


FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

7 NOV -8 2023

SENATE

RECEIVED BY: 

Senate Bill No. 1824

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

With the passage of Republic Act No. 6975, administrative control and supervision over the country's district, city and municipal jails was transferred to the Bureau of Jail Management and Penology (BJMP) under the Department of the Interior and Local Government (DILG).

The maintenance of all district, city and municipal jails throughout the country is now therefore lodged with the BJMP, which is presently a distinct bureau with its own uniformed and non-uniformed personnel complement.

In the light of the reforms brought about by RA 6975, it has become imperative to enact amendments to existing laws affecting the plight of our jailguards to serve as modest incentives in lifting the economic status of the men and women of the BJMP whose bravery, perseverance and devotion in overseeing the country's jails with utmost diligence and professionalism deserve the highest public esteem.

One of these laws is Republic Act No. 6963, otherwise known as "An Act granting special financial assistance and benefits to the family or beneficiary of any police or military or firemen killed or permanently incapacitated while in the performance of his duty or by reason of his office or position, and for other purposes".

Based on the title of RA 6963 alone, it is indeed apparent that our country's jailguards have been left out from the scope of the said law. As such, this bill therefore intends to amend the provisions of RA 6963 to include the BJMP personnel which will give a big boost to their welfare and morale and will make them receive the same benefits enjoyed by their counterparts in the other uniformed services of the government.

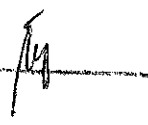
With this bill, it is hoped that the family or beneficiary of the men and women of the BJMP will be given the special financial assistance and benefits due them when they are killed or permanently incapacitated while in the performance of their duty or by reason of their office or position.

Hence, the passage of this proposed legislative measure is earnestly sought.


MANNY VILLAR

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AN ACT
AMENDING REPUBLIC ACT NO. 6963, OTHERWISE KNOWN AS
“AN ACT GRANTING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS TO
THE FAMILY OR BENEFICIARY OF ANY POLICE OR MILITARY PERSONNEL
OR FIREMAN KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE
PERFORMANCE OF HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION,
AND FOR OTHER PURPOSES”

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

1 SECTION 1. – Section 1 of Republic Act No. 6963 is hereby amended to
2 read as follows.

3 “SECTION 1. The family or beneficiary of any [police or military personnel,
4 including any fireman assisting in a police or military action] UNIFORMED AND
5 NON-UNIFORMED PERSONNEL OF THE PHILIPPINE NATIONAL POLICE (PNP),
6 ARMED FORCES OF THE PHILIPPINES (AFP), BUREAU OF FIRE PROTECTION
7 (BFP) AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), who is
8 killed or becomes permanently incapacitated while in the [performance] LINE of [his]
9 duty or by reason of his office or position, provided he has not committed any crime
10 or human rights violations by final judgment on such occasion, shall be entitled to
11 the special financial assistance provided for in this Act in addition to whatever
12 compensation, donation, insurance, gift, pension, grant, or any form of benefit which
13 said deceased or permanently incapacitated person or his family may received or be
14 entitled to.

15 SEC. 2. - Section 2 of the law is hereby amended to read as follows:

16 “SEC. 2. The term “PERSONNEL”, AS USED IN THIS ACT, SHALL REFER
17 TO BOTH THE UNIFORMED AND NON-UNIFORMED PERSONNEL OF THE PNP,
18 AFP, BFP AND BJMP WHILE THE TERM “family” OR “BENEFICIARY”, [as used in
19 this Act] shall refer to the surviving legal spouse and his [legitimate] children or

1 parents, [or brothers and sisters, or aunts and uncles,] in that respective order:
2 Provided: That, if the [police or military personnel or fireman] PNP, AFP, BFP OR
3 BJMP PERSONNEL is a Muslim, the pertinent provisions of the Code of Muslim
4 Personal Law (Shari'a) shall apply.

5 SEC. 3. – Section 3 of the law is hereby amended to read as follows:

6 "SEC. 3. The special financial assistance referred to in Section One hereof
7 shall be that which is equivalent to the average six (6) month's salary, including
8 allowances and bonuses, during the last twelve (12) months preceding the death
9 OR PERMANENT INCAPACITY of [the officer] ANY UNIFORMED AND NON-
10 UNIFORMED PERSONNEL OF THE PNP, AFP, BFP OR BJMP which shall not be
11 considered a part of the estate of the deceased and which shall be exempt from
12 attachment, garnishment or execution and from income and other taxes.

13 SEC. 4. – Section 4 of the law is hereby amended to read as follows:

14 "SEC. 4. It shall be the duty of the cashier from whom the deceased or
15 permanently incapacitated [police or military personnel or fireman] PERSONNEL OF
16 THE PNP, AFP, BFP OR BJMP used to receive his salary, within three (3) days
17 from receipt of a written certification from the station or unit commander of the fact
18 of death OR PERMANENT INCAPACITY and the circumstances thereof to deliver to
19 the beneficiaries such special financial assistance as stated in Section Three hereof.
20 In case of permanent [disability] INCAPACITY, a certification by the proper medical
21 officer designated by the CHIEF OF THE PNP, OR THE Chief of Staff of the [Armed
22 Forces of the Philippine] AFP, or the [Director General of the Integrated National
23 Police] CHIEF OF THE BFP, OR THE CHIEF OF THE BJMP, as the case may be, is
24 necessary for the payment of the aforesaid SPECIAL financial assistance. After said
25 payment, a report with the formal certificate of death or permanent incapacity shall
26 be RESPECTIVELY submitted to the [Secretary of National Defense or the Director
27 General of the Integrated National Police] CHIEF OF THE PNP, OR THE CHIEF OF
28 STAFF OF THE AFP, OR THE CHIEF OF THE BFP, OR THE CHIEF OF THE
29 BJMP.

