

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

17<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Regular Session

House Bill No. **4333**



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Introduced by **EMMANUEL A. BILLONES**

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***Explanatory Note***

This bill seeks to amend Section 41, Article XI of Presidential Decree No. 1184 otherwise known as the "Integrated National Police Personnel Professionalization Law of 1977" by stating that the rules of legal or intestate succession under the Civil Code, as amended, shall apply to pensions and other benefits given by the government to police officers who died in the line of duty, thereby allowing illegitimate or adopted children and surviving parents to receive these benefits under the appropriate circumstances.

The bill also includes reimbursement of reasonable expenses for medicines, medical assistance, hospital fees, necessary transportation and subsistence, and the restoration of deducted leave credits for absences incurred in the line of duty.

At present, only the surviving spouse or if there be none the surviving dependent legitimate children are entitled to the death benefits of police officers who died in the line of duty.

The importance of allowing the illegitimate or adopted children and surviving parents to receive such pension is indeed imperative as these people have also lost their love ones who used to provide them monetary support in times of need.

The bill also recognizes the rights of illegitimate or adopted children which was the intent of the Family Code when it amended the Civil Code.

In view of the foregoing, passage of this bill is earnestly sought.

  
**EMMANUEL A. BILLONES**  
Representative  
1<sup>st</sup> District, Capiz

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**AN ACT**

**TO ADOPT THE RULES OF LEGAL OR INTESTATE SUCCESSION UNDER THE CIVIL CODE, AS AMENDED, IN THE ENTITLEMENT OF PENSIONS AND OTHER BENEFITS OF POLICE OFFICERS WHO DIED IN THE LINE OF DUTY AMENDING FOR THIS PURPOSE THE FIRST PARAGRAPH OF SECTION 41, ARTICLE XI OF PRESIDENTIAL DECREE NUMBER 1184 OTHERWISE KNOWN AS THE "INTEGRATED NATIONAL POLICE PERSONNEL PROFESSIONALIZATION LAW OF 1977" AND FOR OTHER PURPOSES.**

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

**Section 1.** The first paragraph of Section 41, Article XI of Presidential Decree 1184 is hereby amended to read as follows:

**"Section 41. *Death and Permanent Total Disability Benefits.*** If a member of the [Integrated] PHILIPPINE National Police IS killed IN THE LINE OF DUTY or dies from injuries suffered or sickness contracted in the line of duty, the surviving spouse, [or if there be none, the surviving dependent legitimate children] AND THE LEGITIMATE AND ILLEGITIMATE RELATIVES OF THE DECEASED MEMBER shall be entitled, in addition to the benefits provided for under the preceding section of this Article, IN ACCORDANCE WITH THE RULES, AS TO ORDER AND DIVISION OF SHARE, OF LEGAL OR INTESTATE SUCCESSION UNDER THE CIVIL CODE OF THE PHILIPPINES, AS AMENDED, to a gratuity equivalent to one year's salary [which shall be in no case be less than six thousand pesos], burial expenses equivalent to three month's salary, [which in no case be less than one thousand pesos, and to] a MONTHLY pension equivalent to eighty percent of the salary of the deceased MEMBER FOR A PERIOD OF FIVE (5) YEARS, REIMBURSEMENT OF REASONABLE EXPENSES FOR MEDICINES, MEDICAL ASSISTANCE, HOSPITAL FEES, NECESSARY TRANSPORTATION AND SUBSISTENCE, AND RESTORATION OF DEDUCTED LEAVE CREDITS FOR ABSENCES INCURRED IN LINE OF DUTY. IN CASE OF A MINOR HEIR, HIS/HER SHARE SHALL BE ADMINISTERED AND SPENT FOR THE APPROPRIATE PURPOSE BY HIS/HER PARENT OR LEGAL GUARDIAN.[:Provided, That in no case shall the monthly pension exceed five years; Provided, further, That if

the deceased employee has no primary beneficiary, the non-dependent legitimate children, together with illegitimate children, if any, or if there be none, the surviving parents, or in their absence, the surviving brothers and sisters shall be entitled to a lump sum benefit equivalent to one year's salary and burial expenses equivalent to three month's salary of the deceased, which shall be in no case be less than six thousand pesos and one thousand pesos, respectively. Dependent legitimate children shall include the legitimate, legitimated, or legally adopted child who is not gainfully employed and not over twenty-years of age, or over twenty-one years of age provided that such child is congenitally incapacitated and incapable of self-support physically or mentally.]"

**Sec. 2. Rules and Regulations.**—The National Police Commission (NAPOLCOM) shall formulate, within ninety (90) days after the approval of this Act, the necessary rules and regulations for the effective implementation of this Act to be published in at least two (2) newspapers of general circulation.

**Sec. 3. Separability Clause.**—if, for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

**Sec. 4. Repealing Clause.** – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

**Sec. 5. Effectivity.**—This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,