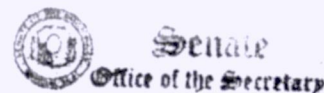


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 770

'19 JUL 24 P5:12

RECEIVED BY: _____

Introduced by Senator SONNY ANGARA

AN ACT

EXPANDING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS GRANTED TO BENEFICIARIES OF UNIFORMED 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 HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6963, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Since 1990, Republic Act No. 6963 has long entitled the families of soldiers, police and firemen to special financial assistance if ever their loved one is killed or permanently incapacitated while on the line of duty. Such financial assistance only befits the selfless service to the nation offered by these uniformed personnel.

Soldiers, police and firemen, however, they are not the only government front liners who risk life and limb to safeguard the safety and peace of all Filipinos. To this list, we must include those from the Bureau of Jail Management and Penology (BJMP), the Philippine Coast Guard (PCG), National Bureau of Investigation (NBI), Bureau of Corrections (BUCOR), and the Philippine Drug Enforcement Agency (PDEA). Their families deserve the same special financial assistance should they meet their untimely demise while doing their job, considering they are often their family's breadwinners.

It is for the reasons stated above that we are filing the foregoing measure, repealing Republic Act No. 6963 and proposing in its stead a legislation that expands

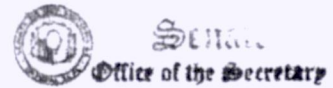
its original scope. This measure also creates a Dependents Welfare Office in each of the agencies covered to administered the financial assistance hereon mandated.

Present circumstances, including ongoing maritime disputes and the intensified campaign against criminality and drugs, only make the passage of this measure all the more imperative. Hence, we call on our colleagues to act on this promptly.



SONNY ANGARA

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

- 1 Section 1. *Short Title.* – This act shall be known as the "*Uniformed Personnel*
2 *Special Financial Assistance Act.*"
- 3 Sec. 2. *Scope.* – The family or beneficiary of any Uniformed Personnel of the
4 Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of Fire
5 Protection (BFP), Bureau of Jail Management and Penology (BJMP), Philippine Coast
6 Guard (PCG), National Bureau of Investigation (NBI), Bureau of Corrections (BUCOR)
7 and Philippine Drug Enforcement Agency (PDEA) assisting in a duly authorized
8 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
10 committed any crime or human rights violations by final judgment on such occasion,
11 shall be entitled to the special financial assistance provided for in this Act in addition

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

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

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

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

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

1 and Local Government, or the Secretary of Transportation, or the Secretary of Justice,
2 or the PDEA Director General, as the case may be.

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

29 *Sec. 7. Hospitalization Expenses.* – If any uniformed personnel is injured or
30 wounded or in any manner suffers any injury in the performance of his official duties,
31 the hospitalization expenses, including necessary medicines and medical equipment,
32 of such uniformed personnel shall be shouldered by the office where he/she belongs,

1 chargeable against the salary savings of such office without the need of any
2 appropriation act or ordinance.

3 Sec. 8. *Priority in Civil Service.* – The surviving spouse of the deceased or
4 permanently incapacitated uniformed personnel shall be given priority in employment
5 in a government or agency or office where his/her qualifications are fitted: *Provided,*
6 That, if the spouse is already employed or not employable or if he/she waives such
7 employment privilege, then an employable dependent shall be granted the said
8 privilege.

9 Sec. 9. *Scholarship Assistance.* – All surviving children of the deceased or
10 permanently incapacitated uniformed personnel shall be extended scholarship up to
11 college in a nonexclusive institution, subject to the policies on the tuition of said
12 institution. The scholarship privilege shall be limited to the payment of tuition and
13 miscellaneous fees payable to the school and shall be remitted by the National Police
14 Commission or the Department of National Defense or the Department of Interior and
15 Local Government or the Department of Justice or the Philippine Drug Enforcement
16 Agency, as the case may be, upon presentation to it of the approved enrollment or
17 registration form.

18 Sec. 10. *Funding of Scholarship Assistance.* – The amounts necessary to fund
19 the scholarship assistance for the surviving children of the deceased or permanently
20 incapacitated uniformed personnel shall be separately utilized and sourced as follows:

- 21 a) For PNP, license fees collected by the PNP Firearms and Explosives Office;
- 22 b) For AFP, prevailing funds exclusively allocated for scholarship including
23 applicable grants and donations and other service income;
- 24 c) For BFP, subsidy income from the National Government;
- 25 d) For PCG, collection from permits and licenses fees, fines and penalties, service
26 income, and other general income; and,
- 27 e) For NBI, income from government services, particularly NBI Clearance Fees,
28 including miscellaneous income.

29 For PDEA, BUCOR, and BJMP, amounts necessary for the scholarship assistance
30 shall be augmented to their respective budgets under the annual General
31 Appropriations Act.

1 The same agencies may determine or generate additional sources of funds for
2 the continuity of their scholarship assistance.

3 Sec. 11. *Creation of Dependents Welfare Office.* – There shall be a Dependents
4 Welfare Office created in each agency covered by this Act. To prevent redundancy
5 and to expedite the delivery of benefits, the establishment of such office may be done
6 by appointing an existing bureau or division to concurrently perform functions to
7 implement the provisions of this Act.

8 Sec. 12. *Penalties.* – The delay, refusal, or prevention in any manner, without
9 justifiable reason, by any government official or employee, after due process, shall
10 tantamount to gross neglect of duty that shall be sufficient grounds for the dismissal
11 from civil service, in addition to any criminal and administrative penalties imposable
12 under existing laws.

13 Sec. 13. *Non-diminution of Benefits.* – The Special Financial Assistance and
14 other benefits provided under this Act shall be without prejudice to other similar
15 benefits that may be received by uniformed personnel.

16 Sec. 14. *Separability Clause.* – If any portion or provision of this Act is
17 subsequently declared invalid or unconstitutional, other provisions hereof which are
18 not affected thereby shall remain in full force and effect.

19 Sec. 15. *Repealing Clause.* – Republic Act No. 6963 is hereby repealed and all
20 other laws, acts, presidential decrees, executive orders, presidential proclamations,
21 issuances, rules and regulations, or parts thereof which are contrary to or inconsistent
22 with any of the provisions of this Act are hereby repealed, amended, or modified
23 accordingly.

24 Sec. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its
25 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,