30 SEC. 5. – Section 5 of the law is hereby amended to read as follows:

31 "SEC. 5. In order to assure the payment of the special financial assistance
32 referred to in this Act, without any need of any appropriation act or ordinance, the
33 payment shall come from the expected salary, allowances and bonusES of the
34 deceased or permanently incapacitated [police or military] personnel [or fireman] OF
35 THE PNP, AFP, BFP OR BJMP for the next six (6) months after his death or
36 PERMANENT incapacity: Provided, That the position left vacant by the deceased or
37 permanently incapacitated [police or military personnel or fireman] PERSONNEL OF
38 THE PNP, AFP, BFP OR BJMP on account of his death or PERMANENT incapacity

1 shall not be filled during that period of six (6) months: Provided, further, That if the
2 public welfare and interest so demand, as determined by the [municipal of city
3 mayor or provincial governor] CHIEF OF THE PNP, in case of a [police] PNP
4 personnel [or fireman, or by the Secretary of National Defense], OR THE CHIEF OF
5 STAFF OF THE AFP, in case of a military personnel, OR THE CHIEF OF THE BFP,
6 IN CASE OF A FIRE PERSONNEL, OR THE CHIEF OF THE BJMP, IN CASE OF A
7 JAIL PERSONNEL the position left vacant by the deceased [personnel,] or
8 permanently incapacitated personnel may be filled without waiting for the expiration
9 of the six (6) months period earlier mentioned, in which case, the funds out of which
10 the special financial assistance already received by the family of the deceased or
11 permanently incapacitated personnel shall be replenish out of the emergency
12 savings of the [municipality, city or province, or the department,] CONCERNED
13 BUREAUS upon the direction in writing by [the municipal or city mayor or
14 department secretary,] THEIR RESPECTIVE CHIEFS to their respective treasurers
15 or cashiers [:Provided, finally, That, in the event of such emergency, no emergency
16 savings as provided herein exist, the regional commander or the provincial
17 commander, as the case may be, may draw augmentation personnel from any
18 municipality in the province or region to fill up the vacancy until such time that the
19 municipality where the vacancy occurred can fill up such vacancy with regular
20 personnel].

21 SEC. 6. – Section 6 of the law is hereby amended to read as follows:

22 “SEC. 6. If any [police or military] personnel [or fireman] of the PNP, AFP,
23 BFP OR BJMP is injured or wounded [or in any manner suffers any injury] in the
24 performance of his official duties, the hospitalization expenses of such [police or
25 military] personnel [or fireman] shall be shouldered by the office where he belongs,
26 chargeable against the salary savings of such office without the need of any
27 appropriation act or ordinance.

28 SEC. 7. – Section 7 of the law is hereby amended to read as follows:

29 “SEC. 7. The surviving spouse of the deceased or permanently incapacitated
30 [police or military] personnel [or fireman] OF THE PNP, AFP, BFP OR BJMP shall
31 be given priority in employment in a government or agency or office where her
32 qualifications are fitted: Provided, That if the spouse is already employed or not
33 employable or if she waives her employment privilege, then an employable son or
34 daughter shall be granted the said privilege.

35 SEC. 8. – Section 11 of the law is hereby amended to read as follows:

36 “SEC. 11. Any person who unduly delays, refuses or in any manner prevents
37 the payment of the special financial assistance [defined] AS PROVIDED in this Act

1 to the person or persons entitled thereto shall be dismissed from office if found guilty
2 in an appropriate administrative case.

3 SEC. 9. – Section 12 of the law is hereby amended to read as follows:

4 “SEC. 12. Nothing in this Act shall be construed to prejudice and diminish
5 whatever benefits a [member of the military establishment or the Integrated National
6 Police] PERSONNEL OF THE PNP, AFP, BFP AND BJMP is entitled to receive
7 under existing laws.”

8 SEC. 10. *Implementing Rules and Regulations.* – The Department of the
9 Interior and Local Government (DILG), the Department of National Defense (DND)
10 and the National Police Commission (NAPOLCOM), in coordination with the
11 concerned bureaus and other agencies, shall promulgate and implement rules and
12 regulations within ninety days following the approval of this Act.

13 SEC. 11. *Repealing Clause.* – All laws, decrees, orders, rules and regulations
14 which are contrary to or inconsistent with this Act are hereby repealed or modified
15 accordingly.

16 SEC. 12. *Effectivity.* – This Act shall take effect 15 days after its complete
17 publication in at least two (2) newspapers of general circulation.

18 Approved,