

Republic Act No. 6948

April 9, 1990

## AN ACT STANDARDIZING AND UPGRADING THE BENEFITS FOR MILITARY VETERANS AND THEIR DEPENDENTS

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

### TITLE I PRELIMINARY PROVISIONS

**Section 1. *Declaration of Policy.*** – It is hereby declared to be the policy of the State to help foster the socioeconomic security and general well-being of the country's veterans in recognition of their patriotic services in times of war and peace for the cause of freedom and democracy; for the attainment of national unity, independence, and socioeconomic advancement; and for the maintenance of peace and order, in keeping with the goals of the Government and the aspirations of the people.

**Section 2. *Definitions.*** – For the purpose of and when used in this Act, the following terms shall be construed in the sense indicated unless the context of a particular provision clearly indicates that a different sense is intended:

(a) *Veteran* – any person who rendered military service in the land, sea or air forces of the Philippines during the revolution against Spain, the Philippine-American War, World War II, including Filipino citizens who served in Allied Forces in the Philippine territory and foreign nationals who served in Philippine forces, the Korean Campaign, the Vietnam Campaign, the Anti-Dissidence Campaign, or other wars and military campaigns; or who rendered military service in the Armed Forces of the Philippines and has been honorably discharged or separated after at least six (6) years total cumulative active service, or sooner separated due to death or disability arising from a wound or injury received or sickness or disease incurred in line of duty while in the active service;

(b) *Military Personnel* – officers, enlisted personnel, draftees and trainees in the active service of the Armed Forces of the Philippines;

(c) *Officer* – any person holding a commission in the regular or reserve components of the Armed Forces, or probationary officer, or cadet of the Philippine Military Academy or of the flying or naval schools of the Armed Forces of the Philippines;

(d) *Enlisted Person* – any person enlisted in the Armed Forces;

(e) *Draftee* – any person who, upon completion of trainee service, is drafted into selective emergency military service for eighteen (18) months or more;

(f) *Trainee* – any person who, after reaching twenty (20) years of age, is conscripted into the Armed Forces for military training;

(g) *Active Service* – any active duty in the regular or reserve components of the Armed Forces;

(h) *Overseas Service* – includes any period of military service commencing from the date of departure from the Philippines for service in foreign territory and terminating upon the date of return to Philippine soil;

(i) *Dependent* – any spouse, child or parent who is wholly under the care and support of the veteran;

(j) *Surviving Spouse* – the lawful widow or widower of the deceased veteran, or the innocent spouse if he or she was legally separated by final judicial decree from the deceased;

(k) *Children* – includes any child entitled to support from the veteran under existing laws;

(l) *Minor Children* – those who are below eighteen (18) years of age;

(m) *Incompetent* – describes the state of legal, physical or mental incapacity which makes one wholly dependent upon another for care and support;

(n) *Parents* – includes, in the absence of parents by nature, a father or mother by adoption and, in the absence of a legal parent, any person who stood in loco parentis to the veteran at least one (1) year prior to his entry into the active service;

(o) *Indigent Parents* – those whose aggregate income from all sources is deemed inadequate for daily sustenance or places them in the class of those below the poverty line, as determined by the Philippine Veterans Affairs Office based on official figures released by the appropriate government agency;

(p) *Political Prisoner* – a person who, for acts punishable for public rather than for private reasons which were directed against the welfare, safety and security of the enemy occupation forces during World War II in connection with underground activities or the resistance movement, was imprisoned, maltreated and killed, or died in prison due to ailment or injury; and

(q) *Administrator* – the head of the Philippine Veterans Affairs Office.

## **TITLE II VETERAN'S BENEFITS**

### **PART A. Educational Benefits**

**Section 3. *Eligibility.*** – A veteran of the Philippine Army or of any recognized or deserving guerrilla organization who took active participation in the resistance movement and/or in the liberation drive against the enemy during World War II, or of the Philippine

Expeditionary Forces to Korea, or of the Philippine Civic Action Group or Philippine Contingent in Vietnam, who has never heretofore enjoyed educational benefit under Philippine law nor under United States law, who desires to study; or one (1) child of a veteran in whose favor he renounces such right; or the surviving spouse or a child of a deceased veteran in whose favor the same is applied for by the surviving spouse, or legal guardian; shall, upon certification of the Administrator, be admitted to any school, college, university or institution authorized by the Government, with all school fees, including tuition, matriculation, athletic, library, laboratory, medical, military training, diploma and graduation fees, at the expense of the Government, subject to the rules and conditions promulgated by the Administrator.

