



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

23 JAN 31 P 3 :50

RECEIVED BY: _____

SENATE
S. No. 1816

Introduced by **Senator Raffy T. Tulfo**

AN ACT
INSTITUTING A SYSTEM OF COMBAT PAY AND COMBAT INCENTIVE PAY
OF THE ARMED FORCES OF THE PHILIPPINES (AFP), THE PHILIPPINE
NATIONAL POLICE (PNP) AND THE PHILIPPINE COAST GUARD (PCG),
SETTING THE RATES THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Armed Forces of the Philippines (AFP) is the military force of the Philippines. The AFP, being the protector of the people, plays a crucial role in preserving peace and harmony by defending the country against terrorism and other forms of threats, whether of civilian or military nature. It consists of three main service branches; the Army, the Air Force, and the Navy (including the Marine Corps).

The Philippine National Police (PNP), on the other hand, is the armed national police force in the Philippines. The agency is administered and controlled by the National Police Commission and is part of the Department of the Interior and Local Government (DILG). Municipal mayors operationally control local police officers. DILG,

on the other hand, organizes, trains and equips the PNP for the performance of police functions as a police force that is national in scope and civilian in character

The 1987 Constitution expressly declares that "[t]he Armed Forces of the Philippines (AFP) is the protector of the people and the State" and "[i]ts goal is to secure the sovereignty of the State and the integrity of the national territory." Our Constitution further provides that "[p]rofessionalism in the armed forces and adequate remuneration and benefits of its members shall be a prime concern of the State."

Sections 4 and 5, Article II of the 1987 Philippine Constitution declare that, "the prime duty of the Government is to serve and protect the people" and that, "the maintenance of peace and order, the protection of life, liberty and property and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." These duties are carried out by the country's premier police force, the Philippine National Police (PNP).

Despite these lofty constitutional precepts, our soldiers and police personnel receive measly salaries, inadequate allowances, and insufficient benefits, compared to the circumstantial stressors and challenges they face. Some of these are societal isolation, the sleep deprivation that comes with long shifts, and continued exposure to harmful human elements.

The Combat Duty Pay our soldiers receive is a testament to this. Combat Duty Pay (CDP) is a special combat allowance in addition to base pay for AFP personnel performing combat duties and PNP uniformed personnel engaged in actual police operations. Former President Rodrigo R. Duterte, under Executive Order No. 3, s. 2016 mandated that all entitled uniformed personnel shall receive a fixed rate of Php 3,000.00 CDP. In addition, a Combat Incentive Pay (CIP) amounting to Php 300 per day is accorded to personnel in uniform who figure directly or involve in actual combat/police operation against members of various insurgent, terrorist, and lawless

elements. CIP is also a collateral allowance that is excluded from gross income and exempt from taxation under Republic Act No. 8424 or the Tax Reform Act of 1997.

Indeed, said incentives can hardly address the increasing economic burden of soldiers who are subjected to numerous risks and perils when they put their lives on the line to protect our people, our institutions and our democratic way of life. In line with this, the Philippine Coast Guard (PCG) also needs to be recognized and should also receive such incentives since they are primarily tasked with safeguarding life and property at sea, protecting marine resources and the environment, and assisting in the enforcement of maritime laws within the Philippine jurisdiction paralleled to the service of the AFP and PNP.

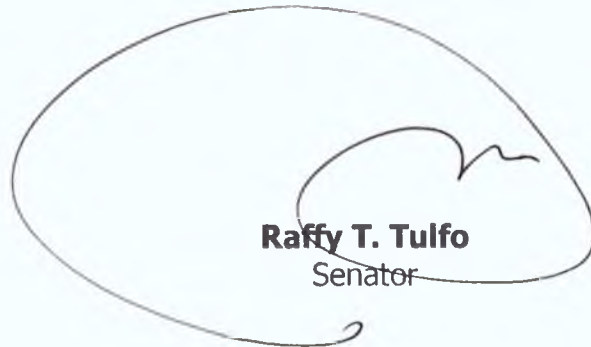
This bill seeks to increase the CDP to a fixed amount of PhP 5,000.00, and CIP to a fixed amount of PhP 1,000 to a maximum of fifty percent (50%) of their salary so that our uniformed personnel may receive a commensurate allowance for the dangers they encounter in protecting our citizens. It has been a long time since they were compensated well. It is just right and statutory because relative pay plays an integral part in career decision-making and boosting the morale of those engaged in combating threats or risky duties. The CDP and CIP increases would also help improve the living conditions of uniformed personnel and their respective families since inflation has been quite progressive.

