

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

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 $\begin{array}{c} \text{SENATE} \\ \text{S.B. NO.} \end{array} \begin{array}{c} \textbf{Z5} \\ \textbf{25} \end{array}$ 

RECEIVED BY:

## 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 LOUIDES NANCY S. BINAY

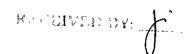
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

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

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

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

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

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

34 35 (b) If a trainee or draftee dies in line of duty, his survivors shall be entitled with right of accretion, to a monthly life annuity, the amount of which shall be fifty per cent of the monthly base pay of a Private in the Regular Force.
 (c) The benefits provided in this Section shall be in addition to the benefits provided under Republic Act Numbered Six Hundred Ten as amended by Republic Act Numbered Five Thousand Eight Hundred Eighty-Nine or Republic

hereafter be provided by law.

SECTION 4-A. IN THE EVENT OF LEGISLATED AND OTHER LEGAL INCREASES IN THE PAYMENTS FOR EACH SALARY GRADE, THE BASE AND LONGEVITY PAY MENTIONED IN SECTION 4 SHALL BE ADJUSTED ACCORDINGLY."

Act Numbered Five Hundred Seventy-Three whichever is applicable or as may

- SECTION 2. *Repealing Clause*. All laws, decrees, executive orders, proclamations, rules and regulations and other issuance or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.
- SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.
- . 22 Approved,

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