

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 6187

Introduced by Hon. HARLIN NEIL J. ABAYON, III

EXPLANATORY NOTE

Support for our men in uniform, in particular those in the Armed Forces of the Philippines, has reached flood and tsunami levels. The sympathy and empathy comes from various strata and sectors of Filipino society.

Tip of the iceberg was the recent spontaneous offering by some helpful airline passengers of their extra or unused baggage allowance for servicemen who learned they had exceeded their baggage allowance as they were checking in for their flights. This was quickly followed by some airlines taking the cue from their Samaritan flyers and officially offering extra baggage allowance for soldiers on their aircrafts' passenger flights.

Donations for soldiers fighting in Marawi City have amounted to millions of pesos and more donors are still lining up.

To seize the opportunity presented by these waves of support for our men in uniform who lay their lives on the line to defend and serve the Filipino people, I am proposing the institutionalization of the *National System for Armed Services Stakeholders Support, Alliances and Partnerships Act*.

The bill also proposes a package of benefits and an availment process. The benefits are similar to most of the benefits currently available to senior citizens.

The armed services span the Armed Forces of the Philippines, Philippine National Police, Philippine Coast Guard, Bureau of Fire Protection, Bureau of Jail Management and Penology, Bureau of Prisons, National Bureau of Investigation, and the reserve forces.

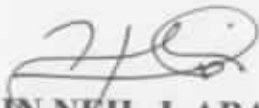
Institutionalizing the National System for Armed Services Stakeholder Support, Alliances and Partnerships seeks to sustain and build upon the current morale-boosting efforts of ordinary citizens, corporations, foundations, non-government organizations, civil society groups, and others.

The System shall organize and implement Awards for:

- 1) Exemplary Armed Services Personnel;
- 2) Outstanding Institutional Partners for Armed Services Personnel Welfare;
- 3) Valued Civilians Rendering Aid for the Armed Services; and
- 4) High-Impact Support and Welfare Programs.

The System will administer a Trust Fund with which it shall finance benefits for the Exemplary Armed Services Personnel. The System shall also serve as a clearinghouse for donations.

The System will administer a **Quality Assurance Rating Mechanism** to ascertain the effectiveness and impact of Armed Services Stakeholder Support, Alliances and Partnerships.



HARLIN NEIL J. ABAYON, III
AANGAT TAYO Party-list

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6187
HOUSE BILL NO. _____

Introduced by: Hon. HARLIN NEIL J. ABAYON, III

AN ACT
PROVIDING FOR ADDITIONAL BENEFITS FOR MILITARY PERSONNEL
AND VETERANS WHO HAVE NOT YET REACHED SENIOR CITIZEN AGE,
ESTABLISHING A NATIONAL SYSTEM FOR ARMED SERVICES STAKEHOLDER
SUPPORT, ALLIANCES, AND PARTNERSHIPS, PROVIDING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

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

Section 1. **Short Title.** - This Act shall be known as the "*Stakeholder Support to Military and Other Armed Services Personnel Act*".

Section 2. **Declaration of Policies and Objectives.** - As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the State:

- 1) to maintain a citizen armed force which shall undergo military training and serve, as may be provided by law, and keep a regular force necessary for the security of the State;
- 2) to strengthen the patriotic spirit and nationalist consciousness of the military, and respect for people's rights in the performance of their duty;
- 3) to instill professionalism in the armed forces and provide adequate remuneration and benefits of its members;
- 4) to provide immediate and adequate care, benefits, and other forms of assistance to war veterans and veterans of military campaigns, their surviving spouses and orphans; and
- 5) to give the armed forces due consideration in the disposition of agricultural lands of the public domain and, in appropriate cases, in the utilization of natural resources.

Section 3. **Definition of Terms.** - For purposes of this Act, these terms are defined as follows:

- 1) Active duty soldier refers to any military person who is in active service as a commissioned officer, enlisted man, cadet, probationary officer, trainee or draftee in the Armed Forces of the Philippines;

