

# LEGISLATIVE PROPOSALS

## I. EDUCATIONAL ACT OF 1948

### EXPLANATORY NOTE

The experience of teachers, supervisors, and school administrators since the Educational Act of 1940 went into effect has convinced them that this Act needs revision. The results of the operation of this Act have been detrimental both to the teacher and to the children under her.

In the primary grades, the teacher's load has been increased because she is required to teach two classes of forty pupils each, one in the morning and another in the afternoon. In the intermediate grades, the teacher is forced, because of the operation of the one-teacher-one-class plan, to teach subjects like industrial arts, home economics, or music, for which he or she may have had very meager or no professional training.

In the primary grades, a pupil comes only in the morning or in the afternoon. Hence, besides getting only a little amount of schooling, he may be exposed to unwholesome or even evil influences during half of the school day that he does not go to school. The school hours per session have been reduced and the length of elementary education has been shortened to six years, thereby giving the Filipino child not only a smattering of the school subjects but also an abbreviated elementary education. These facts are contrary to correct educational practices in the progressive countries of the world today.

In order to remedy the defects enumerated in the preceding paragraphs the attached bill has been prepared.

The bill proposes to restore the two-session plan in the primary grades in as many schools as possible and Grade VII in the intermediate grades.

Hitherto the National Government has been shouldering the burden of supporting elementary education. It is realized that with the restoration of the two-session plan in the primary grades in as many schools as possible and Grade VII in the intermediate grades, the National Government may not be in a position to maintain the present number of schools and teachers. The attached bill, therefore, proposes to turn over the support of intermediate schools to the local governments, to create local sources of revenue for the maintenance of these schools, and to retain for the National Government the support of primary instruction only.

The attached bill contemplates allowing the National Government to give aid, with the approval of the President, to chartered cities, municipalities, or municipal districts which may not be financially able to provide for the support of their intermediate schools; such aid to be distributed on the basis of the educational need, financial ability, and effort to meet the need on the part of such chartered cities, municipalities, or municipal districts.

An estimate made in the Bureau of Public Schools reveals that the total amount collectible from the school tax proposed in the attached bill is sufficient to run the intermediate classes with Grade VII on the three-teacher

er-two-class plan. Chartered cities, municipalities and municipal districts which have sufficient funds may operate their intermediate classes on the five-teacher-three-class plan.

With the transfer of the support of intermediate education to the local governments as herein proposed, the amount heretofore made available by the National Government for the support of elementary education is to be devoted exclusively for the support of primary education. While this amount is not sufficient to restore the use of the two-session program in the primary grades in all schools, it would make possible the use of this plan in many schools.

Heretofore the local governments have always looked to the central government for support. By turning over the support of intermediate instruction to the local government and by reserving the maintenance of primary instruction to the National Government, the disadvantages of the operation of the Educational Act of 1940 will be overcome. Then, too, local pride and initiative will be stimulated.

In view of the foregoing, the approval of the attached bill is strongly recommended.

#### AN ACT

TO AMEND CERTAIN SECTIONS OF COMMONWEALTH ACT NUMBERED FIVE HUNDRED EIGHTY-SIX, ENTITLED "AN ACT TO PROVIDE FOR THE REVISION OF THE SYSTEM OF PUBLIC ELEMENTARY EDUCATION IN THE PHILIPPINES INCLUDING THE FINANCING THEREOF."

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

SECTION 1. This Act shall be known as the Educational Act of 1948.

SECTION 2. Sections 2, 3, 4, 6, 7, 8, and 9 of Commonwealth Act No. 586 otherwise known as the Educational Act of 1940 as amended by Commonwealth Act 656, are hereby amended to read as follows:

"Section 2. In order to improve the quality of instruction in the public elementary schools and to make elementary education more complete and adequate, a revision of the public school system is imperative. This revision shall aim: (a) to enrich and extend elementary education upward, thereby enabling each child to acquire a complete elementary education; (b) to afford every child of school age adequate facilities to commence and to finish at least the primary course of instruction; (c) to give every child completing the primary course not only a working knowledge of, but also the fundamental skills, habits, and attitudes in reading, writing, arithmetic, Philippine history and government, character, health and citizenship training; and (d) to insure that the children attending the elementary schools shall remain literate and become useful, upright, and patriotic citizens.

