

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7539



Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

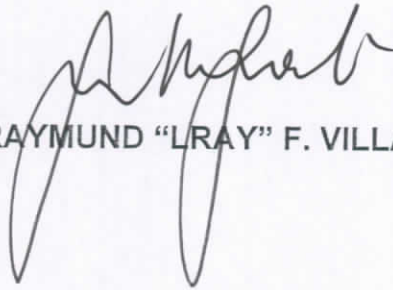
The bill proposes the amendment of Section 5(a) of Presidential Decree No. 1638, entitled "Establishing A New System of Retirement and Separation for Military Personnel of the Armed Forces of the Philippines (AFP) and for Other Purposes," as amended by Presidential Decree No. 1650 which sets the mandatory retirement age for military personnel and officers at 56 years old to extend the compulsory retirement age to 65 years old.

It is recognized that the service provided by military officers and personnel is *sui generis* in its very nature. Members of the AFP are often required to live away from their families and are exposed to danger. They are also subject to extensive and grueling physical and mental training throughout their careers. Hence, the State constantly endeavors to provide them with compensation and benefits package in consideration of their sacrifices, and a lower compulsory retirement age so that they could still enjoy productive civilian lives with their families away from combat.

However, Presidential Decrees 1638 and 1650 which set the current retirement age at 56 years old were issued almost four decades ago. Since then, technological advancements in medicine and medical equipment have prolonged life expectancies worldwide, and allowed individuals to live healthy lives even at advanced age. This fact is reflected in a recent trend of increased compulsory retirement age among several countries including Australia, Belgium, Germany, and several others. These countries recently passed legislation to extend the compulsory retirement age to 67 years old.

This Representation finds it worthy to revisit the aforementioned laws and amend the same to keep up with recent developments. A later compulsory retirement age of 65 years old would also allow the government to benefit from the experience and expertise of our armed officers without necessarily requiring them to remain on the battleground.

In consideration of the foregoing premises, the swift passage of this Bill is sought.

A handwritten signature in black ink, appearing to read 'L. Raymund F. Villafuerte, Jr.', written over the printed name.

LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **7539**

Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

AN ACT

ADJUSTING THE COMPULSORY RETIREMENT AGE FOR OFFICERS AND ENLISTED MEN OF THE ARMED FORCES OF THE PHILIPPINES TO SIXTY-FIVE (65), AMENDING FOR THE PURPOSE SECTION 5 OF PRESIDENTIAL DECREE NO. 1638 ENTITLED "ESTABLISHING A NEW SYSTEM OF RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES" AS AMENDED

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

SECTION 1. *Compulsory Retirement for Military Personnel.* – Section 5(a) of Presidential Decree No. 1638, entitled "Establishing A New System of Retirement and Separation for Military Personnel of the Armed Forces of the Philippines and for Other Purposes," as amended by Presidential Decree No. 1650, is hereby further amended to read as follows:

"Sec. 5.(a). Upon attaining [fifty-six (56)] SIXTY-FIVE (65) years of age or upon accumulation of thirty (30) years of satisfactory active service, whichever is later, an officer or enlisted man shall be compulsorily retired; Provided, That such officer or enlisted-man who shall have attained [fifty-six (56)] SIXTY-FIVE years of age with at least twenty (20) years of active service shall be allowed to complete thirty (30) years of service but not beyond his [sixtieth (60th)] SEVENTIETH (70th) birthday; Provided, however. That such military personnel compulsorily retiring by age shall have at least twenty (20) years of active service:

Provided, further, That the compulsory retirement of an officer serving in a statutory position shall be deferred until completion of the tour of duty prescribed by law; and Provided, finally. That the active service of military personnel may be extended by the President, if in his opinion, such continued military service is for the good of the service."

SECTION. 2. *Repealing Clause.* – All other laws, ordinances, rules, regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

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

Approved