

Republic Act No. 65 October 18, 1946

AN ACT PROVIDING FOR A BILL OF RIGHTS FOR OFFICERS AND ENLISTED MEN OF THE PHILIPPINE ARMY AND OF RECOGNIZED OR DESERVING GUERRILLA ORGANIZATIONS, AND VETERANS OF THE PHILIPPINE REVOLUTIONS, CREATING THEREFOR A PHILIPPINE VETERANS BOARD IN THE DEPARTMENT OF NATIONAL DEFENSE, AND FOR OTHER PURPOSES

Section 1. Officers and enlisted men in good standing of the Philippine Army and of recognized or deserving guerrilla organizations who took active participation in the resistance movement, and/or in the liberation drive against the enemy, who, in civilian life, were actually occupying appointive positions in any office, instrumentality, branch or agency of the Commonwealth Government, or in any government-owned or subsidized corporation, and who, upon being inactivated or mustered out of the armed forces, desire to resume their old positions or employments, are hereby granted the right to do so, and, upon proper application, shall be recalled to their respective pre-war positions or employments, unless they have committed any act which under existing laws would disqualify them from further holding public office. For the purpose herein set forth, it shall be the duty of the official who is by law authorized to recall and/or make the appointment of officials and employees above mentioned to hold open the positions and employments referred to in this section until six months after the approval of this Act: Provided, however, That if any such positions had already been filled with the appointment of any person other than the veteran, the said position is automatically declared vacant and open upon the application of the veteran.

Section 2. Officers and enlisted men in good standing of the Philippine Army, and of any recognized or deserving guerrilla organization whom took active participation in the resistance movement and/or in the liberation drive against the enemy who desire to study, shall upon certification of the Chairman of the Philippine Veterans Board, be admitted to any school, college, university, or institute free from tuition or matriculation fees or other school fees: Provided, however, That no private school, college, university, or institute can be compelled to accept any number which exceeds twenty per centum of its entire enrollment.

Section 3. The benefits of the next preceding section shall be available only to those who signify their desire to study to the Chairman of the Philippine Veterans Board before the end of the year nineteen hundred and forty-seven.

Section 4. Applications for enrollment in any school, college, university, or institute shall be filed with the Philippine Veterans Board, hereunder created, which shall make the necessary arrangements for the applicant's enrollment.

Section 5. The persons mentioned in sections one and two hereof may also be allowed to take promotional examinations to allow them to graduate from any school, college, or university, if they would have graduated therefrom had they studied without interruption during the war; or to any grade or year to which they would now be if they had continued with their studies during the whole period of the war: Provided, That the applications to take such promotional examinations are filed within one year from the date of the approval of this Act.

Section 6. In order to carry into effect the purposes of this Act there is hereby created a Philippine Veterans Board in the Department of National Defense which shall take charge of effectuating the

duties herein or hereinafter assigned to it by law. In connection therewith, the Board shall compile a permanent list of (1) officers and enlisted men of the Philippine Army who joined the colors at the start of the war, (2) members in good standing of recognized or deserving guerrilla organizations, (3) political prisoners who were killed by the Japanese Armed Forces, or were left by them to die in prison, and their widows, minor children and other dependents, (4) parents of deceased soldiers, (5) officers and enlisted men of deserving guerrilla organizations who died in the line of duty, and their widows, orphans and other dependents, (6) veterans of Philippine revolutions against Spain and the United States.

It shall also be the duty of the Board to pass upon the merits and qualifications of persons applying for the rights and/or privileges extended by this Act, pursuant to such rules as it may adopt to insure the speedy and honest fulfillments of its aims and purposes.

For the purposes of this section, any officer or enlisted man of the Philippine Army or of any recognized or deserving guerrilla organization or any political prisoner shall be presumed to have died in line of duty if they have not been heard from by the nearest of kin within one year after September 2, 1945.

For the purposes of this section persons who are buried in military cemeteries shall be presumed members of the Philippine Army or of deserving guerrilla organizations.

Section 7. The Board shall be composed of a Chairman and four other members to be appointed by the President with the consent of the Commission on Appointments from among veterans of the Philippine Army and of recognized or deserving guerrilla organizations. If not already in the service of the Government, the Chairman and members of the Board shall be entitled to a per diem of fifteen pesos each for every meeting actually attended by them.

The Chairman shall be executive officer of the Board and shall be assisted by such officers and employees as may be detailed from the Department of National Defense or from any bureau or office under said Department with the approval of the President: Provided, That the President, upon recommendation of the Secretary of National Defense, may appoint such officers and employees from among veterans of the Philippine Army and of recognized or deserving guerrilla organizations who are not already in the government service, and fix their compensation: Provided, further, That the President may, in his discretion, grant additional compensation to the Chairman aside from the per diems to which the latter may be entitled.

The Board shall adopt with the approval of the Secretary of National Defense such rules and regulations as may be necessary to carry out the provisions of this Act and is hereby empowered to award appropriate medals of honor, diplomas or insignias for distinguished service to persons who have patriotically participated in the resistance movement and liberation of the Philippines, or have given valuable information, aid, help and comfort to those engaged in such resistance movement and liberation not entitled to receive pensions and other benefits granted by this law and who in the judgment of the Board deserves certain special recognition.

Section 8. For a period of three years from the time of the passage of this Act, the persons mentioned in sections one and two hereof shall, all other qualifications being equal:

(1) Have preference in appointments and promotions in and to any Government office, agency, or instrumentality, or in and to any government-owned or subsidized corporation, the provisions of law

as to civil service eligibility notwithstanding;

(2) Have preference to purchase public lands and government-owned or managed agricultural farms or subdivisions, to obtain homesteads, concessions and franchises, and other privileges for the exploitation of the national resources which are permissible and made available by existing law or the like; and

(3) Have preference to purchase enemy and war surplus properties of any nature whatsoever which the Government may sell.

