

[PRESIDENTIAL DECREE NO. 1226, October 25, 1977]

AMENDING PRESIDENTIAL DECREE NO. 567 TO AUTHORIZE THE PRESIDENT OF THE PHILIPPINES TO EXTEND DRAFT SERVICE.

WHEREAS, Presidential Decree No. 567 dated October 18, 1974, amending Presidential Decree No. 182 dated May 6, 1973, extends the draft sendee of conscriptive period of trainees into selective emergency military service, from 12 months to 18 months;

WHEREAS, the exigencies of the service may require the continued service of draftees to maintain the effectiveness of selected units of the Armed Forces of the Philippines; and

WHEREAS, the utilization of draftees and trainees on extended tour as members of selected units of the Armed Forces of the Philippines exposes them to the same risks as the other members of the Regular Force;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby amend Presidential Decree No. 567 as follows:

SECTION 1. After completion of the training and service of each trainee as prescribed under Section 53 of the National Defense Act, as amended by Republic Act No. 4091, each trainee may thereafter be drafted into selective emergency military service for eighteen months unless the continued service beyond eighteen months of draftee is, in the opinion of the President of the Philippines, required for the good of the service and any selected draftee who refuses to render such service shall be punished as a Military Tribunal created under General Order No. 8 may direct; *Provided*, That within the last six months of conscriptive service, a draftee not enlisted into the Regular Force shall be given the opportunity to undertake a viable training program wherein he could acquire knowledge and skill's essentially needed in obtaining a gainful employment after he is mustered out of the Armed Forces of the Philippines. In case of vacancies for enlistment in the Regular Force, the best qualified draftees shall be given priority in filling up such vacancies; *Provided*, That a draftee shall receive the base pay and all allowances equivalent to that of a private in the regular force; and if employed for combat operations, he shall be entitled to all benefits similar to that received by any member of the regular force; *Provided, further*, That for every year of training and service, to include the emergency military selective service: herein *provided* for, a draftee shall receive a separation gratuity of not less than one month salary upon the condition that a period of six months shall be considered a complete year for purposes of this gratuity; *Provided, finally*, That a draftee or one who rendered service as contemplated above shall be given priority in appointments in the government service, commensurate to his training, experience, and educational qualifications, provisions of the Civil Service Law to the contrary notwithstanding.

SEC. 2. Notwithstanding the provisions of Section (1) hereof, a draftee or trainee on extended tour killed in action shall be automatically enlisted on the date of his death as private in the Regular Force and shall be separated as private first class with benefits corresponding to such rank.