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REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES
H. No. **3115**

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Introduced by **Representative Raul C. Tupas**

EXPLANATORY NOTE

AN ACT AMENDING REPUBLIC ACT NO. 6963, ENTITLED "AN ACT GRANTING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS TO THE FAMILY OR BENEFICIARY OF ANY POLICE OR MILITARY PERSONNEL OR FIREMAN KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION AND FOR OTHER PURPOSES"

The passage of Republic Act Number 6975, otherwise known as "An Act Establishing the Philippine National Police (PNP) Under a Reorganized Department of the Interior and Local Government and for Other Purposes," has introduced significant changes in the organization of the country's police force.

Before the passage of the said law, control and supervision over the country's police force, firemen and jail guards was exercised by the Armed Forces of the Philippines (AFP). Under R.A No. 6975, the Department of the Interior and Local Government (DILG) is given the power of supervision and control over the Bureau of Fire Protection (BFP) and the Bureau of Jail Management Penology (BJMP), while the National Police Commission (NAPOLCOM) exercises administrative control and supervision over the PNP. Meanwhile, the power to supervise the affairs of the AFP remains with the Department of National Defense (DND).

In view of the meaningful reforms brought about by the implementation of R.A No. 6975, it has become imperative for the Congress of the Philippines to likewise introduce corresponding amendments to existing laws affecting the country's police organization. One of these laws is R.A No. 6963 otherwise known as "An Act Granting Special Financial Assistance and Benefits to the Family or Beneficiary of Any Police or Military Personnel or Firemen Killed or Permanently Incapacitated While in the Performance of His Duty or by Reason of His Office or Position, and for Other Purposes" which seeks to grant financial assistance to members of the military and police as well as firemen killed or permanently incapacitated in the line of duty.

The present bill expanded the coverage of the special financial assistance and benefits of R.A. No. 6963 to include personnel of the Philippine Coast Guard

(PCG). The PCG is established as an armed and uniformed service attached to the Department of Transportation and Communications (DOTC). However, in times of war, as declared by Congress, the PCG or parts thereof, shall be attached to the DND.

With respect to the funding of the educational program, the allocation of funds from the license fees of firearms collected by the PNP Firearms and Explosives Office (FEO) will be used solely for the benefits of the PNP.

The AFP, BFP, BJMP, and PCG shall be allowed to fund their respective educational programs based on the savings that they will generate.

This proposed measure intends to amend the provisions of R.A No. 6963 to reflect the development brought about by the passage of R.A No. 6975. The important features of this measure are the following:

- a. The special financial assistance and benefits provided under R.A. No. 6963 shall be extended to cover personnel of the PCG;
- b. The proceeds of the firearms license fees being collected by the PNP FEO, which is the source of educational funds under R.A No. 6963 shall be allocated solely for the use of the qualified dependents of the PNP;
- c. The AFP, BFP, BJMP, and PCG shall be allowed to fund their respective educational programs based on the savings that they will generate;
- d. Scholarship will be extended to at most three (3) children of the deceased or permanently incapacitated police, military, fire, jail, and coast guard personnel.

It is high time that we provide the much-needed boost to our uniformed personnel by showing our concern amidst the challenging role they play in our present society. One way of showing our concern is by giving support to the educational benefits of qualified dependents of police, military, fire, jail, and coast guard personnel. Certainly, this will help alleviate the economic condition of our personnel and their dependents.

For this reason, the immediate approval of this measure is earnestly sought.


RAUL C. TUPAS

HOUSE OF REPRESENTATIVES
H. No. 3115

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AN ACT AMENDING REPUBLIC ACT NO. 6963, ENTITLED "AN ACT GRANTING SPECIAL FINANCIAL ASSISTANCE AND BENEFITS TO THE FAMILY OR BENEFICIARY OF ANY POLICE OR MILITARY PERSONNEL OR FIREMAN KILLED OR PERMANENTLY INCAPACITATED WHILE IN THE PERFORMANCE OF HIS DUTY OR BY REASON OF HIS OFFICE OR POSITION AND FOR OTHER PURPOSES"

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

SECTION 1. Section 1 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 1. The family or beneficiary of any 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), AND PHILIPPINE COAST GUARD (PCG) [police or military personnel, including any fireman assisting in a police or military action], who is killed or become permanently incapacitated while in the LINE OF DUTY [performance of his duty] or by reason of his office or position, provided he/SHE has not committed any crime or human rights violation by final judgement on such occasion, shall be entitled to the special financial assistance provided for in this Act in addition to whatever compensation, donation, insurance, gift, pension, grant, or any form of benefit which said deceased or permanently incapacitated person or his/HER family may receive or be entitled to."

