

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. ____ 10

Introduced by **Hon. Rodolfo G. Biazon**

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 consistent with the mandate of the Constitution in Section 5 (3), Article XVI thereof.

In furtherance of this mandate, there is a need for an urgent upgrade of the said benefits in cases of retirement or disability. Moreover, R. A. No. 8551, otherwise known as the "PNP Reform and Reorganization Act," has afforded its uniformed personnel 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 the police personnel.

In view thereof, passage of this bill is earnestly sought.


RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
UPGRADING THE RETIREMENT AND DISABILITY BENEFITS OF MILITARY
PERSONNEL AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as "The AFP Retirement and Disability Benefits Upgrade Act of 2010."

Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide adequate support and incentives to the members of the Armed Forces of the Philippines (AFP).

Sec. 3. *Retirement Benefits.* – The monthly retirement pay of an officer or enlisted personnel shall be fifty percent (50%) of the base pay and longevity pay of the retired grade in case of twenty (20) years of active service, increasing by two and one-half percent (2.5%) for every year of active service rendered beyond twenty (20) years to a maximum of ninety percent (90%) for thirty-six (36) years of active service and over; *Provided*, That the military personnel shall have the option to receive in advance and in lump-sum his retirement pay for the first five (5) years; *Provided further*, that retirement pay of the officers and enlisted

personnel of the AFP shall be subject to adjustments based on the prevailing scale of retirement pay of military personnel in the active service.

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

Sec. 5. Rules and Regulation. – The Secretary of National Defense is hereby authorized to promulgate rules and regulations as may be necessary to implement the provisions of this Act. Nothing in this Act shall diminish the retirement and separation benefits to which military personnel are already entitled under existing laws and decrees.

Sec. 6. Separability Clause. – If for any reason, any section or provision of this Act is held unconstitutional or invalid, no other section or provision shall be affected.

Sec. 7. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, issuances or any parts thereof inconsistent with the provisions of this Act are deemed repealed or amended accordingly.

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

Approved,