## **PART B. Disability Pension**

**Section 4. *Eligibility.*** – The disability pension as provided for in this Act shall apply to any veteran who was in the service of the Philippine Army or guerrilla forces between the eighth of December, Nineteen hundred and forty-one and the third of July, Nineteen hundred and forty-six; of the Armed Forces of the Philippines and the Philippine Constabulary who was in the active service on and after the fourth of July, Nineteen hundred and forty-six; of the Philippine Expeditionary Forces to Korea who was in the service overseas between the fifteenth of September, Nineteen hundred and fifty and the thirty-first of May, Nineteen hundred and fifty-five; and of the Philippine Civil Action Group or Philippine Contingent in Vietnam who was in the service overseas between the thirty-first of August, Nineteen hundred and sixty-four and the twentieth of December, Nineteen hundred and sixty-nine.

**Section 5. *Pension Rates.*** – A veteran who is disabled owing to sickness, disease, wounds, or injuries sustained in line of duty shall be given monthly pension in accordance with the rates prescribed hereunder, unless he is actually receiving a similar pension for the same disability from other government funds or from the United States Government:

- (a) If and while the disability is rated anywhere from ten to thirty per centum (10%-30%), the monthly pension shall be Six hundred pesos (P600.00);
- (b) If and while the disability is rated forty per centum (40%), the monthly pension shall be Six hundred seventy-five pesos (P675.00);
- (c) If and while the disability is rated fifty per centum (50%), the monthly pension shall be Seven hundred fifty pesos (P750.00);
- (d) If and while the disability is rated sixty per centum (60%), the monthly pension shall be Eight hundred twenty-five pesos (P825.00);
- (e) If and while the disability is rated seventy per centum (70%), the monthly pension shall be Nine hundred pesos (P900.00);
- (f) If and while the disability is rated eighty per centum (80%), the monthly pension shall be Nine hundred seventy-five pesos (P975.00);

(g) If and while the disability is rated ninety per centum (90%), the monthly pension shall be One thousand fifty pesos (P1,050.00); and

(h) If and while the disability is total or rated one hundred per centum (100%), the monthly pension shall be One thousand one hundred twenty-five pesos (P1,125.00) plus One hundred fifty pesos (P150.00) each for the spouse and unmarried minor children.

**Section 6. Effectivity of Pension.** – The date of effectivity of the pension that may be awarded to an applicant will be based on the conditions specified hereunder:

(a) As regards officers and enlisted personnel of the Philippine Army and guerrilla organizations of World War II, on the day the application is received but in no case earlier than the date of the approval of this Act; and

(b) As regards all other veterans:

(1) On the date immediately following the date of discharge if the application was filed within one (1) year after the veteran's separation from the service; or

(2) On the day the application was received if the application was filed beyond one (1) year after the veteran's separation from the service.

**Section 7. Re-evaluation.** – Periodic re-evaluation or redetermination of a veteran's disability, in appropriate cases, shall be the responsibility of the Disability Rating Board of the Philippine Veterans Affairs Office. The AFP Medical Center and the Veterans Memorial Medical Center, upon request by the Board, shall make available the clinical records, disability work sheets and other pertinent papers and documents and shall conduct x-ray, laboratory test, and other examinations on the veteran concerned. Such medical examinations and tests may also be undertaken by any other government hospital nearest the residence of the veteran concerned, upon request by the Board. The Board shall formulate the procedures necessary to carry out its re-evaluation or redetermination activities.

**Section 8. Exemption.** – A disabled veteran shall be exempted from periodic examination and re-rating in the following cases:

(a) When the disability is considered as static;

(b) When the disability is permanent in nature or of such character that there is no likelihood of improvement; or

(c) When the veteran is already fifty-seven (57) years of age or over.

**PART C.**  
**Pension for Veterans of the Revolution**

**Section 9. *Eligibility.*** – Any veteran who served in the Philippine Revolution and the Philippine-American War any time during the period between the twenty-third of August, Eighteen hundred and ninety-six, and the sixth of May, Nineteen hundred and two, shall be entitled to a monthly pension of Six hundred pesos (P600.00) plus One hundred fifty pesos (P150.00) each for his spouse and unmarried minor children.

#### **PART D. Old-Age Pension**

**Section 10. *Eligibility.*** – A veteran who is at least sixty-five (65) years old shall be paid an old-age pension of Five hundred pesos (P500.00) monthly unless he is actually receiving a similar pension for the same consideration from other government funds or from the United States Government.

**Section 11. *Entitlement of Surviving Spouse.*** – The surviving spouse of a veteran who died after having received old-age pension shall be paid a pension of Five hundred pesos (P500.00) monthly until she remarries or dies, and the surviving spouse of a veteran who died without having received old-age pension shall, if she does not remarry, be paid a pension of Five hundred pesos (P500.00) monthly when she reaches the age of sixty-five (65) and until she remarries or dies, unless she is actually receiving a similar pension for the same consideration from other government funds or from the United States Government.

