



Republic of the Philippines
House of Representatives
Batasan Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 40



Introduced by: **Congressman Mariano U. Piamonte Jr.** and
Congresswoman Julieta R. Cortuna, Representatives, **A TEACHER Party-list**

EXPLANATORY NOTE

This bill seeks to provide Compulsory Insurance coverage for members of the Board of Election Inspectors (BEI) as appointed by the Commission on Election every national or local election.

The members of the Board of Election Inspectors play a very big and significant role in insuring the public of a clean and honest election. History has shown us that there were numerous election related violence committed against the life of these humble public servants.

During the May 2007 elections, Nellie Banaag, a 42 year old public school teacher from Taysan, Batangas and serving as a BEI in the said election, was burned to death by an unknown group of men while she was on her way to Taysan Town Hall to submit the ballot boxes that was assigned to her.

In the same election year, there were reports that four public school teachers from Maguindanao were kidnapped to prevent them from exercising their duties. In the Province of Abra, two teachers were wounded when they were attacked while transporting the ballot boxes assigned to them.

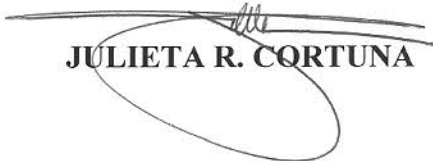
In the 1995 elections, Filomena Tatlonghari, a teacher in Batangas, was shot and killed by men who snatched the ballot boxes she was protecting.

Most of these incidents remain unsolved and the families of these innocent BEIs are left in the dark without anything but memories of their loved ones – heroes in their own way.

These teachers should not just be a part of statistics. We must promulgate laws that would protect their (BEIs) future.

In view hereof, early approval of this bill is earnestly urged.


MARIANO U. PIAMONTE JR.


JULIETA R. CORTUNA



Republic of the Philippines
House of Representatives
Batasan Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 40

Introduced by: **Congressman Mariano U. Piamonte Jr.** and
Congresswoman Julieta R. Cortuna, Representatives, A **TEACHER** Party-list

**AN ACT INSTITUTING A COMPULSORY INSURANCE FOR MEMBERS OF
THE BOARD OF ELECTION INSPECTORS FOR EVERY NATIONAL AND LOCAL
ELECTIONS**

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

SECTION 1. Short Title – This act shall be known as the “BEI Insurance Act of 2010”.

SECTION 2. Compulsory Coverage – Coverage in the insurance shall be compulsory for all persons receiving honoraria from the Commission as BEI, irrespective of appointment, except members of the Armed Forces of the Philippines and the Philippine National Police deputized by the Commission to ensure free, orderly, honest, peaceful and credible election. Provided, however, that in case members of the AFP and PNP is appointed to act as BEI, he is covered by the insurance provided for by this Act.

SECTION 3. Definition of Terms – In this Act,

“Commission” means the Commission on Elections;

“BEI” means Board of Election Inspectors;

“GSIS” means the Government Service Insurance System;

“Election Related-Risk” means any death or injury happening on the occasion of or during the performance of duties relating to the election;

“Beneficiaries” are the spouse until he or she remarries, the legitimate, legitimated or legally adopted, and illegitimate children, who shall be the primary beneficiaries of the member:

Provided, that the illegitimate children shall be entitled to fifty percent (50%) of the share of the legitimate, legitimated or legally adopted children: Provided, further, that in the absence of the legitimate. Legitimated children of the member, his/her dependent illegitimate children shall be entitled to one hundred percent (100%) of the benefits. In their absence, the parents who shall be the secondary beneficiaries of the member. In the absence of all the foregoing, any other person designated by the member as his/her secondary beneficiary.

SECTION 4. Commencement/Termination of Coverage – The insurance coverage shall commence from the time the insured is exposed to any election-related risk, starting from but not limited to the acquisition of election paraphernalia and it shall be terminated upon the proper turn-over of the same to the appropriate receiving officer.

SECTION 5. Payment of Premium – It shall be mandatory for the Commission to pay the corresponding premium to be determined by the GSIS.

- a.) The Commission shall include in its annual appropriation the necessary amounts for the premiums as determined by the GSIS.
- b.) It shall be mandatory and compulsory for the Commission to include the payment of the premiums in its annual appropriations.

SECTION 6. Collection and Remittance of Premium – (a) The Commission shall report to the GSIS the names of all its appointed or designated BEIs on a given election, their corresponding appointment status, positions, honoraria and such other pertinent information as may be required by the GSIS.

- (b) The Commission shall remit directly to the GSIS the required premiums within ten (10) days after the constitution or appointment of the Board of Election Inspectors.

SECTION 7. Benefits – Notwithstanding any benefits provided for by the GSIS or any institution granting the same to the insured, the insured shall be entitled to the following benefits:

- (a) **Death Benefits** – The amount of two hundred thousand pesos (P200,000) shall be awarded to the beneficiaries on the first year of implementation of this law. Such amount shall be reviewed by the GSIS every three years thereafter, but in no case shall be lower than the above provided amount.
- (b) **Hospitalization Benefits** – An amount not exceeding one thousand five hundred pesos (P1,500) per day of hospitalization bills and other medical expenses shall be awarded to the insured or the beneficiaries. Provided however, the total amount shall not exceed one hundred fifty thousand pesos (P150,000). Such amount shall be reviewed by the GSIS every three years thereafter, but in no case shall be lower than the above provided amount.

SECTION 8. Administration of Funds – The funds collected by the GSIS shall not be used for purposes other than what are provided for by this Act.

SECTION 9. Exemption from Tax and Legal Processes – Benefits paid by the GSIS shall be exempt from all taxes, assessments, fees, charges or duties of all kinds. It shall likewise

be exempted from attachment, garnishment, execution, levy or other processes issued by the courts, quasi-judicial or administrative bodies including Commission on Audit (COA).

SECTION 10. **Implementing Body** – The Government Service Insurance System, as created under Republic Act No. 8291, shall implement the provisions of this Act.

SECTION 11. **Repealing Clause** – All laws, rules and regulations that may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 12. **Separability Clause** – If any of the sections or provisions of this Act is adjudged invalid, all its other provisions not affected thereby shall remain in force.

SECTION 13. **Effectivity** – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved.