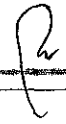


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 SEP 14 P3:45

SENATE
S. No. **2523**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago


EXPLANATORY NOTE

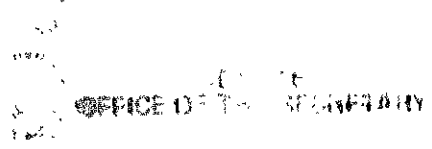
Presidential Decree No. 1638 as amended, otherwise known as "Establishing A New System Of Retirement And Separation For Military Personnel Of The Armed Forces Of The Philippines And For Other Purposes" as amended, enumerates the benefits for military retirees and the conditions for entitlement thereto. Through the years, this law has been the source of rights for our retirees through which they could avail themselves of the benefits that they rightfully deserve.

Section 27 thereof, however, provides that the name of a retiree who loses his Filipino citizenship shall be removed from the retired list and his retirement benefits terminated upon such loss. At first glance, this provision seems justified since the retiree has lost his Filipino citizenship anyway and therefore should not be qualified to receive any monetary benefit from the government. However, with the passage of RA No. 9225, otherwise known as "Citizenship Retention and Re-Acquisition Act of 2003," civil and political rights may now again be enjoyed by those who reacquire Philippine citizenship.

This bill therefore gives back the right to former retirees who have reacquired Philippine citizenship under RA No. 9225 the same benefits they used to receive but were cut off when they lost their Philippine citizenship. But such re-entitlement to the retirement benefits will only accrue upon the date of such reacquisition of Philippine citizenship.

This bill was originally filed by Sen. Rodolfo G. Biazon during the First Regular Session of the Fourteenth Congress.


MIRIAM DEFENSOR SANTIAGO
aw



10 SEP 14 P 3:45

SENATE
S. No. **2523**

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 FURTHER AMENDING PRESIDENTIAL DECREE NO. 1638 AS AMENDED,
3 OTHERWISE KNOWN AS "ESTABLISHING A NEW SYSTEM OF
4 RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE
5 ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES BY
6 GRANTING THE RIGHT TO RECEIVE RETIREMENT BENEFITS TO
7 RETIREES WHO HAVE REACQUIRED PHILIPPINE CITIZENSHIP.

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

8 SECTION 1. Section 27 of Presidential Decree No. 1638 as amended, otherwise known
9 as "Establishing A New System Of Retirement And Separation For Military Personnel Of The
10 Armed Forces Of The Philippines And For Other Purposes" as amended, is hereby further
11 amended to read as follows:

12 "Section 27. Military personnel retired under Sections 4, 5, 10, 11 and 12 shall be carried
13 in the retired list of the Armed Forces of the Philippines. The name of a retiree who loses his
14 Filipino citizenship shall be removed from the retired list and his retirement benefits terminated
15 upon such loss. IN CASES WHERE A RETIREE RE-ACQUIRES PHILIPPINE CITIZENSHIP
16 UNDER REPUBLIC ACT NUMBER NINETY-TWO TWENTY FIVE, OTHERWISE
17 KNOWN AS THE 'CITIZENSHIP RETENTION AND RE-ACQUISITION ACT OF 2003,' HIS
18 NAME SHALL BE REINSTATED IN THE RETIRED LIST AND HE SHALL LIKEWISE
19 CONTINUE TO RECEIVE HIS RETIREMENT BENEFITS BUT EFFECTIVE ONLY UPON
20 THE DATE OF SUCH REACQUISITION OF PHILIPPINE CITIZENSHIP."

1 SECTION 2. *Separability Clause.* – If any provision, or part hereof is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

4 SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
6 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,