#### **PART E. Death Pension**

**Section 12. *Eligibility.*** – For the death of a veteran in line of duty or at any time after honorable discharge or separation from the service as a result of wounds or injury received or sickness or disease incurred in line of duty or as a consequence of the performance of such duty, and of a political prisoner who died in prison or was killed by the enemy armed forces during World War II, the surviving spouse and unmarried minor children or, in default thereof, the indigent parents, except those who for the same reason are actually receiving a similar pension from other government funds or from the United States Government, may be given a pension of Five hundred pesos (P500.00) a month for the surviving spouse and Two hundred fifty pesos (P250.00) a month for each unmarried minor child until the surviving spouse remarries or dies, and until the minor child dies, marries, or reaches the age of eighteen (18), or Two hundred fifty pesos (P250.00) for each indigent parent, with the right of accretion, until they die: Provided, however, That only fifty per centum (50%) of the rates herein prescribed shall be awarded to the surviving spouse and minor children, or indigent parents of a veteran of the Armed Forces of the Philippines who, in line of duty, died of injury or ailment which was not incurred in war or in a military campaign against aggression, dissidence, rebellion or sedition nor as a direct result of such war or military campaign.

**Section 13. *Pension for the Surviving Spouse of a Veteran of the Revolution.*** – The surviving spouse of a veteran of the revolution against Spain or the Philippine-American War shall be entitled to a monthly pension of Six hundred pesos (P600.00) until she

remarries or dies, the provisions of the next preceding section notwithstanding, unless she is actually receiving a similar pension from other government funds.

**Section 14. *Termination of Right of Death Gratuity and Entitlement to Death Pension in Lieu Thereof*.** – Without prejudice to the receipt of death gratuity benefits provided for under the Employees' Compensation Law, the right to death gratuity granted to the next of kin of military personnel of the Armed Forces of the Philippines who died in line of duty, pursuant to the provisions of Section Six of Republic Act Numbered Five hundred seventy-three and Sections Three and Four of Republic Act Numbered Six hundred ten, as amended, shall cease upon the approval of this Act and, in lieu thereof, they shall be eligible to death pension as provided in this Act: Provided, however, That where the right to the said gratuity has already accrued prior to the approval of this Act, the next of kin concerned shall have the option to either waive the entitlement thereto or to receive the death pension: Provided, finally, That in the case of a next of kin who has already been paid the aforesaid gratuity, he may apply for death pension herein granted on condition that the death gratuity received shall be refunded from such future payments of death pension in a reasonable monthly amount as may be determined by the Philippine Veterans Affairs Office until the death gratuity is fully refunded.

#### **PART F. Hospitalization, Medical Care and Treatment**

**Section 15. *Eligibility*.** – The Philippine Veterans Affairs Office shall provide hospitalization, medical care and treatment in the Veterans Memorial Medical Center, in the veterans wards of selected government hospitals or in such other medical facility that it may designate to veterans of the Philippine Revolution and the Philippine-American War, World War II, Korean Campaign and Vietnam Campaign; military retirees, disabled veterans receiving disability pensions under this Act; their eligible dependents and such other persons as may be authorized pursuant to the rules and regulations promulgated by the Philippine Veterans Affairs Office as approved by the Secretary of National Defense: Provided, That eligible dependents shall be limited to the spouse, unmarried minor children or children who are mentally or physically incompetent regardless of age, and dependent parents or foster parents regardless of the veteran's civil status.

**Section 16. *Veterans Memorial Medical Center*.** – The Veterans Memorial Medical Center shall be the primary medical facility for the hospitalization and medical care of eligible veterans and dependents and, for this purpose, shall be upgraded and expanded to provide two hundred (200) additional beds for a total capacity of seven hundred (700) beds to accommodate all eligible beneficiaries as defined in the preceding section.

**Section 17. *Veterans Wards*.** – The Philippine Veterans Affairs Office shall enter into agreement with selected government hospitals including regional, provincial, district and municipal hospitals for the establishment of veterans wards, with an initial aggregate capacity of at least one thousand (1,000) beds, to provide hospitalization and medical care to eligible veterans and dependents: Provided, That there will be at least one (1) government hospital with a veterans ward in each province and in each city which is not a provincial capital.

**Section 18. *Hospitalization in Other Government Hospitals.*** – In cases where it is more convenient and expedient for the veterans and their dependents, they may be admitted free of charge into any hospital or health institution of the national, provincial or city government, other than those specifically designated for veterans medical service, pursuant to arrangements between the Philippine Veterans Affairs Office and the Secretary of Health.

### **PART G. Burial Benefits**

**Section 19. *Burial Flag.*** – The Philippine Veterans Affairs Office shall furnish a flag to drape the casket of each deceased veteran. After the interment of the veteran, the flag so furnished shall be presented to his next of kin in an appropriate manner.

