

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

6 DEC -5 12:57

SENATE

S. B. No. 2552

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

This legislative intervention is being proposed in order to give flesh to Article XVI, Section 7 of the 1987 Constitution which mandates that the State should provide immediate and adequate care, benefits and other forms of assistance to our war veterans and veterans of military campaigns, their surviving spouses and orphans.

There are World War II veterans who died without being able to enjoy the benefits due to them. Because of this, there is a continuing clamor to give to our veterans their promised benefits.

To date, the Philippine government owes our war veterans an estimated amount of more than P42.0 billion pesos in unpaid benefits. Unless the government adopts innovative mechanisms to address this escalating obligation to our war veterans, its obligations will continue to mount.

In view thereof, this proposed measure seeks to provide the mechanisms so that we can get necessary funds to pay the arrears in the veterans and military retirees' pensions and benefits. Under this measure, all proceeds from the lease, development or use of selected properties of the government shall be utilized to fund the pensions and benefits of veterans and military retirees, whether in arrears or due for payment by the national government. Furthermore, all proceeds and receipts from the lease, development or use of said properties shall be remitted directly to any government bank as the depository bank, managed by the PVAO for purposes of distribution of pensions and benefits directly to war veterans and military retirees.

This measure seeks to make it possible for the Philippine government to pay the veterans the billions owed to them in health, disability, social welfare and pensions. Through this measure, we will give honor and recognition to the wartime sacrifices made by our countrymen to protect our freedom and democracy. This will also show good faith on the part of our government in its commitment to deliver veterans' benefits and services that will improve their general welfare and perpetuate the memory of their heroic deeds.


In view of the foregoing, the passage of this measure is earnestly sought.


MANUEL "LITO" M. LAPID
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC
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OFFICE OF THE SECRETARY

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RECEIVED BY: 

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

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

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' pensions and benefits.

SEC. 2. Coverage. - This Act shall apply to the lease, development or use, as the case may be, of the following properties of the government, namely:

- (a) The former site of the Philippine Veterans Affairs Office (PVAO) at Arroceros Street, Ermita, Manila;
- (b) The Veterans Memorial Medical Center in Quezon City;
- (c) The Veterans Center in Taguig, Metro Manila;
- (d) The properties given by the Japanese government to the Philippine government under the Reparations Agreement, including the Roppongi and Nampeidai properties in Tokyo and the Naniwa-cho and Obanoyam properties in Kobe; and
- (e) Other properties that may be identified by the Office of the President.

SEC. 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 pensions 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 any government bank as the depository bank, managed by the PVAO for purposes of distribution of pensions and benefits directly to war veterans and military retirees, and for no other purpose.

SEC. 4. *Privatization Council and Privatization Management Office as Implementing Agencies.* - For purposes of implementing the provisions of this Act, the Privatization Council (PC) is hereby empowered to direct, supervise and coordinate private sector participation in the lease, development or other use of the above properties, in order to generate maximum cash recovery for the benefit of war veterans and military retirees.

The Privatization and Management Office (PMO) is hereby authorized to implement the actual marketing for the lease, development or use of the above properties after securing the prior approval of the Council; to execute and deliver, on behalf of the national government, the deed, the contracts and other instruments as may be necessary or appropriate to effect 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; to submit periodic reports to the Council and to the PVAO on the status of private sector participation in the lease, development or use of said properties; and to adopt such rules and regulations as may be necessary to effect the provisions of this Act.

SEC. 5. *Implementing Rules and Regulations (IRR).* - The Department of National Defense (DND), through the PVAO, the Department of Finance (DOF) through the PMO, in coordination with the Committees of National Defense and Veterans Affairs of the Senate and the House of Representatives, respectively, shall promulgate the implementing rules and regulations for this Act within six (6) months after enactment hereof.

SEC. 6. *Separability 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.

SEC. 7. *Repealing Clause.* - 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.

SEC. 8. *Effectivity Clause.* - This Act shall take effect after (15) days following the completion of its publication in two (2) newspapers of general circulation.

Approved,