

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



'13 JUL -8 A11 :46

SENATE  
S. No. 574

RECEIVED BY: *[Signature]*

---

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.<sup>1</sup>

*[Signature]*  
MIRIAM DEFENSOR SANTIAGO

---

<sup>1</sup> This bill was originally filed by Sen. Rodolfo G. Biazon during the First Regular Session of the Fourteenth Congress.



13 JUL -8 AM 11:46

SENATE  
S. No. 574

RECEIVED BY: *ja*

Introduced by Senator Miriam Defensor Santiago

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

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

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

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

1           SECTION 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
2 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
3 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

4           SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
5 publication in at least two (2) newspapers of general circulation.

Approved,