

[Commonwealth Act No. 605, August 22, 1940]

AN ACT TO PROVIDE PENSIONS FOR VETERANS OF THE PAST PHILIPPINE REVOLUTIONS OR WARS, TO CREATE A BOARD OF PENSIONS FOR VETERANS, AND TO APPROPRIATE FUNDS THEREFOR.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. The veterans of the past Philippine revolutions or wars shall be entitled to a monthly pension of not less than fifteen pesos nor more than two hundred pesos, provided it is completely shown —

- a. That they are physically or mentally incapacitated to pursue normally their ordinary occupation, work, or employment, not caused by any vice contracted after the approval of this Act; or
- b. That, being over sixty years of age, they do not have any apparent or hidden means of support.

SEC. 2. In case of death of a veteran pensioner, or an applicant for a pension to which he is entitled, the accrued and uncollected pensions up to the date of his death shall be paid to the widow, or in default thereof, to his lawful heirs.

Where there are no lawful heirs, the payment of the pension in arrears shall not be authorized except such part thereof as may be necessary for the payment or refund to the party concerned of the expenses for burial and last illness of the deceased.

SEC. 3. For the proper administration of this Act, there shall be a Board of Pensions for Veterans to be composed of the Commissioner of the Budget, the Commissioner of Civil Service, the Auditor General, and two veterans of the past Philippine revolution or wars, appointed by the President of the Philippines with the consent of the Commission on Appointments. The Commissioner of the Budget shall be chairman of the Board. The members who are at the same time public officers shall serve without any additional compensation, but the other members shall receive a per diem of ten pesos for every session actually attended by them. The Board shall have a secretary, who shall be designated by the President of the Philippines upon the recommendation of the Board. The Board shall formulate its own rules of procedure, determine the persons who are entitled to a pension under this Act, classify them according to their ranks in the past revolutions or wars, and fix, with the approval of the President of the Philippines, the pension to be assigned to each rank. Such rules shall determine, among other things, the manner the pensions shall be paid, in order to protect the Government as much as possible against possible falsifications, and assure that the pensions reach the hands of the pensioners.

SEC. 4. The secretary of the Board shall be authorized to administer oaths to the applicants and their witnesses. Such secretary! and all public officers authorized to administer oaths, shall administer free of charge, the oath on whatever affidavits which may be filed with the Board in connection with this Act. These papers shall be exempt from the internal-revenue stamp tax.

SEC. 5. No agent, attorney or other person in charge of the preparation, filing, or pursuing of any claim for pension under this Act, shall demand or charge for his services more fees than those authorized by the Board which shall not be payable before the granting of the pension, and any stipulation made otherwise shall be considered null and void. The retention or deduction of any amount from any pension granted under this Act for the payment of fees for such services is prohibited. A violation of any provision of this section shall be punished by a fine of from one hundred to two hundred pesos, or by imprisonment of from three to six months, or both.

SEC. 6. No pension shall be transferable, nor paid to any person other than the pensioner, and no authority, power of attorney, or other document executed or alleged to have been executed by the pensioner in favor of an agent, attorney, or any other person for the collection of the pension in his behalf shall be recognized. However, in case of physical or legal inability of the pensioner, the pension may be delivered to the person designated by the Board.

SEC. 7. Any pension granted under this Act shall be payable from the date the proper application has been received by the Board, and as to the pensioners whose pensions have been suspended under this Act, they shall be entitled to receive them from the date of suspension in case the Board shall hold that they are entitled to such pension, after reviewing their original applications.

If, after an application for pension has been disapproved or abandoned, a new one is filed, and the Board should approve the latter, the pension shall be payable from the date of receipt of the first application, whenever it is established that the right to the pension existed on such date. Otherwise, the pension shall be payable from the date the new application was received.

SEC. 8. If the pension is not claimed during the three years following the birth of the right to receive the same, or the return, as the case may be, by the Bureau of Posts of the warrant for the payment of the pension, the person concerned shall be presumed to have died or lost his right to the pension. In such case, his name shall be dropped from the list of the pensioners, and shall only be included again therein after the filing of a new application by such person, accompanied by a satisfactory explanation of the reason or reasons for his failure to claim the pension, and after having completely shown that he has not become incapacitated to receive or to continue receiving the same.

SEC. 9. No warrant issued by the Board for the payment of a pension may be cashed, unless the person presenting the same shows satisfactorily that he is the one entitled to receive the amount of said warrant under this Act, and unless such person signs an affidavit to that effect, corroborated by two competent witnesses in a form prepared therefor. The postmasters or local post officers are hereby authorized to administer the oath of such person and his witnesses, but no fee shall be charged for the service. Such affidavits shall be exempt from the internal-revenue stamp tax.

SEC. 10. No pension granted under this Act shall wholly or partly be subject to attachment, execution, forfeiture, or retention, under any legal or equitable proceedings, either while in the possession of the Board or of any of its officers or