

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 2729

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	09 AUG 2016
TIME:	3:04 PM
BY:	<i>peh</i>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

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

Explanatory Note

The Constitution recognizes the perils that our military personnel face in the conduct of their duties to the country. The Constitution requires the State to provide immediate and adequate care, benefits, and other forms of assistance to members of the Armed Forces, their spouse and their dependents. Likewise, other uniformed personnel are also exposed to other dangers in the conduct of their functions and duties.

Aside from the AFP, members of the PNP, the BFP, the BJMP, the NBI, PDEA, PCG, and the Bureau of Corrections (BuCor) are tasked with unenviable task of maintaining peace and order, the protection of life, liberty, and property. The risks involved in the performance of their duties puts in peril the welfare of their families should something unfortunate happen to them.

Thus, it is but adequate for the government to provide dependents of the above-mentioned personnel appropriate benefits should they be killed or permanently incapacitated while performing their duty. This proposed measure seeks to provide educational scholarships to the surviving children or beneficiaries of the abovementioned government personnel so that they can perform their duties with peace of mind for the welfare of their families.

In view of the foregoing, immediate approval of this bill is earnestly requested.


HON. GARY C. ALEJANO

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House Bill No. 2729

Introduced by **MAGDALO Party-List Representative**
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AN ACT

GRANTING EDUCATIONAL ASSISTANCE AND BENEFITS TO THE DEPENDENTS OF ALL MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES (AFP), PHILIPPINE NATIONAL POLICE (PNP), BUREAU OF FIRE PROTECTION (BFP), BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), NATIONAL BUREAU OF INVESTIGATION (NBI), BUREAU OF IMMIGRATION (BI), PHILIPPINE DRUG ENFORCEMENT AGENCY (PDEA), PHILIPPINE COAST GUARD (PCG) AND BUREAU OF CORRECTIONS (BUCOR) WHO ARE KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF THEIR DUTY OR BY REASON OF THEIR OFFICE OR POSITION

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "*Uniformed Personnel*
2 *Educational Assistance and Benefits Act of 2016*".

3
4 **SECTION 2. Declaration of Policy.** - It is hereby declared policy of the State to
5 recognize the vital role of the members of the Armed Forces of the Philippines (AFP), Philippine
6 National Police (PNP), Bureau of Fire Protection (BFP), Bureau of Jail Management and
7 Penology (BJMP), National Bureau of Investigation (NBI), Bureau of Immigration (BI),
8 Philippine Drug Enforcement Agency (PDEA), Philippine Coast Guard (PCG) and Bureau of
9 Corrections (BuCor) in the maintenance of peace and public order in our country and to ensure
10 that the dependents of those who are killed in action or are permanently incapacitated while in
11 the performance of their duty or by reason of their office or position are provided with
12 educational assistance and benefits.

13
14 **SECTION 3. Permanent incapacity; Definition.** - Permanent Incapacity shall refer to
15 physical or mental ill-health or infirmity which is: (i) permanent, (ii) prevents a member from
16 pursuing his normal employment, and (iii) seriously impairs his earning capacity.

17
18 **SECTION 4. Grant of Educational Assistance and Benefits.** - All the surviving children,
19 or in their absence, brothers and sisters of the members of the AFP, PNP, BFP, BJMP, NBI, BI,
20 PDEA, PCG and BuCor who are killed or permanently incapacitated while in the performance of

1 their duty or by reason of their office or position shall automatically and without qualification be
2 extended full scholarship from elementary to tertiary level whether baccalaureate, formal or non-
3 formal education or training program in a non-exclusive school or institution. The scholarship
4 privilege shall include, but shall not be limited to, payment of tuition and miscellaneous fees,
5 allowance for books and school supplies and allowance for food and transportation.

6
7 **SECTION 5. *Uniformed Personnel Scholarship Board.*** - The scholarship funds collected
8 hereunder shall be managed and administered by an inter-agency scholarship board to be known
9 as the Uniformed Personnel Scholarship Board, which shall be created and formally organized
10 within thirty (30) days from the effectivity of this Act. The Board shall be composed of the
11 Secretary of the Department of the Interior and Local Government and Secretary of the
12 Department of National Defense as Co-chairmen and one (1) member each to represent the AFP,
13 PNP, BFP, BJMP, NBI, BI, PDEA, PCG and BuCor.

14 The Board shall serve as the policy making body vested with the authority to come-up
15 with the mechanics, scope and limitations, and requirements for scholarship program pursuant to
16 the objectives of this Act. The Board shall, however, delegate the responsibility to implement the
17 screening, admission, disqualification and other scholarship-related availment processes to the
18 respective scholarship bodies of the AFP, PNP, BFP, BJMP, NBI, BI, PDEA, PCG and BuCor,
19 in accordance with the guidelines to be prescribed by the Board.

20
21 **SECTION 6. *Authority to accept donations; Tax exemption.*** - The Board shall have the
22 authority to accept donations, contributions, grants in cash or in kind, from appropriate sources,
23 domestic or foreign. Said donations shall be used exclusively to complement the funding
24 requirements of the scholarship program subject to the existing government accounting and
25 auditing rules and regulations; *Provided*, That any donation, contribution or financial aid which
26 may be made to the Board shall be exempt from taxes of any kind and shall constitute allowable
27 deductions in full from the income of the donors, contributors or givers for income tax purposes.
28 Furthermore, the Board is authorized to invest so much of the idle funds as may be necessary for
29 the purpose of generating additional revenue for the benefit of the scholarship program.

30
31 **SECTION 7. *Appropriation.*** - The amount necessary to fund the educational assistance
32 and benefits specified above shall be included in the respective annual budgets of the AFP, PNP,
33 BFP, BJMP, NBI, BI, PDEA, PCG and BuCor to be enacted as part of the annual General
34 Appropriations Act; *Provided*, That any deficiencies in the financial requirements may be taken
35 from proceeds of the license fees for firearms collected by the PNP, savings on the personal
36 services of the AFP, PNP, BFP, BJMP, NBI, BI, PDEA, PCG and BuCor and the Miscellaneous
37 Personnel Benefits Funds (MPBF); *Provided, further*, That the Uniformed Personnel Scholarship

1 Board may, consistent with Sec. 6 of this Act, identify, develop and/or generate additional
2 sources of funds to further support this scholarship program.

3
4 **SECTION 8. *Implementing Rules and Regulations.*** - The Uniformed Personnel
5 Scholarship Board herein created shall formulate and issue, within sixty (60) days from its
6 creation, the necessary rules and regulations for the effective implementation of this Act.

7
8 **SECTION 9. *Separability Clause.*** - If any provision or part hereof is held illegal, invalid
9 or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11
12 **SECTION 10. *Repealing Clause.*** - Presidential Decree No. 577 is hereby repealed. RA
13 6963 and all other laws, presidential decrees or issuances, executive orders, letters of instruction,
14 administrative orders, rules and regulation or parts thereof which are contrary to or inconsistent
15 with the provisions of this Act are hereby repealed, modified or amended accordingly.

16
17 **SECTION 11. *Effectivity.*** - This Act shall take effect fifteen (15) days after its complete
18 publication in at least two (2) newspapers of general circulation in the country or in the Official
19 Gazette.

Approved,