"Section 3. To effectuate the objectives set forth in section 2 of this Act, the Department of Education shall take steps to revise the elementary-school curriculum. The primary course shall be composed of four grades (Grades I to IV) and the intermediate course three grades (Grades V to VII). Once approved by the President of the Philippines, the revised elementary-school curriculum shall be adopted in all public schools as soon as practicable but not later than the beginning of the school year 1948-1949.

"Section 4. The age for admission to the public elementary schools shall preferably be between the ages of seven years and nine years.

"Section 6. The Secretary of Education may, with the approval of the President, authorize in the primary grades the holding of one class, morning and afternoon, under one teacher, or of one class in the morning under one teacher and another class in the afternoon under another teacher. In the intermediate grades classes may be held on the basis of two classes under three teachers or of three classes under five teachers.

"Section 7. Commencing with the school year 1948-1949, public primary education shall be supported by the National Government; and public intermediate education by the chartered cities, municipalities, and municipal districts.

"To provide funds for the support, improvement or extension of intermediate education in the public schools, a school tax of not less than Two Pesos (P2.00) shall be collected from all inhabitants of both sexes from the age of eighteen to fifty-nine years, inclusive; **Provided**, That chartered cities, municipalities, and municipal districts are hereby empowered to levy a tuition fee not more than Twenty Pesos (P20.00) if deemed necessary; **Provided**, That the amount thus collected shall go to a school fund which is hereby established in all chartered cities, municipalities, and municipal districts and which shall be appropriated by the municipal board or the municipal council with the approval of the division superintendent of schools; **Provided further**, That disbursements from this fund shall be subject to the approval of the division superintendent of schools or his authorized representative, and that any unexpended balance which may exist at the end of each fiscal year shall not revert to the general fund but shall

constitute a continuing appropriation to be spent for the construction or repair of school buildings, and for the improvement of school grounds. The municipal board or the municipal council by duly approved resolution may transfer from the general fund such amounts as are necessary for the support and maintenance of intermediate schools or classes.

"With the approval of the President, the National Government may grant aid to such local governments as may not be financially able to provide for the support of their intermediate schools or classes, such aid to be distributed on the basis of the educational need, financial ability, and effort to meet the need, on the part of the local governments.

"Sites for schoolhouses intended for primary and intermediate classes shall be acquired by the chartered cities, municipalities, and municipal districts, as the case may be, through purchase or conditional or absolute donation: **Provided**, That the Department of Education may, with the approval of the President of the Philippines, waive any requirements for the acquisition of school sites of standard size whenever these sites are not available.

"Matriculation fees in an amount to be determined by the President, but not exceeding two pesos for each pupil enrolled in the intermediate grades; may be collected in cities, municipalities, and municipal districts, the proceeds thereof to constitute a special pupils' fund to be deposited with the municipal or provincial treasurer concerned and to be expended by the local school officials for the purchase of supplementary readers and other library books which have been previously approved by the Board on Textbooks or by the Director of Education, essential library equipment, and for financing athletic activities in the intermediate classes: **Provided**,

That in the purchase of the books those which are a contribution to Philippine Literature shall be preferred."

"Section 8. To enable the National Government to properly finance the public PRIMARY schools and to meet the burden of their operation as provided in this Act, from and after July first, nineteen hundred and forty-eight, the disposition of the proceeds of the taxes under Commonwealth Act Numbered Four Hundred and Sixty-Five, known as the Residence Tax Law, shall be as follows:

"Of all the taxes collected and remitted to the Collector of Internal Revenue as provided in section 8 of Commonwealth Act Numbered 464, 50 per centum shall be allotted in the following proportions by the said Collector among the provinces, chartered cities, municipalities, and municipal districts on the basis of population as shown by the latest official census:

"One-half to the general funds of the provinces. A sub-province shall receive its proportionate share of the proceeds allotted to the provinces; and

"The other half to the general funds of the chartered cities, municipalities and municipal districts

"Out of the remaining 50 per centum of the proceeds of said taxes, chartered cities shall continue to receive the corresponding share to which they were entitled under the provisions of law in force prior to July 1, 1940. The balance of the proceeds shall accrue to the National Government.

