

[Acts No. 4177, December 05, 1934]

AN ACT TO AMEND SECTION FIVE OF ACT NUMBERED TWO THOUSAND FIVE HUNDRED AND EIGHTY-NINE ENTITLED "AN ACT PROVIDING FOR A GRATUITY BY REASON OF RETIREMENT TO OFFICERS AND EMPLOYEES OF THE PHILIPPINE GOVERNMENT WHO HAVE RENDERED SATISFACTORY SERVICE DURING SIX CONTINUOUS YEARS OR MORE, AND FOR OTHER PURPOSES," AS AMENDED BY ACT NUMBERED THREE THOUSAND TWO HUNDRED AND THIRTY-THREE.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section five of Act Numbered Two thousand five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," as amended by Act Numbered Three thousand two hundred and thirty-three, is hereby further amended to read as follows:

"SEC. 5. A Person separated or retired under the provisions of this Act may be reappointed to any position in the Government of the Philippine Islands, but by accepting such reappointment he shall forever waive all future gratuity payments, pensions or claims under the provisions of this or any other existing Act. Similarly, a retired person who, under the provisions of this Act, shall have received or discounted the gratuity payments to which he was entitled shall, upon his reappointment to any position in the Government of the Philippine Islands, first refund to the government or to the investment fund or bank to payments, which he had assigned his rights to the gratuity, the total amount of gratuity payments already received or the total discounted value of all the gratuity payments which he would not yet have received had these been made to him in monthly installments: *Provided*, That the respective Department Head may authorize the reappointed officer employee to pay the sum to be refunded by him in monthly installments equivalent to the sum being paid by the Insular Government to him or the investment fund or bank, said monthly installments to be deducted from the monthly pay accruing to him after reappointment, and said monthly deductions to continue until the total amount of gratuity payments already received or the last monthly installment payable by the Insular Government to the investment fund or bank shall have been paid in full, the sum deducted from the salaries of reappointed officers and employees as herein authorized shall accrue as refund to the unappropriated surplus of the Insular Government: *Provided, however*, That if the reappointed officer or employee is separated from the service by reason of death or abolition of his position, before the last monthly installment is refunded, said employee or his estate shall not be required to refund such amount as may still remain unrefunded upon his death or abolition of his position."