

[REPUBLIC ACT No. 803, June 21, 1952]

**AN ACT TO AMEND SECTIONS THREE AND FOURTEEN OF
REPUBLIC ACT NUMBERED THREE HUNDRED AND FORTY,
OTHERWISE AS THE ARMED FORCES RETIREMENT.**

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

SECTION 1. Sections three and fourteen 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," are amended to read as follows:

"SEC. 3. Upon the death of an officer or enlisted man who has been retired or would, at the time when he died, have been entitled to retire under section one of this Act, the surviving legitimate, adopted or acknowledged natural children of such officer or enlisted man and/or his widow, shall be entitled to receive, in equal shares and with the right of accretion, fifty *per centum* of the pension which the officer or enlisted man was receiving or would have been entitled to receive if he had not died: *Provided*, That no payment under this section shall be made to children after they have attained the age of twenty-one years or have married, nor to the widow if she remarries: *Provided, further*, That no payment whatever shall be made to the widow if her marriage to the deceased officer or enlisted man was contracted after his retirement from the service.

"SEC. 14. This Act shall take effect upon its approval, but the provisions of sections two and three hereof shall be given retroactive effect with respect to—

"(a) Officers and enlisted men who died after December eight, nineteen hundred and forty-one and who did not apply for retirement under Commonwealth Act Numbered One hundred and ninety during their lifetime but were, at the time of their death and by reason of length of service, otherwise entitled to retire under said Act;

"(b) Officers and enlisted men who had been retired and given gratuity under the provisions of Commonwealth Act Numbered One hundred and ninety and were recalled to active service on or after December, eight, nineteen hundred and forty-one: *Provided*, That they shall be required to refund to the