

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

6 APR -6 P5:42

SENATE
Senate Bill No. 2241

RECEIVED BY: 

Introduced by **SENATOR RICHARD GORDON**

EXPLANATORY NOTE

The Constitution provides under Section 7, Article XVI that:

The State shall provide immediate and adequate care, benefits and other forms of assistance to war veterans and veterans of military campaigns, their surviving spouses and orphans.


Despite said provision, the government has failed to provide the veterans and military retirees with adequate compensation and assistance.

The veterans risked their lives defending our nation during the World War II. Military retirees struggled to uphold democracy by battling the enemies of the State. Their commitment to the nation is a value that the State must recognize and cherish, yet it is unconscionable that the State regularly fails to recognize these sacrifices by the simple gesture of ensuring adequate care, assistance and benefits.

The national government, over the past 15 years, owes war veterans and military retirees PHP 42 billion in benefits. The Philippine Veterans Affairs Office of the Department of National Defense reported that for the years 2004 and 2005, there is a 4 billion and a 4-5 billion inadequacy in appropriations respectively.

The act of appropriating funds in the national budget is insufficient for this purpose. The funding requirements for the veterans and military retirees will continuously grow over the years. As such, it is necessary to find creative ways to utilize government assets to address these needs. This bill, through the utilization of proceeds coming from the development, lease or use of certain government properties, would enable the government to respond to its obligation to veterans and military retirees, finally allowing the State to, in some small measure, recognize the sacrifices of veterans and military retirees. Increasingly, as more and more enter their twilight years, the State must aid them and provide for them, adequately and sufficiently, with their needs and the recompense that is rightfully theirs.

In view thereof, passage of this bill is earnestly sought.


RICHARD J. GORDON

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**AN ACT MANDATING THE USE OF THE PROCEEDS FROM THE DEVELOPMENT,
LEASE OR USE, AS THE CASE MAY BE, OF GOVERNMENT PROPERTIES FOR
VETERANS' PENSIONS AND BENEFITS**

SECTION 1. Declaration of Policy. – Consistent with the Constitutional mandate to provide immediate and adequate care and benefits to war veterans, it is hereby declared the policy of the State to provide the necessary funds to pay the arrears in the veterans' and military retirees' pension and benefits.

SECTION 2. Coverage. – This Act shall apply to the lease, development or use, as the case may be, of the following properties of the Government:

- a. the former site of the Philippine Veterans Affairs Office at Arroceros Street, Ermita, Manila;
- b. the Veterans Memorial Medical Center in Quezon City; and
- c. the Taguig Industrial Estate

Section 3. Utilization of Proceeds for Veterans and Military Retirees' Pensions and Benefits. – All proceeds from the lease, development or use of the aforesaid properties shall be utilized to fund pension and benefits of veterans and military retirees, whether in arrears or due for payment by the national government. Provided that, any shortfall in payment of pensions and benefits to veterans and military retirees, shall continue to be assumed by the national government from other sources, and that this Act is not intended to be in full satisfaction of said pensions and benefits. Provided further that, all proceeds and receipts from the lease, development or use of said properties except operational expenses, shall be remitted directly to the Philippine Veterans Bank as the depository bank, and managed by an appropriate government financial institution for purposes of automatic distribution of pensions and benefits directly to war veterans and military retirees and to provide the federation with regular monthly or quarterly operational funds.

SECTION 4. – Privatization Agencies of Government. – For purposes of implementing the provisions of this Act, the appropriate agencies of government responsible for the privatization of government assets is hereby empowered to direct, supervise and coordinate private sector participation in the lease, development or use of said properties, to secure possession of and conserve the same, to engage external expertise as may be necessary in the fulfillment of its tasks, submit periodic reports to the Council on the status of the private sector participation in the lease, development or use of said properties, and adopt such rules and regulations as may be necessary to effect the provisions of this Act.

SECTION 5. Separation Clause. – If, for any reason, any portion or provision of this Act shall be declared unconstitutional, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 6. Repealing Clause. – Section 1(b) of Republic Act No. 7181, as amended, Extending the Term of the Committee on Privatization and the Asset Privatization Trust, and all other laws, decrees, executive orders, rules and regulations and other issuances, or portions thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SECTION 7. Effectivity. – This Act shall take effect after fifteen (15) days following the completion of its publication in two (2) national newspapers of general circulation.

APPROVED.