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LAWNUM: RA06963

DATE : 09/04/90

TITLE : 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

TEXT :

H. No. 10831

S. No. 2

Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Fourth Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of  
July,  
nineteen hundred and ninety.

[REPUBLIC ACT No. 06963]

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. The family or beneficiary of any police or military  
personnel, including any fireman assisting in a police or military  
action, who is killed or becomes permanently incapacitated while  
in the performance of his duty or by reason of his office or  
position, provided he has not committed any crime or human rights  
violations by final judgment 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 family may receive or be  
entitled to.

SEC. 2. The term "family" as used in this Act shall refer to the surviving legal spouse and his legitimate children, or parents, or brothers and sisters, or aunts and uncles, in that respective order: Provided, That, if the police or military personnel or fireman is a muslim, the pertinent provisions of the Code of Muslim Personal Laws (Shari'a) shall apply.

SEC. 3. The special financial assistance referred to in Section One hereof shall be that which is equivalent to the average six (6) months salary, including allowances and bonuses, during the last twelve (12) months preceding the death of the officer which shall not be considered a part of the estate of the deceased and which shall be exempt from attachment, garnishment or execution and from income and other taxes.

SEC. 4. It shall be the duty of the cashier from whom the deceased or permanently incapacitated police or military personnel or fireman used to receive his salary, within three (3) days from receipt of a written certification from the station or unit commander of the fact of death and the circumstances thereof, to deliver to the beneficiaries such special financial assistance as stated in Section Three hereof. In case of permanent disability, a certification by the proper medical officer designated by the Chief of Staff of the Armed Forces of the Philippines or the Director General of the Integrated National Police, as the case may be, is necessary for the payment of the aforesaid financial assistance. After said payment, a report with the formal certificate of death or permanent incapacity shall be submitted to the Secretary of National Defense or the Director General of the Integrated National Police.

SEC. 5. In order to assure the payment of the special financial assistance referred to in this Act, without any need of any appropriation act or ordinance, the payment shall come from the expected salary, allowances and bonus of the deceased or permanently incapacitated police or military personnel or fireman for the next six (6) months after his death or incapacity: Provided, That the position left vacant by the deceased or permanently incapacitated police or military personnel or fireman on account of his death or incapacity shall not be filled during that period of six (6) months: Provided, further, That if the public welfare and interest so demand, as determined by the municipal or city mayor or provincial governor, in case of a police personnel or fireman, or by the Secretary of National Defense, in case of a military personnel, the position left vacant by the deceased personnel, or permanently incapacitated personnel may be filled without waiting for the expiration of the six (6) months period earlier mentioned, in which case, the funds out of which the special financial assistance already received by the family of the deceased or permanently incapacitated personnel shall be replenished out of the emergency savings of the municipality, city or province, or the department, upon the direction in writing by the municipal or city mayor or governor of

the province, or department secretary, to their respective treasurers or cashiers: Provided, finally, That, in the event of such emergency, no emergency savings as provided herein exist, the regional commander or the provincial commander, as the case may be, may draw augmentation personnel from any municipality in the province or region to fill up the vacancy until such time that the municipality where the vacancy occurred can fill up such vacancy with regular personnel.

SEC. 6. If any police or military personnel or fireman is injured or wounded or in any manner suffers any injury in the performance of his official duties, the hospitalization expenses of such police or military personnel or fireman shall be shouldered by the office where he belongs, chargeable against the salary savings of such office without the need of any appropriation act or ordinance.

SEC. 7. The surviving spouse of the deceased or permanently incapacitated police or military personnel or fireman shall be given priority in employment in a government agency or office where her qualifications are fitted: Provided, That, if the spouse is already employed or not employable or if she waives her employment privilege, then an employable son or daughter shall be granted the said privilege.

SEC. 8. All surviving children of the deceased or permanently incapacitated police or military personnel or fireman shall be extended scholarship up to college in a nonexclusive institution, subject to the policies on the tuition of said institution. The scholarship privilege shall be limited to the payment of tuition and miscellaneous fees payable to the school and shall be remitted by the National Police Commission or the Department of National Defense, as the case may be, upon presentation to it of the approved enrollment or registration form.

SEC. 9. The amounts necessary to fund the scholarship assistance mentioned above shall be taken from the proceeds of the license fees for firearms collected by the Philippine Constabulary: Provided, That the collection from the said license fees for one (1) year following the approval of this Act shall constitute the initial fund reserve for the purpose of this Act, to be replenished or enhanced by collections in the succeeding years.

SEC. 10. The said funds collected from the firearms licensing fees shall be turned over to the National Police Commission which shall administer the same for the purpose of this Act in the case of Integrated National Police members and firemen, and the Department of National Defense in the case of military personnel.

SEC. 11. Any person who unduly delays, refuses or in any manner prevents the payment of the special financial assistance defined in this Act to the person or persons entitled thereto shall be dismissed from office if found guilty in an appropriate administrative case.

SEC. 12. Nothing in this Act shall be construed to prejudice and diminish whatever benefits a member of the military establishment or the Integrated National Police is entitled to receive under existing laws.

SEC. 13. All acts, laws, decrees, executive orders and rules and regulations which are contrary to or inconsistent with this Act are hereby repealed and/or modified accordingly.

SEC. 14. This Act shall take effect upon its approval.

Approved,

JOVITO R. SALONGA  
President of the Senate

RAMON V. MITRA  
Speaker of the House of  
Representatives

This Act which is a consolidation of House Bill No. 10831 and Senate Bill No. 2 was finally passed by the House of Representatives and the Senate on August 16, 1990 and August 7, 1990, respectively.

EDWIN P. ACOBA  
Secretary of the Senate

QUIRINO D. ABAD SANTOS, JR.  
Secretary of the House of  
Representatives

Approved: September 4, 1990

CORAZON C. AQUINO  
President of the Philippines