

[Act No. 2589., February 04, 1916]

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.

By authority of the United States, be it enacted by the Philippines Legislature, that:

SECTION 1. Whenever a regular and permanent appointed officer or employee in the Philippine civil is actually in the service and who has rendered faithful and satisfactory service for at applies to the Governor-General for retirement said service and the Governor-General shall find, after receiving the recommendation of the Director of Civil Service and the chief of the Bureau of Office concerned, that such officer or employee making the application has in every way been efficient up to and including the date of retirement , and the retirement applied for will not prejudice or obstruct the regular and efficient operation of the Bureau affected, the Governor-General, in his discretion, may grant such retirement, and in consideration of the services rendered, an annual gratuity for three consecutive years according to the following schedule; An officer or employee who at the time of retirement shall have rendered at least ten years of continuous service may receive annual gratuity of thirty-three and one-third per centum of the salary last received; thirty per centum of such salary when nine but less than ten years of continuous service have been rendered; twenty-six and two-thirds per centum of such salary when eight but less than nine years of continuous service have been rendered; twenty-three and one third per centum of such salary when six but less than seven years of continuous service have been rendered. The gratuities herein provided for may be paid in the Philippine or in the United States as the retired official or employee may desire, in monthly installments, and in the event of death shall be payable in his estate: *Provided, however,* that any officer or employee entitled to the benefits of this Act, and who is entitled to any benefits from any pension fund created by authority of the Philippines Legislature, shall be required to designate which of such benefits he desire to take advantage of, and in such case he shall be entitled only to the benefits so chosen: *And provided further,* That if he elects the benefits of this law he shall have refunded to him amounts deducted from his salary for the benefit of any other retirement fund: *And provided further,* That following officers and employees shall not be entitled to the benefits of this Act: Officers and employees whose full time is not given to the Government service ; professional officers or employees who practice their profession for profit; officers and employees detailed from the Army and Navy, or civil service of the United States; and persons now receiving a pension or retirement pay from the Government of the United States.

SEC.2. Vacancies occurring in the service as a result of retirements according to the provisions of the next proceeding section, shall not be filled, and the positions corresponding thereto shall be considered abolished *ipso facto* except when such position is that of Chief Justice or Associate Justice of the Supreme Court or a judge of First Instance, chief of assistant chief of Bureau, chief of clerk or chief of division: *Provided, however,* That upon the request of the chief of Bureau or Office, affected based the exigencies of the service and favorably recommended the proper head of Department, the Governor-General authorize, in his discretion, after hearing by the