

REPUBLIC OF THE PHILIPPINES }  
CONGRESS OF THE PHILIPPINES }  
    *Third Regular Session*

S. No. 2318  
H. No. 6041

REPUBLIC ACT NO. 8440

AN ACT PROVIDING FOR THE CONFIRMATION OF WORLD  
WAR II MILITARY SERVICES

*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 under the Department of National Defense, to review applications for confirmation of military service filed 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 claim for the purpose of confirming the military service rendered and qualifying the applicant for military veteran status.

SEC. 2. *Composition of the Board.* – The Board shall have, as Chairman, a retired military officer, preferably a World War II veteran, duly designated by the Secretary of the Department of National Defense; a representative from the Office of the Adjutant General; a representative from the Office of the Judge Advocate General; and two (2) distinguished veterans of World War II, appointed by the Secretary of National Defense from a list of nominees submitted by the Veterans Federation of the Philippines and other existing and duly recognized veterans organizations, as members.

SEC. 3. *Limitation Period.* – The Board shall consider only those applications already filed and pending with the Philippine Veterans Affairs Office and new applications filed within one (1) year from the date of the effectivity of this Act.

SEC. 4. *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. 5. *Evidence to be Considered.* – In evaluating any claim for military service, the Board shall consider all available information and evidence, both here and abroad, including official unit historical records and personnel records in the various agencies and offices of the government and including any evidence submitted by the applicant.

SEC. 6. *Participation of the Veterans Federation of the Philippines and Other Existing and Duly Recognized Veterans Organizations.* – To provide all persons concerned the opportunity to submit evidence in support or in refutation of the claim for military service, the Board shall furnish the Veterans Federation of the Philippines and other existing and duly recognized veterans organizations, at the end of each month a list of all persons who filed claims for confirmation of service during the month. The Veterans Federation of the Philippines and other existing and duly recognized veterans organizations shall be given a period of three (3) months to submit any evidence available to them which may have a bearing on such claims.

SEC. 7. *Fraudulent Claims.* – When fraud is shown to have been committed by or with knowledge of an applicant under this Act, the application shall be disapproved or if already approved, such approval and any award of any honor or benefit on the basis of the confirmation of honor under this Act shall be voided as of the date of its effectivity: *Provided,* That the party or parties to the fraud including those who executed false testimony or who issued falsified documents to support the fraudulent claim, upon conviction, shall be punished with a fine of not less than Two thousand pesos (P2,000) but not more than Ten thousand pesos (P10,000) or by imprisonment of not more than six (6) months or by such fine and imprisonment, at the discretion of the court, in addition to the refund of such amount in compensation and benefits 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. Whoever is found to have directly or indirectly solicited, contracted for, charged or received or attempted to solicit, charge or receive any fee or compensation, upon conviction, shall be punished with a fine of not more than Two thousand pesos (P2,000) or by imprisonment of not more than six (6) months or by such fine and imprisonment, at the discretion of the court.

SEC. 9. *Exclusive and Final Nature of Decisions of the Board.* – The Board shall have the exclusive authority to pass judgment on a claim for confirmation of military service for all intents and purposes. The decision of the Board shall be final.

SEC. 10. *Termination of the Philippine Veterans Affairs Office Authority to Grant Status of Deserving Guerilla.* – The authority of the Philippine Veterans Affairs Office (PVAO) to grant status of deserving guerilla to persons who do not have confirmed military service is hereby terminated.

SEC. 11. *Prospective Entitlement.* – Honors, awards and decorations resulting from this Act shall accrue to any person. However, all monetary compensation and benefits shall be applied prospectively.

SEC. 12. *Resultant Benefits.* – Any entitlement of a person to receive veterans benefits as a result of this Act shall be administered by the Philippine Veterans Affairs Office in accordance with existing laws and regulations.

SEC. 13. *Period of Existence of the Board.* – The Board shall cease to exist two (2) years after the last day of the application period provided for under Section 3 of this Act.

SEC. 14. *Implementing Rules and Regulations.* – The Secretary of National Defense shall issue rules and regulations necessary to ensure the effective implementation of this Act, within sixty (60) days after approval of this Act.

SEC. 15. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the budget of the

Department of National Defense, under the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 16. *Repealing Clause.* – Provisions of laws, orders, regulations and issuances inconsistent with any provision of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

Approved, December 22, 1997.