

AMENDING PART II OF THE RULES AND REGULATIONS TO IMPLEMENT REPUBLIC ACT NO. 6948, AS AMENDED BY REPUBLIC ACT NO. 7696, ENTITLED "AN ACT STANDARDIZING AND UPGRADING THE BENEFITS ..."

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WHEREAS, Republic Act No. 6948 approved on April 9, 1990 {RA 6948} entitled "An Act Standardizing and Upgrading the Benefits for Military Veterans and their Dependents," standardized and upgraded the benefits for military veterans and their dependents granted under Republic Act No. 65 approved on October 18, 1946, as amended;

WHEREAS, pursuant to Section 29 of RA 6948, then Secretary of National Defense Fidel V. Ramos issued Department Order No. A-049 dated May 20, 1990 promulgating the Rules and Regulations to Implement Republic Act No. 6948 [DO No. A-049];

WHEREAS, RA 6948 was subsequently amended by Republic Act No. 7696 approved on April 9, 1994 [RA 7696], Section 1 of which amended Section 3 of RA 6948 prescribing the basis for the grant of educational benefits to military veterans and their dependents;

WHEREAS, on October 8, 2002, Department Order No. 157 was issued by then Administrator of the Philippine Veterans Affairs Office (PVAO), Commodore Artemio R. Arugay, AFP (Ret.), promulgating the "Amended Rules and Regulations Implemental of Republic Act No. 6948 As Amended by Republic Act No. 7696, Re "An Act Standardizing and Upgrading the Benefits of Military Veterans and Their Dependents," particularly Part II thereof on Educational Benefits;

WHEREAS, one of the problems besetting the PVAO at present is the unpaid school bills of student-wards which have accumulated over the years principally due to the limited budget of the PVAO and the yearly increase in school fees;

WHEREAS, in view of the ballooning amount of unpaid school bills resulting from budgetary constraints of the PVAO through the years and the increasing amount of school fees, the Department of Budget and Management (DBM) has suggested that the educational benefit granted to student-wards should be at levels affordable to the Government;

WHEREAS, upon the recommendation of the Administrator, PVAO and the DBM, there is a need to rationalize the grant of the educational benefit provided under RA 6948, as amended by RA 7696, that is responsive and truly beneficial to veterans and their dependents within the means and financial capability of the PVAO;

NOW, THEREFORE, I, AVELINO, J. CRUZ, JR., Secretary of the Department of National Defense, by virtue of the powers vested upon me under Section 29 of RA 6948, as amended, hereby order:

SECTION 1. Amendment - Part II of the Amended Rules and Regulations Implementing RA 6948, as amended by RA 7696 is hereby further amended to read, as follows:

"PART II
EDUCATIONAL BENEFITS

SECTION 13. Eligibility - The following persons who have never heretofore enjoyed educational benefits under Philippine law nor under United States law, who desire to study, shall, upon certification of the Administrator, be admitted to any school, college, university, or institution authorized by the Government,:

- a. Veterans of the Philippine revolution against Spain and the Philippine-American War;
- b. Veterans 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 from 8 December 1941 to 2 December 1945;
- c. Veterans of the Philippine Expeditionary Forces to Korea (PEFTOK) during the period from 15 September 1950 to 31 May 1955;
- d. Veterans of the Philippine Civil Action Group or Philippine Contingent in Vietnam (PHILCAG) during the period from 31 August 1964 to December 1969;
- e. The unmarried surviving spouse of the deceased veteran; or
- f. One (1) direct descendant of a veteran in whose favor he renounces such right or one (1) direct descendant of the deceased veteran in whose favor such right is applied for by the surviving spouse or legal guardian of such descendant.

For purposes of and as used in these rules and regulations, the term "descendant" shall refer to a child of the veteran, or if no one is qualified, to a grandchild, and so on.

Henceforth, effective immediately, in no case shall an application for educational benefit be received, accepted, processed, nor any scholarship award granted or released, where the intended beneficiary is not one of those eligible or entitled thereto, as enumerated above.

