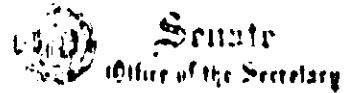


SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session



'15 DEC -8 AIO:15

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 333

Submitted by the Committee on National Defense and Security on
DEC 08 2015.

Re: House Bill No. 772

Recommending its approval with amendment.

Sponsor: Senator Antonio F. Trillanes IV

Mr. President:

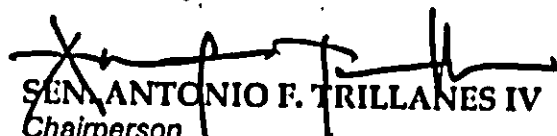
The Committee on National Defense and Security to which was referred House Bill No. 772, introduced by Reps. Castelo, Co. Batocabe and Blazon, entitled:

**"AN ACT
EXEMPTING SURVIVING CHILDREN OF MILITARY PERSONNEL WHO ARE
MENTALLY INCAPACITATED FROM TERMINATION OF BENEFITS UPON
REACHING THE AGE OF TWENTY-ONE (21), AMENDING FOR THE PURPOSE
SECTION 25 OF PRESIDENTIAL DECREE NUMBERED SIXTEEN HUNDRED
AND THIRTY-EIGHT, OTHERWISE KNOWN AS THE AFP MILITARY
PERSONNEL RETIREMENT AND SEPARATION DECREE OF 1979, AS
AMENDED"**

has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved with amendment:

On page 1, Section 1, line 2, delete "2014 and replace it with "2015".

Respectfully submitted:


SEN. ANTONIO F. TRILLANES IV
Chairperson
Committee on National Defense and
Security

Vice-Chair:


LOREN LEGARDA

Members:

PIA CAYETANO


TEOFISTO L. GUINGONA III

FERDINAND MARCOS JR.


AQUILINO PIMENTEL III


SONNY ANGARA

MIRIAM DEFENSOR SANTIAGO


MARIA LOURDES NANCY S. BINAY

JINGGOY EJERCITO ESTRADA


VICENTE C. SOTTO III

FRANCIS G. ESCUDERO


MANUEL M. LAPID


SERGIO R. OSMEÑA III

RAMON BONG REVILLA JR.

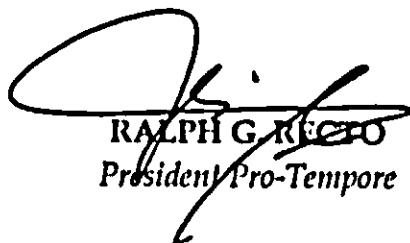

GRACE POE


PAOLO BENIGNO AQUINO IV


JOSEPH VICTOR G. EJERCITO


GREGORIO B. HONASAN II

Ex-Officio Members



RALPH G. RECTO
President Pro-Tempore

ALAN PETER "COMPAÑERO" S. CAYETANO
Majority Leader

JUAN PONCE ENRILE
Minority Leader

Hon. FRANKLIN M. DRILON
Senate President
Senate of the Philippines
Pasay City

CONGRESS OF THE PHILIPPINES
SIXTEENTH CONGRESS
Second Regular Session

}

HOUSE OF REPRESENTATIVES

H. No. 772

BY REPRESENTATIVES CASTELO, CO, DATOCABE AND DIAZON

AN ACT EXEMPTING SURVIVING CHILDREN OF MILITARY PERSONNEL WHO ARE MENTALLY INCAPACITATED FROM TERMINATION OF BENEFITS UPON REACHING THE AGE OF TWENTY-ONE (21), AMENDING FOR THE PURPOSE SECTION 25 OF PRESIDENTIAL DECREE NUMBERED SIXTEEN HUNDRED AND THIRTY-EIGHT, OTHERWISE KNOWN AS THE AFP MILITARY PERSONNEL RETIREMENT AND SEPARATION DECREE OF 1979, AS AMENDED

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "AFP
2 Derivative Retirement Pension for Children/Survivors Act of 2014".

3 SEC. 2. *Derivative Retirement Pension.* - Section 25(b), paragraph 2
4 of Presidential Decree No. 1638 shall read as follows:

5 "Section 25. For the purposes of this Decree

6 "a. x x x

7 "b. Survivors shall mean

8 "1. x x x

9 "2. Surviving children of an officer or enlisted man born of
10 his marriage contracted prior to his retirement/separation from the
11 service, and children, adopted or acknowledged, while the

1 deceased parent was still on active military service: Provided,
2 That EXCEPT FOR CHILDREN WHO, BY REASON OF THEIR
3 MENTAL INCAPACITY, ARE CERTIFIED BY THE AFP MEDICAL
4 BOARD TO BE INCAPABLE OF EMPLOYMENT, entitlement to
5 benefits shall terminate when such children attain twenty-one (21)
6 years of age or get married.

7 "x x x."

8 SEC. 3. *Implementing Agency.* - The Secretary of the Department of
9 National Defense and the Chief of Staff, Armed Forces of the Philippines shall
10 promulgate the necessary rules and regulations for the effective
11 implementation of this Act within thirty (30) days from its effectivity.

12 SEC. 4. *Separability Clause.* - The provisions of this Act are hereby
13 deemed separable. If any provision thereof is declared invalid or
14 unconstitutional, such invalidity or unconstitutionality shall not affect the other
15 provisions which shall remain in effect.

16 SEC. 5. *Repealing Clause.* - All laws, decrees, executive orders, rules
17 and regulations or parts thereof inconsistent with the provisions of this Act are
18 hereby repealed.

19 SEC. 6. *Effectivity.* - This Act shall take effect thirty (30) days
20 following its publication in the *Official Gazette* or in at least three (3)
21 newspapers of general circulation.

Approved,