SECTION 2. Section 2 of Republic Act No. 6963 is hereby amended to read as follows:

"Sec. 2. DEFINITION OF TERMS.

- a. "PERSONNEL" - AS USED IN THIS ACT SHALL REFER TO THE UNIFORMED PERSONNEL OF THE PNP, AFP, BFP, BJMP, OR PCG;

1 b. The term "family" OR "BENEFICIARY" [as used in this Act] shall refer
2 to the surviving legal spouse and his/HER legitimate children, or
3 parents, or brothers and sister, or aunts and uncles, in that respective
4 order: Provided That, if the PNP, AFP, BFP, BJMP, OR PCG [police or
5 military] personnel [or fireman] is ESPOUSING a MUSLIM [Muslim]
6 FAITH the pertinent provision of the Code of Muslim Personal Laws
7 (Shari' a) shall apply; and
8

9 c. KILLED OR BECOME PERMANENTLY INCAPACITATED WHILE IN
10 THE LINE OF DUTY – AS USED IN REFERENCE TO THE DEATH
11 OR INJURY SUFFERED BY ANY MEMBER OF THE PNP, AFP, BFP,
12 BJMP, OR PCG, THE PHRASE "IN THE LINE OF DUTY" SHALL BE
13 CONSTRUED TO MEAN THAT THE DEATH OR INJURY WAS
14 CAUSED WHILE IN THE PERFORMANCE OF ANY POLICE,
15 MILITARY, FIRE, JAIL OR COAST GUARD DUTY, AS THE CASE
16 MAY BE, OR OCCASIONED BY A FORTUITOUS EVENT, FORCE
17 MAJEURE, OR ANY OTHER ACT OF A THIRD PARTY WITHOUT
18 FAULT OR NEGLIGENCE ATTRIBUTABLE TO THE PERSONNEL
19 CONCERNED. PROVIDED, THAT, WHERE THE DEATH OR INJURY
20 WAS DUE TO HIS/HER OWN ACT, THE LATTER MUST BE
21 LAWFUL AND SUCH DEATH OR INJURY MUST NOT BE SELF-
22 INFLICTED OR ABETTED BY HIS/HER GROSS NEGLIGENCE,
23 ALCOHOLISM, DRUG ADDICTION, OR ABUSE OF AUTHORITY.
24 PROVIDED, FURTHER, THAT THE PHRASE "LINE OF DUTY"
25 SHALL INCLUDE GOING TO AND COMING FROM HIS/HER
26 OFFICE OR WHILE ON LEAVE OR ON ADMINISTRATIVE MISSION.
27 PROVIDED, FINALLY, THAT ANY DOUBT AS TO WHETHER OR
28 NOT THE DEATH OR INJURY SUSTAINED BY ANY PNP, AFP, BFP,
29 BJMP, PCG PERSONNEL IS IN THE LINE OF DUTY OR BY
30 REASON OF HIS/HER OFFICE OR POSITION SHALL BE DECIDED
31 IN HIS/HER FAVOR."
32

33 **SECTION 3.** Section 3 of Republic Act No. 6963 is hereby amended to read as
34 follows:
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36 "Sec. 3. The special financial assistance referred to in Section
37 on hereof shall be that which is equivalent to the average six (6)
38 months salary, including allowances and bonuses, during the last
39 twelve (12) months preceding the death or permanent incapacity of the
40 PERSONNEL [officer] which shall not be considered as part of the
41 estate of the deceased and which shall be exempt from attachment,
42 garnishment or execution and from income and other taxes."
43

44 **SECTION 4.** Section 4 of Republic Act No. 6963 is hereby amended to read as
45 follows:
46

