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SENATE

Senate Bill No. 499

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA


EXPLANATORY NOTE

In 1990, R.A. No. 6948 entitled "An Act Standardizing And Upgrading The Benefits For Military Veterans And Their Dependents" was enacted to provide for an updated and rationalized benefits system for our war veterans. Thousands of veterans and their dependents benefited from this law which put into flesh the constitutional mandate 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." (*Section 7, Article 15, 1987 Constitution*).

In 1994, R.A. No. 7696 was signed into law amending the original law, providing for administrative total disability pension which is given to all veterans upon reaching 70 years old regardless of whether they are actually disabled, totally or partially. The amount to be given was P1,700 plus P500.00 for the spouse and each unmarried minor children.

While obviously laudable, this benefit was never actually funded by Congress mainly because the executive department never included it in its annual budget submissions to Congress. This proposed bill seeks to stop the bleeding, so to speak, by deleting the provision which mandates the aforesaid administrative total disability pension. The bill is prospective, not retroactive, in its effectivity. This means that those who have been entitled to this benefit have acquired a vested right and it shall not be taken away by this bill. However, those who have not reached 70 years old upon its effectivity shall not anymore be entitled to this benefit.

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


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 6948 OTHERWISE KNOWN AS
"AN ACT STANDARDIZING AND UPGRADING THE BENEFITS FOR
MILITARY VETERANS AND THEIR DEPENDENTS," AS AMENDED

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

SECTION 1. Paragraph (h) of Section 5 is hereby amended to read follows:

(h) If and while the disability is rated anywhere from ninety-one to one hundred per centum (91% - 100%), the monthly pension shall be One thousand seven hundred pesos (P1,700.00); plus Five hundred pesos (P500.00) for the spouse and each unmarried minor children[:]. [Provided, That a veteran, with or without a service-connected or nonservice connected disability, upon reaching the age of seventy (70) is deemed totally disabled with one hundred per centum (100%) rating and shall be entitled to a monthly pension of One thousand seven hundred pesos (P1,700.00) plus Five hundred pesos (P500.00) for the spouse and each unmarried minor children.]

SEC. 2. Repealing Clause. - All other laws, rules, regulations, orders, circulars and memoranda inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 3. Effectivity. - This Act shall take effect immediately upon approval.

Approved,