

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1216



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

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.


MANUEL DG. CABOCHAN III
Representative
Magdalo Para Sa Pilipino Party-List

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1216

Introduced by MAGDALO Party-List Representative
HON. MANUEL DG. CABOCHAN III

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 (PCG), NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF CORRECTIONS (BUCOR), AND PHILIPPINE DRUG ENFORCEMENT AGENCY (PDEA) KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF THEIR DUTY OR BY REASON OF THEIR OFFICE OR POSITION, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE 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. Title.** – This act shall be known as the “*Uniformed and Law*
2 *Enforcement Personnel Special Financial Assistance Act.*”

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

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

1 **SEC. 3. Beneficiaries.**— The term “family” as used in this Act shall refer to the
2 surviving legal spouse and the Uniformed or Law Enforcement Personnel’s legitimate and
3 illegitimate children, or his or her parents, or brothers and sisters, or aunts and uncles, in that
4 respective order: *Provided:* That, if the uniformed personnel is a Muslim, the pertinent
5 provisions of the Code of Muslim Personal Laws (*Shari’a*) shall apply.

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

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

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

1 municipality in the province or region to fill up the vacancy until such time that the
2 municipality where the vacancy occurred can fill up such vacancy with regular personnel.

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

9 **SEC. 8. Priority in Civil Service.** – The surviving spouse or designated beneficiary of
10 the deceased or permanently incapacitated uniformed personnel shall be given priority in
11 employment in a government agency or office as long as the beneficiary satisfies the
12 qualification requirements of the vacant position. The agency shall, ensure compliance with
13 R.A. 7041 *Provided*, That, if the spouse is already employed or not employable or if he/she
14 waives such employment privilege, then an employable dependent shall be granted the said
15 privilege.

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

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

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

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

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

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

Approved,