

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 242

PRESCRIBING RULES AND REGULATIONS FOR
THE APPOINTMENT OF RESERVE OFFICERS
INTO THE REGULAR FORCE, ARMED FORCES
OF THE PHILIPPINES.

WHEREAS, Republic Act No. 207 empowers the President, within a period of two years from the approval thereof, to appoint and commission Reserve Officers into the Regular Force of the Armed Forces of the Philippines in grades above second lieutenant and to prescribe rules and regulations therefor; and

WHEREAS, it is for the best interest of the military service that appointments and commissions under Republic Act No. 207 be made on a fair and equitable basis with due regard to the situation of Reserve Officers who have demonstrated their fitness to hold commissions in the Regular Force, as well as to the necessity of insuring that officers now in the Regular Force will be afforded reasonable security in their present grades and relative seniority;

NOW, THEREFORE, I, Elpidio Quirino, President of the Philippines, pursuant to the authority vested in me by Republic Act No. 207, do hereby prescribe the following rules and regulations to govern the appointment and commission of Reserve Officers into the Regular Force:

SECTION 1. The appointment and commission of Reserve Officers into the Regular Force under authority of Republic Act No. 207 shall be subject to the qualifications, conditions and limitations hereinafter set forth.

SEC. 2. Appointments and commissions in the Regular Force under this Order shall be in the grades of first lieutenant, captain, and major, and equivalent grades in the Naval Patrol. The Chief of Staff shall determine the number of officers to be appointed in or assigned to the several arms, branches or services of the Regular Force.

SEC. 3. To be eligible for appointment and commission in the Regular Force, any Reserve Officer must:

(a) Be a citizen of the Philippines, at least 25 years of age on May 28, 1948, of good moral character, physically fit for general military service and have passed examination as may be prescribed by order of the Secretary of National Defense;

(b) On or before May 28, 1948, have honorably rendered at least one year of active service as a commissioned officer in the Army or Armed Forces of the Philippines, or in any guerrilla unit duly recognized as a component thereof, or in the Army of the United States.

SEC. 4. Any Reserve Officer eligible for appointment as commissioned officer in the Regular Force shall be credited with a total period of his active commissioned service up to May 28, 1948, in the Army or Armed Forces of the Philippines, or any guerrilla unit duly recognized as a component thereof, or in the Army of the United States: *Provided*, That any additional fraction of a year of active commissioned service amounting to six months or more shall be counted as a complete year: *Provided, also*, That each Air Corps officer who was a flying cadet on or after December 8, 1941, shall be given additional credit equivalent to one year of active commissioned service for every two years spent as a flying cadet.

SEC. 5. (a) Reserve Officers appointed and commissioned in the Regular Force under authority of Republic Act No. 207 and this Order (except those appointed in the Air Corps, Naval Patrol, Judge Advocate General's Service, Medical Corps, Dental Corps, and Nurse Corps) shall be placed in the Regular Force promotion list as follows:

- (1) Those with 12 or more years' active commissioned service shall be placed at the bottom of officers who graduated from the Philippine Military Academy in 1938 and below all other officers (not graduates of the Academy) who follow immediately the Academy graduates of that year in the said list.
- (2) Those with 11 or more but less than 12 years' active commissioned service shall be placed immediately above the list of officers who graduated from the Philippine Military Academy in 1940.
- (3) Those with 10 or more but less than 11 years' active commissioned service shall be placed at the bottom of the list of Regular Officers who graduated from the Philippine Military Academy in 1940 and below all other officers (not graduates of the Academy) who follow immediately the Academy graduates of that year in the said list.
- (4) Those with nine or more but less than 10 years' active commissioned service shall be placed at the bottom of the list of officers who graduated from the Philippine Military Academy in 1941 and below all other officers (not graduates of the Academy) who follow immediately the Academy graduates of that year in the said list.
- (5) Those with eight or more but less than nine years' active commissioned service shall be placed at the bottom of the list of regular officers who would have graduated from the Philippine Military Academy in 1942.
- (6) Those with seven or more but less than eight years' active commissioned service shall be placed at the bottom of the list of regular officers who would have graduated from the Philippine Military Academy in 1943.
- (7) Those with six or more but less than seven years' active commissioned service shall be placed immediately below the list of regular officers who would have graduated from the Philippine Military Academy in 1944.
- (8) Those with four or more but less than six years' active commissioned service shall be placed immediately below

the list of regular officers who would have graduated from the Philippine Military Academy in 1945.

(b) Any Reserve Officer appointed and commissioned in the Regular Force and inserted in the Regular Force promotion list as prescribed in paragraph 5(a) shall be appointed in the grade equal to the grade of the officer above whom he is placed.

