

[REPUBLIC ACT NO. 304, June 18, 1948]

AN ACT TO PROVIDE FOR THE REGISTRATION OF THE CLAIMS OF ALL OFFICERS AND EMPLOYEES OF THE GOVERNMENT OF THE COMMONWEALTH OF THE PHILIPPINES, ITS BRANCHES AND INSTRUMENTALITIES AND THE CORPORATIONS OWNED OR CONTROLLED BY THE GOVERNMENT AND THOSE OF THE FREE LOCAL CIVIL GOVERNMENTS, PROVINCIAL AND MUNICIPAL, DULY ORGANIZED FOR PURPOSES OF RESISTANCE AGAINST THE ENEMY, TO SALARIES AND WAGES DURING THE ENEMY OR JAPANESE OCCUPATION OF THE PHILIPPINES AND TO PROVIDE FOR THE MANNER OF THEIR SETTLEMENT.

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

SECTION 1. Except as herein provided, the right of all officers, employees and persons under contract with the Government of the Commonwealth of the Philippines who, on the eighth day of December, nineteen hundred and forty-one, were serving in the classified or unclassified service of the national, provincial, city or municipal governments, including the University of the Philippines and the corporations owned or controlled by the Government, to such of their respective salaries, emoluments, fees, *per diems*, compensations or wages as have not been received by them by reason of the war, and those of the free local civil governments, provincial and municipal, duly organized for purposes of resistance against the enemy, corresponding to the period from January first, nineteen hundred and forty-two, up to and including February twenty-sixth, nineteen hundred and forty-five, or any portion of such period or before and subsequent thereto when they were in operation, as herein below provided is, under the conditions provided in this Act, hereby recognized. The recognition herein provided shall not extend to the salaries and wages of: (a) officers and enlisted personnel of the United States Army or Navy and commissioned officers of the United States Coast and Geodetic Survey and the United States Public Health and Quarantine Service on detail with the Government of the Commonwealth of the Philippines; (b) officers and employees found guilty after due trial in such cases made and provided by law, of treason, espionage, or any act constituting disloyalty to the Government of the Philippines or of the United States committed at any time during the enemy or Japanese occupation of the Philippines unless pardoned or granted amnesty; and (c) officers and employees who received salaries from the Refugee Government of the Commonwealth of the Philippines in the United States of America or elsewhere. Officers or employees who died on or before the date of the liberation of the province or city where assigned on the date of the occupation, but not later than February twenty-sixth, nineteen hundred and forty-five, shall have right to such salaries or wages under the conditions referred to in this section, up to the time of their death, if determinable, or the date they were last seen alive. The right to salaries or wages herein authorized shall be computed from the day of the occupation of each province or

city by the Japanese up to the date of the liberation thereof, the date of occupation or liberation, as the case may be, of the capital to be deemed as the date of the occupation or liberation of the province respectively.

SEC. 2. The Treasurer of the Philippines shall, upon application, and within one year from the approval of this Act, and under such rules and regulations as may be promulgated by the Secretary of Finance, acknowledge and file requests for the recognition of the right to the salaries or wages as provided in section one hereof, and notice of such acknowledgment shall be issued to the applicant which shall state the total amount of such salaries or wages due the applicant, and certify that it shall be redeemed by the Government of the Philippines within ten years from the date of their issuance without interest: *Provided*, That upon application and subject to such rules and regulations as may be approved by the Secretary of Finance, a certificate of indebtedness may be issued by the Treasurer of the Philippines covering the whole or a part of the total salaries or wages the right to which has been duly acknowledged and recognized, provided that the face value of such certificate of indebtedness shall not exceed the amount that the applicant may need for the payment of (1) obligations subsisting at the time of the approval of this Act for which the applicant may directly be liable to the Government or to any of its branches or instrumentalities, or the corporations owned or controlled by the Government, or to any citizen of the Philippines, or to any association or corporation organized under the laws of the Philippines, who may be willing to accept the same for such settlement; (2) his taxes, and (3) government hospital bills of the applicant: *Provided, further*, That such settlement shall be effected by indorsement of said certificate, such indorsement to be annotated on the instrument: *Provided, furthermore*, That no certificate shall be transferred or ceded by indorsement more than once nor at a discount rate exceeding two *per centum per annum*: *And provided, also*, That investment funds or banks or other financial institutions owned or controlled by the Government shall, subject to availability of loanable funds, and any provision of their charters, articles of incorporations, by-laws, or rules and regulations to the contrary notwithstanding, accept or discount at not more than two *per centum per annum* for ten years such certificate for the following purposes only: (1) the acquisition of real property for use as the applicant's home or (2) the building or construction or reconstruction of the residential house of the payee of said certificate: *Provided, finally*, That if certificates of indebtedness have been issued to an officer or employee, his back pay at the end of ten years from the date of the approval of this Act shall be equal to the amount due him under the provisions of this Act minus the full and total face value of the certificates of indebtedness issued to him in the *interim*. Failure to file the application within the time herein provided for will forfeit whatever right there may be to any back salary or wage which otherwise should have been due the applicant.

SEC. 3. The total of the back pay the right to which may by application be established, shall be computed at the rate of salary, emolument, fee, *per diem*, compensation or wage subsisting on January first, nineteen hundred and forty-two in the case of offices located in the City of Manila, and on the date immediately preceding that on which the provincial capital or the city was occupied by the enemy in the case of offices located in the provinces, cities, and municipalities, and shall be an obligation of the branch, instrumentality, or unit of the Government that employed the officer or employee concerned on December eight, nineteen hundred forty-one: *Provided*, That if the office of employment on the latter date has been converted into, or merged with, another, or is no longer existing such as those of