

AN ACT FURTHER AMENDING THE ARMED FORCES RETIREMENT ACT, AS AMENDED

REPUBLIC ACT NO. 4902, June 17, 1967

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

SECTION 1. Section one of Republic Act Numbered Eighteen hundred and sixty-two, as amended, is hereby further amended to read as follows:

SECTION 1. The provisions of existing law to the contrary notwithstanding, and subject to the special provisions and limitations hereinafter provided, the provisions of Republic Act Numbered Three hundred forty, including all amendments thereto on the date this Act takes effect, shall be and are hereby made applicable to persons (1) retired under the provisions of Commonwealth Act Numbered One hundred ninety, or (2) honorably separated with gratuity under subsection (g), Section twenty-two of Commonwealth Act Numbered One, otherwise known as the National Defense Act, or (3) retired under Republic Act Numbered Three hundred forty and/or Republic Act Numbered Sixteen hundred sixteen with effective date of retirement after June twenty-two, nineteen hundred and fifty-seven, or (4) retired under Act Numbered Forty-one hundred fifty-one, and which persons—

"(a) were in the active service of the Philippine Army or any guerrilla organization duly recognized as a component thereof, at any time between December eight, nine-teen hundred forty-one and September two, nineteen hundred forty-five; and

"(b) had completed at least twenty years' active service on the date of their original retirement or separation: Provided, That persons separated with gratuity on account of physical disability under subsection (g), Section twenty-two of Commonwealth Act Numbered One who had less than twenty years active service on the date of their original separation, shall be entitled to the benefits of the proviso contained in Section eight of Republic Act Num-bered Three hundred forty."

SEC. 2. Section two of the same Act as amended, is further amended to read as follows:

"SEC. 2. Persons "who were retired and paid gratuity under said Republic Act Numbered Three hundred forty and/or Republic Act Numbered Sixteen hundred sixteen as amended, with effective date of retirement after June twenty-two, nineteen hundred fifty-seven and who come within the purview of clauses (a) and (b) of the preceding section may, at their option, elect to receive, in lieu of such gratuity paid to them the annual retirement pay as provided in Section two of the said Act; and upon making-such election, said persons shall, subject to the provisions and limitations hereinafter provided, be entitled to receive the annual retirement pay as provided in Section two of the said Act. The option herein granted may be exercised within five years from the date of the approval of this amendatory Act by the widows and/or minor children of the said retirees who could not exercise the said option by reason of death. Nothing in this section shall be construed as authorizing payment of retirement pay which have accrued prior to the approval of this Act."

SEC. 3. The Armed Forces of the Philippines shall, upon the approval of this amendatory Act, notify all retired military personnel concerned, of the provisions of this Act. Failure to do so shall constitute a dereliction of duty and shall render the persons concerned liable to punishment in accordance with existing laws and regulations.

SEC. 4. Such sums as shall be necessary to implement the provisions of this Act is hereby authorized to be appropriated from the general fund not otherwise appropriated and shall be included in the annual General Appropriations Act.

SEC. 5. This Act shall take effect upon its approval.

Approved, June 17, 1967.

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