

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Third Regular Session

House Bill No. 6382



Introduced by Magdalo Party-List Representatives
Hon. Gary C. Alejano and Hon. Francisco Ashley L. Acedillo

EXPLANATORY NOTE

The Military Shrine Services (MSS) was created on January 26, 1977 by virtue of Presidential Decree No. 1076. The MSS is placed under the supervision of the Philippine Veterans Affairs Office (PVAO), along with The Veterans Memorial Hospital, The Veterans Claims Settlement Staff, and The Philippine Veterans Administration. Tasked to conserve and develop military shrines of national importance, the MSS plays an instrumental role in preserving the historical significance of our country's military legacies.

The significance of military shrines cannot be overemphasized. Military shrines are the country's historical touchstones that link the past, present and future generations. Military shrines ensure that those who lost their lives in battles will never be forgotten. They also serve as central symbols of our country's architectural and artistic heritage.

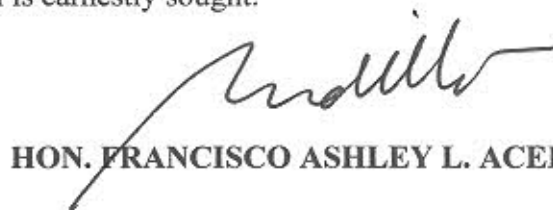
The sorry state of our military shrines warrants urgent government attention for it is only through their preservation can we immortalize the sacrifices of our fallen heroes. The absence of a military historian, coupled with inadequate budget, hinders the MSS to properly maintain and develop national military shrines. Lack of funds also hampers the ability of the MSS to acquire military shrines that are under the management of local government units.

As such, this bill proposes to create a Military History and Shrines Board (MHSB), under the Philippine Veterans Affairs Office (PVAO), which will fully focus on the maintenance and development of national military shrines and battle fields. The Board will be chaired by the Administrator of PVAO, assisted by a military historian. Other members of the Board will be the Head of the Office of the Military Historian, Chairperson of the National Historical Commission of the Philippines, Administrator of the Armed Forces of the Philippines Museum, and two esteemed members of the academe.

By expanding the powers and delineating the functions of the Military History and Shrines Board, it is hoped that the public will place greater importance on the value of patriotism.

For these reasons, the immediate passage of this bill is earnestly sought.


HON. GARY C. ALEJANO


HON. FRANCISCO ASHLEY L. ACEDILLO

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AN ACT

**EXPANDING AND STRENGTHENING THE MILITARY SHRINES SERVICE AND
RENAMING IT TO MILITARY HISTORY AND SHRINES BOARD**

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

1 **SECTION 1. *Short title.*** - This Act shall be "The Military History and Shrines Board of
2 2015."

3
4 **SEC. 2. *Declaration of policy.*** - It is hereby declared to be the policy of the State to
5 foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based
6 on the principle of unity in diversity in a climate of free artistic and intellectual expression. The
7 Constitution stipulates that the State shall conserve, promote, and popularize the nation's
8 historical and cultural heritage and resources. Towards this end, all artistic and historic wealth
9 constitutes the cultural treasure of the nation and shall be under the protection of the State which
10 may regulate its disposition.

11
12 **SEC. 3. *Creation of the Board.*** - The Military Shrines Service (MSS), established under
13 Presidential Decree No. 1076, as amended, is hereby expanded and strengthened and shall
14 hereinafter be renamed as the Military History and Shrines Board (MHSB), hereinafter referred
15 to as the Board, attached to the Philippine Veterans Affairs Office (PVAO) under the general
16 supervision of the Department of National Defense (DND).

17
18 **SEC. 4. *Purposes and Objectives.*** - The Board shall administer, maintain and
19 development national shrines consisting of military memorials, battle monuments or sites,
20 underwater or on land.

1 **SEC. 5. Powers and Functions.** In furtherance of its purposes and objectives, the Board
2 shall have the following powers and functions:

- 3 1. Identify and acquire military shrines, monuments and battle fields of national
4 significance in concurrence with the National Historical Commission of the
5 Philippines;
- 6 2. Take over local government units on the management of military shrines,
7 monuments and battle fields;
- 8 3. Regulate activities pertaining to the preservation, restoration and conservation
9 of military shrines, monuments and battle fields;
- 10 4. Manage and preserve underwater military wrecks;
- 11 5. Coordinate with the National Historical Commission of the Philippines on the
12 declaration of markers on military shrines, monuments and battle fields;
- 13 6. Provide database that will list the activities undertaken with regard to the
14 maintenance and development of military shrines, monuments and battle
15 fields;
- 16 7. Secure and receive local, bilateral and international donations, grants and
17 endowments in support of its programs and projects;
- 18 8. Collect reasonable fees for the use, sale or rent of its resources as well as
19 entrance fees to shrines and landmarks under the jurisdiction of the MHSB;

20
21 **SEC. 6. Composition of the Board.** - The Administrator of the Philippine Veterans
22 Affairs Office (PVAO) shall act as the Chairperson of the Board. The Chairperson shall be
23 assisted by a Vice Chairperson who must be a distinguished military historian. The regular
24 members of the Board shall be composed of the Director of the Office of the Military Historian,
25 the Chairperson of the National Historical Commission of the Philippines, Administrator of the
26 Armed Forces of the Philippines Museum, and two members of the academe.

