Section 2.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 3.—This Act, being of an urgent character, shall take effect immediately after its approval.

Approved, July 16, 1935.

[No. 22]

AN ACT

PROVIDING FOR THE APPOINTMENT OF PRIVATE SECRETARIES AND LAW CLERKS FOR THE RESPECTIVE JUSTICES OF THE SUPREME COURT OF PUERTO RICO; APPROPRIATING FUNDS, AND FOR OTHER PURPOSES.

Be it enacted by the Legislature of Puerto Rico:

Section 1.—The Chief Justice and each of the associate justices of the Supreme Court of Puerto Rico is hereby authorized to designate a law clerk at an annual salary of eighteen hundred (1,800) dollars. The person so designated shall not be considered as within the Classified Civil Service of the Government of Puerto Rico.

Section 2.—For carrying out the provisions of this Act, the sum of nine thousand (9,000) dollars, or such part thereof as may be necessary, is hereby appropriated out of any funds in the Treasury not otherwise appropriated.

Section 3.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 4.—As work has accumulated in the Supreme Court, it is declared that an emergency exists, and that this Act shall take effect immediately after its approval.

Approved, July 16, 1935.

[No. 23]

AN ACT

TO PROVIDE FOR THE RETIREMENT OF THE PERMANENT OFFICIALS AND EMPLOYEES OF THE GOVERNMENT OF PUERTO RICO AND TO REPEAL ACT No. 104, ENTITLED "AN ACT TO ESTABLISH THE RETIREMENT OF THE PERMANENT OFFICERS AND EMPLOYEES OF THE INSULAR GOVERNMENT OF PUERTO RICO AND TO REPEAL ACT No. 22 ENTITLED 'AN ACT TO ESTABLISH THE RETIREMENT OF THE PERMANENT OFFICIALS AND EMPLOYEES OF THE PEOPLE OF PUERTO RICO AND TO GRANT TO EMPLOYEES COVERED BY ACT No. 22 OR 1921 THE RIGHT TO RESIGN THE BENEFITS THEREOF', APPROVED SEPTEMBER 22, 1920, AND TO GRANT EMPLOYERS

[No. 22]

LEY

PROVENCIO EL NOMBRO MIENTO DE SECRETARIOS PARTICULARES Y OFICIALES JURÍDICOS PARA LOS RESPECTIVOS JUECES DE LA CORTE SUPREMA DE PUERTO RICO, ASIGNANDO FONDOS, Y PARA OTROS FINES.

Decretease por la Asamblea Legislativa de Puerto Rico:

Sección 1.—Por la presente se autoriza al Juez Presidente y a cada uno de los Jueces Asociados de la Corte Suprema de Puerto Rico para que designe un oficial jurídico con un sueldo anual de mil ochocientos (1,800) dólares. La persona así designada no se considerará que esté dentro del Servicio Civil Clasificado del Gobierno de Puerto Rico.

Sección 2.—Para el cumplimiento de las disposiciones de esta Ley, se asigna por la presente la suma de nueve mil (9,000) dólares, o cualquier parte de ella que sea necesaria de cualesquiera fondos en Tesorería, no destinados a otras atenciones.

Sección 3.—Toda ley o parte de ley que se oponga a la presente, queda por ésta derogada.

Sección 4.—Que habiendo trabajo acumulado en la Corte Suprema, se declara que existe una emergencia y esta Ley empezará a regir inmediatamente después de su aprobación.

Aprobada en 16 de julio de 1935.

[No. 23]

