

[EXECUTIVE ORDER NO. 260, July 24, 1957]

REGULATIONS GOVERNING SENIORITY, PROMOTION, AND SEPARATION FROM THE SERVICE OF RESERVE OFFICERS OF THE ARMED FORCES OF THE PHILIPPINES

Pursuant to subsections (e) and (f), section 22, of the National Defense Act, as amended, I, Carlos P. Garcia, President of the Philippines, do hereby prescribe the following regulations governing seniority, promotion, and separation from the service of Reserve officers of the Armed Forces of the Philippines:

I. Seniority

1. *a.* The relative seniority of all Reserve officers prior to the promulgation of this Order shall be as established under Executive Order No. 212, dated July 6, 1939, and regulations not inconsistent therewith.

b. The names of all such officers shall be carried in separate promotion lists similar to those established for Regular officers of like grade.

2. The relative seniority of Reserve officers originally appointed in or promoted to any permanent grade on or after the promulgation of this Order shall be established as follows:

a. Their names shall be placed at the bottom of the applicable grade and promotion list established pursuant to paragraph 1 above, in the order of their effective dates of appointment or promotion.

b. Seniority among officers originally appointed on the same date and in the same grade and promotion list, shall be as specified in their orders of appointment.

c. Seniority among officers promoted to the same grade on the same date shall be in accordance with their relative seniority in the previous grade, unless otherwise required by operation of law.

3. *a.* Relative seniority established pursuant to paragraphs 1 and 2 above shall not hereafter be affected by active service nor changed except as a result of separations, appointments, promotions, loss of seniority pursuant to an approved sentence of a court-martial, and other changes due to the operation of law and regulations.

b. The Chief of Staff shall cause all changes in the promotion lists to be published at least once each year.

II. Promotion

4. *Reserve officers on inactive status.*—Reserve officers on inactive status shall become eligible for promotion to the next higher permanent grade upon satisfying the following minimum requirements:

a. There must be a vacancy in the peacetime procurement objective of the Reserve Force for the grades of Major and higher.

b. Completion of the following time in permanent grade (inactive and active); three (3) years as second lieutenant for promotion to first lieutenant; four (4) years as first lieutenant for promotion to captain; five (5) years as captain for promotion to major; six (6) years as major for promotion to lieutenant colonel; seven (7) years as lieutenant colonel for promotion to colonel; and two (2) years as colonel for promotion to brigadier general: Provided, That any officer shall, for purposes of promotion in permanent grade, be credited with at least the same time in permanent grade as any officer below him in the same grade and promotion list.

c. Completion of twenty-one (21) days active, duty training in grade, or equivalent training prescribed, by the Chief of Staff, subject to waiver by the Chief of Staff or the Secretary of National Defense, as the exigencies of the service may require.

5. *Reserve officers on extended tour of active duty for six months or more.*—Reserve officers serving on extended tour of active duty for six (6) months or more shall be promoted in permanent and temporary grade in accordance with the laws and regulations prescribed for Regular officers of like grade and branch of service: Provided, That in applying to such Reserve officers the length of service requirements prescribed for the promotion of Regular officers, both the active and inactive service of such Reserve officers shall be counted.

b. The Reserve officers hereinabove specified, if found qualified, shall also be promoted in permanent grade whenever any Reserve officer on inactive status who is below them in the same grade and promotion list, is promoted in permanent grade.

c. Should the promotion of an officer by operation of subparagraph b above result in there being an excess of officers that can be maintained on active duty in that grade, the President may appoint and call him for extended tour of active duty in the next lower temporary grade. An officer serving in a lower temporary grade shall retain his permanent grade (inactive) in the Reserve Force.

d. As long as any Reserve officer continues to serve in a lower temporary grade, no other Reserve officer in the same promotion list shall (1) be called to an extended tour of active duty for six months or more in the permanent grade of the former; or (2) be promoted to the permanent grade of the former by operation of subparagraph a above.

6. *Readjustment of Pre-War Grades.*—a. Notwithstanding the provisions of this Order, all Reserve officers whose prewar grades have not as yet been readjusted shall be entitled to have such grades readjusted by not more than two grades above their permanent grades in 1941, under such rules and regulations as the Chief of Staff, upon approval by the Secretary of National Defense, may prescribe: Provided, That such readjustment of grades shall follow as closely as practicable the policies