

AN ACT TO AMEND SECTIONS EIGHT HUNDRED AND SEVENTY-TWO AND EIGHT HUNDRED AND SEVENTY-FOUR OF THE ADMINISTRATIVE CODE, AS AMENDED BY ACT NUMBERED THIRTY-ONE HUNDRED AND FIFTY-SEV...

Act No. 3205, December 03, 1924

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section eight hundred and seventy-two of the Administrative Code, as amended by Act Numbered Thirty- one hundred and fifty-seven, is hereby further amended to read as follows:

"SEC. 872. Sources of pension and retirement fund.—To this fund shall accrue all fines and forfeitures imposed by summary courts, all fines imposed upon commissioned officers under the authority of this chapter, and four per centum of the pay of every officer and three per centum of the pay of every enlisted man of the Constabulary, which shall be deducted from said pay monthly.

"All such fines, forfeitures, deductions, and retentions shall be noted and retained on the pay roll and deposited with the Insular Treasurer to the credit of the Constabulary pension and retirement fund."

SEC. 2. Section eight hundred and seventy-four of the Administrative Code, as amended by Act Numbered Thirty- one hundred and fifty-seven, is hereby further amended to read as follows:

"SEC. 874. Life pension.—Any officer or enlisted man of the Philippine Constabulary who has had twenty or more years of actual and satisfactory service and has attained to the age of fifty-five years or who, without having reached said age, is on account of his physical or mental condition prevented from continuing in active service, may take advantage of the benefits of this Act and retire from active service, upon approval by the Governor-General, and when so retired he shall receive until his death from the fund above specified an annual pension equal to two and one- half per centum, for each year of active service rendered by him up to date, of the total pay received annually by him on the date of his retirement; but in no case more than seventy-five per centum of such total current pay: Provided, That service rendered by an officer as enlisted man shall be taken into account for the purposes of the retirement provided for in this section: Provided, further, That with the exception of the Chief of Constabulary, no officer shall be retained in active service after having attained to the age of sixty-four years: And provided, finally, That officers and enlisted men of the Constabulary .who have completed twenty or more years of actual satisfactory service previous to the approval of Act Numbered Thirty- one hundred and fifty-seven shall be entitled to retirement on the same terms and subject to the same condition as originally set forth in section eight hundred and seventy- four of the Administrative Code previous to its amendment by Act Numbered Thirty-one hundred and fifty-seven.

"Subject to the same conditions and in accordance with the same rules and limitations, an enlisted man shall be entitled to retirement and to a similar annual compensation from the same fund, based on the total current pay and allowances received annually by him at the time he is retired, but in no case to exceed seventy-five per centum of such current pay and allowances for each year.

"Upon the death of an officer or enlisted man who has either been retired or would, at the time when he died, have been entitled by reason of length of service to the retirement provided for in the two preceding paragraphs, the surviving legitimate or acknowledged children of such officer or enlisted man or his widow, or only the latter in case he left no children or after his surviving minor child has reached the age of eighteen years, shall be entitled to receive in equal shares and with the right of accretion, fifty per centum of the pension to which such officer or enlisted man would have been entitled if he had not died: Provided, That no payment shall be made as pension to children after they have attained to the age of eighteen years or have married, nor to the widow if she remarries: And provided, further, That no pension whatever shall be paid to the widow if the marriage was contracted after the retirement of the deceased officer or enlisted man. For the purposes of this Act, all officers and enlisted men still residing in the Philippine Islands who are at present in the enjoyment of a life pension and who lack five years or more, from and after the date of the approval of this Act, before completion of the fifty-fifth year of life, and who are still physically and mentally fit for active service, may be called into active service if such officers or enlisted men agree, as vacancies in the positions left by them occur, and shall take their place on the roster, if officers, as if they had been in active service during the time of their retirement."

SEC. 3. To carry out the purposes of this Act, there shall be appropriated in the Appropriation Act each year, beginning with the first day of the fiscal year next following the approval of this Act and annually thereafter, the sum of one hundred thousand pesos which shall be included in the total appropriation for the Constabulary, and said sum shall be credited on the books of the Insular Treasurer to the Constabulary pension and retirement fund, and said funds is hereby set aside to complete the payment of pensions to the officers and enlisted men of the Constabulary: Provided, That any portion of the sum above mentioned remaining unexpended at the end of each economic year shall revert to the general funds, with the exception of a sum sufficient to maintain the working capital of the Constabulary pension and retirement fund, including investments, at the minimum sum of three hundred thousand pesos.

SEC. 4. This Act shall take effect on its approval.

Approved, December 3, 1924.

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