"Similarly, the disposition of the proceeds of certain taxes under Commonwealth Act Numbered 466, known as the National Internal Revenue Code, as referred to in section 358, 360, and 363 thereof, shall be as follows:

"(a) Three-sevenths of the proceeds of the internal revenue percentage taxes on agricultural products prescribed in sections 187 and 188, as well as the taxes due from proprietors or operators of rope factories, sugar centrals, rice mills, corn mills, coconut oil mills, and desiccated coconut factories prescribed in section 189 of said Code, shall accrue to the provinces and the remaining four-sevenths shall accrue to the National Government. The apportionment of the provincial allotment shall be based on population as shown by the last official census.

"(b) Two and one-half per centum of the proceeds of the tax on income shall accrue to the provinces. The remainder shall accrue to the National Government.

"(c) Two and one-half per centum of the tax on estate, inheritance, legacies, and other acquisitions *mortis causa*, as well as on gifts, shall accrue to the provinces, two and one-half per centum shall accrue to the municipalities, and the remaining ninety-five per centum shall accrue to the National Government. The proceeds accruing to the province, and municipalities shall be apportioned on the basis of population as shown by the latest official census.

"Of the national internal revenue accruing to the National Treasury under section 362 of the National Internal Revenue Code, there shall be set apart ten per centum as allotment to provinces, to be divided equally between their general and road and bridge funds; **Provided, however, That** instead of ten per centum, only nine per centum shall be set apart as provincial, and road and bridge allotments, in the same proportion as specified herein, during the fiscal year 1940-1941; and ten per centum during the fiscal years thereafter.

"The foregoing modified allotments of the proceeds of certain taxes under Commonwealth Act Number 466, known as the National Internal Revenue Code, to the contrary notwithstanding, chartered cities shall continue to receive the corresponding share in the municipal allotment to which they were entitled under the provisions of law in force prior to July 1, 1940.

"Section 9. Tuition fees in an amount not exceeding TWENTY PESOS (P20.00) from each pupil enrolled in the intermediate grades may be collected annually by chartered cities, municipalities, and municipal districts, the proceeds thereof to accrue to the municipal school fund and to be appropriated and expended for the support of intermediate schools or classes.

SECTION 3. The Provisions of Section 5 of Commonwealth Act No. 586 pertaining to compulsory attendance in the primary grades shall continue to have the force and effect of law.

SECTION 4. All other laws or parts of laws which may be in conflict with this Act are hereby repealed.

SECTION 5. This Act shall take effect upon its approval.

Approved, \_\_\_\_\_ 1948

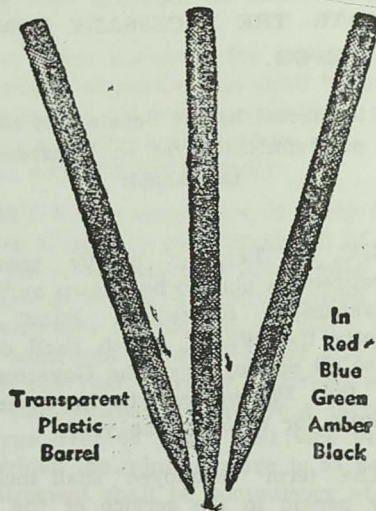
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## II. A GENERAL RETIREMENT PLAN

### AN ACT

TO CREATE AND ESTABLISH A RETIREMENT FUND, PROVIDE FOR ITS ADMINISTRATION AND APPROPRIATE THE NECESSARY FUNDS THEREFOR.

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

SEC. 1. There is hereby created a retirement plan to be known as "The Government Retirement Fund" or briefly the "Fund", which shall comprise all employees of the Government of the Philippines who have served therein for at least one year.

The term "employee" shall include any person in the service of the national, provincial, municipal, or chartered city government, but not an officer or an enlisted man of the armed forces of the Philippines; the term "Government" shall mean the Republic of the Philippines including the provinces, municipalities, and chartered cities, or any of its departments, bureaus and offices, and the corporations owned or controlled by it.