- 2) Armed services personnel include personnel of the Armed Forces of the Philippines, Philippine National Police, Philippine Coast Guard, Bureau of Jail Management and Penology, Bureau of Prisons, National Bureau of Investigation, and other personnel called to and enlisted into active armed service in times of war, invasion, or rebellion;
- 3) Veteran refers to a former active duty soldier or who: (1) has retired from active service but has not yet reached senior citizen age of sixty (60) years old, which is the minimum age for the availment of senior citizen benefits; or (2) was honorably discharged from active service for whatever reason or reasons, including disabling injury while in active service;
- 4) Lodging establishment refers to a building, edifice, structure, apartment or house including tourist inn, apartelle, motorist hotel, and pension house engaged in catering, leasing or providing facilities to transients, tourists or travelers;
- 5) Medical Services refer to hospital services, professional services of physicians and other health care professionals and diagnostics and laboratory tests that the necessary for the diagnosis or treatment of an illness or injury;
- 6) Dental services refer to oral examination, cleaning, permanent and temporary filling, extractions and gum treatments, restoration, replacement or repositioning of teeth, or alteration of the alveolar or periodontium process of the maxilla and the mandible that are necessary for the diagnosis or treatment of an illness or injury;
- 7) Nearest surviving relative refers to the legal spouse who survives the deceased active duty soldier or veteran: Provided, that where no spouse survives the decedent, this shall be limited to relatives in the following order of degree of kinship: children, parents, siblings, grandparents, grandchildren, uncles and aunts;
- 8) Home health care service refers to health or supportive care provided to the active duty soldier or veteran patient at home by licensed health care professionals to include, but not limited to, physicians, nurses, midwives, physical therapist and caregivers;
- 9) Active duty soldier and veteran benefits availment card refers to the electronic card issued to the active soldier or veteran for identification and for accurate recording and data storage of the availment of benefits provided by this Act;

Section 4. Privileges for the Active Duty Soldier and Veteran. – The active duty soldier or veteran shall be entitled to the following:

- 1) the grant of twenty percent (20%) discount and exemption from the value-added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the active duty soldier or veterans:
 - a. on the purchase of medicines, including the purchase of influenza and pneumococcal vaccines, and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH), which shall establish guidelines and mechanism of compulsory rebates in the sharing of burden

of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

- b. on the professional fees of attending physician/s in all private hospitals, medical facilities, outpatient clinics and home health care services;
 - c. on the professional fees of licensed professional health providing home health care services as endorsed by private hospitals or employed through home health care employment agencies;
 - d. on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home health care services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PhilHealth);
 - e. in actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, Asian utility vehicles (AUVs), shuttle services and public railways, including Light Rail Transit (LRT), Mass Rail Transit (MRT), and Philippine National Railways (PNR);
 - f. in actual transportation fare for domestic air transport services and sea shipping vessels and the like, based on the actual fare and advanced booking;
 - g. on the utilization of services in hotels and similar lodging establishments, restaurants and recreation centers; and
 - h. on admission fees charged by theaters, cinema houses and concert halls, circuses, leisure and amusement;
- 2) additional excess baggage allowance of at least twenty (20) kilos on any domestic flight of an airline with authority to operate in the Philippines;
 - 3) exemption from training fees for socioeconomic programs;
 - 4) free medical and dental services, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities and in private facilities that have voluntarily registered to honor active duty soldier and veteran benefits availment cards, subject to the guidelines to be issued by the DOH in coordination with the Philippine Health Insurance Corporation;
 - 5) educational assistance to active duty soldiers and veterans to pursue post-secondary, tertiary, post-tertiary, vocational and technical education, as well as short-term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsidies and other incentives, including support for books, learning materials, and uniform allowances, to the extent feasible: Provided, That the active duty soldiers and veterans shall meet minimum admission requirements; and
 - 6) to the extent possible, the government may grant special discounts in special programs for active duty soldiers or veterans on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA).

Section 5. *Availment of Benefits.* In the availment of the privileges mentioned Section 4, the active duty soldier or veteran, or his/her duly authorized representative, may submit as proof of his/her entitled thereto any of the following:

1. an Active Duty Soldier/Veterans Benefits Availment Card issued by the Government Service Insurance System (GSIS);
2. the passport of the active duty soldier or veteran concerned; and
3. other documents that establish that the active duty soldier or veteran is a citizen of the Republic and is not more than fifty-nine (59) years of age.

In the purchase of goods and services which are on promotional discount, the active duty soldier or veteran can avail of the promotional discount or the discount provided herein, whichever is higher. The veteran upon turning the age of sixty (60) will be eligible for senior citizen's benefits as defined by Republic Act 9994 or the Expanded Senior Citizens Act, consequently may no longer avail of the benefits provided in this Act to avoid duplication of availment of benefits.

Section 6. The *Office for Active Duty Soldiers and Veterans Affairs (OADSVA)*. – There shall be established in all cities and municipalities an Office for Active Duty Soldiers and Veterans Affairs (OADSVA) to be headed by a recently-retired soldier citizen who shall be appointed by the mayor for a term of three (3) years without reappointment but without prejudice to an extension if exigency so requires. Said appointee shall be chosen from a list of three (3) nominees as recommended by a general assembly of organizations active duty soldiers and veterans in the city or municipality.