LEY

PARA ESTABLECER EL RETIRO DE LOS FUNCIONARIOS Y EMPLEADOS PERMANENTES DEL GOBIERNO DE PUERTO RICO Y PARA DEROGAR LA LEY Núm. 104, TITULADA "LEY PARA ESTABLECER EL RETIRO DE LOS FUNCIONARIOS Y EMPLEADOS PERMANENTES DEL GOBIERNO INSULAR DE PUERTO RICO Y PARA DEROGAR LA LEY Núm. 22 TITULADA 'LEY PARA ESTABLECER EL RETIRO DE LOS FUNCIONARIOS Y EMPLEADOS PERMANENTES DE EL PUEBLO DE PUERTO RICO Y PARA CONCEDER A LOS EMPLEADOS ACOGIDOS A LA LEY Núm. 22 DE 1921, EL DERECHO DE RESCINDIR SUS BENEFICIOS', APROBADA EN 22 DE SEPTIEMBRE DE 1928, Y PARA CONCEDER A LOS EMPLEADOS ACOGIDOS A LA LEY Núm. 22 DE
COVERED BY ACT NO. 52 OF 1921 THE RIGHT TO WAIVE THE BENEFITS OF SAID ACT, AND FOR OTHER PURPOSES, APPROVED SEPTEMBER 2, 1925, AS AMENDED BY ACT NO. 33 OF APRIL 21, 1928, BY ACT NO. 73 OF MAY 4, 1930, AND BY ACT NO. 37 OF MAY 4, 1933; TO LEAVE WITHOUT EFFECT THE PENSIONS GRANTED UNDER ACT NO. 52 OF SEPTEMBER 22, 1925, AND ACT NO. 104 OF SEPTEMBER 2, 1925; TO MAKE AN APPROPRIATION, AND FOR OTHER PURPOSES.

Be it enacted by the Legislature of Puerto Rico:

Section 1.—Act No. 104, entitled “An Act to establish the retirement of the permanent officers and employees of the Insular Government of Porto Rico and to repeal Act No. 22 entitled ‘An Act to establish the retirement of the permanent officials and employees of the People of Porto Rico and to grant to employees covered by Act No. 52 of 1921 the right to renounce the benefits thereof’, approved September 22, 1923, and to grant employees covered by Act No. 52 of 1921 the right to waive the benefits of said Act, and for other purposes”, approved September 2, 1925, as amended by Act No. 33, approved April 21, 1928, and by Act No. 37, approved May 4, 1933, is hereby repealed.

Section 2.—The retirement of the permanent officials and employees of the Insular Government of Puerto Rico is hereby established. This Act shall cover all officials and employees of the classified and unclassified civil service of the Insular Government of Puerto Rico with the exception of the Justices of the Supreme Court, professors of the University of Puerto Rico, public-school teachers, members of the Insular Police and municipal employees.

Service Credit

Section 3.—The total period of service which shall serve as a basis in computing the amount of any life annuity provided herein, shall be computed from the date of the original appointment of the officer or employee, whether he belongs to the classified or unclassified service, including periods of service at different times and in one or more departments or offices of the Insular Government; Provided, that no credit shall be allowed for service rendered prior to May 1, 1900, or for services in the municipal branch of the Government, regardless of the origin of the appointment of the official or employee. In computing length of service for the purposes of this Act, the time during which such officer or employee shall have been out of the service shall be excluded, as well as any leaves of absence.
exceeding a total of ninety days in any calendar year; nor shall credit be allowed for services rendered without remuneration, or compensated on a per diem basis, or contracted to be rendered in any way other than daily, during regular office hours.

Section 4.—Retirement shall be granted with a life annuity by reason of age, physical disability, length of service, or involuntary separation, in accordance with the provisions of this Act. In no case shall there be granted a life annuity the amount of which exceeds 75 per cent of the average of the basic annual salary or compensation received by the applicant during the last ten years of service, nor shall any life annuity ever exceed one thousand five hundred (1,500) dollars. The term basic salary or compensation, as used in this Act, shall be understood to exclude any bonus, perquisite, remuneration for extraordinary services, or compensation paid in addition to the salary provided for the position by law or regulation; Provided, that no retirement shall be granted to any person not in active service on the date he applies therefor, or to those who have contributed to the retirement fund for a period of less than ten years.

Retirement by Reason of Age

Section 5.—Every official or employee in active service to whom this Act is applicable and who reaches the age of sixty (60) years after having rendered services for a period of not less than twenty (20) years, computed in accordance with Section 3 of this Act, shall be entitled to retirement upon his application, and the amount of life annuity to which he shall be entitled shall be fixed in accordance with the provisions of Sections 4 and 9 of this Act.

