

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. 516



Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

The 1987 Constitution provides in Section 2, Article II that the Philippines “... *renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations...*”. This provision is the general basis and authority of the country in sending peacekeeping and/or expeditionary contingents overseas in compliance with its international commitments as a member of the United Nations.

Historically, the Philippines had previously sent peacekeeping and expeditionary contingents or forces to several countries such as Congo, Korea, Vietnam, Haiti and East Timor in order to enforce United Nations sanctions and policies. Currently, it has contingents in some countries in Africa and in the Middle East. Aside from the fact that the country is able to perform its obligation under the United Nations Charter, it provides the AFP the opportunity to develop an expertise on international peacekeeping and expeditionary duties. Furthermore, the members receive additional compensation, both from the government and the United Nations, which is of substantial financial help to their families.

However, except for R.A. 573 dated September 7, 1950, which, provided, among others, for the creation, organization, equipage and rates of pay of the Philippine Expeditionary Force to Korea, there appears to be no specific legislation that determines the rates of pay and financial support which the members of the contingents should receive, especially with respect to the financial assistance provided by the United Nations. Thus, the rates of pay and allowances of members of the country's overseas contingents are not standardized. This is further exacerbated by the absence of guidelines on the proper utilization of United Nations funds which enabled the AFP to unilaterally determine how much the contingent members should receive. This situation results in the improper utilization of the said funds and thereby could embarrass the country in the international community, not to mention its adverse effects on the morale and welfare of the officers and enlisted personnel serving overseas.

This bill seeks to standardize the rates of pay, allowances and benefits of officers and enlisted personnel of peacekeeping/expeditionary contingents serving overseas; and further provides guidelines for the proper treatment and utilization of funds for the contingents, especially those emanating from the United Nations.

Premises considered, the passage of this bill is earnestly sought.



RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. ____ 516

Introduced by **Hon. Rodolfo G. Biazon**

AN ACT
PRESCRIBING RATES OF PAY AND ALLOWANCES FOR OFFICERS AND
ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES (AFP)
WHILE ON OVERSEAS DUTY WITH A PHILIPPINE EXPEDITIONARY OR
PEACEKEEPING CONTINGENT PURSUANT TO A PHILIPPINE
COOPERATIVE COMMITMENT TO A UNITED NATIONS SANCTION OR
POLICY AND FOR OTHER PURPOSES.

I. PRELIMINARY PROVISIONS

SECTION ONE. *Short Title.* – This Act shall be known as the Armed Forces of the Philippines Peacekeeping/Expeditionary Contingent/Force Law of 2013".

Sec. 2. Purpose. – This Act shall provide the special rates of pay and allowances for uniformed military personnel of the Armed Forces of the Philippines (AFP) expeditionary/peacekeeping contingent serving overseas pursuant to Philippine cooperative commitment to a United Nations enforcement of sanctions and/or policies.

Sec. 3. Declaration of Policy. – Aware of the hazards and the financial dislocation which attend overseas duty service of AFP uniformed personnel in the enforcement of United Nations sanctions and policies, this legislation seeks to determine, rationalize, establish and standardize the rates of pay and allowances for officers and enlisted personnel in order to provide them adequate material and financial support and benefits.

Sec. 4. Applicability. – The provisions of this Act shall apply only to officers and enlisted personnel on active duty of the Armed Forces of the Philippines serving as members of a Philippine expeditionary/peacekeeping contingent. "Overseas duty" and "service overseas" shall refer and include any period of service commencing from the date of departure from the Philippines for service in foreign territory and terminating with the individual's disembarkation or landing on Philippine soil: Provided, That when an individual

is authorized to return to the Philippines temporarily he shall be deemed to be rendering service overseas during the period of his temporary stay not exceeding fifteen days.

II. ADDITIONAL PAY AND ALLOWANCES

Sec. 5. *Additional Pay for Overseas Duty.* - (a) In addition to their monthly base pay, officers and enlisted personnel shall, on account of service overseas as members of a Philippine expeditionary/peacekeeping contingent hereinabove referred to, receive an additional overseas duty pay. Officers shall receive additional pay equivalent to fifty percent (50%) of their base pay. Enlisted personnel, while serving overseas, shall receive additional pay equivalent to seventy-five percent (75%) of their base pay and quarters allowance: *Provided*, That enlisted personnel shall not, while receiving overseas pay under the provisions of this Act, be entitled to additional pay for hazardous duty and/or combat duty pay.

(b) Except as otherwise specifically provided above, officers and enlisted personnel receiving additional pay as hereinabove provided shall not be disqualified from receiving other additional pay to which they may be entitled under laws and regulations of general application to officers and/or enlisted personnel of the Armed Forces of the Philippines.

Sec. 6. *Allowances.* - Officers and enlisted men shall be entitled during their overseas duty service to rations, barracks accommodations, medical attendance, clothing and subsistence and quarters allowance as are provided by laws and regulations of general application to said personnel of the Armed Forces of the Philippines. They shall be furnished adequate winter and other protective clothing and additional rations or subsistence allowance as may be provided in appropriations for this purpose.

Sec. 7. *Additional Financial Support.* - The aforementioned provisions shall not preclude said military personnel from receiving additional subsistence allowance which may be provided by the United Nations relative to or on the occasion of their overseas duty service.

Sec. 8. *Foreign Funding.* - Funds provided by the United Nations for the use of the AFP peacekeeping/expeditionary contingent shall take the nature of public funds and deposited with the National Treasury for the specific use of the AFP and only for the said specified purpose: *Provided*, That the said funds shall be immediately released to the AFP in order to expedite compliance with the country's international commitment to provide said contingency force.

Sec. 9. *Rules and Regulations.* - The Secretary of National Defense shall prepare and promulgate the implementing rules and regulations to carry out the purpose and intent of this Act.

Sec. 10. *Appropriations.* - Such sums as maybe necessary to carry out the provisions of this Act shall be included in the General Appropriations Act.

Sec. 11. *Repealing Clause.* - All laws, executive orders, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or amended accordingly.

Sec. 12. *Separability Clause.* – If for any reason any provision of this of this Act or any portion thereof or the application of such provision thereof is declared invalid or unconstitutional, the remainder of this Act shall not be affected by such decision.

Sec. 13. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved.