

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5997



INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

EXPLANATORY NOTE

The life of a soldier or a police officer is one of uncertainty. These uniformed and law enforcement personnel put their lives on the line not only to provide for the needs of their loved ones but more importantly, to fulfill their sworn duty to protect the Filipino people and uphold peace in the country. But in the event of their death, who takes care of their family?

Thus, to honor the sacrifices of our uniformed personnel, the State must ensure to secure a bright future for their families.

This bill seeks to provide a special financial assistance to the families and beneficiaries of any personnel of the Philippine National Police, Armed Forces of the Philippines, Bureau of Fire Protection, Bureau of Jail Management and Penology, Philippine Coast Guard, National Bureau of Investigation, and Philippine Drug Enforcement Agency killed or permanently incapacitated while in the line of duty. The special financial assistance equivalent to the average six months salary of the personnel, including allowances and bonuses.

To ensure that their families' needs are sustained, this bill also gives their surviving spouses or designated beneficiaries priority in employment in government agencies and offices where their qualifications are fitted.

Lastly, to expedite the delivery of the said benefits, this proposed measure pushes for the creation of a Dependents Welfare Office in the agencies covered by this Act.

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


ALFRED VARGAS

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AN ACT

PROVIDING FOR SPECIAL FINANCIAL ASSISTANCE AND BENEFITS GRANTED TO BENEFICIARIES OF UNIFORMED AND LAW ENFORCEMENT PERSONNEL OF THE PHILIPPINE NATIONAL POLICE (PNP), ARMED FORCES OF THE PHILIPPINES (AFP), BUREAU OF FIRE PROTECTION (BFP), BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), PHILIPPINE COAST GUARD (PCG) NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF CORRECTIONS (BUCOR), AND PHILIPPINE DRUG ENFORCEMENT AGENCY (PDEA) KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF THEIR DUTY OR BY REASON OF THEIR OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE PERTINENT PROVISIONS OF REPUBLIC ACT NO. 6963, AND FOR OTHER PURPOSES.

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

SECTION 1. Title. – This Act shall be known as the “*Uniformed and Law Enforcement Personnel Special Financial Assistance Act*”.

SEC. 2. Scope. – The family or beneficiary or any Uniformed and Law Enforcement Personnel of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Philippine Coast Guard (PCG), National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), and Bureau of Corrections (BUCOR) assigned to or involved in a duly authorized operation, who is killed or becomes permanently incapacitated while in the performance of his duty or by reason of his office or position, provided he has not been convicted by final judgment of any crime or human rights violations on such occasion, shall be entitled to the special financial assistance provided for in this Act in addition to whatever compensation, donation, insurance, gift, pension, grant, or any form of benefit which said deceased or permanently incapacitated person or his family may receive or be entitled to.

For purposes of this Act, Uniformed and Law Enforcement Personnel shall be construed as personnel of the PNP, AFP, BFP, BJMP, PCG, NBI, PDEA and BUCOR who are directly, regardless of which capacity, assigned to or involved in

operations with real and immediate threat to life or in routine duty with unexpected or imminent danger.

SEC.3. Beneficiaries. – The term “family” as used in this Act shall refer to the surviving legal spouse and the Uniformed or Law Enforcement Personnel’s legitimate and illegitimate children, or his or her parents, or brothers and sisters, or aunts and uncles, in that respective order: *Provided:* That, if the uniformed personnel is a Muslim, the pertinent provisions of the Code of Muslim Personal Laws (Shari’a) shall apply.

SEC. 4. Special Financial Assistance. – The special financial assistance referred to in Section 1 hereof shall be that which is equivalent to the average six (6) months’ salary, including allowances and bonuses, during the last twelve (12) months preceding the death of the personnel which shall not be considered a part of the estate of the deceased and which shall be exempt from attachment, garnishment or execution and from income and other taxes.

SEC. 5. Provision of Special Financial Assistance. – It shall be the duty of the cashier or concerned service chief from whom the deceased or permanently incapacitated uniformed and law enforcement personnel used to receive his/her salary, within three (3) days from receipt of a written certification from the concerned agency or bureau head, station or unit commander of the fact of death or permanent disability or incapacity and the circumstances thereof, to deliver to the beneficiaries such special financial assistance as stated in Section 3 hereof. In case of permanent disability or incapacity, a certification by the proper medical officer designated by the Chief PNP, or the Chief of Staff AFP, or the Chief of the BFP, or the Chief BJMP, or the Commandant PCG, or the Director of the NBI, or the Director General of the PDEA, or the Chief BFP, or the Director General of BUCOR as the case may be is necessary for the payment of the aforesaid financial assistance. After said payment, a report with the formal certificate of death or permanent incapacity shall be submitted to the Secretary of National Defense, or the Secretary of Interior and Local Government, or the Secretary of Transportation, or the Secretary of Justice, or the PDEA Director General, as the case may be.

SEC. 6. Filling of Positions. – In order to assure the payment of the special financial assistance referred to in this Act, without any need of any appropriation act or ordinance, the payment shall come from the expected salary, allowances and bonus of the deceased or permanently incapacitated uniformed and law enforcement personnel for the next six (6) months after his/her death or incapacity: *Provided,* That the position left vacant by the deceased or permanently incapacitated uniformed and law enforcement personnel on account of death or incapacity shall not be filled during that period of six (6) months: *Provided, further,* That if the public welfare and interest so demand, as determined by the municipal or city mayor or provincial governor, in case of a police personnel or BFP personnel, or by the Secretary of National Defense, in case of a military personnel, or by the Secretary of Interior and Local Government, in case of a BJMP personnel, or by the Secretary of Transportation, in case of a PCG personnel, or by the Secretary of Justice, in case of a NBI or BUCOR personnel, or by the Director General of PDEA, in case of a PDEA personnel, the position left vacant by the deceased personnel, or permanently incapacitated personnel may be filled without waiting

for the expiration of the six (6) months period earlier mentioned, in which case, the funds out of which the special financial assistance already received by the family of the deceased or permanently incapacitated personnel shall be replenished out of the emergency savings of the municipality, city or province, or the department, upon the direction in writing by the municipal or city mayor or governor of the province, or department secretary, to their respective treasurers or cashiers: *Provided, finally,* That, in the event of such emergency, and no emergency savings as provided herein exist, the regional chief or the provincial chief, as the case may be, may draw augmentation personnel from any municipality in the province or region to fill up the vacancy until such time that the municipality where the vacancy occurred can fill up such vacancy with regular personnel .

SEC. 7. Hospitalization Expenses. – If any uniformed personnel were injured or wounded or in any manner suffers any injury in the performance of his official duties, the hospitalization expenses, including necessary medicines and medical equipment, of such uniformed personnel shall be shouldered by the office where he/she belongs, chargeable against the salary savings of such office without the need of any appropriation act or ordinance.

SEC. 8. Priority in Civil Service. – The surviving spouse or designated beneficiary of the deceased or permanently incapacitated uniformed personnel shall be given priority in employment in a government agency or office as long as the beneficiary satisfies the qualification requirements of the vacant position. The agency shall ensure compliance with R.A. 7041 *Provided,* That, if the spouse is already employed or not employable or if he/she waives such employment privilege, then an employable dependent shall be granted the said privilege.

SEC. 9. Creation of Dependent Welfare Office. – There shall be a Dependents Welfare Office created in each agency covered by this Act. To prevent redundancy and to expedite the delivery of benefits, the establishment of such office may be done by appointing an existing bureau or division to concurrently perform functions to implement the provisions of this Act.

SEC. 10. Penalties. – The delay, refusal, or prevention in any manner of the implementation of the provisions of this Act, without justifiable reason, by any government official or employee, after due process, shall be considered as tantamount to gross neglect of duty that shall be sufficient grounds for the dismissal from civil service, in addition to any other criminal and administrative penalties imposable under existing laws.

SEC. 11. Non-diminution of Benefits. – The Special Financial Assistance and other benefits provided under this Act shall be without prejudice to other similar benefits that may be received by uniformed personnel.

SEC. 12. Separability Clause. – In the event that any provision, clause, or part of this Act is declared unconstitutional, the validity of the other provisions shall not be affected by such declaration.

SEC. 13. Repealing Clause. – The relevant provisions of Republic Act 6963 are hereby repealed, including all law, decrees, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed or modified.

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two (2) national newspapers of general circulation in the country, whichever comes first.

Approved,