1 “Sec. 4. It shall be the duty of the cashier from whom the
2 deceased PERSONNEL OF THE POLICE, MILITARY, FIRE, JAIL. OR
3 COAST GUARD UNIT [or permanently incapacitated police or military
4 personnel of fireman] used to receive his/HER salary, within three (3)
5 days from receipt of a written certification from the station or unit
6 commander of the fact of death and the circumstances thereof, to
7 deliver to the beneficiaries such special financial assistance as stated
8 in Section Three hereof. In case of permanent disability, a certification
9 by the proper medical officer designated by the Chief of Staff of the
10 AFP, CHIEF OF THE PNP, DIRECTOR OF THE BFP, DIRECTOR OF
11 THE BJMP, OR COMMANDANT OF THE PCG [Armed Forces of the
12 Philippines or the Director General of the Integrated National Police]
13 as the case may be, is necessary or the payment of the aforesaid
14 special financial assistance. After said payment, a report with the
15 formal certificate of death or permanent incapacity shall be submitted
16 to the CHIEF OF STAFF OF THE AFP, OR CHIEF PNP, OR THE
17 DIRECTOR OF THE BFP, OR THE DIRECTOR OF THE BJMP, OR
18 COMMANDANT OF THE PCG [Secretary of National Defense or the
19 Director General of the Integrated National Police].”
20

21 **SECTION 5.** Section 5 of Republic Act No. 6963 is hereby amended to read as
22 follows:
23

24 “Sec. 5. In order to assure the payment of the special financial
25 assistance referred to in this Act, without any need of any
26 appropriation act or ordinance, the payment shall come from the
27 expected salary, allowances and bonuses of the deceased or
28 permanently incapacitated POLICE, MILITARY, FIRE, JAIL, OR
29 COAST GUARD PERSONNEL [police or military personnel or fireman]
30 for the next six (6) months after his/her death or permanent incapacity:
31 Provided That, the position left vacant by the deceased or
32 permanently incapacitated POLICE, MILITARY, FIRE, JAIL, OR
33 COAST GUARD PERSONNEL [police or military personnel or fireman]
34 on account of his/her death incapacity shall not be filled during that
35 period of six (6) months: Provided, further, That if the public welfare
36 and interest so demand, as determined by the CHIEF OF THE PNP,
37 IN THE CASE OF POLICE PERSONNEL; OR THE CHIEF OF STAFF
38 OF THE AFP, IN CASE OF MILITARY PERSONNEL; OR THE
39 DIRECTOR OF THE BFP, IN THE CASE OF FIRE PERSONNEL; OR
40 THE DIRECTOR OF THE BJMP, IN THE CASE OF JAIL
41 PERSONNEL; OR THE COMMANDANT IN THE CASE OF COAST
42 GUARD PERSONNEL, [municipal or city mayor or provincial governor,
43 in the case of a police personnel or fireman, or the Secretary of
44 National Defense, in the case of military personnel] the position left
45 vacant by the deceased or permanently incapacitated personnel may
46 be filled without waiting for the expiration of the six months period
47 earlier mentioned, in which case, the funds out of which the special

1 financial assistance already received by the family of the financial
2 assistance already received by the family of the deceased or
3 permanently incapacitated personnel shall be replenished out of the
4 emergency savings of the CONCERNED OFFICE, UPON THE
5 DIRECTION IN WRITING BY THEIR RESPECTIVE CHIEF OR
6 DIRECTOR OR COMMANDANT [municipality, city or province, or the
7 department, upon the direction in writing by the municipal or city mayor
8 or governor of the province, department secretary,] to their respective
9 FINANCE UNIT [treasurers or cashiers. Provided, finally, That, in the
10 event of such emergency, no emergency savings as provided herein
11 exist, the regional commander or the provincial commander, as the
12 case may be, may draw augmentation personnel 1from any
13 municipality in the province or region to fill up the vacancy until such
14 time that the municipality where the vacancy occurred can fill up such
15 vacancy with regular personnel.]”

16
17 **SECTION 6.** Section 6 of Republic Act No. 6963 is hereby amended to read as
18 follows:

19
20 “Sec. 6. If any POLICE, MILITARY, FIRE, JAIL OR COAST
21 GUARD PERSONNEL [police or military personnel or fireman] is
22 injured or wounded while in the performance of his/her official duties,
23 the hospitalization expenses of such [police or military] personnel [or
24 fireman] shall be shouldered by the office where he/she belongs,
25 chargeable against the salary savings of such office without the need
26 of any appropriation act or ordinance.”

