

ENTITLING OFFICES AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES TO ACCUMULATE AND COMMUTE, SUBJECT TO CERTAIN CONDITIONS, LEAVE CREDITS, AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 1495, June 11, 1978

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WHEREAS, officers and enlisted personnel of the Armed Forces of the Philippines, more than any other group of men in the government service, have been called upon to carry out the grave burden of providing the proper climate conducive to the attainment of the objectives of the New Society;

WHEREAS, in the fulfillment of this obligation and commitment, officers and enlisted personnel of the Armed Forces of the Philippines have given up certain privileges, like the privilege to go on leave periodically as granted by law, in view of the continuing need for their services for the preservation of peace and order throughout the land;

WHEREAS, the circumstances have resulted to the forfeiture, by military personnel, of leave credits beyond the maximum period of authorized under Section 286 of the Revised Administrative Code, as amended by Republic Act Numbered Ten Hundred and Eighty-One, as their services have been indispensable for the continuity of the Government programs designed to restore the people's trust and confidence in the Government, attain economic dignity for the common man and preserve and enhance the unity and tranquility of our nation;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree the following as part of the law of the land;

SECTION 1. Any officers or enlisted personnel, Armed Forces of the Philippines can accumulate vacation and sick leave credits in excess of ten (10) months: Provided, however, that those military personnel who are now in the active service and have accumulated more than ten (10) months vacation and sick leave credits shall be entitled to only ten (10) months of such leave credits on the date of effectivity of this Decree.

SEC. 2. Any officer or enlisted personnel, Armed Forces of the Philippines who, due to exigencies of the military service, is prevented from going on leave shall be entitled to commute whatever leave credits he has earned, and receive the cash value thereof while still in the active service: Provided, that such military personnel has at least five (5) months leave credits which he cannot commute; provided, further, that such military personnel can commute and receive the money value of not more than two (2) months leave credits per year: and Provided, finally, that such excess leave credits shall be without prejudice to the military personnel's option to continue rendering work and be entitled to receive his corresponding pay and allowances or to enjoy leave by utilizing leave credits not otherwise commuted.

SEC. 3. Whenever any officer or enlisted personnel, Armed Forces of the Philippines shall voluntarily resign or be retired or discharged from the service through no fault of his own, he shall be entitled to the commutation of all accumulated vacation leave and sick leave to his credit: Provided, that the total vacation leave and sick leave that can be commuted shall, in no case, exceed ten (10) months.

SEC. 4. The Secretary of National Defense shall, under such rules and regulations as he may promulgate, formulate and adopt a systematic and integrated program of leaves due officers and enlisted personnel, Armed Forces of the Philippines, geared primarily towards the actual enjoyment thereof by military personnel in consonance with the basic philosophy of the Leave Law, and in the alternative, the entitlement to commutation of unused leaves as aforesaid.

SEC. 5. There is hereby appropriated out of the funds in the National Treasury not otherwise appropriated, such sums as are necessary to carry out the purpose of this decree: Provided, however, That the Secretary of National Defense is hereby authorized to use savings of the Armed Forces of the Philippines for this same purpose. Thereafter, the same shall be included in the yearly appropriation of the Armed Forces of the Philippines.

SEC. 6. Any provision of law, rules and regulations inconsistent with the foregoing is hereby modified accordingly.

SEC. 7. This Decree shall take effect upon approval.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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