

REPUBLIC OF THE PHILIPPINES }
CONGRESS OF THE PHILIPPINES }
 Third Regular Session

S. No. 2209
H. No. 12250

REPUBLIC ACT NO. 9049

AN ACT GRANTING MONTHLY GRATUITY AND PRIVILEGES
TO AN AWARDEE OF THE MEDAL OF VALOR,
PROVIDING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

SECTION 1. It is hereby declared the policy of the State to consistently honor its military heroes in order to strengthen the patriotic spirit and nationalist consciousness of the military. Towards this end, the State shall give due recognition to an awardee of the Medal of Valor for his/her supreme self-sacrifice and distinctive acts of heroism and gallantry by providing adequate social services and financial rewards in order to encourage men and women to perform heroic deeds for their country.

SEC. 2. A Medal of Valor awardee will henceforth be entitled to a lifetime monthly gratuity of Twenty thousand pesos (P20,000). This gratuity is separate and distinct from any salary or pension which the awardee is currently receiving or will receive from the government of the Philippines: *Provided*, That in the event of the death of the awardee, the same shall accrue in equal shares and with the right of accretion to the surviving spouse until she remarries and to the children, legitimate, or adopted or illegitimate, until they reach the age of eighteen (18) or until they marry, whichever comes earlier: *Provided, further*, That such gratuity shall not be included in the computation of gross income and shall be exempt from taxation under Title III, Chapter VI of Republic Act No. 8424, otherwise known as the "Tax Reform Act of 1997."

The provisions of this Act shall apply to the Medal of Valor awardees under Presidential Decree No. 1687 who have since been integrated to the Philippine National Police (PNP):

Provided, That the appropriations therefor shall come from the Philippine National Police.

The President of the Philippines is hereby authorized, upon the joint recommendation of the Chief of Staff of the Armed Forces of the Philippines, the Secretaries of the Department of National Defense and the Department of Budget and Management, to adjust at a reasonable time and rates the lifetime monthly gratuity of the awardees: *Provided*, That in computing for the rate of adjustment of the lifetime monthly gratuity, they shall take into consideration applicable economic and social factors or indicia such as the inflation rate: *Provided, further*, That no increase under this section shall be authorized within three (3) years following the effectivity of this Act and no oftener than once every five (5) years thereafter.

SEC. 3. A Medal of Valor awardee, his/her widow/widower and/or dependents as the case may be shall be entitled to the following:

(1) Precedence in employment in government agencies or government-owned or -controlled corporation: *Provided*, That the awardee or his/her dependent also meets the job qualifications or requirements;

(2) Priority in the approval of the awardee's housing application under existing housing programs of the government;

(3) Priority in the acquisition of public lands under the Public Land Act and preferential right in the lease of pasture lands and exploitation of natural resources;

(4) Privilege of obtaining loans in an aggregate amount not exceeding Five hundred thousand pesos (P500,000) from government-owned or -controlled financial institutions without having to put up any collateral or constitute any pledge or mortgage to secure the payment of the loan;

(5) Twenty percent (20%) discount from all establishments relative to utilization or transportation services, hotels and similar

lodging establishments, restaurants, recreation and sport centers and purchase of medicine anywhere in the country: *Provided*, That private establishments may claim the cost as tax credits;

(6) Twenty percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals and other similar places of culture, leisure and amusement: *Provided*, That aforementioned establishments may claim the cost as tax credits; and

(7) Free medical and dental services and consultation in hospital and clinics anywhere in the country: *Provided*, That private hospitals and clinics may claim the cost of services as tax credit;

SEC. 4. Notwithstanding the limitation imposed by Presidential Decree No. 577 on the scholarship program of military personnel who died or are incapacitated in line of duty, an awardee of Medal of Valor and his/her heirs/beneficiaries shall be exempted from the payment of tuition and matriculation fees in public or private schools, universities, colleges and other educational institutions in any pre-school, baccalaureate or post-graduate courses such as or including courses leading to the degree of Doctor of Medicine (MD), Bachelor of Laws (LLB) , and Bachelor of Science in Nursing (BSN) or allied and similar courses.

SEC. 5. A Medal of Valor awardee and/or a son or daughter, upon reaching the age of admission as a cadet/cadette in the Philippine Military Academy, shall be given a quota if interested to join the cadet corps of said military institution or otherwise priority for direct commission, call to active duty (CAD) and/or enlistment in regular force of the AFP, if qualified.

SEC. 6. Any person who shall deny an awardee, his/her widow/widower and/or dependents or beneficiaries of the privileges and benefits due him/her/them by virtue of this Act shall suffer the penalty of imprisonment ranging from three (3) years to six (6) years and a fine ranging from One hundred thousand pesos (P100,000) to Three hundred thousand pesos (P300,000) at the discretion of the court.

If the offender is a public officer at the time of the commission of the offense, he/she shall, in addition to the penalty above-prescribed, likewise suffer the penalty of perpetual absolute disqualification from public office and lose all retirement or gratuity benefits under the law. In the event that such public officer, who may have been separated from the service and has already received such benefits, he/she shall be liable to reconstitute the same to the government: *Provided*, That the restitution mentioned shall include only such amounts received after the commission of the offense.

For purposes of the immediately preceding paragraph, the term "public officer" includes elective and appointive officials and employees, permanent or temporary, whether in the classified or unclassified or exemption service receiving compensation even nominal, from the government.

If the offense is committed by a corporation, association, partnership or any other juridical person, the penalty shall be imposed upon the officer/s or personnel responsible therefore without prejudice to the filing of civil and/or administrative action against the said corporation, association, partnership or any other juridical person.

Any provision of law to the contrary notwithstanding, a person convicted under this decree shall not be entitled to the benefits of Presidential Decree No. 968, as amended, otherwise known as the Probation Law of 1976.

SEC. 7. The amount necessary to initially implement the provisions of this Act shall be charged against the current savings of the Armed Forces of the Philippines. In the event that the available savings is not enough to fully implement the additional benefits, the grant of the same shall be applied uniformly to all awardees/beneficiaries. Thereafter, such sums as may be needed to fully implement the grant of additional benefits shall be included in the annual budget of the Armed Forces of the Philippines.

SEC. 8. The Secretary of the Department of National Defense jointly with the Department of Education, Culture and Sports, Department of Health, Department of Transportation and

Communications and Department of Finance and other appropriate government agencies shall issue the necessary rules and regulations to carry out the objectives of this decree: *Provided*, That current recipients of this gratuity shall likewise be granted the additional privileges as provided for in this Act.

SEC. 9. If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of this Act or the application of its provisions to other persons or circumstances shall not be affected by such declaration.

SEC. 10. Presidential Decree No. 1687 is hereby repealed and all other laws, rules and regulations, decrees, issuances or any parts thereof inconsistent with this Act are likewise hereby repealed, modified or amended accordingly.

SEC. 11. This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved, March 22, 2001.