

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7083**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

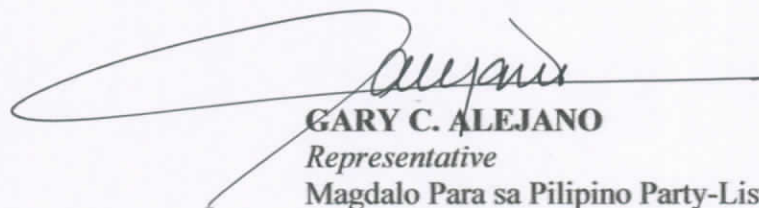
Republic Act No. 6963 was enacted into law in September 1990 and provides special financial assistance to the families of soldiers, police, and firemen who are killed or permanently incapacitated on the line of duty. The provision of this special financial assistance recognizes the hazards that these personnel face, and acknowledges their, and their families, sacrifices in the accomplishment of their mandated function.

RA No. 6963 grants this special financial assistance only to our soldiers, police, and firemen. In reality, other uniformed and law enforcement personnel are exposed to a variety of hazards that come with the conduct of their functions. Personnel from the BJMP, PCG, NBI, and the PDEA likewise risk their life and limb in order to safeguard the safety and peace of all Filipinos. Hence, the government should provide other deserving uniformed and law enforcement personnel the same financial assistance that RA No. 6963 provides our soldiers, police, and firemen.

This proposed measure seeks to expand the coverage of RA No. 6963 to include other uniformed and law enforcement personnel in its coverage. The proposed measure likewise creates a Dependents Welfare Office to expedite the delivery of the financial services mandated herein.

It is high time that we promote the general welfare, and acknowledge the sacrifices made by our uniformed and law-enforcement personnel by providing them, and their family, the much-needed financial support in the event that they meet their untimely demise while fulfilling their function.

In view of the foregoing, immediate approval of this measure is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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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, NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF CORRECTIONS (BUCOR), AND PHILIPPINE DRUG ENFORCEMENT AGENCY (PDEA), WHO ARE KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF THEIR DUTY OR BY REASON OF THEIR OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR TH 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:

1 **SECTION 1. Short Title.** This Act shall be known as the "*Uniformed and Law*
2 *Enforcement Personnel Special Financial Assistance Act.*"

3
4 **SEC. 2. Scope.** – The family or beneficiary of any Uniformed and Law Enforcement
5 Personnel of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP),
6 Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Philippine
7 Coast Guard (PCG), National Bureau of Investigation (NBI), Philippine Drug Enforcement
8 Agency (PDEA), and Bureau of Corrections (BuCor) assigned to or involved in a duly
9 authorized operation, who is killed or becomes permanently incapacitated while in the
10 performance of his/ her duty or by reason of his/ her office or position, provided he has not been
11 convicted by final judgment of any crime or human rights violations on such occasion, shall be
12 entitled to the special financial assistance provided for in this Act in addition to whatever
13 compensation, donation, insurance, gift, pension, grant, or any form of benefit which said
14 deceased or permanently incapacitated person or his family may receive or be entitled to.

15
16 For purposes of this act, Uniformed and Law Enforcement Personnel shall be construed
17 as personnel of the PNP, AFP, BFP, BJMP, PCG, NBI, PDEA, and BuCor who are directly,
18 regardless of which capacity, assigned to or involved in operations with real and immediate
19 threat to life or in routine duty with unexpected or imminent danger.

20
21 **SEC. 3. Beneficiaries.** – The term "family" as used in this Act shall refer to the surviving
22 legal spouse and the Uniformed or Law Enforcement Personnel's legitimate and illegitimate
23 children, or his or her parents, or brothers and sisters, or aunts and uncles, in that respective
24 order: *Provided:* That, if the uniformed personnel is a Muslim, the pertinent provisions of the
25 Code of Muslim Personal Laws (*Shari'a*) shall apply.

1 **SEC. 4. *Special Financial Assistance.*** – The special financial assistance referred to in
2 Section 1 hereof shall be that which is equivalent to the average six (6) months salary, including
3 allowances and bonuses, during the last twelve (12) months preceding the death of the personnel
4 which shall not be considered a part of the estate of the deceased and which shall be exempt from
5 attachment, garnishment or execution and from income and other taxes.
6
7