SEC. 2 (a) Each department, bureau, office or government-owned or controlled corporation shall deduct at the end of each month from the monthly salary of each employee who has completed at least one year of service therein two per centum of said salary if it is less than P200, three per centum if it is P200 or more but less than P300, four per centum if it is P300 or more but less than P400, and five per centum if it is P400 or more.

(b) Each department, bureau, office or government-owned or controlled corporation shall at the end of each month contribute to the Fund for each said employee the difference between the amount of his contribution described above and nine per centum of his monthly salary. Likewise, it shall make additional monthly contributions for every employee who at the creation of the Fund has rendered at least five years of service in it or in any other department, bureau, office or government-owned or controlled corporation. The amount of said contributions shall be computed by the actuary of the Fund, based on the additional benefit such employee will be entitled to on his retirement at age 60 years, and shall be paid during the lifetime of said employee beginning from the date the Fund was created.

(c) Beginning on the last day of the month this Act takes effect and quarterly thereafter, each department, bureau, office, or government-owned or controlled corporation, shall in advance pay and remit to the Fund three monthly contributions payable by each employee and its corresponding share for his as well as three additional monthly contributions that may be required under (b) above: **Provided**, that any monthly contributions not due and payable for and by said employee on his separation from the service shall be refunded to the government concerned.

SEC. 3 (a) Upon retirement the employee shall have the option to choose any one of the following benefits, which his own and the government's contributions credited to him will then purchase:

(1) Monthly annuity during his lifetime.

(2) Monthly annuity during his lifetime, guaranteed ten years.

(3) Monthly annuity during the joint-lives of the employee and his wife or other designated beneficiary which annuity, however, shall be reduced upon the death of either to one-half and be paid to the survivor; or

(4) Such other benefit as may be approved by the Fund.

(b) If an employee has served in any department, bureau, office or government-owned or controlled corporation at least five years prior to the date of approval of this Act, the monthly annuity described above shall be increased by the following amount: For each year of service thus rendered, one and one-half per centum of the average monthly salary he received during the last five years of his service, if he was at least 55 years of age on the date of approval of this Act; one and one-fourth per centum if between 50 and 55 years; one per centum if between 45 and 50 years; and three fourths of one per centum if between 40 and 45 years. The total monthly pension payable from the Fund shall in no case exceed P500 or sixty-five per centum of the average monthly salary as defined above, whichever is the smaller amount.

(c) Upon death before he becomes eligible for retirement, his legal heirs shall be paid his own contributions with interest at three per centum per annum, compounded annually; if however, on his death he is eligible for retirement, then the retirement benefit provided above shall be paid in accordance with the kind he selected previously.

(d) If he becomes permanently disabled and his services are no longer desirable, he will be discharged and paid his own contributions with interest at

3% per annum, compounded annually, if he has served less than 10 years; if at least 10 years but less than twenty years, he shall be paid also one-half of the corresponding government contributions, without interest; and if he has served at least twenty years, he shall be retired and be entitled to a retirement benefit provided above in accordance with the kind he selected previously.

(e) Upon dismissal for cause or on voluntary separation, he shall be entitled only to his own contributions, plus interest of three per centum per annum, compounded annually.

SEC. 4. On completion of thirty (30) years of service and attainment of age 60 years, an employee shall have the option to retire. A shorter period of service may be allowed, provided, that the minimum is twenty years and that each one year decrease in service shall be compensated by one year increase in age over 60 years, and vice versa, provided the minimum age is 55 years. Retirement shall be compulsory at the age of 65 years. The first year of service of new entrants after the creation of the Fund shall be excluded in the computation of benefits, length of service, and contributions. If an employee is a laborer or one whose work during the last five years of service is mostly manual, the ages mentioned above may be decreased by 5 years at the discretion of the Fund.

SEC. 5. The mortality and the annuity tables to be used shall be as determined from time to time by the actuary of the Fund, subject to the approval of the Board.

SEC. 6. The administration of the Fund shall be under the Government Service Insurance System, which, however, shall keep the assets and liabilities

ties of the Fund separate and distinct from those of the System proper.