Retirement for Physical Disability

Section 6.—Every official or employee comprised hereunder, who has served the Insular Government for at least fifteen (15) years, and who, before he is entitled to retirement under the conditions established in Sections 5 and 7 of this Act, shall become totally and permanently disabled to engage in any kind of gainful occupation whereby he can receive a remuneration similar to that which he would receive if granted retirement because of sickness or injury, provided such sickness or injury has not been caused by vicious habits, intemperance, or voluntary misconduct on the part of such official or employee, shall be retired, upon his application or on

Leyes de Puerto Rico

Sección 4.—El retiro se concederá con renta vitalicia por razón de edad, por incapacidad física, por el número de años de servicios prestados, o por separación involuntaria, de acuerdo con las disposiciones de esta Ley. En ningún caso se concederá una renta vitalicia cuyo importe exceda del 75 por ciento del promedio de los sueldos o compensaciones básicas anuales recibidos por el solicitante durante los últimos diez años de servicios prestados; ni excederá nunca dicha renta vitalicia de mil quinientos (1,500) dólares al año. El término "sueldo o compensación básica," usado en esta Ley, se entenderá que excluye de sus efectos todo bono, obsequio, remuneración por servicios extraordinarios o compensación dada en adición al sueldo fijado al cargo por ley o reglamento. 

Disponiéndose, que no se concederá retiro alguno a aquellas personas que no estuvieren en servicio activo en la fecha en que lo soliciten, ni a las que hayan realizado al Fondo de Retiro por un período menor de diez años.

Retiro por Razón de Edad

Sección 5.—Todo funcionario o empleado en servicio activo, a quien sea aplicable esta Ley, que alcance la edad de sesenta (60) años y hubiese prestado por un término no menor de veinte (20) años, servicios computados de acuerdo con la sección 3 de esta Ley, tendrá derecho a ser retirado al así solicitarlo y el montante de la renta vitalicia a que tendrá derecho será fijado de acuerdo con las disposiciones de las secciones 4 y 9 de esta Ley.

Retiro por Incapacidad Física

Sección 6.—Todo funcionario o empleado comprendido en esta Ley, que haya servido por lo menos quince (15) años al Gobierno Insular, y que, antes de tener derecho al retiro de acuerdo con las condiciones expresadas en las secciones 5 y 7 de esta Ley, quedare total y permanentemente incapacitado para dedicarse a cualquier clase de trabajo lucrativo, que le permita recibir una remuneración similiar a la que recibiría en el caso de concedérsele la jubilación por causa de enfermedad o daño, siempre que éstos no hubieran sido motivados por hábitos viciosos, intemperancia o mala conducta voluntaria por parte del funcionario o empleado, será retirado, a su soli-
petition of the head of his department or office, on a life annuity to be computed in accordance with the provisions of Sections 4 and 9 of this Act. Retirement for physical disability shall not be allowed to any official or employee unless he is examined by a physician in the government service, or by a physician or surgeon duly authorized to practice his profession, or by a board of physicians or surgeons designated for the purpose by the Retirement Board, and unless such official or employee is found to be physically disabled to the extent and in the manner herein provided. The Retirement Board may require of any person pensioned under the provisions of this section, that he be examined by a physician in the government service, or by a physician or surgeon duly authorized to practice his profession, or by a board of physicians or surgeons designated by the Retirement Board for such purpose, in order to inquire into the nature and degree of the disability, if any, of the pensioner. If, as a consequence of such examination, the person entrusted therewith reports and certifies to the Retirement Board that said pensioner is not disabled, either physically or mentally, for the performance of any gainful occupation whereby he can receive a remuneration similar to that which he may be receiving on the date of his application for retirement, and if the Retirement Board agrees with said report, such pensioner shall cease to receive his life annuity; and said person shall have the right to fill a position in any branch of the Insular Government equal or similar to that held when he was retired; and the Civil Service Commission shall see to it that the reinstatement is made regardless of any regulation that may exist with reference to reinstatements in general; Provided, that the Board, for its own account, may offer surgical intervention or any other treatment indicated by its physician to cause the disability of the pensioner to disappear, and if by virtue of such treatment or intervention the disability ceases, the life annuity shall also cease. The suspension of such life annuity shall take effect on the date fixed by the Retirement Board; Provided, that notice of such suspension shall be sent by mail to the pensioner thirty days prior to said date. If a pensioner fails to appear for medical examination and refuses to be examined at least once each calendar year, payment of his life annuity shall be suspended until he shall have satisfactorily shown that such disability continues. The Retirement Board shall fix the fees for examinations made under the provisions of this section by physicians or surgeons not in the government

