

FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

7 JUL -3 P4:23

SENATE

RECEIVED BY: 

S. B. No. 850

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Section 7, Article XVI of the Constitution mandates the State to "provide immediate and adequate care, benefits, and other forms of assistance to war veterans and veterans of military campaigns, their surviving spouses and orphans. Funds shall be provided therefore and due consideration shall be given them in the disposition of agricultural lands of the public domain and, in appropriate cases, in the utilization of natural resources."

However, the war veterans have yet to see the full benefits of the implementation of this provision of the Constitution.

Moreover, it is alarming to note that in 2005, the total unpaid obligations of the government to our war veterans and military retirees has already amounted to P42 billion.

This bill proposes, therefore, that proceeds from the development, lease and/or use of certain government properties, shall be utilized for the payment of the benefits of war veterans and military retirees. Through such, we take a closer step to ensuring that pensions and other benefits of veterans and military retirees are properly funded.

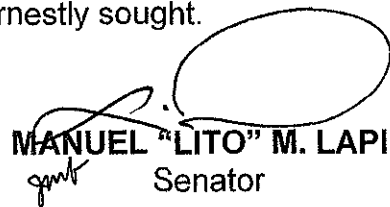
Further, this measure provides that payment of pensions and benefits to veterans and military retirees which could not be covered by the development, lease and/or use of the properties enumerated shall continue to be assumed by the national government from other sources.

We wish to uphold and secure the well-being of these unsung heroes who played important and crucial roles in the struggle for independence of our

country. Caring for our war veterans and military retirees is not only a legal obligation, but also a moral obligation of the government. They fought for the country and the least the government can do is to provide them sufficient support for their daily sustenance.

Our veterans have suffered and sacrificed a lot to defend our country. The government should reward them by giving them what is rightfully theirs by law.

The immediate passage of this bill is earnestly sought.


MANUEL "LITO" M. LAPID
Senator

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AN ACT

MANDATING THE USE OF THE PROCEEDS FROM THE DEVELOPMENT,
LEASE AND/OR USE OF GOVERNMENT PROPERTIES FOR VETERAN'S
PENSIONS AND BENEFITS

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

Section 1. Declaration of Policy. - It hereby declared the policy of the State to provide the necessary funds to pay the arrears in the veterans and military retirees' pensions and benefits pursuant to the constitutional mandate providing for immediate and adequate care, benefits and other forms of assistance to war veterans and veterans of military campaigns.

Section 2. Coverage. - This Act shall apply to development, lease and/or use of the following properties of the government : former site of the Philippine Veterans Affairs Office (PVAO), Arroceros Street, Ermita, Manila; Veterans Memorial Medical Center, Quezon City; Veterans Center, Taguig, Metro Manila; all properties given by the Japanese government to the government of the Philippines under the Reparations Agreement, including the Roppongi and Nampaidai properties in Tokyo, Japan and the Naniwacho and Obanoyan properties in Kobe, Japan; and other properties that may be identified by the Office of the President.

Section 3. Utilization of the Proceeds of the Development, Lease and/or Use of Government Properties. - All proceeds from the development, lease and/or use of the properties under Section 2 of this Act , shall be utilized to fund pensions and other benefits of veterans and military retirees, whether in arrears or due for payment by the national government: Provided, That payment of pensions and benefits to veterans and military retirees which could not be covered by the development, lease and/or use of the properties under Section 2 of this Act, 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 proceeds and receipts from the development, lease and/or use of the properties under Section 2 of this Act, shall be remitted and/or deposited directly to any government bank as the depository bank, and shall be managed by the PVAO solely for purposes of distribution of pensions and benefits of war veterans and military retirees.

Section 4. Implementing Agencies. - For purposes of implementing the provisions of this Act, the Privatization Council, composed of the Secretary of the Department of Finance (DOF) as Chairman and the Secretaries of the Department of Justice (DOJ), Department of Budget and Management (DBM), Department of Trade and Industry (DTI) and the Director-General of the National Economic Development Authority (NEDA), as members, is hereby empowered to direct, supervise and coordinate private sector participation in the development, lease and/or use of the properties under Section 2 of this Act, for the maximum generation of cash recovery for the benefit of the war veterans and military retirees. The Privatization and Management Office (PMO) under the DOF is hereby authorized to implement the actual marketing for the development, lease and/or use of the properties under Section 2 of this Act, after securing the approval of the Council, and to perform the following additional functions: a. To execute and deliver, on behalf of the national government, the deeds, contracts and other instruments as may be necessary or appropriate to effect the development, lease and/or use of the properties under Section 2 of this Act; b. To secure possession of and conserve the same; c. To engage the services of experts as may be necessary in the fulfillment of its tasks; d. To submit periodic reports to the Council and to the PVAO on the status of private sector participation in the development, lease and/or use of the properties under Section 2 of this Act, and e. To adopt such rules and regulations as may be necessary to effect the provisions of this Act.

Section 5. Implementing Rules and Regulations. - Within six (6) months after the enactment of this Act, the Department of National Defense, through the PVAO; the DOF, through the PMO and in coordination with the Senate Committee on National Defense and Security and the House Committee on Veterans Affairs, shall promulgate the implementing rules and regulations of this Act.

Section 6. Repealing Clause. - All laws, executive orders, letters of instruction, rules and regulations, or provisions thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 7. Separability Clause. - If any portion hereof shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions which shall remain in full force and effect.

Section 8. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.