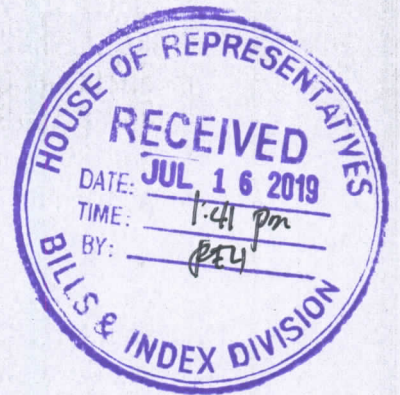


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2198**

Introduced by **Representative “KUYA” JOSE ANTONIO R. SY-ALVARADO**



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), 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

EXPLANATORY NOTE

The life of the uniformed personnel in our country is always at risk and uncertainty. Police, soldiers, fireman, and related functions put their life in imminent danger and threat in order to promote peace, safety and order in our society. The State shall recognize their valuable contribution by giving their families a financial security or guarantee in case of death or injuries sustained by them.

This bill seeks to provide full scholarship for the legitimate children and other legitimate dependents of the uniformed personnel and members of the Philippine National Police, Armed Forces of the Philippines, Bureau of Jail Management and Penology, Bureau of Fire Protection, Philippine Coast Guard, National Bureau of Investigation, Philippine Drug Enforcement Agency and Bureau of Corrections that are killed or physical permanent disability while in the performance of their official duty.

“KUYA” JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

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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 "Uniformed and Law Enforcement Personnel Educational Assistance and Benefits Act".

SECTION 2. Declaration of Policy. - It is hereby declared policy of the State to recognize the vital role of the 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), Philippine Drug Enforcement Agency (PDEA), Philippine Coast Guard (PCG) and Bureau of Corrections (BUCOR) in the maintenance of peace and public order in our country and to ensure that the dependents of those who are killed in action or are permanently incapacitated while in the performance of their duty or by reason of their office or position are provided with educational assistance and benefits.

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

SECTION 4. Grant of Educational Assistance and Benefits. - All the surviving children of the members of the AFP, PNP, BFP, BJMP, NBI, PDEA, PCG and BUCOR who are killed or permanently incapacitated while in the performance of their duty or by reason of their office or position shall automatically and without qualification be extended full scholarship from kindergarten to tertiary level whether baccalaureate, formal or non-formal education or training program in a non-exclusive school or institution; Provided, that the surviving spouse if he or she

so desires may also avail of the benefit; Provided further, that, if the deceased or disabled personnel is single, his or her qualified dependent siblings may also avail of this benefit. The scholarship privilege shall include, but shall not be limited to, payment of tuition and miscellaneous fees, allowance for books and school supplies and allowance for food and transportation.

SECTION 5. Uniformed and Law Enforcement Personnel Scholarship Board. - The scholarship funds collected hereunder shall be managed and administered in accordance with the policies formulated by an inter-agency scholarship board to be known as the Uniformed and Law Enforcement Personnel Scholarship Board, which shall be created and formally organized within thirty (30) days from the effectivity of this Act. The Board shall be composed of the Secretary of the Department of the Interior and Local Government, the Secretary of Justice, the Secretary of Transportation and Secretary of the Department of National Defense, or their alternatives, as Co-chairmen and one (1) member each to represent the AFP, PNP, BFP, BJMP, NBI, PDEA, PCG and BUCOR.

The Board shall serve as the policy making body vested with the authority to come-up with the mechanics, scope and limitations, and requirements for scholarship program pursuant to the objectives of this Act. The Board shall, however, delegate the responsibility to implement the screening, admission, qualification, disqualification and other scholarship-related availment processes to the respective scholarship bodies of the AFP, PNP, BFP, BJMP, NBI, PDEA, PCG and BUCOR, in accordance with the guidelines to be prescribed by the Board. If the agency concerned does not have an existing scholarship board or body, the head of agency is authorized to create such board or body or to delegate its function to an existing bureau, division or office which could concurrently perform such functions.

SECTION 6. Authority to accept donations: Tax Exemption. - The Uniformed and Law Enforcement Scholarship Board and the respective board or bodies of the concerned agencies shall have the authority to accept donations, contributions, grants in cash or in kind, from appropriate sources, domestic or foreign. Said donations shall be used exclusively to complement the funding requirements of the scholarship program subject to the existing government accounting and auditing rules and regulations; Provided, That any donation contribution or financial aid which may be made to the Board and to respective board of bodies of the concerned agencies shall be exempt from taxes of any kind and shall constitute allowable deductions in full from the income of the donors, contributors or givers for income tax purposes. Furthermore, the Board and the respective board or bodies of the concerned agencies are authorized to invest so much of the idle funds as may be necessary for the purpose of generating additional revenue for the benefit of the scholarship program subject to the guidelines as may be prescribed by the board.

SECTION 7. Funding of Educational Assistance and Benefits. - The amounts necessary to fund the educational assistance and benefits for the surviving children of the deceased or permanently incapacitated Uniformed and Law Enforcement Personnel provided under this Act shall be separately sourced and utilized, as follows:

- A. For PNP, license fees collected from the PNP firearms, and explosive office;
- B. For AFP, prevailing funds exclusively allocated for scholarship including applicable grants and donations and other service income;
- C. For BFP, subsidy income from the National Government;
- D. For PCG, collection from permits and licenses fees, fines and penalties, service income, and other general income; and

E. For NBI, income from government services, particularly new clearance fees, including miscellaneous income. For PDEA, BJMP and BUCOR, the amounts necessary for the educational assistance and benefits shall be included in their respective budgets under the annual General Appropriation Act. The concerned agencies may also determine or generate additional sources of funds for the continuity of their scholarship assistance programs under this Act.

SECTION 8. Appropriations. - Any shortfall in the amount necessary to fund the educational assistance and benefits specified above shall be included in the respective annual budgets of the AFP, PNP, BFP, NBI, and PCG to be enacted as part of the annual General Appropriations Act; Provided, That any deficiencies in the financial requirements may likewise be taken from savings on the personal services of the AFP, PNP, BFP, BJMP, NBI, PDEA, PCG and BUCOR and the Miscellaneous Personnel Benefit Funds (MPBF); Provided, further, that the Uniformed Personnel Scholarship Board may, consistent with Sec. 5 of this Act, identify, develop and/or generate additional sources of funds to further support this scholarship program.

SECTION 9. Implementing Rules and Regulations. - The Uniformed and Law Enforcement Personnel Scholarship Board herein created shall promulgate, formulate and issue, within sixty (60) days from its creation, the necessary implementing rules and regulations for the effective implementation of this Act.

SECTION 10. Separability Clause. - If any provision or part this Act is held illegal, invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

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

SECTION 12. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation in the country or in the Official Gazette, whichever comes first.

Approved,