

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 38

CONSOLIDATING ALL PRESIDENTIAL ISSUANCES RELATING TO THE COMBAT DUTY PAY AND COMBAT INCENTIVE PAY OF OFFICERS AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES

WHEREAS, the Government fully appreciates the critical role being played by the members of the Armed Forces of the Philippines (AFP) in the preservation of national security and territorial sovereignty;

WHEREAS, the Government has enacted several issuances in cognizance of the heroism and sacrifices of the frontline soldiers who figure directly in actual combat against various groups who continuously threaten national peace and security;

WHEREAS, Executive Order (EO) Nos. 1017 (s. 1985), 658 (s. 2007) and 15 (s. 2010), provide for the rate of combat duty pay and combat incentive pay as well as enumerate those entitled to receive the same; and

WHEREAS, there is an urgent need to consolidate the different issuances to ensure that the total combat pay including allowances and incentives are adequate and commensurate to the services rendered by the members of the AFP, in pursuance of the intent of this Administration to improve their conditions.

NOW, THEREFORE I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Combat Duty Pay. The rate of Combat Duty Pay of the officers and enlisted personnel of the AFP specified under EO No. 1017 (s. 1985) is hereby rendered ineffective. In its stead, the rate shall now be five hundred pesos (P500.00) per month.

SECTION 2. Persons Entitled to Combat Duty Pay. Officers and enlisted personnel performing combat duties/activities as defined in regulations to be issued by the Secretary of National Defense are entitled to receive Combat Duty Pay.

SECTION 3. Combat Incentive Pay. The provisions of EO No. 658 (s. 2007) which provide that the members of the AFP who figure directly in actual combat against members of various insurgent, terrorist and lawless groups shall be entitled to an additional combat incentive pay of one hundred fifty pesos (P150.00) per day while actually engaged in combat operation is hereby revived and given effect, subject to the following conditions:

- a. The operation must be for a specific combat mission that is duly covered by an Operations Order (OPORD) or a Fragmentary Order (FRAG-O).



- b. The personnel involved in combat must be in the published task organization of the OPORD.
- c. The total additional combat incentive pay for each individual shall not exceed one thousand five hundred pesos (P1,500.00) per OPORD/FRAG-O.

This combat incentive pay shall be over and above the five hundred pesos (P500.00) per month combat duty pay that the members of the AFP assigned in field units are entitled to.

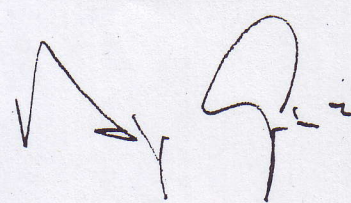
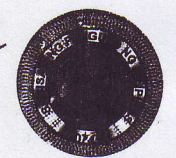
SECTION 4. Funding Requirement. The initial funding requirements necessary to implement this Executive Order shall be drawn from the Personal Services (PS) savings realized by the AFP during FY 2010 and FY 2011, as may be determined by the AFP. Succeeding funding for this purpose shall be included in the General Appropriations Act, provided that the actual roster of military personnel is submitted to the Department of Budget and Management (DBM). The said list shall be the basis for allocating funds for the purpose in the succeeding fiscal years.

SECTION 5. Separability. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

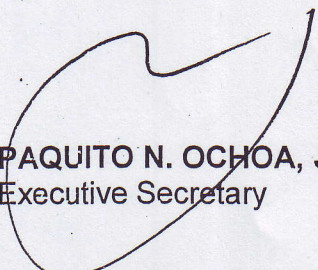
SECTION 6. Repeal. All executive orders, rules and regulations and other parts thereof, which are inconsistent with this Executive Order, are hereby revoked, amended or modified accordingly.

SECTION 7. Effectivity. This Executive Order shall take effect starting 01 January 2011 and thereafter.

DONE in the City of Manila, this ~~28th~~ day of April, in the year of Our Lord, Two Thousand and Eleven.

By the President:


PAQUITO N. OCHOA, JR.
Executive Secretary



CERTIFIED COPY:

MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE