

S No 3240
H No 4214

Republic of the Philippines
Congress of the Philippines
Metro Manila

Fourteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.



[REPUBLIC ACT NO. 9828]

AN ACT CREATING THE MILITARY SERVICE BOARD AND PROVIDING FUNDS THEREFOR

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

SECTION 1. *Creation of the Board.* – A Military Service Board, hereinafter referred to as the Board, is hereby created to review and reevaluate pending claim-applications previously filed in the former Military Service Boards by any person who claims to have performed military service in the Philippines

during the period beginning December 8, 1941 and ending July 3, 1946, and to determine the validity of the claims for the purpose of confirming the military service rendered and qualifying the applicants for military veterans status.

The Board shall be supervised by the Philippine Veterans Affairs Office (PVAO) under the general supervision of the Department of National Defense.

SEC. 2. *Composition.* – The Board shall be composed of a retired military officer, preferably a World War II veteran, as Chairperson, two (2) representatives from the PVAO and two (2) veterans of World War II from the recognized veterans' organizations. They shall be appointed by the Secretary of National Defense from a list of nominees submitted by the PVAO.

SEC. 3. *Period of Existence.* – The Board shall cease to exist three (3) years after the effectivity of this Act or until such time that the last application shall have been processed, but not exceeding five (5) years.

SEC. 4. *Limitation.* – The Board shall consider only those applications already filed and pending with the Military Service Boards which were created pursuant to Republic Act No. 8440 and Executive Order No. 198, series of 2003.

SEC. 5. *Application by Survivors.* – An application for confirmation of military service submitted by the surviving spouse, child or parent in behalf of the deceased person shall be treated as an application by such person.

SEC. 6. *Evidence to be Considered.* – In evaluating any claim for military service, the Board shall consider all available information and evidence, both testimonial and documentary, including official unit historical records and personnel records in the various agencies and offices of the government and any other evidence submitted by or on behalf of the applicant. The Board shall automate all records of the applicants including their supporting evidence for future reference.

SEC. 7. *Fraudulent Claims.* – When fraud is shown to have been committed by or with the knowledge of an applicant under this Act, such approval and any award, honor or benefit received as a consequence thereof shall be deemed null and void on the date of its effectivity: *Provided*, That the party or parties to the fraudulent act, including those who provided false testimony or who issued falsified documents in support thereof, shall upon conviction, be punished with a fine of not less than Twenty thousand pesos (Php20,000.00) but not more than Fifty thousand pesos (Php50,000.00) or imprisonment for not less than six (6) years and one (1) day nor more than twelve (12) years or by such fine and imprisonment, at the discretion of the court, in addition to the refund of such amount that the applicant may have received as a result of the fraudulent claim.

SEC. 8. *Unauthorized Fees.* – No person, natural or juridical, shall charge a claimant any fee in connection with any claim for confirmation of service. Any person found to have directly or indirectly solicited, contracted for, charged or received or attempted to solicit, charge or receive any fee or compensation shall upon conviction, be punished with a fine of not less than Twenty thousand pesos (Php20,000.00) but not more than Fifty thousand pesos (Php50,000.00) or imprisonment for not less than six (6) years and one (1) day nor more than twelve (12) years or by such fine and imprisonment, at the discretion of the court.

SEC. 9. *Finality of Decisions.* – The Board shall have the exclusive authority to pass judgment on a claim for confirmation of military service. The decision of the Board shall be final.

SEC. 10. *Prospective Entitlement.* – Honors, awards and decorations resulting from this Act shall accrue to any person. However, all monetary compensation and benefits shall be applied retroactively three (3) years before the effectivity of this Act.

SEC. 11. *Resultant Benefits.* – Any benefit under this Act shall be administered by the PVAO in accordance with existing laws, rules and regulations.

SEC. 12. *Report to the President and Congress.* – Within thirty (30) days after the expiration of its operations, the Board shall submit to the President and to Congress an accomplishment report detailing the number of claims acted upon and accounting for its funds.

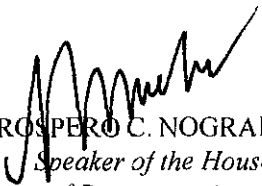
SEC. 13. *Implementing Rules and Regulations.* – The Secretary of National Defense shall, within thirty (30) days from the effectivity of this Act, issue the necessary rules and regulations for the implementation of this Act.

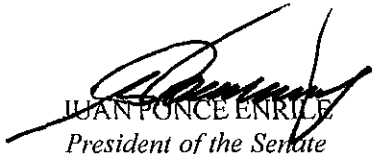
SEC. 14. *Appropriations.* – The amount of Four million pesos (Php4,000,000.00) chargeable against the savings of the Department of National Defense under the current General Appropriations Act is hereby appropriated for the first year of implementation of this Act. Thereafter, the funds needed for the continued operation of the Board, pursuant to Section 3 hereof, shall be included in the annual General Appropriations Act.

SEC. 15. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

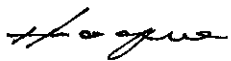
SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,


PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*



JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3240 and House Bill No. 4214 was finally passed by the Senate and the House of Representatives on October 6, 2009 and September 22, 2009, respectively.

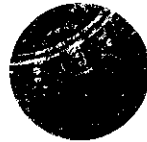

MARILYN B. BARUA-YAP
Secretary General
House of Representatives


EMMA LIRIO-REYES
Secretary of the Senate

Approved: DEC 13 2009


GLORIA MACAPAGAL ARROYO
President of the Philippines

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