

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



Senate  
Office of the Secretary

13 AUG 29 P4:54

SENATE  
S. No. 1431

RECEIVED BY: *js*

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Introduced by Senator Miriam Defensor Santiago

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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. In furtherance of this mandate, there is a need for an urgent upgrade of the benefits of members of the AFP in cases of retirement or disability.

It is worthy to note that Republic Act No. 8551, otherwise known as the "PNP Reform and Reorganization Act," has afforded members of the Philippine National Police 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 police personnel.\*

*as.* *Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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\* This was originally filed by Sen. Rodolfo G. Biazon in the Fourteenth Congress.

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

*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 SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
7 provide adequate support and incentives to the members of the Armed Forces of the Philippines,  
8 in recognition of their valuable service to the nation.

9 SECTION 3. *Retirement Benefits.* – The monthly retirement pay of an officer or enlisted  
10 personnel of the Armed Forces of the Philippines (AFP) shall be fifty percent (50%) of the base  
11 pay and longevity pay of the retired grade in case of twenty (20) years of active service,  
12 increasing by two and one-half percent (2.5%) for every year of active service rendered beyond  
13 twenty (20) years to a maximum of ninety percent (90%) for thirty-six (36) years of active  
14 service and over; *Provided,* That the military personnel shall have the option to receive in  
15 advance and in lump-sum his or her retirement pay for the first five (5) years; *Provided further,*  
16 that the retirement pay of the officers and enlisted personnel of the AFP shall be subject to  
17 adjustments based on the prevailing scale of retirement pay of military personnel in the active  
18 service.

1           SECTION 4. *Permanent Physical Disability Benefits.* – An officer or enlisted personnel  
2 who is permanently and totally disabled as a result of injuries suffered or sickness contracted in  
3 the performance of his or her duty shall be entitled to one year's basic pay and longevity pay and  
4 to a lifetime pension equivalent to eighty percent (80%) of his or her last basic pay and longevity  
5 pay, in addition to other benefits as provided under existing laws.

6           SECTION 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 provisions  
8 of this Act. Nothing in this Act shall diminish the retirement and separation benefits to which  
9 military personnel are already entitled under existing laws and decrees.

10          SECTION 6. *Separability Clause.* – If any provision or part thereof is held invalid or  
11 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
12 valid and subsisting.

13          SECTION 7. *Repealing Clause.* – All laws, decrees, executive orders, rules and  
14 regulations, issuances or any parts thereof inconsistent with the provisions of this Act are hereby  
15 repealed or amended accordingly.

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

Approved,