SEC. 7. Act Numbered Two Thousand Five Hundred and Eighty-nine, as amended, and all other retirement and/or pensions systems heretofore in force in government-owned or controlled corporations, are hereby repealed; PROVIDED, That the gratuity payable to any employee who has established his right to retire under the said Act

or pension or retirement system shall be credited and paid to the Fund as of the date of approval of this Act, and shall be included in the computation of the additional contributions required to be made by the government concerned for the additional amount of annuity described in Section 3 hereof.

SEC. 9. This Act shall take effect upon its approval.

Approved.

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### III. PROPOSED SALARY ALLOCATIONS

Teachers and other employees engaged in the educational service of the country deserve to be accorded a special position in the ranks of public servants because of the invaluable work they are doing in the building of an effective citizenry. The strength of any nation is measured in terms of the quality of its citizens. And the type of a country's citizens is determined to a great extent by the kind of education that young people receive from those engaged in the work of teaching.

For sometime past, there has been a recognition of the inadequacy of the salaries paid to teachers and all others engaged in the educational service. But for sometime past, too, very little has been done to enable these teachers to meet adequately the demands upon their physical strength, and to maintain the spiritual fortitude required by their arduous and exacting profession. So that those in the educational service could have both the spiritual and the material sustenance to enable them to do their work effectively and to meet the social obligations demanded upon them because of their position as mentors of the nation's children, higher salaries should be provided for them.

Perhaps the country is awakening a little too late in appreciating the serious predicament in which the teachers have found themselves these many years, when in the face of steadily rising costs of living they have had to meet their needs with a very meager income. The public sometime ago recognized the drain caused on the teachers' health by hard work and little pay, when our people contributed funds to build and maintain a haven for teachers who succumb to the dreaded sickness of tuberculosis. But we should build something better than a pavilion for tubercular teachers; we should build

a large source of fund which could be used to give these teachers the physical strength and the spiritual fortitude to carry on their noble work. In the meantime, every possible means should be used to give them higher entrance salaries and reasonable increases in pay.

In recent years there has been a general exodus from the ranks of the teaching profession. Many of the best teachers have gone to outside work and to other fields of service where the compensation is higher. The exodus has been so great that at present there are many schools and classes taught by persons who have had no professional training at all. More serious still is the condition where teachers are overloaded because many positions remain unfilled for lack of applicants. At no time in the history of education in the Philippines has the position of teacher been so unattractive as at present. There is now dearth of capable young men and young women who have any desire to study for the teaching profession.

It is a responsibility of this country to return the position of the teacher to the high category in which it used to be in the scheme of our national life. We must again make teaching the noble and attractive profession that it should be, so that the very best teachers may be induced to remain in the service and so that the very best types of students may be attracted to a life work of teaching our young people how to become upright and useful citizens. This can be done by raising the entrance salaries of teachers and others engaged in the educational service of the Government, and by offering them reasonable increases in salary from time to time. In view whereof, approval of this bill is recommended.

AN ACT PROVIDING FOR REVISED SALARY ALLOCATIONS AND AUTOMATIC SALARY INCREASES FOR PUBLIC SCHOOL OFFICIALS, TEACHERS, AND OTHER SCHOOL PERSONNEL OF THE GOVERNMENT OF THE PHILIPPINES.

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

Section 1. This Act may be cited as the "Public School Salary Act of 1947."

Sec. 2. The provisions of Executive Order No. 94, series 1947, and of other regulations notwithstanding, the minimum rates of monthly compensation of national, provincial, and city positions in the educational service of the Government of the Philippines as hereby classified shall be as follows:

Position	Grade	Salary Range
Chief of Division and Assistant Chief of Division, General Office	11-1	260-500
Division Superintendent and Superintendent of National School	7-1	330-500
General Office Supervisor		
Principal and Registrar, Normal School	11-4	260-400
Principal and Supervisor, Technical School; Supervisor, Training Department	11-6	260-350
Secondary Principal, Secondary Supervisor, Division Supervisor, and Manila City Supervisor	15-4	200-400
District Supervisor, Supervising Principal, Technical Instructors, and Normal Instructor and Manila City Principal of Elementary School	D-6	160-350
Secondary Classroom Teacher and Elementary Principal and Division Office Chief Clerk and Property Clerk	J-7	100-330
Critic Teacher, Normal School	J-7	100-330
Elementary Classroom teacher and elementary Head teacher	L-G	80-130
Teacher Nurse	L-G	80-130
Clerks	P-A	60-190

Sec. 3. The employees who, after the passage of this Act, do not come under above-indicated grade allocations shall be allowed to carry their salary rates with excess. Upon retirement or resignation, the excess shall be automatically dropped.

