

FOURTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session }

7 JUL -3 P5:44

SENATE

RECEIVED BY: 

S.B. No. 879

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

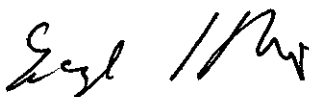
This bill seeks to amend Republic Act No. 340, otherwise known as An Act to Establish A Uniform Retirement System for the Armed Forces of the Philippines, which covers the retirement of military personnel prior to 10 September 1979.

Section 3 of the Act provides for the payment of benefits to survivors of retired military personnel but it specifically excludes from entitlement to such benefits the widow of a retired officer or enlisted man whose marriage to the officer or enlisted man was contracted after his retirement from the military service. This provision is clearly discriminative against widows who married their husbands after they have retired. Husbands who, though already advanced in years, still need companionship, care and attention.

In contrast, Republic Act No. 6948, as amended by Republic Act No. 7696, provides benefits to a veteran's unmarried widow without regard to the date of her marriage to the veteran.

There is a need to consolidate and unify laws pertinent to the retirement benefits of our military personnel as part of the measures to strengthen our Armed Forces.


In view of the foregoing, the immediate approval of this measure is earnestly sought.


EDGARDO J. ANGARA
Senator

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**AN ACT FURTHER AMENDING SECTION THREE OF REPUBLIC
ACT NUMBERED THREE HUNDRED AND FORTY, AS AMENDED,
OTHERWISE KNOWN AS THE ARMED FORCES RETIREMENT LAW**

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

1 **SECTION 1. *Entitlement of Widows and Orphans.*** Section 3 of
2 RA 340, as amended by RA 3056, is hereby further amended to read as
3 follows:

4 “SECTION 3. Upon the death of an officer or enlisted man
5 who has been retired or would, at the time when he died, have been
6 entitled to retire under Section one of this Act, the surviving
7 legitimate, adopted or acknowledged natural children of such officer
8 or enlisted man and/or widow, shall be entitled to receive in equal
9 shares and with the right of accretion, seventy-five *per centum* of
10 the annual retirement pay which the officer or enlisted man was
11 receiving or would have been entitled to receive if he had not died,
12 the said amount to be payable in equal monthly installments:
13 *Provided,* That no payment under this section shall be made to
14 children after they have attained the age of twenty-one years or
15 have married, nor to the widow if she remarries.” Xxx [*Provided,*

1 *further, That no payment whatever shall be made to the*
2 *widow if her marriage to the deceased officer or enlisted*
3 *man was contracted after his retirement from the service].*

4
5 **SECTION 2. *Repealing Clause.*** All laws and rules and regulations
6 or parts thereof inconsistent with the provisions of this Act are hereby
7 repealed or modified accordingly.

8
9 **SECTION 3. *Effectivity.*** This Act shall take effect fifteen (15) days
10 following the date of its publication in the Official Gazette or in at least two
11 (2) newspapers of general circulation.

12
13 *Approved,*