

**[ REPUBLIC ACT NO. 610, May 04, 1951 ]**

**AN ACT TO PROVIDE FOR GRATUITIES AND PENSIONS FOR OFFICERS AND ENLISTED MEN WHO DIE OR ARE DISABLED AS A RESULT OF WOUNDS OR INJURIES RECEIVED OR SICKNESS OR DISEASE INCURRED IN LINE OF DUTY IN THE ACTIVE SERVICE OF THE ARMED FORCES OF THE PHILIPPINES OR THE PHILIPPINE CONSTABULARY, AUTHORIZING THE APPROPRIATIONS OF FUNDS THEREFOR, AND FOR OTHER PURPOSES.**

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

PRELIMINARY PROVISIONS

SECTION 1. *Short title.*-This Act shall be known and cited as the "Armed Forces Death Gratuity and Disability Pension Act of 1951".

SEC. 2. *Definitions.*-For the purposes of, and when used in, this Act, the following terms shall be construed in the sense indicated in this section, unless the context of a particular provision clearly indicates that a different sense is intended:

- a. "Officer" shall mean any commissioned officer of the Armed Forces of the Philippines or Philippine Constabulary, whether regular or reserve, probationary second lieutenant, cadet of the Philippine Military Academy, and aviation or naval cadet.
- b. "Enlisted man" shall mean any person regularly enlisted in the Armed Forces of the Philippines or Philippine Constabulary, or an enlisted reservist, or any trainee who has been duly accepted and sworn in for trainee instruction pursuant to the provisions of the National Defense Act.
- c. "Active service" means any active duty in the Regular or Reserve Force, Armed Forces of the Philippines, or in the Philippine Constabulary, including any period of military training as cadet, trainee, probationary second lieutenant or reservist, pursuant to the provisions of the National Defense Act.
- d. "Child" includes any child entitled to support under the Civil Code.
- e. "Father" and "mother" include, in the absence of a parent by nature, a father or mother by adoption and, in the absence of a legal parent, any person who stood in "loco parentis" to the deceased at least one year prior to his entry into the active service.
- f. "Widow" shall include the wife or husband of Armed Forces personnel not legally separated by final judicial decree from the deceased.

- g. "Reasonable maintenance" includes housing, food, clothing and medical care sufficient to sustain a living suitable to and consistent with the parent's reasonable mode of living.

#### DEATH GRATUITY

SEC. 3. Hereinafter upon the death of any officer or enlisted man as the proximate result of wounds or injuries received or sickness or disease incurred in the active service and in line of duty, the surviving widow and/or children not emancipated shall receive a gratuity of three thousand pesos to be paid in lump sum. The widow shall receive one-half (1/2) of the amount and the other half shall be divided equally among the children entitled thereto. In the absence of a widow or child the gratuity herein provided shall be payable to the father and mother, the sum to be divided equally among the parents if both survive the deceased.

SEC. 4. The right provided for in the preceding section shall be determined as of the time of the death of the officer or enlisted man: *Provided*, That if, prior to the final settlement, any beneficiary should die, his or her share shall pass to the intestate heirs under the Civil Code.

#### DISABILITY PENSION

SEC. 5. For disability which is the proximate result of wounds or injuries received or sickness or disease incurred in the active service and in line of duty by any officer or enlisted man, the Government of the Republic of the Philippines will pay to any person so disabled, and who is honorably separated from the active service by reason of such disability, a pension in accordance with the rates specified below:

- a. If and while the disability is rated 25 *per centum* the monthly pension shall be P30.
- b. If and while the disability is rated 50 *per centum* the monthly pension shall be P50.
- c. If and while the disability is rated 60 *per centum*, the monthly pension shall be P60.
- d. If and while the disability is rated 70 *per centum*, the monthly pension shall be P70.
- e. If and while the disability is rated 80 *per centum*, the monthly pension shall be P80.
- f. If and while the disability is rated 90 *per centum*, the monthly pension shall be P90.
- g. If and while the disability is rated total, the monthly pension shall be P100, unless otherwise provided in the succeeding paragraphs.
- h. If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of use of only one hand/or one foot, or blindness of one eye, having only light perception, the rate of the pension under the foregoing paragraphs shall be increased by P30 per month.
- i. If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of use of both hands, or of both feet, or of one hand and one foot, the rate of pension under the foregoing paragraphs shall be increased by P40 per month.

#### GENERAL PROVISIONS