Sec. 5. Teachers and other school employees shall be entitled to these

minimum entrance salaries, provided they have the necessary educational qualifications as prescribed by the Bureau of Public Schools, have been qualified in appropriate civil service examinations, or have attained regular status. Teachers and other employees who do not have the necessary educational qualifications may be given such lower entrance

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# IV. CONVERTING THE SERVICE CREDIT INTO CASH

## EXPLANATORY NOTE

From the earliest years of the Philippine school system, public school teachers under regular appointment on teachers leave basis, have been paid proportional vacation salary for services rendered during the year equivalent to three-tenths of their regular salary. Thus, the teachers enjoyed approximately seventy days vacation with pay for each year of service.

Public school teachers who served without absences between July 1, 1941 and December 31, 1941 and between February 27, 1945 and June 30, 1945 earned 51 days proportional vacation pay. By virtue of a long-established policy, the salaries that should have accrued to the teachers as proportional vacation pay should have been paid in cash. Instead, these were converted into service credit which teachers may use when they are on sick leave. It is obvious that few teachers will benefit materially from this service credit. Unless teachers are very ill, they attend to their classes for they feel personal responsibility for the advancement of their pupils. The maximum number of days that teachers can use as a result of the substitution of the service credit for the proportional vacation pay is fifty-one days. Not very many teachers will be absent from school this long on account of illness. The service credit is therefore of little material benefit to them.

The substitution of service credit for the cash value of the proportional vacation pay is a reversal of a long-established policy of granting proportional vacation pay to regular teachers on teachers leave basis for service rendered during the school year. Any rever-

sal of policy not consistent with justice and equity and inimical to the interest of public servants is a repudiation of the ideals of good government; more so when the people effected are government employees of whom no less than his Excellency, President Manuel Roxas, said in a message to Congress on January 27, 1947: "I know of no more underpaid group of government employees than the teachers... I know of no more important function than theirs."

To make manifest to all the interest of this government in the welfare of public servants thus further strengthening their faith and confidence in their government, and to give to the teachers what rightly belongs to them as a matter of established policy, it is the purpose of this bill to convert into cash the service credit given to teachers which was substituted for the proportional vacation pay earned by them in 1941 and 1945. In view of the relatively small amount involved and as a matter of justice and fair play to public school teachers, approval of this bill is recommended.

AN ACT PROVIDING FOR THE CONVERSION INTO CASH OF THE VALUE OF SERVICE CREDIT GIVEN TO PUBLIC SCHOOL TEACHERS ON TEACHER'S LEAVE BASIS FOR SERVICES RENDERED BETWEEN JULY 1, 1941 AND DECEMBER 31, 1941 AND SINCE FEBRUARY 27, 1945 TO JUNE 30, 1945.

Be it enacted by the Senate and House of Representatives of the Philippine Islands in Congress Assembled:

Section 1. This Act may be cited as "The Act to Convert into Cash Service Credit of Public School teachers."

Section 2. Present regulations and decisions to the contrary notwithstanding, the service credit earned by regular teachers on teacher's leave basis for the period from July 1, 1941 to December 20, 1941 and since February 27, 1945 to June 30, 1945 is hereby converted into cash, to be paid to teachers as proportional vacation pay computed at three-tenths of the salary received for the total number of days served during aforesaid periods.

Section 3. The amount of P4,000,000 and whatever additional sums may be needed for this purpose shall be set aside from national sums may be needed for this purpose shall be set aside from national government funds not otherwise already appropriated for other purposes.

Section 4. The corresponding amounts needed to make the cash value of aforementioned Service Credit available to teachers paid from provincial, city or municipal funds shall be borne by the government entities concerned.

Section 5. This Act shall take effect upon its approval.  
APPROVED.



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