cidad, o a petición del jefe de su departamento u oficina, con una renta vitalicia que se computará de acuerdo con las disposiciones de las secciones 4 y 9 de esta Ley. No se concederá retiro por incapacidad física a ningún funcionario o empleado sin ser examinado por un médico al servicio del gobierno o por un médico o cirujano debidamente autorizado para ejercer la profesión, o por una junta de médicos o cirujanos, designados al efecto por la Junta de Retiro, y encontrarle incapacitado físicamente en la medida y forma previstas en la presente. La Junta de Retiro podrá exigir a cualquier persona jubilada de acuerdo con las disposiciones de esta sección, que sea examinado por un médico al servicio del gobierno, o por un médico o cirujano debidamente autorizado para ejercer la profesión, o por una junta de médicos o cirujanos, designados por la Junta de Retiro para ese propósito, a fin de indagar la naturaleza y grado de la incapacidad, si existiere, de la persona jubilada. Si como consecuencia de ese examen, el encargado de hacer el mismo informe y certifique a la Junta de Retiro que dicha persona jubilada no está incapacitada física o mentalmente, para dedicarse a cualquier trabajo lucrativo, que le permita recibir una remuneración similar a la que reciba a la fecha de su solicitud de jubilación y si la Junta de Retiro conviniese en dicho informe, cesará de recibir su renta vitalicia y dicha persona tendrá derecho a ocupar una plaza en cualquier rama del Gobierno Insular, igual o similar a la que desempeñaba cuando fue jubilada, debiendo la Comisión del Servicio Civil velar porque se efectúe la reposición sin tener en cuenta reglamentación alguna que pudiera existir en lo que respecta a casos corrientes de reposición; Disponiéndose, que la Junta podrá ofrecer por su cuenta intervención quirúrgica o cualquier otro tratamiento indicado por su médico para hacer desaparecer la incapacidad de la persona jubilada, y si a virtud de tal tratamiento o intervención cesare la incapacidad, cesará también la renta vitalicia. La suspensión de la renta vitalicia deberá tener efecto en el día fijado por la Junta de Retiro; Disponiéndose, que un aviso de tal caso deberá enviarse por correo a la persona jubilada treinta días antes de dicha fecha. Si una persona jubilada dejare de comparecer al examen médico y no estare ser examinado, por lo menos, una vez cada año natural, el pago de su renta vitalicia deberá ser suspendido hasta que se haya justificado satisfactoriamente que la incapacidad continúa. La Junta de Retiro fijará los honorarios por exámenes hechos de acuerdo con las disposiciones de esta sección por médicos o cirujanos que no estén al servicio del gobierno, y dichos honorarios, juntamente con
service; and said fees, together with reasonable traveling expenses of the officer or employee, and other disbursements made in order to make such examination, shall be paid from appropriations made to carry out this Act.

Retirement for Years of Service

Section 7.—Any official or employee in the service, to whom this Act is applicable, who has reached the age of fifty-five (55) years in case of males and fifty (50) years in case of females, and who has rendered at least twenty-five (25) years of service computed in accordance with Section 3 of this Act, and any official or employee who has rendered at least thirty (30) years of service, regardless of age, shall be entitled to retirement with a life annuity computed in accordance with the provisions of Sections 4 and 9.

Retirement by Reason of Involuntary Separation

Section 8.—If an official or employee of forty-five (45) years of age, to whom this Act is applicable, after he has served for a period of not less than twenty (20) years and before he is entitled to retire, is involuntarily separated from the classified or unclassified Civil Service for any reason except removal, such official or employee shall be entitled to receive, from the date he ceases in office, fifty per cent of the salary he was drawing at the time he ceased in office until his reinstatement by the Civil Service Commission in a position equal or similar to that which he was holding. For this purpose, it shall be the duty of the said Commission to send, without any excuse or pretext whatsoever, the name of said employee to the head of the department where a vacancy occurs, and the latter shall appoint the said employee to fill the vacancy. If the employee so appointed should decline said appointment, the annuity he is receiving shall cease ipso facto, and the Retirement Board shall proceed to drop his name from the pensioners' pay roll; Provided, however, that if the employee so involuntarily separated is sixty (60) years old or over, the annuity allowed him shall be for life, without a right to reinstatement, but in no case shall he receive an annual pension of more than one thousand five hundred (1,500) dollars.

Method of Computing Life Annuities

Section 9.—The life annuity of any official or employee of the Insular Government of Puerto Rico, within the classified or unclassified service, of any such official or employee, shall be computed upon the provisions of the Retirement Annuities Act of the Commonwealth of Puerto Rico.
Civil Service, who may be retired under the provisions of this Act, shall be a sum equal to two per cent (2%) of the average of the salaries received by the official or employee during the last eight (8) years of service multiplied by the total number of computable years of service during which he paid his quota normally, and one and one-half per cent for each additional year of computable service during which he did not pay his quota.

In computing the services of an official or employee, the different periods of service rendered as defined in Section 3 shall be added together, the total of which in complete years shall be the basis for fixing the amount of his life annuity, the fractional part of a year to be disregarded.

In computing the amount of the life annuity, the multiple of twelve-nearest to the figure obtained in the arithmetical operation shall be adopted.

**Payment of Life Annuities**

Section 10.—Life annuities allowed under this Act shall be payable monthly on the first working day of the month following the month or other period of time to which each annuity corresponds, and payment of life annuities or reimbursements shall be made by checks drawn in the form and with such security as the Auditor of Puerto Rico may prescribe. Applications for retirement shall be made as prescribed by the Retirement Board, and shall be addressed by the applicant to the head of the department or office where he renders service, and said head of department or office shall refer the same to the Puerto Rican Civil Service Commission in order that it may issue a certificate in regard to the length of the services rendered by the applicant. The Civil Service Commission shall return said application to the Retirement Board with all documents showing the services rendered by the applicant, and the Board shall decide whether the retirement requested may be granted and the amount of the life annuity, in accordance with this Act. Applications for retirement shall be considered and decided according to numerical order of presentation of each of them as shown by a register to be kept by the Board; Provided, that when funds available for the payment of life annuities are insufficient to meet all applications filed, the Retirement Board shall give preference, first, to applications by reason of physical disability; second, to applications by reason of age; third, to applications by reason of years of service; and last, to applications by reason of involuntary separation.
Upon approval of the retirement, the Board shall notify the head of the department or office to which said officer or employee belongs or belonged, the Auditor and the Treasurer of Puerto Rico, respectively, for the purpose of the monthly payment of the life annuity granted. In cases of services rendered prior to the creation of the Puerto Rican Civil Service Commission, and the said commission is unable to certify as to services rendered, the Retirement Board shall have power to admit any documentary evidence submitted by the person concerned, and when such evidence is accepted, it shall have the same value as the certificate of the Civil Service Commission mentioned in this section. The Retirement Board may make such investigations as it may deem necessary, and the members thereof shall have power to administer oaths in connection with the provisions of this Act.

Benefits to Those Already Retired

Section 11.—Each official and employee of the Insular Government of Puerto Rico, who, before this law takes effect, has been retired, or whose application for retirement has been favorably acted upon, in accordance with the provisions of Act No. 22 of September 22, 1923, and of Act No. 104 of September 2, 1925, as amended by Act No. 33 of April 21, 1928, by Act No. 73 of May 6, 1930, and by Act No. 37 of May 4, 1933, shall be entitled to receive the life annuity originally granted to him, less a deduction which shall be computed as follows: from pensioners who are now fifty years old or less, a deduction of 20 per cent shall be made; from those of over fifty years, such deduction shall be reduced at the rate of one per cent for each year of age over fifty, so that from those seventy years of age, such deduction will be reduced to zero; Provided, that these deductions shall not be applicable to life annuities of less than thirty (30) dollars, or to such pensioners as are physically disabled for work and have no other income whatsoever.

