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S.B. No. **1462**

(In Substitution of Senate Bill Nos. 260 and 1264)

Prepared Jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation; Ways and Means and Finance with Senators Panfilo M. Lacson, Sonny Angara, Antonio "Sonny" F. Trillanes IV and Loren B. Legarda as authors

AN ACT

PROVIDING FOR SPECIAL FINANCIAL ASSISTANCE AND BENEFITS GRANTED TO BENEFICIARIES OF UNIFORMED AND LAW ENFORCEMENT PERSONNEL OF THE PHILIPPINE NATIONAL POLICE (PNP), ARMED FORCES OF THE PHILIPPINES (AFP), BUREAU OF FIRE PROTECTION (BFP), BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), PHILIPPINE COAST GUARD (PCG), NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF CORRECTIONS (BUCOR), AND PHILIPPINE DRUG ENFORCEMENT AGENCY (PDEA) KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF THEIR DUTY OR BY REASON OF THEIR OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE PERTINENT PROVISIONS OF REPUBLIC ACT NO. 6963, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title.** – This act shall be known as the “*Uniformed and Law*
2 *Enforcement Personnel Special Financial Assistance Act.*”

3 **SEC. 2. Scope.** – The family or beneficiary of any Uniformed and Law Enforcement
4 Personnel of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP),
5 Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP),
6 Philippine Coast Guard (PCG), National Bureau of Investigation (NBI), Philippine Drug
7 Enforcement Agency (PDEA) and Bureau of Corrections (BuCor) assigned to or involved in
8 a duly authorized operation, who is killed or becomes permanently incapacitated while in the
9 performance of his duty or by reason of his office or position, provided he has not been
10 convicted by final judgment of any crime or human rights violations on such occasion, shall
11 be entitled to the special financial assistance provided for in this Act in addition to whatever

1 compensation, donation, insurance, gift, pension, grant, or any form of benefit which said
2 deceased or permanently incapacitated person or his family may receive or be entitled to.

3 For purposes of this act, Uniformed and Law Enforcement Personnel shall be
4 construed as personnel of the PNP, AFP, BFP, BJMP, PCG, NBI, PDEA and BuCor who are
5 directly, regardless of which capacity, assigned to or involved in operations with real and
6 immediate threat to life or in routine duty with unexpected or imminent danger.

7 **SEC. 3. Beneficiaries.** – The term “family” as used in this Act shall refer to the
8 surviving legal spouse and the Uniformed or Law Enforcement Personnel’s legitimate and
9 illegitimate children, or his or her parents, or brothers and sisters, or aunts and uncles, in that
10 respective order: *Provided:* That, if the uniformed personnel is a Muslim, the pertinent
11 provisions of the Code of Muslim Personal Laws (*Shari’a*) shall apply.

12 **SEC. 4. Special Financial Assistance.** – The special financial assistance referred to
13 in Section 1 hereof shall be that which is equivalent to the average six (6) months salary,
14 including allowances and bonuses, during the last twelve (12) months preceding the death of
15 the personnel which shall not be considered a part of the estate of the deceased and which
16 shall be exempt from attachment, garnishment or execution and from income and other taxes.

17 **SEC. 5. Provision of Special Financial Assistance.** – It shall be the duty of the
18 cashier or concerned service chief from whom the deceased or permanently incapacitated
19 uniformed and law enforcement personnel used to receive his/her salary, within three (3)
20 days from receipt of a written certification from the concerned agency or bureau head, station
21 or unit commander of the fact of death or permanent disability or incapacity and the
22 circumstances thereof, to deliver to the beneficiaries such special financial assistance as
23 stated in Section 3 hereof. In case of permanent disability or incapacity, a certification by the
24 proper medical officer designated by the Chief PNP, or the Chief of Staff AFP, or the Chief
25 of the BFP, or the Chief BJMP, or the Commandant PCG, or the Director of the NBI, or the
26 Director General of the PDEA, or the Chief BFP, or the Director General of BuCor as the
27 case may be, is necessary for the payment of the aforesaid financial assistance. After said
28 payment, a report with the formal certificate of death or permanent incapacity shall be
29 submitted to the Secretary of National Defense, or the Secretary of Interior and Local
30 Government, or the Secretary of Transportation, or the Secretary of Justice, or the PDEA
31 Director General, as the case may be.