8 **SEC. 5. *Provision of Special Financial Assistance.*** – It shall be the duty of the cashier
9 or concerned service chief from whom the deceased or permanently incapacitated uniformed and
10 law enforcement personnel used to receive his/ her salary, within three (3) days from receipt of a
11 written certification from the concerned agency or bureau head, station or unit commander of the
12 fact of death or permanent disability or incapacity and the circumstances thereof, to deliver to the
13 beneficiaries such special financial assistance as stated in Section 3 hereof. In case of permanent
14 disability or incapacity, a certification by the proper medical officer designated by the Chief
15 PNP, or the Chief of Staff AFP, of the Chief of the BFP, or the Chief BJMP, or the Commandant
16 PCG, or the Director of the NBI, or the Director General of the PDEA, or the Director General of
17 BuCor as the case may be, is necessary for the payment of the aforesaid financial assistance.
18 After said payment, a report with the formal certificate of death or permanent incapacity shall be
19 submitted to the Secretary of National Defense, or the Secretary of Interior and Local
20 Government, or the Secretary of Transportation, or the Secretary of Justice, or the PDEA
21 Director General, as the case may be.
22

23 **SEC 6. *Filling of Positions.*** – In order to assure the payment of the special financial
24 assistance referred to in this Act, without any need of any appropriation act or ordinance, the
25 payment shall come from the expected salary, allowances and bonus of the deceased or
26 permanently incapacitated uniformed and law enforcement personnel for the next six (6) months
27 after his/ her death or incapacity: *Provided*, That the position left vacant by the deceased or
28 permanently incapacitated uniformed and law enforcement personnel on account of death or
29 incapacity shall not be filled during the period of six (6) months: *Provided, further*, That if the
30 public welfare and interest so demand, as determined by the municipal or city mayor or
31 provincial governor, in case of a police personnel or BFP personnel, or by the Secretary of
32 National Defense, in case of a military personnel, or by the Secretary of Interior and Local
33 Government, in case of a BJMP personnel, or by the Secretary of Transportation, in case of a
34 PCG personnel, or by the Secretary of Justice, in case of a NBI or BuCor personnel, or by the
35 Director General of PDEA, in case of a PDEA personnel, the position left vacant by the deceased
36 personnel, or permanently incapacitated personnel may be filled without waiting for the
37 expiration of the six (6) months period earlier mentioned, in which case, the funds out of which
38 the special financial assistance already received by the family of the deceased or permanently
39 incapacitated personnel shall be replenished out of the emergency savings of the municipality,
40 city or province, or the department, upon the direction in writing by the municipal or city mayor
41 or governor of the province, or department secretary, to their respective treasurers or cashiers:
42 *Provided, finally*, That, in the event of such emergency, and no emergency savings as provided
43 herein exist, the regional chief or the provincial chief, as the case may be, may draw
44 augmentation personnel from any municipality in the province or region to fill up the vacancy
45 until such time that the municipality where the vacancy occurred can fill up such vacancy with
46 regular personnel.
47

48 **SEC. 7. *Hospitalization Expenses.*** – If any uniformed personnel is injured or wounded
49 or in any manner suffers any injury in the performance of his official duties, the hospitalization
50 expenses, including necessary medicines and medical equipment, of such uniformed personnel
51 shall be shouldered by the office where he/ she belongs, chargeable against the salary savings of
52 such office without the need of any appropriation act or ordinance.
53

54 **SEC. 8. *Priority in Civil Service.*** – The surviving spouse or designated beneficiary of the
55 deceased or permanently incapacitated uniformed personnel shall be given priority in
56 employment in a government agency or office as long as the beneficiary satisfies the
57 qualification requirements of the vacant position. The agency shall ensure compliance with R.A.

1 No. 7041, *Provided*, That, if the spouse is already employed or not employable or if he/ she
2 waives such employment privilege, then an employable dependent shall be granted the said
3 privilege.
4

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

10 **SEC. 10. *Penalties.*** – The dealy, refusal, or prevention in any manner of the
11 implementation of the provisions of this Act, without justifiable reason, by any government
12 official or employee, after due process, shall be considered as tantamount to gross neglect of
13 duty that shall be sufficient grounds for the dismissal from civil service, in addition to any other
14 criminal and administrative penalties imposable under existing laws.
15

16 **SEC. 11. *Non-diminution of Benefits.*** – The Special Financial Assistance and other
17 benefits under this Act shall be without prejudice to other similar benefits that may be received
18 by uniformed personnel.
19

20 **SEC. 12. *Separability Clause.*** – In the event that any provision, clause, or part of this
21 Act is declared unconstitutional, the validity of the other provisions shall not be affected by such
22 declaration.
23

24 **SEC. 13. *Repealing Clause.*** – The relevant provisions of Republic Act 6963 are hereby
25 repealed, including all laws, decrees, orders, rules and regulations or parts thereof inconsistent
26 with this Act are hereby repealed or modified.
27

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

Approved,