Return of Deducted Quotas

Section 12.—In case an official or employee included under this Act is transferred to a position not included hereunder, and in case any official or employee included under this Act finally ceases in the service before retirement, the total amount of the quotas deducted from his salary or compensation, with accrued interest at the rate of

Al aprobarse el retiro, la Junta lo notificará al jefe del departamento u oficina a que pertenecía o haya pertenecido el funcionario o empleado, al Auditor y al Tesorero de Puerto Rico, respectivamente, para los efectos del pago mensual del importe de la renta vitalicia concedida. Cuando se trate de servicios prestados con anterioridad a la creación de la Comisión de Servicio Civil Puertorriqueño, y ésta no pudiera certificar sobre los servicios prestados, la Junta de Retiro tendrá facultad para admitir cualquier prueba documental que se le someta por la parte interesada, y al ser aceptada dicha prueba, tendrá el mismo valor que el certificado de la Comisión de Servicio Civil mencionado en esta sección. La Junta de Retiro podrá practicar las investigaciones que crea conveniente, y sus miembros tendrán facultad para tomar juramentos en relación con las disposiciones de esta Ley.

Beneficio a los ya Retirados

Sección 11.—Cada uno de los funcionarios y empleados del Gobierno Insular de Puerto Rico que, antes de entrar en vigor esta Ley, hubiere sido retirado o cuya solicitud de pensión hubiere sido resuelta favorablemente de acuerdo con las disposiciones de las Leyes Núm. 22 de 22 de septiembre de 1923, y Núm. 104 de 2 de septiembre de 1925, tal como fue enmendada por la Ley Núm. 33 de 21 de abril de 1928, por la Ley Núm. 73 de 6 de mayo de 1930, y por la Ley Núm. 37 de 4 de mayo de 1933, tendrá derecho a recibir la renta vitalicia que le fue originalmente asignada menos un descuento que se computará en la forma siguiente: A los pensionados que tengan actualmente 50 años o menos de edad se descontará el 20 por ciento. A los que tengan más de 50 años se les reducirá este descuento a razón de 1 por ciento por cada año de edad que tengan sobre 50, de modo que a los de 70 años de edad este descuento quedará reducido a cero. Disponiéndose, que estos descuentos no serán aplicables a rentas vitalicias menores de treinta dólares ni a aquellos pensionados que se encuentren físicamente incapacitados para trabajar y que no tengan otro ingreso de clase alguna.

Devolución de Cuotas Descontadas

Sección 12.—En caso de que un funcionario o empleado comprendido en esta Ley haya sido trasladado a un cargo no incluido en la presente, y en caso de que cualquier funcionario o empleado comprendido en esta Ley cesare definitivamente en el servicio antes de ser retirado, el importe total de las cuotas deducidas de sus sueldos
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Sección 12.—En caso de que un funcionario o empleado comprendido en esta Ley haya sido trasladado a un cargo no incluido en la presente, y en caso de que cualquier funcionario o empleado comprendido en esta Ley cesare definitivamente en el servicio antes de ser retirado, el importe total de las cuotas deducidas de sus sueldos
three (3) per cent a year, computed June 30 of each fiscal year, shall be returned to said official or employee upon application; Provided, that in case of the return of said official or employee to the service, such funds with interest, shall be returned by him to the Retirement Fund in such form as the Retirement Board may provide. When an official or employee dies while in active service, the total amount of the quotas deducted, plus interest, shall be paid to the lawful heirs of said official or employee, or to such person as he may have indicated by written designation duly authenticated before a notary, which designation shall be filed with the Retirement Board and shall be exempt from the payment of the fee of twenty-five (25) cents; Provided, that in case of death, the Retirement Board shall immediately notify the Attorney General of the fact to the end that the district attorney of the proper district court, or any law clerk empowered to act as district attorney, shall institute in said court all proper proceedings for obtaining the declaration of heirs of the deceased employee, transmitting the same to the Retirement Board, without prejudice to the right of any of the interested persons themselves to institute proceedings for a declaration of heirs. This kind of proceedings shall be prosecuted with all diligence by the courts without need of including the same in the special calendar, with preference over all other matters pending before said court; and neither said court nor any of its officers shall collect any costs or fees whatever for the prosecution and approval of such proceedings, or for the certificates issued for the use of the Retirement Board. The officers in charge of the civil registry shall issue free of charge all certificates necessary for the said purpose.

