

[REPUBLIC ACT NO. 878, June 19, 1953]

AN ACT TO AMEND SECTION TEN OF REPUBLIC ACT NUMBERED THREE HUNDRED AND FORTY ENTITLED "AN ACT TO ESTABLISH A UNIFORM RETIREMENT SYSTEM FOR THE ARMED FORCES OF THE PHILIPPINES, TO PROVIDE FOR SEPARATION THEREFROM, AND FOR OTHER PURPOSES."

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

SECTION 1. Section ten of Republic Act Numbered Three hundred and forty is hereby amended to read as follows:

"SEC. 10. An enlisted man or officer below the rank of colonel who is entitled to the benefits of this Act shall be retired or separated from the service one rank or grade higher than the permanent rank or grade he holds for at least one year at the time of retirement or separation. *Provided*, That such separation of officer or enlisted man was not a punishment duly meted him as a result of general or special court martial findings: *And, provided, further*, That separation from the service was not due to his own misconduct, willful failure, the intemperate use of drugs or alcoholic liquor or vicious or immoral habits: *And, provided, finally, however*, That officers and enlisted men promoted before retirement because of their capabilities for the next higher rank or grade would not be made to assume their ranks or grades before retirement when recalled to active duty unlike those retired officers and enlisted men automatically raised one rank or grade by operation of this Act who shall resume their ranks or grades prior to their retirement. The gratuity or retirement pay provided in section two, and the separation pay provided in section eight of Act Numbered Three hundred forty shall be computed upon the basis of such higher rank or grade in which the officer or enlisted man may be retired or separated.

SEC. 2. This Act shall take effect from July twenty-six, nineteen hundred forty-eight.

Approved, June 19, 1953.



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