27
28 **SECTION 7.** Section 7 of Republic Act No. 6963 is hereby amended to read as
29 follows:

30
31 “Sec. 7. The surviving spouse of the deceased or permanently
32 incapacitated POLICE, MILITARY, FIRE, JAIL OR COAST GUARD
33 PERSONNEL [police, military, fire or jail personnel] shall be given
34 priority in employment in a government agency or office where HIS/her
35 qualifications are fitted: Provided That if the spouse is already
36 employed or not employable or if HE/she waves HIS/her employment
37 privilege, then an employable son or daughter shall be granted the
38 said privilege.”

39
40 **SECTION 8.** Section 8 of Republic Act No. 6963 is hereby amended to read as
41 follows:

42
43 “Sec. 8. AT MOST, THREE (3) CHILDREN OF THE
44 DECEASED OR PERMANENTLY INCAPACITATED POLICE,
45 MILITARY, FIRE, JAIL, OR COAST GUARD PERSONNEL SHALL BE
46 EXTENDED SCHOLARSHIP IN PUBLIC ELEMENTARY AND HIGH
47 SCHOOLS AND UP TO COLLEGE IN A STATE COLLEGE OR

1 UNIVERSITY AS MAY BE DETERMINED BY THEIR RESPECTIVE
2 OFFICES, SUBJECT TO THE POLICIES ON THE TUITION OF SAID
3 INSTITUTION; PROVIDED, THAT IF FUNDS ARE NOT SUFFICIENT
4 TO SUPPORT THE SCHOLARSHIP OF ALL QUALIFIED CHILDREN,
5 PRIORITY SHALL BE GIVEN TO THE CHILDREN OF THE
6 DECEASED OR PERMANENTLY INCAPACITATED PERSONNEL
7 OF THE PNP, AFP, BFP, BJMP, AND PCG THAN THE CHILDREN
8 OF THEIR ACTIVE UNIFORMED PERSONNEL; PROVIDED,
9 FINALLY, THAT, IN CASES OF SINGLE AND/OR UNMARRIED
10 PERSONNEL, THE SCHOLARSHIP SHALL BENEFIT ONLY ONE (1)
11 BROTHER OR SISTER WHO IS UNMARRIED AND UNEMPLOYED.
12 [All surviving children of the deceased or permanently incapacitated
13 police or military personnel or fireman shall be extended scholarship
14 up to college in a nonexclusive institution, subject to the policies on
15 tuition of said institution. The scholarship privilege shall be limited to
16 the National Police Commission or the Department of National
17 Defense, as the case may be, upon presentation to it of the approved
18 enrolment or registration form.]”

19
20 **SECTION 9.** Section 9 of Republic Act No. 6963 is hereby amended to read as
21 follows:

22
23 “Sec. 9. THE LICENSE FEES COLLECTED BY THE
24 FIREARMS AND EXPLOSIVES OFFICE OF THE PHILIPPINE
25 NATIONAL POLICE SHALL BE USED SOLELY FOR THE
26 SCHOLARSHIP PROGRAM OF THE PNP; PROVIDED, THAT THE
27 CHIEF OF THE PNP, MAY UTILIZE PART OR SOME AMOUNT OF
28 THE SAID FUNDS FOR OTHER NEEDS OF THE PNP; PROVIDED,
29 FURTHER, THAT THE CHIEF OF THE PNP MAY GENERATE
30 ADDITIONAL SOURCE FOR THE SCHOLARSHIP PROGRAM
31 COMING FROM OTHER FEES WHICH THEY ARE AUTHORIZED
32 TO COLLECT TO FURTHER INCREASE THE FUNDS.

33
34 THE SCHOLARSHIP PROGRAMS OF THE AFP, BFP, BJMP,
35 AND PCG SHALL BE FUNDED BY THE SAVINGS THAT THEY WILL
36 BE ABLE TO GENERATE AND SUCH INTEREST INCOME AS MAY
37 BE EARNED FROM SAID SAVINGS.

