

[ADMINISTRATIVE ORDER NO. 150, January 04, 1990]

**DELEGATING TO THE SECRETARY OF NATIONAL DEFENSE THE
AUTHORITY TO APPROVE THE COMPULSORY RETIREMENT OF
MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES**

WHEREAS, Presidential Decree No. 1638 as amended by PD 1650 also known as the AFP Military Personnel Retirement and Separation Decree of 1979 provides in its Section 5.a. that:

"SECTION 5.a. Upon attaining fifty-six (56) years of age or upon accumulation of thirty (30) years of satisfactory active service, whichever is later, an officer or enlistedman shall be compulsorily retired: provided, that such officer or enlistedman who shall have attained fifty-six (56) years of age with at least twenty (20) years of active service shall be allowed to complete thirty (30) years of service but not beyond his sixtieth (60) birthday; Provided, however, That such military personnel compulsorily retiring by age shall have at least twenty (20) years of active service; Provided, further, That a statutory position shall be deferred until completion of the tour of duty prescribed by law; and, Provided, finally, That the active service of military personnel may be extended by the President, if in his opinion, such continued military service is for the good of the service."

WHEREAS, the practice has been to secure Presidential approval of the compulsory retirement of military personnel;

WHEREAS, this practice must now yield to government's policy of decentralization and administrative delegation of functions, especially when viewed in the light of Section 5(5) of Article XVI of the 1987 Constitution which prohibits the extension of service of officers of the AFP who have reached the date of their compulsory retirement.;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby delegate to the Secretary of National Defense the authority to approve the compulsory retirement of officers and enlistedmen of the Armed Forces of the Philippines, in accordance with the existing laws on retirement. The Secretary of National Defense is likewise empowered to promulgate specific rules and regulations to carry out this delegation of authority.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 4th day of January, in the year of Our Lord, nineteen hundred and ninety.