


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

10 JUL 26 P1:46

RECEIVED BY: 

SENATE

S.B. No. 2011

Introduced by Senator EDGARDO J. ANGARA

EXPLANATORY NOTE

This bill seeks to amend Republic Act No. 340, otherwise known as *An Act to Establish A Uniform Retirement System for the Armed Forces of the Philippines*, which covers the retirement of military personnel prior to 10 September 1979.

Section 3 of the Act provides for the payment of benefits to survivors of retired military personnel but it specifically excludes from entitlement to such benefits the widow of a retired officer or enlisted man whose marriage to the officer or enlisted man was contracted after his retirement from the military service. This provision is clearly discriminative against widows who married their husbands after they have retired. Husbands who, though already advanced in years, still need companionship, care and attention.

In contrast, Republic Act No. 6948, as amended by Republic Act No. 7696, provides benefits to a veteran's unmarried widow without regard to the date of her marriage to the veteran.

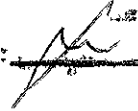
There is a need to consolidate and unify laws pertinent to the retirement benefits of our military personnel as part of the measures to strengthen our Armed Forces.

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


EDGARDO J. ANGARA

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AN ACT
FURTHER AMENDING SECTION THREE OF REPUBLIC ACT NUMBERED
THREE HUNDRED AND FORTY, AMENDED, OTHERWISE KNOWN AS
THE ARMED FORCES RETIREMENT LAW

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

1 **SECTION 1. *Entitlement of Widows and Orphans***, Section 3 of Republic Act No.
2 340, as amended by Republic Act No. 3056, is hereby further amended to read as follows:

3 “SEC. 3. Upon the death of an officer or enlisted man who has
4 been retired or would, at the time when he died, have been entitled to
5 retire under Section one of this Act, the surviving legitimate, adopted or
6 acknowledged natural children of such officer or enlisted man and/or
7 widow, shall be entitled to receive in equal shares and with the right of
8 accretion, seventy-five *per centum* of the annual retirement pay which the
9 officer or enlisted man was receiving or would have been entitled to
10 receive if he had not died, the said amount to be payable in equal monthly
11 installments: *Provided*, That no payment under this section shall be made
12 to children after they have attained the age of twenty-one years or have
13 married, nor to the widow if she remarries.” x x x [*Provided, further*, That
14 no payment whatever shall be made to the widow if her marriage to the

1 deceased officer or enlisted man was contracted after his retirement from
2 the service].

3
4 **SEC. 2. *Repealing Clause.*** All laws and rules and regulations or parts thereof
5 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

6
7 **SEC. 3. *Effectivity.*** This Act shall take effect fifteen (15) days following the date
8 of its publication in the Official Gazette or in at least two (2) newspapers of general
9 circulation.

10
11 *Approved,*