SECTION 14. Change of Grantee - Waiver of a previously approved educational benefit shall, upon proper application therefor, be granted by the Administrator in any of the following cases;

- a. Where the same has not been used by the original grantee and is being waived in favor of one (1) direct descendant of a veteran;
- b. Where the benefit has been only partially used for causes beyond the grantee-user's control, regardless of whether or not the previous grantee-user was able to finish a course; provided, that the subsequent grantee shall only be entitled to the remaining period of entitlement as provided in Section 15 hereof.

SECTION 15. Period of Entitlement of Educational Benefit - Regardless of the length of wartime service, rank and category of a veteran, he or his qualified beneficiary is entitled to one basic course or degree:

- a. If the course requires two or three (3) years study, the grantee-user shall be awarded thirty (30) months period of entitlement;
- b. If the course requires four (4) years of study, the grantee-user shall be awarded forty (40) months period of entitlement;
- c. If the course requires five (5) years study, the grantee-user shall be awarded fifty (50) months period of entitlement.

In no case shall the educational benefit be extended beyond the period of entitlement provided herein, whether awarded to the original grantee, transferred to or waived in favor of his beneficiary or other qualified transferee, or where the grantee-user has been allowed to change his course under Section 21 hereof.

SECTION 16. Effectivity of the Educational Benefit - Any and all awards of educational benefit, whether for initial enjoyment by the veteran, or waiver of the balance of the period of entitlement in favor of the veteran's direct descendant, or change of basic course or degree, shall take effect at the beginning of the semester, trimester, quarter or summer during which the educational benefit was approved, except in the following cases:

- a. Where the grantee-user fails to enroll after the release of the award, he may avail himself of the same in any subsequent semester, trimester, summer or school year;
- b. Where the grantee-user has been duly notified of the award but fails to comply with the requirements for the release thereof, the benefit shall take effect only in the semester, trimester, quarter, summer, or school year when the said award is released.

SECTION 17. Authorized Educational Institutions - An authorized educational institution is any school, college, university, or institute recognized and/or permitted by the Commission on Higher Education (CHED). It does not include an institution operating either in the Philippine territory or abroad by authority of the proper office or agency of a foreign government.

SECTION 18. Measure of School Year - A school year is composed of two (2) semesters, consisting of five (5) months each, and one (1) summer term consisting of two (2) months; or three (3) trimesters, consisting of four (4) months each; or four (4) quarters, consisting of three (3) months each.

SECTION 19. Basic Course or Degree - A basic degree or course is understood to be a post-secondary course or a tertiary or collegiate course consisting of four (4) or five (5) years schooling as authorized by the CHED; Provided, however, that those who have started to enjoy the educational benefit for a course or degree to be completed in more than five (5) years shall be allowed to continue and finish the selected course or degree, subject to the period of entitlement provided in Section 15 hereof.

The Administrator, PVAO, shall issue a list of courses or collegiate degrees from which a grantee-user has to choose from in order to avail of the educational benefit provided herein.

SECTION 20. Manifestation of Course or Degree to be Pursued - The manifestation of the basic course or degree to be pursued by the grantee-user during the period of entitlement, whether terminal vocational course or baccalaureate degree, shall be indicated in the prescribed form.

SECTION 21. Change of Basic Course or Degree - Change of basic course or degree by the grantee-user may, upon proper application therefore, be granted in the following cases:

- a. Where there is a remaining balance of the period of entitlement and the grantee-user has not yet finished a course or degree under the award;
- b. Where the grantee-user has chosen the wrong course or degree or has decided latter to pursue another course or degree or has decided later to pursue another course or degree for plausible reasons such as scholastic aptitude or mental capacity, or marriage, upon proper counseling by the Administrator or his designated staff, subject to Section 15 hereof. The change in course or degree shall not be authorized except in cases where at least 75% of the units earned in the previous course or degree is credited to the new course or degree chosen by the grantee-user, which is neither longer nor more expensive.

SECTION 22. Course in Priesthood - Educational benefit for the course leading to priesthood or ministry of gospel in any religious sect or denomination may be allowed only to the extent of the secondary and liberal arts portion of the said course of degree, Provided, however, that the school is authorized and/or recognized by the CHED.

SECTION 23. Extension of Benefit - There shall be no extension of educational benefit beyond the period of entitlement prescribed in Section 15 hereof. Grantee-users who have been previously granted extensions of the period of entitlement of the educational benefit shall continue to enjoy the same, provided, however, that such extension shall be limited to the normal period or time-table within which to finish/complete the course curricula as set by the school.

SECTION 24. Payment of School Fees - The PVAO shall pay the total school fees incurred in the enrollment of any grantee-user based on the schedule of fees authorized by the CHED and appearing in the prospectus, catalogue or brochure of the school concerned, including tuition, matriculation, registration, athletic, library, laboratory, medical and dental, clinical, affiliation, military training, diploma and graduation fees; Provided, that the educational benefit provided herein shall be in an amount not exceeding Twenty Four Thousand Pesos (P24,000.00) per school year, or Twelve Thousand Pesos (P12,000.00) per semester; or Eight Thousand Pesos (P8,000.00) per trimester; or Six Thousand Pesos (P6,000.00) per quarter. School fees in excess of the amount authorized herein shall be shouldered by the grantee-user.

The Administrator, PVAO, is hereby authorized to increase the ceiling herein provided, subject to the availability of funds, as determined by the Secretary of the Department of Budget and Management.

SECTION 25. Refund of School Fees by the Grantee-User for Dropped or Failed Subjects and Restoration of Period of Entitlement Used - The grantee-user shall be required to refund the school fees paid by the PVAO

where he/she has used the benefit for the first time and it is shown that he has chosen a wrong course and has dropped all his/her subjects as evidenced by his/her scholastic record, in which case, the period used shall be restored to the period of entitlement of such grantee-user, who may then be allowed to pursue a new course under the educational benefit provided herein. Failure to refund the school fees paid by PVAO will result in the automatic deduction in the period of entitlement.

SECTION 26. Cases Where No Refund is Required - No refund of the school fees shall be required of a grantee-user in the case where all subjects were dropped or withdrawn due to ill-health or calamity, or due to transfer of military station where the grantee-user is a member of the AFP, subject to the following conditions:

- a. The illness shall be supported by a medical certificate of the attending physician, or in case of calamity or transfer of military station, by a certification or assignment orders issued by the authorities concerned as the case may be;
- b. The necessary certification or order shall be submitted to the PVAO within thirty (30) days from the date of the dropping of the subjects, together with a certification by the registrar or his authorized representative regarding the reason or cause thereof;
- c. The corresponding months enjoyed for the particular school term shall be deducted from the basic entitlement.

For failure to comply with conditions (a) and (b) above for reasons or causes deemed beyond his control, the grantee-user may elect to refund to the PVAO the whole charges for the particular school term, in which case the period paid shall be restored.

SECTION 27. Non-Restoration of Periods Enjoyed - Except as otherwise specifically provided in Sections 25 and 26 hereof, the restoration of the period of entitlement or any portion thereof shall not be granted, notwithstanding any payment made by the grantee-user concerned of the fees due to his school while the benefit is in effect. The PVAO shall pay all fees authorized by law and thereupon the grantee shall claim for the refund from his school, whatever amount he paid in advance."

SECTION 2. Declaration of Moratorium - For a period of two (2) school years, effective school year 2005-2006 until school year 2006-2007, a moratorium is hereby imposed on the following:

- a. Acceptance and processing of applications for initial claims for the educational benefit under Section 3 of RA 6948, as amended by RA 7696; and
- b. Waiver in favor of, or transfer to, another qualified descendant or beneficiary of the balance of an educational benefit already being partially enjoyed pursuant to the provisions of existing rules and regulations.

SECTION 3. Repealing Clause - Part II of Department Order No. A-049 dated May 20, 1990, as amended by Department Order No. 157 dated October 8, 2002 is hereby further amended or modified, accordingly. The provisions of all other existing rules and regulations, or parts thereof, which are inconsistent with the foregoing provisions are hereby amended or modified accordingly.

SECTION 4. Effectivity - The provisions of this Department Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Adopted: 14 July 2005

(SGD.) AVELINO J. CRUZ, JR.

Secretary

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