1 **SEC. 6. *Filling of Positions.*** – In order to assure the payment of the special financial
2 assistance referred to in this Act, without any need of any appropriation act or ordinance, the
3 payment shall come from the expected salary, allowances and bonus of the deceased or
4 permanently incapacitated uniformed and law enforcement personnel for the next six (6)
5 months after his/her death or incapacity: *Provided*, That the position left vacant by the
6 deceased or permanently incapacitated uniformed and law enforcement personnel on account
7 of death or incapacity shall not be filled during that period of six (6) months: *Provided*,
8 *further*, That if the public welfare and interest so demand, as determined by the municipal or
9 city mayor or provincial governor, in case of a police personnel or BFP personnel, or by the
10 Secretary of National Defense, in case of a military personnel, or by the Secretary of Interior
11 and Local Government, in case of a BJMP personnel, or by the Secretary of Transportation,
12 in case of a PCG personnel, or by the Secretary of Justice, in case of a NBI or BuCor
13 personnel, or by the Director General of PDEA, in case of a PDEA personnel, the position
14 left vacant by the deceased personnel, or permanently incapacitated personnel may be filled
15 without waiting for the expiration of the six (6) months period earlier mentioned, in which
16 case, the funds out of which the special financial assistance already received by the family of
17 the deceased or permanently incapacitated personnel shall be replenished out of the
18 emergency savings of the municipality, city or province, or the department, upon the
19 direction in writing by the municipal or city mayor or governor of the province, or
20 department secretary, to their respective treasurers or cashiers: *Provided, finally*, That, in the
21 event of such emergency, and no emergency savings as provided herein exist, the regional
22 chief or the provincial chief, as the case may be, may draw augmentation personnel from any
23 municipality in the province or region to fill up the vacancy until such time that the
24 municipality where the vacancy occurred can fill up such vacancy with regular personnel.

25 **SEC. 7. *Hospitalization Expenses.*** – If any uniformed personnel is injured or
26 wounded or in any manner suffers any injury in the performance of his official duties, the
27 hospitalization expenses, including necessary medicines and medical equipment, of such
28 uniformed personnel shall be shouldered by the office where he/she belongs, chargeable
29 against the salary savings of such office without the need of any appropriation act or
30 ordinance.

31 **SEC. 8. *Priority in Civil Service.*** – The surviving spouse or designated beneficiary of
32 the deceased or permanently incapacitated uniformed personnel shall be given priority in

1 employment in a government agency or office as long as the beneficiary satisfies the
2 qualification requirements of the vacant position. The agency shall, ensure compliance with
3 R.A. 7041 *Provided*, That, if the spouse is already employed or not employable or if he/she
4 waives such employment privilege, then an employable dependent shall be granted the said
5 privilege.

6 **SEC. 9. *Creation of Dependents Welfare Office.*** – There shall be a Dependents
7 Welfare Office created in each agency covered by this Act. To prevent redundancy and to
8 expedite the delivery of benefits, the establishment of such office may be done by appointing
9 an existing bureau or division to concurrently perform functions to implement the provisions
10 of this Act.

11 **SEC. 10. *Penalties.*** – The delay, refusal, or prevention in any manner of the
12 implementation of the provisions of this Act, without justifiable reason, by any government
13 official or employee, after due process, shall be considered as tantamount to gross neglect of
14 duty that shall be sufficient grounds for the dismissal from civil service, in addition to any
15 other criminal and administrative penalties imposable under existing laws.

16 **SEC. 11. *Non-diminution of Benefits.*** – The Special Financial Assistance and other
17 benefits provided under this Act shall be without prejudice to other similar benefits that may
18 be received by uniformed personnel.

19 **SEC. 12. *Separability Clause.*** – In the event that any provision, clause, or part of this
20 Act is declared unconstitutional, the validity of the other provisions shall not be affected by
21 such declaration.

22 **SEC. 13. *Repealing Clause.*** – The relevant provisions of Republic Act 6963 are
23 hereby repealed, including all laws, decrees, orders, rules and regulations or parts thereof
24 inconsistent with this Act are hereby repealed or modified.

25 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
26 in the Official Gazette or two (2) national papers of general circulation in the country,
27 whichever comes first

28 *Approved,*