

[PRESIDENTIAL DECREE NO. 1650, November 08, 1979]

AMENDING SECTIONS 3 AND 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."

WHEREAS, Presidential Decree No. 1638 was promulgated to improve and consolidate the various laws pertaining to the retirement of members of the Armed Forces of the Philippines;

WHEREAS, in the implementation of the AFP Military Personnel Retirement and Separation Decree of 1979, certain ambiguities were observed which may result in inequities and/or situational inconsistencies;
and

WHEREAS, there is a cogent need to clarify such ambiguities in order to effectively attain the spirit and intent of the aforesaid Decree;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Section 3 of Presidential Decree No. 1638 is hereby amended to read as follows:

"SECTION 3. For the purpose of this Decree, active service of a military person shall mean active service rendered by him as a commissioned officer, enlistedman, cadet, probationary officer, trainee or draftee in the Armed Forces of the Philippines and service rendered by him as a civilian official or employee in the Philippine Government prior to the date of his separation or retirement from the Armed Forces of the Philippines, for which military and/or civilian service he shall have received pay from the Philippine Government and/or such others as may hereafter be prescribed by law as active service; *Provided*, That for purposes of retirement, he shall have rendered at least ten (10) years of active service as an officer or enlisted man in the Armed Forces of the Philippines; and *Provided further*, That no period of such civilian government service longer than his active military service shall be credited for purposes of retirement.

SEC. 2. Section 5 of Presidential Decree No. 1638 is hereby amended to read as follows:

"SECTION. 5(a). Upon attaining fifty-six (56) 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 enlistedman who shall have attained fifty-six (56) 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) birthday; *Provided, however*, That such military personnel compulsorily retiring by age shall have at least twenty (20) years of