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

SENATE

S. No. **2208**

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

It is the avowed policy of the State to strengthen professionalism in the Armed Forces

of the Philippines (AFP) and to provide adequate remuneration and benefits to its members

consistent with the mandate of the Constitution in Section 5 (3), Article XVI thereof.

In furtherance of this mandate, there is a need for an urgent upgrade of the said

benefits in cases of retirement or disability. Moreover, R. A. No. 8551, otherwise known as

the "PNP Reform and Reorganization Act," has afforded its uniformed personnel higher and

better retirement and disability benefits compared to military personnel.

This bill is aimed to rectify the disparity or discrepancy in the treatment of military

personnel compared to the police personnel. This was originally filed by Sen. Rodolfo G.

Biazon in the Fourteenth Congress.

MIRIAM DEFENSOR SANTIAGO

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1   AN ACT
2 UPGRADING THE RETIREMENT AND DISABILITY BENEFITS OF MILITARY
3   PERSONNEL AND FOR OTHER PURPOSES

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

4   SECTION 1. *Short Title.* – This Act shall be known as "The AFP Retirement and

5 Disability Benefits Upgrade Act."

6   Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide

7 adequate support and incentives to the members of the Armed Forces of the Philippines

8 (AFP).

9   Sec. 3. *Retirement Benefits.* – The monthly retirement pay of an officer or enlisted

10 personnel shall be fifty percent (50%) of the base pay and longevity pay of the retired grade

11 in case of twenty (20) years of active service, increasing by two and one-half percent (2.5%)

12 for every year of active service rendered beyond twenty (20) years to a maximum of ninety

13 percent (90%) for thirty-six (36) years of active service and over; *Provided,* That the military

14 personnel shall have the option to receive in advance and in lump-sum his retirement pay for

15 the first five (5) years; Provided further, that retirement pay of the officers and enlisted

16 personnel of the AFP shall be subject to adjustments based on the prevailing scale of

17 retirement pay of military personnel in the active service.

1   Sec.4. *Permanent Physical Disability Benefits.* – An officer or enlisted personnel who

2   is permanently and totally disabled as a result of injuries suffered or sickness contracted in

3   the performance of his duty shall be entitled to one year's basic pay and longevity pay and to

4   a lifetime pension equivalent to eighty percent (80%) of his last basic pay and longevity pay,

5   in addition to other benefits as provided under existing laws.

6   Sec. 5. *Rules and Regulation.* – The Secretary of National Defense is hereby

7   authorized to promulgate rules and regulations as may be necessary to implement the

8   provisions of this Act. Nothing in this Act shall diminish the retirement and separation

9   benefits to which military personnel are already entitled under existing laws and decrees.

10   Sec. 6. *Separability Clause.* – If for any reason, any section or provision of this Act is

11   held unconstitutional or invalid, no other section or provision shall be affected.

12   Sec. 7. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations,

13   issuances or any parts thereof inconsistent with the provisions of this Act are deemed

14   repealed or amended accordingly.

15   Sec. 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its

16   publication in at least two (2) national newspapers of general circulation.

Approved,