



Senate
Office of the Secretary

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'17 MAY -4 P2:05

SENATE

S. B. No. 1436

RECEIVED BY:

INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

AN ACT

ADJUSTING THE COMPULSORY RETIREMENT AGE FOR OFFICERS AND ENLISTED MEN OF THE ARMED FORCES OF THE PHILIPPINES, MEMBERS OF THE PHILIPPINE NATIONAL POLICE, BUREAU OF FIRE PROTECTION AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AND OFFICERS AND NON-OFFICERS OF THE PHILIPPINE COAST GUARD, TO SIXTY, AMENDING FOR THE PURPOSE SECTION 39 OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990"; SECTION 5 OF PRESIDENTIAL DECREE NO. 1638 ENTITLED "ESTABLISHING A NEW SYSTEM OF RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES", AS AMENDED; AND SECTION 17 OF REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINES COAST GUARD LAW OF 2009"

EXPLANATORY NOTE

This bill aims to adjust the compulsory retirement age for officers and enlisted men of the Armed Forces of the Philippines (AFP), members of the Philippine National Police (PNP), uniformed officers and non-officers of the Philippine Coast Guard (PCG), and members/officers of the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP), from 56 to 60 years old. Recognizing their indispensable role as protectors of the State and its citizens, the government has heavily invested in the training and development of the officers and members of these agencies. In light of recent scientific and technological advances and studies pointing to increased life expectancy rates, it is time that we revisit the statutorily-prescribed retirement age for our protectors.

Members of the AFP, PNP, PCG, BFP and BJMP, currently have a retirement age of fifty-six (56), which sets them apart from civilian government employees who are compulsorily retired at age sixty-five (65). At the age of 56, they can still fulfill the physical, mental and psychological demands and rigors of their position. They can still maximize their years of experience and wealth of knowledge, harness their leadership skills, and lend their professional competence until the age of sixty (60) or even sixty-five (65).

The education, trainings, and professional development of the members of the AFP, PNP, PCG, BFP and BJMP were heavily subsidized by the government. Given recent scientific and technological advances, most people aged more than sixty years old are still capable of sharing their knowledge and expertise, thereby contributing to the development of the next generation of officers.

In the intensive campaign against illegal drugs, crime, and corruption, President Rodrigo Roa Duterte has called on the active participation of the uniformed men and women. The tremendous number of drug users and surrenderees, and the need to further step up the campaign would require the leadership of officers who are more senior and experienced. Additional years in service would also allow these officers the chance to both serve their country more during these times of changes and reforms and opportunities of career advancement.

In view of the foregoing, the approval of this bill is earnestly sought.

ALAN PETER "COMPAÑERO" S. CAYETANO
Senator



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ADJUSTING THE COMPULSORY RETIREMENT AGE FOR OFFICERS AND ENLISTED MEN OF THE ARMED FORCES OF THE PHILIPPINES, MEMBERS OF THE PHILIPPINE NATIONAL POLICE, BUREAU OF FIRE PROTECTION AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AND OFFICERS AND NON-OFFICERS OF THE PHILIPPINE COAST GUARD, TO SIXTY, AMENDING FOR THE PURPOSE SECTION 39 OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990"; SECTION 5 OF PRESIDENTIAL DECREE NO. 1638 ENTITLED "ESTABLISHING A NEW SYSTEM OF RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES", AS AMENDED; AND SECTION 17 OF REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINES COAST GUARD LAW OF 2009"

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

1 **SECTION 1. Compulsory Retirement for Military Personnel.** Section 5(a) of Presidential
2 Decree No. 1638, entitled "Establishing A New System of Retirement and Separation for Military
3 Personnel of the Armed Forces of the Philippines and for Other Purposes," as amended by
4 Presidential Decree No. 1650, is hereby further amended to read as follows:

5 "Sec. 5.(a). Upon attaining [fifty-six (56)] **SIXTY** years of age or upon accumulation
6 of thirty (30) years of satisfactory active service, whichever is later, an officer or enlisted
7 man shall be compulsorily retired; Provided, That such officer or enlisted-man who shall
8 have attained [fifty-six (56)] **SIXTY** years of age with at least twenty (20) years of active
9 service shall be allowed to complete thirty (30) years of service but not beyond his
10 [sixtieth (60th)] **SIXTY-FIFTH (65th)** birthday; Provided, however, That such military
11 personnel compulsorily retiring by age shall have at least twenty (20) years of active
12 service: Provided, further, That the compulsory retirement of an officer serving in a
13 statutory position shall be deferred until completion of the tour of duty prescribed by
14 law; and, Provided, finally, That the active service of military personnel may be extended
15 by the President, if in his opinion, such continued military service is for the good of the
16 service."

17 **SECTION. 2. Compulsory Retirement for Police, Fire and Jail Personnel.** Section 39 of
18 Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government
19 Act of 1990" is hereby amended to read as follows:

20 "Section 39. Compulsory Retirement. - Compulsory retirement, for officer and non-
21 officer, shall be upon the attainment of [age fifty-six (56)] **SIXTY YEARS OF AGE**:
22 Provided, That, in case of any officer with the rank of chief superintendent, director or
23 deputy director general, the Commission may allow his retention in the service for an
24 unextendible period of one (1) year."

25 **SECTION. 3. Compulsory Retirement for Coast Guard Personnel.** Section 17 of Republic Act
26 No. 9993, otherwise known as the "Philippine Coast Guard Law of 2009" is hereby amended to read
27 as follows:

28 "Section 17. Retirement. - Upon attaining [fifty-six (56)] **SIXTY (60)** years of age or
29 upon accumulation of thirty (30) years of continuous satisfactory active service,

1 whichever comes later, a PCG officer or non-officer shall be compulsorily retired:
2 Provided, That said officer or non-officer shall have a minimum of twenty (20) years of
3 active service. The retirement of non-uniformed personnel shall be governed by Civil
4 Service laws, rules and regulations.”

5 **Repealing Clause.** - All other laws, ordinances, rules, regulations, issuances or parts thereof
6 inconsistent with this Act are hereby repealed or modified accordingly.

7 **SECTION. 4. Effectivity.** - This Act shall take effect fifteen (15) days following its publication
8 in at least (2) newspapers of general circulation.

Approved,