38
39 THE PNP, AFP, BFP, BJMP, AND PCG MAY GENERATE
40 ADDITIONAL SOURCES OF FUNDS THAT WILL SUPPORT THEIR
41 SCHOLARSHIP PROGRAMS: PROVIDED THAT, SAID ADDITIONAL
42 SOURCES OF FUNDS SHALL INCLUDE, BUT SHALL NOT BE
43 LIMITED TO, EXISTING TRUST FUNDS ESTABLISHED FOR THEIR
44 BENEFIT; OTHER NON-APPROPRIATED FUNDS THEY ARE
45 LEGALLY AUTHORIZED TO GENERATE; AND SUCH FEES AND
46 CHARGES THEY MAY BE LEGALLY AUTHORIZED TO COLLECT.
47 [The amounts necessary to fund the scholarship assistance mentioned

1 above shall be taken from the proceeds of the license fees for firearms
2 collected by the Philippine Constabulary: Provided, that the collection
3 from the said license fees for one year following the approval of this
4 Act shall constitute the initial fund reserve for the purpose of this Act,
5 to be replenished or enhanced by collections in the succeeding
6 years.]"

7
8 **SECTION 10.** Section 10 of Republic Act No. 6963 is hereby amended to read as
9 follows:

10
11 "Sec. 10. The said funds collected from the firearms licensing
12 fees shall be MANAGED AND ADMINISTERED BY THE PNP
13 THROUGH A SCHOLARSHIP BOARD COMPOSED OF A
14 CHAIRMAN AND FOUR (4) MEMBERS WHO SHALL BE
15 DESIGNATED BY THE CHIEF OF THE PNP. THE CHIEF OF THE
16 PNP IS AUTHORIZED TO INVEST SO MUCH OF THE FUND FOR
17 THE PURPOSE OF GENERATING ADDITIONAL REVENUE FOR
18 THE BENEFIT OF THE SCHOLARSHIP PROGRAM.

19
20 AT THE OPTION OF THE CHIEF OF AFP, DIRECTOR OF
21 THE BFP, DIRECTOR OF THE BJMP, AND COMMANDANT OF THE
22 PCG, A SCHOLARSHIP BOARD SIMILAR TO THAT PROVIDED
23 FOR UNDER THIS SECTION MAY BE CREATED FOR THE
24 PURPOSE OF MANAGING AND ADMINISTERING THEIR
25 RESPECTIVE SCHOLARSHIP FUNDS; PROVIDED FINALLY THAT,
26 THE CHIEF OF AFP, DIRECTOR OF THE BFP, DIRECTOR OF THE
27 BJMP, AND COMMANDANT OF THE PCG SHALL ALSO HAVE THE
28 AUTHORITY TO INVEST SO MUCH OF THEIR SCHOLARSHIP
29 FUNDS FOR PURPOSES OF REVENUE-GENERATION." [turned
30 over to the National Police Commission which shall administer the
31 same for the purpose of this Act in the case of Integrated National
32 Police members and firemen, and the Department of National Defense
33 in the case of military personnel.

34
35 **SECTION 11.** Section 11 of Republic Act No. 6963 is hereby amended to read as
36 follows:

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38 "Sec.11. Nothing in this Act shall be construed to prejudice and
39 diminish whatever benefits a POLICE, MILITARY, FIRE, JAIL, OR
40 COAST GUARD PERSONNEL [member of the military establishment
41 or the Integrated National Police] is entitled to receive under existing
42 laws."

43
44 **SECTION 12.** The National Police Commission (NAPOLCOM), Armed Forces of the
45 Philippines (AFP), Department of the Interior and Local Government (DILG),
46 Department of National Defense (DND), and Department of Transportation and

1 Communications (DOTC) shall jointly prepare and issue the necessary rules and
2 regulations for the effective implementation of this Act.

3
4 **SECTION 13. Separability Clause.** – If any provision of this Act shall be declared
5 unconstitutional or inoperative, the other provisions not so affected shall remain in
6 force and effect.

7
8 **SECTION 14. Repealing Clause.** – All laws, degrees, executive orders, rules and
9 issuances or parts thereof inconsistent with this Act or the rules and regulations
10 promulgated pursuant thereto are hereby repealed, amended, or modified
11 accordingly.

12
13 **SECTION 15. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
14 its publication in at least two (2) national newspapers of general circulation.

15
16 Approved,