

**[ REPUBLIC ACT NO. 291, June 16, 1948 ]**

**AN ACT TO PROVIDE FOR THE PROCUREMENT, PROMOTION AND  
ELIMINATION OF REGULAR OFFICERS OF THE ARMED FORCES  
OF THE PHILIPPINES, AND FOR OTHER PURPOSES.**

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

**SHORT TITLE**

This Act, divided into sections according to the following table of contents, may be cited as the "ARMED FORCES OFFICER PERSONNEL ACT of 1948."

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SECTION 1. *Appointment and assignment in branch —Authorized strength of branches.—*

- a. Officers shall be permanently appointed by the President in the Regular Force, but all appointments of general officers and colonels shall be made with the consent of the Commission on. Appointments: *Provided*, That appointments in the Naval Patrol will be in the Naval Patrol ranks equivalent to those of the Ground and Air Forces. Whenever grades are mentioned in this Act, it shall be deemed to include the equivalent Naval Patrol grades.

- b. Officers holding permanent appointments in any general officer grade in the Regular Force shall be known as General Officers of the Regular Force.
- c. Appointments of officers in commissioned officer grades below that of brigadier general in the Regular Force shall be made in the Air Corps, in the Naval Patrol in the Judge Advocate General's Service, and in each of the several corps of the Medical Service; but otherwise they shall be made in the Regular Force without specification of branch, arm or service. Those appointed without specification of branch, arm, or service shall be assigned, and may from time to time be transferred or reassigned, by the Secretary of National Defense in the several branches, arms and service of the Regular Force, excluding the Judge Advocate General's Service and the several corps of the Medical Service, according to the professional qualifications of the officers concerned and the needs of the branches, arms and services: *Provided*, That no transfers from the Air Corps and the Naval Patrol to the other branches, arms or services shall be permitted.
- d. The authorized active list of commissioned officer strength of the Air Corps; of the Naval Patrol; of the Judge Advocate General's Service; and of each of the several corps of the Medical Service; and of each of the several corps, arms and services of the Regular Force, in which officers are assigned as distinguished from those in which officers are appointed, shall from time to time, be determined by the Secretary of National Defense within the authorized active list of commissioned officer strength of the Regular Force and within any limitations provided by law.
- e. Under regulations prescribed by the Secretary of National Defense, officers appointed or assigned in one branch, arm or service, may be detailed in and for duty with any other branch, arm or service.
- f. Persons now vested with office in the Regular Force in the several commissioned officer grades .under appointments as officers in the several branches, arms or services, excluding those appointed in the Air Corps, Naval Patrol, Judge Advocate General's Service, and the several corps of the Medical Service, shall be deemed to hold such office under appointments in the Regular Force without specification of branch, arm or service and to be assigned in the branch, arm or service specified in their appointments.

SEC. 2. *General officers of the Regular Force.*—

- a. There shall be maintained a seniority list of the general officers of the Regular Force. The first name on the list shall be that of the general officer most senior in the permanent general officer grade; the second name on the list shall be that of the senior next below the first; the third on the list shall be that of the senior next below the second; and so on throughout the list.
- b. The authorized number of general officers of the Regular Force shall be not more than one half (0.5) *per centum* of the total authorized officer strength of the Armed Forces: *Provided*, That the general officers will be allotted to the various branches, arms and services as the Secretary of National Defense shall prescribe.

SEC. 3. *Authorized numbers in grades below brigadier General-Promotion list-Seniority-Date of rank.—*

- (a) The names of all active list commissioned officers of the Regular Force in permanent grades below that of brigadier general shall be carried on promotion lists hereinafter prescribed and such officers may be referred to as Promotion List Officers.
- (b) (1) The authorized numbers in each of the several grades in each of the several promotion lists shall be prescribed by the Secretary of National Defense by a schedule of percentages in each grade for each list, which schedule of percentages may be different for each promotion list, but the numbers thus authorized in each, of the several grades in each of the several promotion lists, shall not exceed any limitations prescribe by law and shall not exceed in any promotion list the following percentages of the total officer strength authorized for the Armed Forces: four (4) *per centum* in grade of colonel, ten (10) *per centum* in grade of lieutenant-colonel, sixteen (16) *per centum* in grade of major, twenty-one (21) *per centum* in grade of captain, and forty-eight and one-half (48.5) *per centum* in the combined grades of first and second lieutenants: *Provided*, That in the Medical Corps and Judge Advocate General's Service there shall be no second-lieutenants, and the numbers authorized in the grade of first-lieutenant in such promotion list shall be all those not authorized in higher grade: *Provided, further*, That numbers may be authorized for any grade in any promotion list in lieu of authorizations in higher grades: *And, provided, further*, That this provision shall not operate to require a reduction in permanent grade of any officer in any promotion list now holding permanent appointment in any grade.
- (2) The number authorized by the Secretary of National Defense for each grade in each promotion list, may be exceeded by the number of vacancies existing in higher grades in that list.
- (c) Promotion Lists. (1) The Regular Force promotion list shall contain the names of all promotion list officers except officers of the Air Corps, Naval Patrol, Judge Advocate General's Service, and the several corps of the Medical Service.
- (2) The Air Corps promotion list shall contain the names of all promotion list officers of the Air Corps.
- (3) The Naval Patrol promotion list shall contain the names of all promotion list officers of the Naval Patrol.
- (4) The Judge Advocate General's Service promotion list shall contain the names of all promotion list officers of the Judge Advocate General's Service.
- (5) The Medical Corps promotion list shall contain the names of all promotion list officers of the Medical Corps.
- (6) The Dental Corps promotion list shall contain the names of all promotion list officers of the Dental Corps.
- (7) The Veterinary Corps promotion list shall contain the names of all promotion list officers of the Veterinary Corps.
- (8) The Nurse Corps promotion list shall contain the names of all promotion list officers of the Nurse Corps.

(d) Date in Rank and Seniority in Permanent Grade.

(1) On each of the several promotion lists, names of officers shall be arranged by grade in which the officers hold permanent appointments in the Regular Force in the following order: First, colonels; second, lieutenant-colonels; third, majors; fourth, captains; fifth, first-lieutenants; and sixth, second-lieutenants.

The words "grade," "senior" and "seniority" as used in this section mean "permanent grade," "senior in permanent grade," and "permanent grade seniority," respectively.

(2) Among officers of the same grade and promotion list, names shall be arranged as provided in this act and seniority among such officers shall be established thereby. The officer whose name appears first on such list shall be the senior, the officer whose name appears second on the list shall be the senior next below the first, the officer whose name appears third on the list shall be the senior next below the second, and so on throughout the list.

(3) Among officers of the same grade whose names are not contained on the same promotion list, the officer with the earliest date of rank shall be the senior, and in cases of same date of rank, the officer with the greatest amount of continuous active commissioned service shall be the senior, and in cases when this is the same, seniority shall be established at the time of original appointment in the Regular Force, and in cases not covered by the foregoing, as established by the Secretary of National Defense. Any officer transferred from one branch, arm or service to another, the officers of which are contained on a different promotion list, shall have his name entered upon such new promotion list among the officers in his grade in accordance with their relative seniority as hereinabove defined.

(4) Unless specifically provided otherwise, upon appointment of a promotion list officer in any grade, such officer's name shall be placed at the bottom of the list of officers of the grade in which appointed.

(e) The President shall cause the names of officers of the Regular Force to be carried on promotion list which shall establish permanently the relative seniority of such officers, subject to exceptions made in accordance with this Act: *Provided*, That the Seniority and Lineal Rosters of regular officers as of 6 August 1941, as corrected, shall be the basis of all lists that may be made in compliance to this Act: *And provided further*, That within the period of one year after the passage of this Act, the President of the Philippines may make the necessary adjustment in the seniority and lineal rosters of regular officers by promoting any officer not more than one grade for outstanding merit, proven loyalty and war records.

(f) Except as otherwise provided in this Act, the date of rank of an officer in the Regular Force, shall be the date of appointment in that rank in the Regular Force.

(g) The Chief of Staff shall cause all changes occasioned by separations, appointments, loss of rank by action of court martial, and all other changes due to the operations of law or

regulations to be entered on the approved promotion lists, and as corrected, these lists shall be published to the Armed Forces at least once each year.

SEC. 4. *Procurement of additional officers.*—

- a. Within the authorized active list commissioned officer strength of the Regular Force, the President is authorized to appoint additional officers in the Regular Force in commissioned officer grades as hereinafter, in this section, prescribed, subject to the condition and limitations set forth.
- b. All persons appointed officers in the Regular Force pursuant to this section shall be natural-born citizens of the Philippines, not less than twenty-one nor more than twenty-six years of age, of good moral character, physically qualified for active military service, and shall have such other qualifications as may be prescribed by the Secretary of National Defense: *Provided*, That persons appointed in the Air Corps shall be not less than nineteen years of age.
- c. Except as hereinafter authorized or unless otherwise expressly provided by law, all initial appointments of Regular Officers shall be in the grade of second-lieutenant. Priority in filling vacancies in the grade of second-lieutenant will be given: first, to graduates of the Philippine Military Academy or of the United States Military or Naval Academy, or Philippine Air Force or United States Air Force Flying Schools; second, to honor graduates of senior military training units in schools and colleges; third, to enlisted men who, at the time of appointment, shall have served for at least one full term of enlistment in the Armed Forces of the Philippines and have such other qualifications as may be prescribed by the Secretary of National Defense; and fourth, others who shall have such qualifications as the Secretary of National Defense shall prescribe: *Provided*, That original appointments in the Judge Advocate General's Service and the Medical Corps shall be in the grade of first-lieutenant from among applicants who, at the time of appointment, shall be not less than twenty-five nor more than thirty-five years of age, and in addition have engaged in the practice of law for at least two years, if appointment is to be made in the Judge Advocate General's Service; and shall have engaged in the practice of medicine for at least two years, if appointment is to be in the Medical Corps: *Provided, further*, That the President may appoint professors without military rank for the Military Academy, with such compensation as he may prescribe or in such commissioned grades of the Regular Force as he may determine, such professors, associate professors and assistant professors, to be carried as separate roster and in addition to the number of commissioned officers prescribed.
- d. When any cadet of the Philippine Military Academy or of the United States Military or Naval Academy or Philippine Air Force or United States Air Force Flying Schools has completed the prescribed course of instruction, he may, upon graduation, be appointed as second-lieutenant in the Regular Force, and whenever any such appointment would result in there being a number of active list