The initial required budget for the Combat Duty Pay increase shall be charged against the savings of the respective departments of the concerned units of the uniformed personnel covered under this Act. Thereafter, the National Government shall appropriate annually and include in the General Appropriations Act the amount corresponding to the total annual cost of the increase in CDP and CIP.

It is high time that we recognize and honor the vital role played by the officers and men of the AFP, PNP and the PCG and members of the AFP by looking after their

welfare and providing them with decent and adequate compensation as well as reasonable and substantial benefits.

Hence, the immediate passage of this bill is earnestly sought.



Raffy T. Tulfo
Senator



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SETTING THE RATES THEREFOR 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 “Combat Incentives Act.”

2 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
3 promote professionalism in the armed forces and place as prime consideration the
4 adequate remuneration and benefits of its members.

5 Sec. 3. *Definition of Terms* – As used in this Act:

6 a) *Actual Combat* - means any armed engagements, tactical incidents, or
7 confrontations that are either offensive or defensive in nature and further
8 characterized by actual firefights or gun battles between any member or
9 members of the AFP or any of its units or commands against various insurgent,

1 terrorist, and lawless groups. The armed engagement incident or confrontation
2 could be on land, water, or airborne.

3 b) *Commissioned Officer or Officer* - refers to the members of the Philippine Army,
4 Philippine Air Force and Philippine Marine Corps with the rank of Second
5 Lieutenant to General, to the members of the Philippine Navy and Coast Guard
6 personnel with the rank of Ensign to Admiral, and the personnel of the
7 Philippine National Police with the rank of Police Lieutenant to Police General.

8 c) *Combat Duty* - means the following duties:

9 a. *Combat Operations* – refer to field operations involving armed
10 hostilities against insurgents or dissidents, outlaws, and terrorists
11 where the personnel of operating and maneuver forces, combat and
12 service support, and support to law enforcement units are exposed
13 to risks of injury or death from enemy action.

14 b. *Crime Prevention or Suppression Operations* – refer to operations
15 against armed criminals such as hostage rescue operations, anti-
16 hijacking operations, hot pursuit operations, and other similar armed
17 confrontations between members of the AFP and law offenders,
18 including insurgent, rebels, and/or terrorists resulting in casualty or
19 capture on either or both sides.

20 c. *Civil Military Operations* refer to planned activities undertaken
21 independently or in coordination with civilian entities in support of
22 the accomplishment of the AFP mission to gain popular support and
23 weaken the enemy's will to fight.

24 d. Internal Security operations are activities designed to preserve
25 internal security against insurgents, secessionists, and terrorists.
26 Among others, it includes territorial defense operations, intelligence,
27 combat, military, and police civil relations, legal offensives, police
28 ISO, and psychological operations.

29 e. Providing security to the President of the Philippines and his family,
30 including AFP personnel assigned outside AFP providing security
31 missions pursuant to Executive Order Number 41, s1966.

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f. Coastal Security Patrol - Seaborne or mobile patrols within coastal areas conducted by qualified PCG Uniformed Personnel who are in actual CG operation against elements of maritime threats. These patrols are covered by authorized LOI/Mission Order/ Letter Order/ IMPLAn or similar CG operation order.

d) *Enlisted Personnel* - refers to the members of the Philippine Army and Marine Corps with the rank of Private to Chief Master Sergeant, the Air Force with the rank of Airman to Chief Master Sergeant, and the members of the Philippine Navy and Coast Guard personnel with the rank of Seaman Apprentice to Master Chief Petty Officer. It also refers to the non-commissioned officers of the Philippine National Police with the rank of Patrolman to Police Executive Master Sergeant.

e) *Fragmentary Order (FRAGO)* - means an abbreviated form of an operation order, usually issued on a day-to-day basis which eliminates the need for restating information contained in a basic operations order. Fragmentary orders which may be issued in sections, contain information of immediate concern to subordinates and provide brief, specific, and timely instructions. It can come in the form of an oral, a digital, or a written message. It is issued after an operation order to change or modify that order or to execute a branch sequel to that order.