**Section 20. *Burial Assistance.*** – Unless the next of kin of a deceased veteran is entitled to a similar benefit from the United States Government, he shall be given Four thousand pesos (P4,000.00) as burial assistance upon application therefor in due form which shall be filed within two (2) years from the death of the veteran concerned.

### **TITLE III GENERAL PROVISIONS**

**Section 21. *Non-Prescription of Claims.*** – Except as herein otherwise provided, the application for the benefits and compensation granted under this Act shall not prescribe.

**Section 22. *Application.*** – All applications for benefits granted under this Act shall be filed with the Philippine Veterans Affairs Office except those for disability pensions of officers and enlisted personnel of the Armed Forces of the Philippines which shall be filed with the General Headquarters, Armed Forces of the Philippines which shall receive, docket and process such claims prior to transmittal to the Philippine Veterans Affairs Office. Payment of claims, as finally adjudicated by the Administrator, shall be made by the Philippine Veterans Affairs Office.

**Section 23. *Exemption of Pension from Income Tax, Attachment, Levy, Garnishment.*** – Any pension granted a beneficiary under this Act shall not, wholly or partly, be subject to income tax, attachment, execution, forfeiture, or retention under any legal or equitable proceedings, either while in the possession of the Philippine Veterans Affairs Office or any of its officers, while in transit, or already in the hands of the beneficiary, nor shall any lien of any kind or under any consideration be imposed thereon.

**Section 24. *Fraudulent Claims.*** – When fraud is shown to have been committed by or with the knowledge of an applicant for any of the benefits granted under this Act, the application shall be disapproved or, if the application is already approved, such approval and the award of the benefit shall be voided as of the date of its effectivity and all other benefits under this Act which are due or to become due to the applicant shall be forfeited without prejudice to the filing of the necessary court action for the fraud committed: Provided, however, That the party or parties to the fraud, upon conviction, shall be punished by a fine of not more than Two thousand pesos (P2,000.00), or by imprisonment

for not more than six (6) months, or by both such fine and imprisonment, at the discretion of the court, in addition to the refund of such amount the Philippine Veterans Affairs Office has paid in monthly pension or otherwise disbursed in connection with the fraudulent claim.

**Section 25. *Human Rights Violation.*** – Benefits under this Act may be withheld if the Commission on Human Rights shall certify to the General Headquarters of the Armed Forces of the Philippines that the veteran concerned has been found guilty by final judgment of a gross human rights violation while in the service. This factor shall not be considered taken against his next of kin.

**Section 26. *Service Fee or Compensation.*** – Unless otherwise expressly authorized by the Philippine Veterans Affairs Office, no fee or compensation shall be charged any veteran or beneficiary for any service rendered in the course of official business or transaction relating to any claim, nor shall any retention or deduction of any amount from any pension be allowed.

**Section 27. *Authority of Officers to Administer Oath, Take Testimony.*** – The legal officers, investigators, regional veterans assistance representatives, and organic contact officers of the Philippine Veterans Affairs Office may administer such oaths as may be necessary in the conduct of investigations or in the performance of such other duties as the Administrator may expressly authorize pertaining to claims for the benefits granted under this Act: Provided, however, That other officials not mentioned herein may administer oath only when properly authorized by the Administrator and only for documents in support of claims for benefits granted under this Act.

**Section 28. *Adjustment of Pensions.*** – All pensions authorized under this Act shall accordingly be adjusted to the same extent and with the same date of effectivity of any general adjustment of the salaries and wages of the personnel of the National Government and/or the Armed Forces of the Philippines as may be authorized in the ensuing fiscal years after the approval of this Act and funds for this purpose shall be provided by the Department of Budget and Management.

**Section 29. *Implementing Rules and Regulations.*** – The Department of National Defense shall formulate the necessary rules and regulations to implement the provisions of this Act. The rules and regulations issued pursuant to this section shall take effect fifteen (15) days after publication in a newspaper of general circulation.

**Section 30. *Appropriations.*** – The amount of One billion two hundred ninety-eight million pesos (P1,298,000,000.00) is hereby appropriated to carry out the initial implementation of this Act. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

**Section 31. *Separability Clause.*** – If any provision of this Act shall be held invalid, the remaining provisions shall be given full force and effect as completely as if the provision held invalid had not been included herein.

**Section 32. *Repealing Clause.*** – All laws, rules, regulations, orders, circulars and memoranda inconsistent with any provision of this Act are hereby repealed or modified accordingly.

**Section 33. *Effectivity.*** – This Act shall take effect upon its approval.

Approved: **April 9, 1990**

Ref.: [http://www.lawphil.net/statutes/repacts/ra1990/ra\\_6948\\_1990.html](http://www.lawphil.net/statutes/repacts/ra1990/ra_6948_1990.html)

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