

AN ACT PROVIDING FOR THE ROTATION OF RESERVE OFFICERS OF THE ARMED FORCES OF THE PHILIPPINES IN THE ACTIVE MILITARY SERVICE.

REPUBLIC ACT No. 2334, June 19, 1959

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

SECTION 1. Reserve officers of the Armed Forces of the Philippines shall be rotated in the active military service subject to the limitations herein provided and under such rules and regulations as the Secretary of National Defense shall prescribe, for the primary purpose of making available for service in the event of emergency the maximum number of trained and qualified reserve officers.

SEC. 2. After the approval of this Act, and except in time of emergency, no reserve officer shall be called to extended tours of active duty exceeding a total of two years within any period of five consecutive years: Provided, That reserve officers on active duty for more than two years on the date of approval of this Act, with the exception of those covered by section three of this Act, shall be reverted to inactive status within three years from the approval of this Act: Provided, further, That hereafter calls to extended tours of active duty of reserve officers shall be in proportion to the officers requirements of each major service in the reserve force build-up program of the Armed Forces of the Philippines and the priority for selecting such reserve officers within each major service shall follow the order of age groupings for the reserve force as defined in section fifty-two of the National Defense Act, as amended.

SEC. 3. The provisions of section two of this Act shall not apply to reserve officers covered by the provisions of Republic Act Numbered Thirteen hundred eighty-two nor to those possessing technical qualifications, skills, and competence which are indispensable to the needs of the Armed Forces of the Philippines and for whom there are no satisfactory replacements from among reserve officers in the inactive status: Provided, That the selection of such officers shall be as determined by a Board of Officers to be appointed by the Chief of Staff.

SEC. 4. Any reserve officer who is reverted to inactive duty under the provisions of this Act after having completed an accumulated period of active commissioned service of between five years and twenty years shall, unless he is already entitled to the retirement benefits under Republic Act Numbered Three hundred forty, as amended; be entitled upon reversion to receive a gratuity equivalent to one month's authorized base and longevity pay in the permanent rank held at the time of such reversion multiplied by his years of active commissioned service: Provided, That such reversion is not as a result of court martial action nor due to the officer's gross misconduct, the intemperate use of drugs or alcoholics, or inefficiency: Provided, however, That if a reserve officer is reemployed in a civilian office of the government or government-owned or controlled corporation, he shall not be made to reimburse the amounts received by him as gratuity under this Act: Provided, further, That if a reserve officer who has received gratuity under this Act reenters the active service, he shall not be eligible for a new gratuity until he has completed at least five years of active commissioned service from the date of such reentry, and no subsequent gratuity shall be paid covering any period of active commissioned service for which he has already received gratuity under this Act: Provided, further, That in case a reserve officer who has received

gratuity under this Act subsequently reenters the active service and is retired pursuant to Republic Act Numbered Three hundred forty, such gratuity shall be deducted from his retirement gratuity or pensions: And provided, finally, That for purposes of this section, any period of service amounting to six months or more shall be counted as one year.

SEC. 5. Reserve officers who on the approval of this Act are on active duty and are reverted to inactive status by virtue of its provisions, shall be given priority in civilian employment in the government service or in that of government-owned or controlled corporations in parity with veterans, in positions and at salaries commensurate with their educational background, training and experience, provisions of the civil service regulations to the contrary notwithstanding.

SEC. 6. The Secretary of National Defense is authorized to use any savings in the appropriations of the Armed Forces of the Philippines to carry out the provisions of this Act during the first year of its implementation. Thereafter, the necessary funds shall be included in the annual appropriation for the Armed Forces of the Philippines.

SEC. 7. This Act shall take effect upon its approval.

Approved, June 19, 1959.

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