

## [ Act No. 3050, March 10, 1922 ]

### **AN ACT TO PROVIDE ANNUAL PENSIONS FOR TEACHERS EMPLOYED IN THE PHILIPPINE PUBLIC SCHOOLS; TO APPROPRIATE MONEY AND REGULATE THE DISBURSEMENT THEREOF**

*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. Beginning on the first day of April next following the date of the approval of this Act, all teachers, principals, supervisors, inspectors, superintendents, and other persons employed in supervising and directing the school work of teachers in the public school service of municipalities, provinces, and the Insular government of the Philippine Islands, whose positions are not classified as purely clerical, without regard as to status in the classified civil service of the Philippine Islands, who have on that day, or who shall have on any date thereafter, rendered at least twenty years of service as computed in section seven of this Act, shall be eligible for retirement on an annuity as provided in section two hereof: *Provided*, That lecturers and other special instructors who render provisional service shall not be eligible for pension nor shall such services be counted as teaching service in computing the length of service of a teacher; *Provided*, further, That the provisions of this Act shall not include persons who are not citizens of the Philippine Islands or of the United States of America.

SEC. 2. For the purpose of determining the amount of annuity which a retired employee shall receive the following classifications and rates shall be established upon the basis of the annuity consisting of a fractional part of the average pay, salary or compensation, for the three years of service rendered prior to the granting of the pension with maximum average pay, salary or compensation in no case exceeding four thousand pesos per annum. The annual annuity as computed under this Act shall be four-tenths of the average salary for twenty years of service; five-tenths of the average salary for twenty-three years of service; six-tenths of the average salary for twenty-six years of service; seven-tenths of the average salary for twenty-nine years of service; eight-tenths of the average salary for thirty-two or more years of service.

SEC. 3. All eligible persons shall be automatically insured and shall upon their own volition apply for the pension status under the provisions of this Act, advising the Director of Education of their intention to retire with pension at least three months prior to the effective date, and shall render service until the close of a school year unless retired at the expiration of such accrued leave\*of absence with pay as entitled to, or for reasons of unfitness for service: *Provided*, That the Director of Education may require continued service until the retiring employee can be relieved by a competent person, making the effective date of retirement not later than six months after the date requested.

SEC. 4. An employee to whom this Act applies who has rendered not less than fifteen years of service as computed in this Act, and who becomes totally disabled for useful and efficient service regardless of the age of the employee upon his own application approved by the Director of Education or upon the request of the

Director of Education, may be retired for unfitness for service due to total physical or mental disability, on an annuity of two-tenths of his computed average salary under the provisions of this Act if the disability has not been due to vicious habits, intemperance, or wilful misconduct of the employee: *Provided*, That the unfitness shall be certified to by both the Director of Education and a government health officer, and the person so retired shall present himself personally during the months of January and July of each calendar year to a public health officer during the period he receives a pension for unfitness for service to determine his fitness to return to the service and to cease receiving the pension benefit. Pension for unfitness for service shall not be granted for a longer period than ten years and shall cease when the employee returns to the service or neglects to return to the service when requested to do so, or engages in another gainful occupation with compensation equal to the amount of pension. In all cases where the annuity is discontinued by causes other than death or the return of the employee to the service before the annuitant has received a sum equals to the total amount of his or her contributions with accrued interest, the difference shall be paid to the retired employee, upon application therefor in such form and manner as the "Pension and Investment Board" may direct.

SEC. 5. Upon death of an employee entitled to the provision of this Act who is rendering service at time of death or who is retired on pension, he shall have fifty per cent of the pension to which the employee would be entitled if alive, paid to surviving acknowledged children of his or her issue for a period of not to exceed ten years, or to the surviving lawful husband or wife if there are no children eligible under the provisions of this Act to receive the same: *Provided*, That pension funds shall not be paid to children over eighteen years of age or to married children, or to a remarried surviving wife or husband.

SEC. 6. All employees eligible for the provisions of this Act shall receive full credit for service rendered in the Philippine public school system prior to the date this Act shall become operative, and the date of the first day of service shall be the date when such service first began and continuity of service shall not be required in computing the length of service except for the last three years prior to the granting of the pension.

SEC. 7. In computing the length of service for the purposes of this Act all periods of separation from the service and so much of any leave as is without pay, except regular school vacation periods for classroom teachers with temporary civil service status, shall be excluded.

SEC. 8. Beginning on the first day of the fiscal year following the approval of this Act and annually thereafter there shall be included in the total sums appropriated for or pay compensation of employees to whom this Act applies a sum equal to three per centum of the total sum for pay or compensation made by Insular, provincial, or municipal legislation, and the said sum shall be transferred on the books of the Insular Treasurer to the credit of a special fund to be known as the "Teachers Retirement and Disability Fund," and said fund is hereby appropriated for the payment of annuities, allowances, and expenses as provided in this Act, and for investment by the "Pension and Investment Board" created in section twelve of this Act. The "Pension and Investment Board" is hereby directed to invest from time to time in interest-bearing securities of the government of the Philippine Islands or of the United States of America such