f) *Operations Order (OPORD)* - means a directive issued by a commander to his subordinate commanders for the purpose of effecting the coordinate execution of an operation. As used herein, Operations Order includes plans for camp defense, contingency, logistical run or movement, casualty evacuation, and case operation.

g) *Mission Order for Law Enforcement Activity (MO-LEA)* - an order issued to qualified PCG Unit to conduct land-based and/or seaborne law enforcement operations. It includes the Situation, Mission, Execution of the mission, Admin and Logistical requirements to support the conduct of operation and the

1 communication coordination among PCG Units. It requires after operations
2 report upon completion of the mission.

3 *Sec. 4. Combat Duty Pay.* — The rate of Combat Duty Pay for members of the
4 Armed Forces of the Philippines (AFP), the Philippine National Police and the Philippine
5 Coast Guard is hereby fixed at Five Thousand Pesos (Php 5,000.00) per month.

6 *Sec. 5. Persons Entitled to Combat Duty Pay.* – Active members of the AFP, the
7 Philippine National Police and Philippine Coast Guard who are performing Combat
8 Duties as defined under Sec 3 Paragraph (c) of this Bill and as defined in regulation
9 issued by the AFP Chief, the Chief PNP, and the Commandant of the Coast Guard,
10 respectively.

11 *Sec. 6. Combat Incentive Pay.* – The members of the AFP and the uniformed
12 personnel of the PNP and PCG who figure directly in actual combat against members
13 of various insurgent, terrorist, and lawless elements, shall be entitled to an additional
14 Combat Incentive Pay of One Thousand Pesos (Php 1,000.00) per day, subject to the
15 following conditions:

16 (a) The operation to which the enlisted personnel or officer is deployed must
17 be for a specific combat mission that is duly covered by an Operations
18 Order or Fragmentary Order for the AFP or a Mission Order for the PNP;

19 (b) The personnel involved in combat must be in the published task
20 organization of the AFP Operations Order or Fragmentary Order or the
21 PNP Mission Order; and

22 (c) The total additional Combat Incentive Pay for each qualified individual
23 shall not exceed fifty percent (50%) of the base salary pay per month
24 to be set by the respective Secretaries of each concerned departments,
25 in consultation with the AFP Chief of Staff, The PNP chief, and the
26 Commandant of the Coast Guard for this Act's Implementing Rules and
27 Regulations.

28 The Combat Incentive Pay shall be over and above the Combat Duty Pay of
29 Five Thousand Pesos (Php 5,000.00) for qualified officers and enlisted personnel of
30 the AFP, PNP and PCG.

1 *Sec. 7. Funding Requirement.* – The funding requirement necessary to
2 implement this law shall be specifically included under the yearly appropriations
3 for the AFP, PNP and PCG in the General Appropriations Act, provided that the
4 actual and validated rosters of military and uniformed personnel of the said units
5 are submitted to the Department of Budget and Management to be used as the
6 basis for allocating funds for the succeeding year’s budget.

7 *Sec. 8. Implementing Rules and Regulations* – The Secretary of National
8 Defense, the Secretary of the Interior and Local Government, and the Secretary of
9 Transportation, in consultation with the Chief of Staff of the AFP, the Chief of the
10 Philippine National Police, the Commandant of the Coast Guard and the heads of
11 all service branches of the armed forces, shall promulgate the rules and regulations
12 necessary to implement the provisions of this act within ninety (90) days from its
13 effectivity. Further, the secretaries of the concerned departments shall review this
14 act's implementing rules and regulations every three (3) years.

15 *Sec. 9. Separability Clause.* — If, for any reason, any portion of this Act is
16 declared unconstitutional or invalid, the same shall not affect the validity of the
17 other provisions not affected thereby.

18 *Sec. 10. Repealing Clause.* — All laws, decrees, executive orders, issuances,
19 rules and regulations or parts thereof inconsistent with the provisions of this Act
20 are hereby repealed or modified accordingly.

21 *Sec. 11. Effectivity.* — This Act shall take effect fifteen (15) days after
22 publication in at least two (2) newspapers of general circulation.

Approved.