The head of the OADSVA shall be appointed to serve the interest of and shall not be removed or replaced except for reasons of death, permanent disability, or ineffective performance of his duties to the detriment of fellow active duty soldiers and veterans.

The head of the OADSVA shall be entitled to receive an honorarium of an amount at least equivalent to Salary Grade 10 to be approved by the LGU concerned.

The head of the OADSVA shall be assisted by the City Social Welfare and Development officer or by the Municipal Social Welfare and Development Officer, in coordination with the Social Welfare and Development Office.

The Office of the Mayor shall exercise supervision over the OADSVA relative to their plans, activities and programs for active duty soldiers and veterans. The OADSVA shall work together and establish linkages with accredited NGOs/POs and the barangays in their respective areas.

The OADSVA shall have the following functions:

1. To plan, implement and monitor yearly work programs in pursuance of the objectives of this Act at the local level;
2. To draw up a list of available and required services which can be provided by the active duty soldiers and veterans;
3. To maintain and regularly update on a quarterly basis the list of active duty soldiers and veterans and to issue national individual identification cards, free of charge, which shall be valid anywhere in the country;

4. To serve as a general information and liaison center for active duty soldiers and veterans;
5. To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to active duty soldiers and veterans;
6. To report to the mayor, any individual, establishments, business entity, institutions or agency found violating any provision of this Act; and
7. To assist the active duty soldiers and veterans in filing complaints or charges against any individual, establishments, business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court.

Section 7. Establishment and Purposes of a National System for Armed Services Stakeholder Support, Alliances and Partnerships. There is hereby established a National System for Armed Services Stakeholder Support, Alliances and Partnerships that shall sustain and build upon the morale-boosting efforts and welfare support projects of ordinary citizens, corporations, foundations, non-government organizations, civil society groups, and people's organizations.

The System shall organize, determine the details of, and implement awards for:

- 1) Exemplary Armed Services Personnel;
- 2) Outstanding Institutional Partners for Armed Services Personnel Welfare;
- 3) Valued Civilians Rendering Aid for the Armed Services; and
- 4) High-Impact Support and Welfare Programs.

The System shall administer a Trust Fund with which it shall finance and sustain the provision of cash awards and special benefits for the Exemplary Armed Services Personnel.

The System shall receive donations and grants for specific beneficiaries or for armed services personnel in general.

The System shall establish and administer a Quality Assurance Rating Mechanism to ascertain the effectiveness and impact of its programs and projects.

Section 8. Board of Trustees. The System shall be governed by a Board of Trustees of nine (9) officials comprised by a Chairman and Chief Executive Officer and eight Members, all of whom shall be appointed by the President of the Philippines. The Board shall have the general powers of a corporation as provided in the Corporation Code of the Philippines.

Section 9. Penalties. – Any person who refuses to honor the active duty soldier or veteran benefits availment card issued by the government or violates any provision of this Act shall suffer the following penalties:

1. For the first violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than Fifty thousand pesos (Php50,000.00) but not exceeding One hundred thousand pesos (Php100,000.00);
2. For any subsequent violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than One Hundred thousand pesos (Php100,000.00) but not exceeding Two hundred thousand pesos (Php200,000.00); and

3. Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months and a fine of not less than Fifty thousand pesos (Php50,000.00) but not more than One hundred thousand pesos (Php100,000.00).
4. If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner, or such other officer charged with the management of the business affairs shall be liable therefor.
5. If the offender is an alien or a foreigner, he/she shall be deported immediately after service of sentence.
6. Upon filing of an appropriate complaint, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any person, establishment or business entity that fails to abide by the provisions of this Act.

Section 10. Seed Funding. – The amount of Three Hundred Million Pesos (P300,000,000.00) is hereby appropriated for the implementation of this Act, to be derived from one percent of the earnings of each of these agencies: the Philippine Amusement and Gaming Corporation; Philippine Charity Sweepstakes Office; the Land Bank of the Philippines; Development Bank of the Philippines; and Government Service Insurance System. Additional appropriations shall be provided by the General Appropriations Act.

Section 11. Implementing Rules and Regulations. Within ninety (90) days from the effectivity of this Act, the Department of National Defense, Department of Interior and Local Government, Department of Transportation, Department of Justice, Department of Budget and Management, and Department of Finance shall jointly promulgate the implementing rules and regulations of this Act.

Section 12. Separability. - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 13. Repealing Clause. - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section X. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the online version of the *Official Gazette* or in two (2) newspapers of general circulation or with established internet website presence.

Approved.