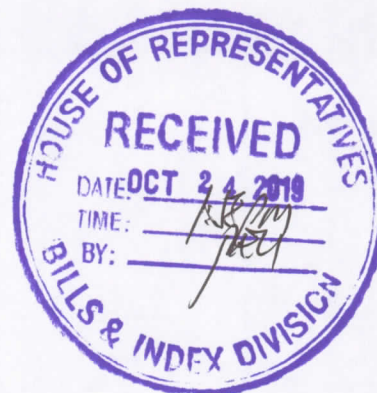


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session  
**5233**

HOUSE BILL NO. \_\_\_\_\_



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**Introduced by REP. PROSPERO A. PICHAY, JR.**

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#### **EXPLANATORY NOTE**

The State duly recognizes the vigorous role of the military and uniformed services personnel in providing security, ensuring public safety and promoting peace and order among its citizens. That is why the government has invested much for the training and development of these men and women in uniform.

The present system in the military and uniformed services personnel however, allows retirement at age 56, an age that is considerably young. They are still very much able to efficiently perform the duties of their positions, both physically and mentally. Moreover, they can pass on their skills, knowledge and wisdom to their subordinates as they maximize their years of experience and expertise in the service for a longer period of time.

This bill therefore provides retirement at age 65 for military personnel with the rank of Brigadier General and up. While those with the rank of Colonel and below may opt to retire at the age of 60. Equivalent ranks shall apply to the retirement age of the uniformed services personnel.

In view of the aforementioned, the passage of this Bill is earnestly sought.

  
**PROSPERO A. PICHAY, JR.**

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 5233

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Introduced by REP. PROSPERO A. PICHAY, JR.

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**AN ACT ADJUSTING THE RETIREMENT AGE OF THE MILITARY AND UNIFORMED SERVICES PERSONNEL OF THE REPUBLIC OF THE PHILIPPINES ACCORDING TO RANK, AMENDING FOR THE PURPOSE SECTION 5 OF PRESIDENTIAL DECREE NO. 1638 ENTITLED "ESTABLISHING A NEW SYSTEM OF RETIREMENT AND SEPARATION FOR MILITARY PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES", AS AMENDED, SECTION 39 OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT ACT OF 1990", AND SECTION 17 OF REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINE COASTGUARD LAW OF 2009"**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**ARTICLE I**  
**Declaration of Policy**

SECTION 1. *Short Title* – This Act shall be known as the "Military and Uniformed Services Personnel Retirement Age Act of 2019".

SECTION 2. *Compulsory Retirement for Military Personnel* – Section 5(a) of Presidential Decree No. 1638, entitled "Establishing A New System of Retirement and Separation for Military Personnel of the Armed Forces of the Philippines and for Other Purposes" as amended by Presidential Decree No.1650, is hereby amended to read as follows:

"Section 5(a) - Upon attaining ~~fifty-six (56)~~ **Sixty (60)** years of age for those with the rank of Colonel and below, and **Sixty Five (65)** of age for those with the rank of Brigadier General and up or upon accumulation of thirty (30) years of satisfactory active service, whichever is later, an officer or enlisted man shall be compulsorily retired; Provided, That such officer or enlisted-man who shall have attained ~~fifty-six (56)~~ **Sixty (60) or Sixty Five (65)** years of age with at least twenty (20) years of active service shall be allowed to complete thirty (30) years of service but not beyond his ~~sixtieth (60th)~~ **Sixty fifth (65th)** birthday; Provided, however, That such military personnel



compulsorily retiring by age shall have at least twenty (20) years of active service: Provided, further, That the compulsory retirement of an officer serving in a statutory position shall be deferred until completion of the tour of duty prescribed by law; and, Provided, finally, That the active service of military personnel may be extended by the President, if in his opinion, such continued military service is for the good of the service."

SECTION 3. *Compulsory retirement for Police, Fire and Jail Personnel* – Section 39 of Republic Act No. 6975, otherwise known as the "Department of Interior and Local Government Act of 1990" is hereby amended to read as follows:

"Section 39. *Compulsory Retirement.* – Compulsory retirement, for officer and non-officer, shall be upon the attainment of age ~~forty-six (46)~~ **Sixty (60)** years of age for those with the rank of Senior Superintendent and below, and **Sixty Five (65)** of age for those with the rank of Chief Superintendent and up. ~~Provided, That, in case of any officer with the rank of chief superintendent, director or deputy director general, the Commission may allow his retention in the service for an unextendible period of one (1) year.~~

SECTION 4. *Compulsory Retirement for Coast Guard* – Section 17 of Republic Act No. 9993, otherwise known as the "Philippine Coastguard Law of 2009" is hereby amended to read as follows:

"Section 17. *Retirement.* - Upon attaining ~~forty-six (46)~~ **Sixty (60)** years of age for those with the rank of Captain and below, and **Sixty Five (65)** of age for those with the rank of Commodore and up or upon accumulation of thirty (30) years of continuous satisfactory active service, whichever comes later, a PCG officer or non-officer shall be compulsorily retired: *Provided*, That said officer or non-officer shall have a minimum of ~~twenty (20)~~ **twenty five (25)** years of active service. The retirement of non-uniformed personnel shall be governed by Civil Service laws, rules and regulations.

SECTION 12. – *Separability Clause.* - If any provision of this Act is declared unconstitutional and inoperative, the other provisions not so declared shall remain in force and effect.

SECTION 13. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the Act or the rules and regulations promulgated pursuant thereto are hereby repealed or amended accordingly.

SECTION 14. *Effectivity Clause.* - This Act shall take effect after fifteen (15) days following its full publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*