(c) Reserve Officers appointed in the Air Corps with four or more but less than six years' active commissioned service shall be appointed in the grade of first lieutenant; those with six or more but less than eight years' active commissioned service shall be appointed in the grade of captain; those with eight or more years' active commissioned service shall be appointed in the grade of major.

(d) Reserve Officers appointed in the Judge Advocate General's Service or Medical Corps with less than seven years' active commissioned service shall be appointed in the grade of first lieutenant; those with seven or more but less than ten years' active commissioned service shall be appointed in the grade of captain; those with ten or more years' active commissioned service shall be appointed in the grade of major.

(e) Reserve Officers appointed in the Naval Patrol, Dental Corps, and Nurse Corps with four or more but less than seven years' active commissioned service shall be appointed in the grade of lieutenant junior grade or first lieutenant; those with seven or more but less than eleven years' active commissioned service shall be appointed in the grade of lieutenant or captain; those with eleven or more years' active commissioned service shall be appointed in the grade of lieutenant commander or major.

(f) Reserve Officers appointed and commissioned in the Regular Force in the Air Corps, Naval Patrol, Judge Advocate General's Service, Medical Corps, Dental Corps, and Nurse Corps shall be placed at the bottom of the list of regular officers of the same permanent grade in the applicable promotion list.

(g) In no case shall a Reserve Officer appointed into the Regular Force by virtue of Republic Act No. 207 and this Order, who was formerly a cadet at, but did not graduate from, the Philippine Military Academy, be senior to any of his classmates at the Academy.

(h) Seniority among officers appointed and commissioned in the Regular Force under authority of Republic Act No. 207 and this Order shall be determined by the active commissioned service in the Army or Armed Forces of the Philippines. In case of identical service, order or rank shall be determined by seniority in age. Where both length of active commissioned service and age are identical, order of rank shall be determined by the officers' educational and military preparation.

SEC. 6. (a) No Reserve Officer shall be appointed as a commissioned officer in the Regular Force (except those appointed in the Air Corps) who, by reason of his place in the roster as determined by sub-section *b* of SEC. 5 of this Order or by reason of his length of service as determined by sub-sections (*d*) and (*e*) of section 5 of this Order, is qualified for appointment—

- (1) in the grade of first lieutenant (or lieutenant junior grade) but was over thirty-five years of age on May 28, 1948; or
- (2) in the grade of captain (or lieutenant) but was over forty years of age on May 28, 1948; or
- (3) in the grade of major (or lieutenant commander) but was over forty-five years of age on May 28, 1948.

(b) No Reserve Officer shall be appointed as a commissioned officer of the Regular Force in the Air Corps who, by reason of his length of service as determined in sub-section (*c*) of section 5 of this Order, is qualified for appointment—

- (1) in the grade of first lieutenant but was over thirty years of age on May 28, 1948; or
- (2) in the grade of captain but was over thirty-four years of age on May 28, 1948; or
- (3) in the grade of major but was over forty-one years of age on May 28, 1948.

SEC. 7. All appointments made pursuant to Republic Act No. 207 and this Order shall be probationary for a period of one year. At any time during this period, the appointment of an officer who is found unfit for his commission may be revoked by the President upon recommendation of the Secretary of National Defense. When each appointee shall have completed the probationary period herein prescribed, and unless steps shall have been taken to have his appointment revoked, he shall be deemed to have been permanently appointed and commissioned to the Regular Force as of the date of his probationary appointment.

SEC. 8. A Reserve Officer holding temporary grade at the time of his appointment into the Regular Force under the provisions of this Order shall not, by virtue solely of such appointment, be reduced to the permanent grade in which he may be appointed in the Regular Force.

SEC. 9. No Reserve Officer who has once resigned his commission in the Regular Force or Reserve Force, Army or Armed Forces of the Philippines (except for the purpose of accepting an appointment into the Regular Force pursuant to this Order, or except where the Secretary of National Defense specifically determined that any such resignation was justifiable) shall be appointed under the provisions of this Order.

SEC. 10. The Secretary of National Defense shall prescribe the regulations and procedures for the selection and

appointment of Reserve Officers into the Regular Force in accordance with the provisions of this Order.

SEC. 11. This Order shall take effect immediately and shall continue in operation until the expiration of the two-year period prescribed in Republic Act No. 207.

Done in the City of Manila, this 9th day of July, in the year of our Lord, nineteen hundred and forty-nine, and of the Independence of the Philippines, the fourth.

ELPIDIO QUIRINO

President of the Philippines

By the President:

TEODORO EVANGELISTA

Executive Secretary
