED COLLEGE
25 PROGRAM IN SUCH STATE UNIVERSITIES AND COLLEGES. THE
26 DEPARTMENT OF NATIONAL DEFENSE IS HEREBY VESTED WITH
27 MANDATE TO NEGOTIATE AND ENTER INTO AGREEMENTS WITH
28 PRIVATE UNIVERSITIES AND COLLEGES TO COVER THE
29 SCHOLARSHIPS.
30

31 THE FOREGOING BENEFITS SHALL BE EXTENDED TO A SURVIVING
32 SPOUSE OF SUCH OFFICER OR ENLISTED PERSON, IF HE/SHE WISHES
33 TO FINISH A COLLEGE DEGREE IN ANY STATE UNIVERSITY OR
34 COLLEGE.
35

1 (b) If a trainee or draftee dies in line of duty, his survivors shall be entitled with
2 right of accretion, to a monthly life annuity, the amount of which shall be fifty per
3 cent of the monthly base pay of a Private in the Regular Force.
4

5 (c) The benefits provided in this Section shall be in addition to the benefits
6 provided under Republic Act Numbered Six Hundred Ten as amended by
7 Republic Act Numbered Five Thousand Eight Hundred Eighty-Nine or Republic
8 Act Numbered Five Hundred Seventy-Three whichever is applicable or as may
9 hereafter be provided by law.

10
11 SECTION 4-A. IN THE EVENT OF LEGISLATED AND OTHER LEGAL
12 INCREASES IN THE PAYMENTS FOR EACH SALARY GRADE, THE BASE
13 AND LONGEVITY PAY MENTIONED IN SECTION 4 SHALL BE
14 ADJUSTED ACCORDINGLY.”
15

16 SECTION 2. *Repealing Clause.* All laws, decrees, executive orders, proclamations, rules and
17 regulations and other issuance or parts thereof, inconsistent with the provisions of this Act are
18 hereby repealed or modified accordingly.

19 SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete
20 publication in at least two (2) newspapers of general circulation.

21
22 Approved,