The rights and privileges provided in paragraphs two and three of this section may be extended by the President, upon the recommendation of the Board, to Filipino officers and enlisted men who were served with the Forces of Liberation of the United States Army in the Philippines or who have served elsewhere in the Army, Naval or Air Forces of the United States or of any allied nation during the war and have established their bona fide intention to be repatriated to or established in their homes in the Philippines and to veterans of Philippine revolutions against Spain and the United States.

It shall be the duty of all heads of branches, departments, bureaus, offices, and agencies of the Government, including its political subdivisions, and of government-owned or subsidized corporations to comply with the provisions of this section.

Section 9. The persons mentioned in sections one and two hereof who are permanently incapacitated from work owing to sickness, disease, or injuries sustained in line of duty, shall be given a life pension of fifty pesos a month unless they are actually receiving a similar pension from other Government funds, and shall receive, in addition, the necessary hospitalization and medical care.

Section 10. Widows and minor children or indigent parents of the persons mentioned in sections one and two hereof who died during the war, and of political prisoners who died in prison or were killed by the Japanese Armed Forces, except those who, for the same reason, are actually receiving a similar pension from other Government funds, may be given a pension of fifty pesos a month for each widow and ten pesos for each minor child below eighteen years of age, until the widow remarries or dies, and until the minor child dies, marries or reaches the age of eighteen.

Section 11. The provisions of Commonwealth Act Numbered Four hundred forty-one to the contrary notwithstanding, the National Land Settlement Administration shall set aside and reserve any of the agricultural lands under its administration for the exclusive settlement of the persons mentioned in sections one and two hereof, as well as of the persons entitled to the benefits of the next preceding section, who desire to own their own farms and who apply therefor within three years from the approval of this Act, and may for the same purpose and upon the request of the Board, arrange for the acquisition, in the manner outlined in the aforesaid Act, of any other agricultural land which, in the sound judgment of the Board, is best fitted for the purpose herein set forth. The persons herein mentioned shall be entitled to the same benefits, privileges, facilities, and help granted by said Act to other settlers.

Section 12. The Board shall, if necessary, and if existing laws do not provide therefor, advance to the persons who desire to take advantage of the benefits of the next preceding section, such sum, as it has previously determined in consultation with the National Land Settlement Administration, as may be necessary for their transportation, for building their houses, for the purchase of work animals, farm

implements, livestock, poultry, and seedlings. Any amount so advanced shall be paid in ten equal yearly installments, or sooner, at the rate of not more than two per centum per annum, upon the security of rights acquired by them as settlers on the crops raised or improvements made by them.

Section 13. For a period of three years from the passage of this Act the Government shall, upon the recommendation of the Board, undertake to stand as surety for one-half of any sum not exceeding two thousand pesos which any of the persons mentioned in sections one and two hereof may obtain as a loan from any bank or other credit institution for the purpose of buying or building his house, if he has not taken advantage of the benefits of the next preceding section, or for financing any business or productive enterprise in which he may desire to engage.

Section 14. The Board shall make arrangements with the Department of Health and Public Welfare for the admission free of charge into any hospital or health institution maintained by the national, provincial, or city governments, of the persons entitled to the benefits of this Act, including their widows and immediate descendants or ascendants, or the widows and immediate descendants or ascendants of political prisoners who died in prison or were killed by the Japanese Armed Forces.

Section 15. Any person who desires to take advantage of the rights and privileges provided for in this Act should file his application with the Board: Provided, however, That except as otherwise specifically provided in this Act, those suffering from disabilities sustained in line of duty, and widows, orphans and parents of persons mentioned in sections one and two hereof shall, in the order herein stated, be given priority in the grant or disposition of the benefits of this Act: Provided, further, That it shall be unlawful for any person to receive any gift, commission or compensation in consideration of his services in the filing of any application contemplated by the provisions of this Act or in the taking of any action in connection therewith.

Section 16. If and when funds from whatever source are given to or are made available for relief and rehabilitation in the Philippines, sufficient sums thereof shall be set aside in addition to such sums as may be appropriated by law, to cover the expenses necessary for carrying into effect the purposes of this Act.

Section 17. In order to carry into effect the purposes of this Act, there is hereby appropriated out of any available funds in the National Treasury, not otherwise appropriated, the sum of twenty million pesos as initial fund to meet the immediate expenses of the Board: Provided, That this sum shall be released from time to time by authority of the President.

Section 18. The funds herein appropriated shall not be released unless and until the Secretary of Finance and the Auditor General shall have certified to the President that there are existing available funds in the National Treasury in excess of the sums appropriated in the General Appropriation Law for the fiscal year ending June thirtieth, nineteen hundred forty-seven and any other appropriations for which priorities have been established by law.

Section 19. Any person who shall knowingly make any material false statement in any application required by this Act, or who shall connive at any false statement made in a certificate required to accompany said application, or who shall make any false material statement in any certificate to accompany said application, or who shall do any act prohibited by this Act, shall be punished by a fine of not more than one thousand pesos, or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

Section 20. This Act shall take effect upon its approval: Provided, That the President of the

Philippines is hereby authorized to suspend the operation of any provisions of this Act if and when the Congress of the United States approves the pending GI Bill of Rights applicable to the Philippines the provisions of which are identical or similar to the provisions of this Act.

Approved: October 18, 1946