

# [ Commonwealth Act No. 558, June 07, 1940 ]

## **AN ACT TO AMEND SECTIONS ONE AND TWO OF COMMONWEALTH ACT NUMBERED ONE HUNDRED AND FIFTY. ENTITLED AN ACT TO PROVIDE FOR THE PAYMENT OF LONGEVITY PAY TO COMMISSIONED OFFICERS OF THE ARMY OF THE UNITED STATES JOINING THE ARMY OF THE PHILIPPINES AND TO INCLUDE SERVICE IN THE ARMY OF THE UNITED STATES AND/OR IN THE UNITED STATES MILITARY OR NAVAL ACADEMY IN DETERMINING THE PAY AND RIGHTS OF RETIREMENT OF COMMISSIONED OFFICERS IN THE ARMY OF THE PHILIPPINES."**

*Be it enacted by the National Assembly of the Philippines:*

SECTION 1. Sections one and two of Commonwealth Act Numbered One hundred and fifty are amended to read as follows:

"SECTION 1. Commissioned officers of the Army of the United States who are appointed to any commissioned grade in the Regular force of the Army of the Philippines shall be entitled to receive longevity pay based on the length of service rendered up to January first, nineteen hundred and thirty-three: *Provided*, That, all former officers of the Army of the United States and graduates of the United States Military Academy and of the United States Naval Academy, who have been appointed to any commissioned grade in the Army of the Philippines prior to the date this Act takes effect shall, from the date of such appointment in the Army of the Philippines, receive the benefits of the same."

"SEC. 2. On determining the right of retirement of a commissioned officer of the Regular Force, of the Army of the Philippines, active duty performed as a commissioned officer or as an enlisted man in the Army of the United States, and/ or as a cadet in the United States Military Academy or United States Naval Academy, shall be credited to the same extent as service under a regular commission or other active duty with the Army of the Philippines: *Provided*, That said period of service in the Army, Military Academy or Naval Academy of the United States for which he may be receiving retirement pay from the Army of the United States shall not be counted in computing the amount of retirement pay that he shall be entitled to in the Army of the Philippines: *And provided, further*, That any officer of the Army of the United States who retires or who has retired from that army in order to accept a commission in the Army of the Philippines shall receive a retirement pay from the Philippine Government, which shall be the difference of the retirement pay he would have received from the Army of the United States had he remained in it and the actual pay paid to him by the Army of the United States on the date of his retirement, it being understood that the actual date of complete independence of the Philippines shall be the date on which the maximum attainable rate of retirement pay from the Army of the United States shall be computed for the purpose herein above described."