27
28 **SEC. 7. Qualifications of the Members of the Board.** - No person shall be appointed or
29 elected to the Board unless he/she possesses the following minimum qualifications:

- 30 a. A natural-born citizen of the Republic of the Philippines;
- 31 b. At least thirty-five (35) years of age;
- 32 c. With good moral character;
- 33 d. Has distinguished himself/herself in the field of Philippine history; and
- 34 e. Has published works in Philippine history and other academic fields recognized
35 by scholars and the reading public.

36
37 **SEC. 8. The Chairperson.** - The Administrator of the Philippine Veterans Affairs Office
38 (PVAO) shall act as the Chairperson of the Board.

1 **SEC. 9. *Term of Office of the Chairperson.*** - The Chairperson shall have a term of three
2 (3) years and shall not serve more than two (2) consecutive terms.

3
4 **SEC. 10. *Functions of the Chairperson.*** - The Chairperson is the head of the Board and
5 shall represent and act for the Board in all matters pertaining to the MHSB. The Chairperson,
6 being the public face of the MHSB, shall:

- 7 a. Provide leadership in the realization of purposes and goals of the MHSB
- 8 b. Preside over meetings of the MHSB;
- 9 c. Propose the agenda for meetings of the MHSB;
- 10 d. Exercise oversight over the MHSB to ensure the implementation of its policies,
11 decisions and resolutions;
- 12 e. Represent the MHSB on official matters;
- 13 f. Represent the MHSB in the Board of the Philippine Veterans Affairs Office;
- 14 g. Perform such other authority, functions or duties as delegated by the Secretary of
15 National Defense.

16
17 **SEC. 11. *The Vice Chairperson*** - The Vice Chairperson shall be appointed by the
18 Secretary of National Defense. He/she must be a military historian with proven academic
19 credibility.

20
21 **SEC. 12. *Term of Office of the Vice Chairperson.*** - The Vice Chairperson shall have a
22 term of three (3) years and shall not serve more than two (2) consecutive terms.

23
24 **SEC. 13. *Functions of the Vice Chairperson.*** - The Vice Chairperson shall have the
25 following functions:

- 26 a. Assist the Chairperson in performing the latter's duties and responsibilities;
- 27 b. Monitor the implementation of the policies and programs approved and
28 promulgated by the MHSB;
- 29 c. Administer the day-to-day operations of the MHSB;
- 30 d. Represent the MHSB in meetings when authorized or delegated by the Board;
- 31 e. In the event that the Chairperson is absent and the normal functions of the
32 Chairperson cannot be carried out, the Vice Chairperson will take the role as the
33 acting Chairperson until the Chairperson resumes carrying out his normal duties
34 or a new Chairperson has been elected and appointed by the Board;
- 35 f. Perform such other functions assigned by the MHSB Board.

36
37 **SEC. 14. *Regular Members; Term of Office.*** - The regular members of the Board shall
38 serve for a term of four (4) years: *provided*, that the regular members shall not serve for more

1 than two (2) consecutive terms. Appointment to any vacancy shall only be for the unexpired
2 portion of the term of the predecessor. In no case shall a member be appointed or designated in a
3 temporary or acting capacity.

4
5 **SEC. 15. *Reorganization.*** - Within one hundred twenty (120) days from the effectivity of
6 this Act, the Board shall have the authority to reorganize the structure of the MHSB, including its
7 staffing pattern in order to carry out its functions pursuant to its expanded mandate as the
8 MHSB.

9 Employees of the MSS shall be subsumed in the MHSB and, whenever qualified, be
10 upgraded to their analogous positions. Employees opting to avail of an early retirement scheme
11 shall be granted under the existing DBM guidelines.

12
13 **SEC. 16. *Tax Exemption on Donations.*** - The MHSB shall be exempt from all taxes on
14 its income. All donations in any form to the MHSB shall be exempt from the donor's tax and the
15 same shall be considered as allowable deduction from the gross income in the computation of the
16 income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise
17 known as the National Internal Revenue Code of 1997, as amended.

18
19 **SEC. 17. *Funding Provision.*** - The amount necessary for the effective implementation
20 of this Act shall be included in the annual General Appropriations Act.

21
22 **SEC. 18. *Implementing Rules and Regulations.*** - Within ninety (90) days from his
23 appointment, the Secretary of National Defense shall promulgate rules and regulations necessary
24 to ensure the effective implementation of this Act.

25
26 **SEC. 19. *Separability Clause.*** - If any part or provision of this Act is declared invalid or
27 unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

28
29 **SEC. 20. *Repealing Clause.*** - All laws, decrees, executive orders and other
30 administrative issuances and parts thereof, which are inconsistent with the provisions of this Act,
31 are hereby amended, repealed or modified accordingly.

32
33 **SEC. 21. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
34 the *Official Gazette* and at least two (2) national newspapers of general circulation.

Approved,