Section 13.—From and after the date on which this Act takes effect, there shall be deducted and withheld from the basic salary or compensation of every official or employee comprised under this Act, a sum equal to three (3) per cent of the basic salary or compensation of such official or employee. The Auditor of Puerto Rico is hereby authorized and directed to make such deductions, and the amount thereof shall be credited, as provided in Section 15 of this Act, on the books of the Treasury of Puerto Rico, to an account to be known as “Retirement Fund of the Officials and Employees of the Civil Service of Puerto Rico”; Provided, that for the purposes of said deduction, every official and employee appointed after this Act takes effect shall be considered as a permanent official or employee from the time he qualifies, without need of waiting for the
expiration of the probationary period established by the Civil Service Rules of Puerto Rico; *Provided, further,* that any official or employee who has ceased to render services to the Insular Government and who again returns thereto after this Act takes effect, shall serve for at least three consecutive years before he is entitled to enjoy the benefits of this Act.

Section 14.—It shall be understood that every official or employee comprised hereunder, consents and agrees to such deductions of quotas from his salary or compensation as are mentioned in this Act, and that all payments, less such deductions, shall be considered as a full and complete discharge and settlement of all claims of whatever nature for regular services rendered by said officials or employees during the period covered by said payments, with the exception of the right to such benefits as are granted to said officials or employees by the provisions of this Act.

**Appropriations**

Section 15.—Any balance remaining from the amounts deducted and withheld from the basic salary, pay or compensation of every official and employee comprised under Act No. 104, approved September 2, 1925, as amended by Act No. 33 of April 21, 1928, and by Act No. 37 of May 4, 1933; such amounts as may have been, or as may hereafter be, deducted and withheld under the provisions of this Act; the interest thereon, plus the appropriation made by Section 20 hereof, shall be credited and transferred to, considered as, and appropriated for, a reserve fund which shall be known as the “Retirement Fund of the Officials and Employees of the Civil Service of Puerto Rico”, and said fund shall be utilized exclusively for the payment of life annuities, reimbursement of quotas and the accrued interest thereon, salaries of employees and administrative expenses of the Retirement Board. Said Board is hereby authorized and directed to deposit in one or more local banks of recognized financial solvency such part of said funds as, in its judgment, may not be immediately necessary for the payment of the life annuities, reimbursement of quotas, and other expenses provided for in this Act; and the proceeds of the accrued interest on the funds so deposited shall be covered into the Retirement Fund. The Retirement Board is hereby authorized to receive donations for the Retirement Fund.

**Leyes de Puerto Rico**

acudir que transcurra el periodo de prueba fijado por las reglas del Servicio Civil de Puerto Rico; *Disponiéndose, además,* que todo funcionario o empleado que habiendo dejado de prestar servicios al Gobierno Insular, volviere nuevamente al servicio después de la vigencia de esta Ley, deberá servir, por lo menos, durante tres (3) años consecutivos para tener derecho a gozar de los beneficios de la presente.

Sección 14.—Se entenderá que todo empleado o funcionario comprendido en esta Ley, consentirá y convendrá en las deducciones de sus cuotas del sueldo o compensación mencionadas en esta Ley, y que todo pago menos dichas deducciones se considerará como un total y completo desargo y finiquito de toda reclamación y demanda, cualesquiera que sean por servicios ordinarios prestados por dichos funcionarios o empleados durante el periodo cubierto por tal pago, con excepción del derecho a los beneficios que a dichos funcionarios o empleados otorgan las disposiciones de esta Ley.

**Asignaciones**

Sección 15.—Cualquier balance que quedare de las cantidades deducidas y retenidas del sueldo, paga o compensación básica de cada funcionario y empleado comprendido en las disposiciones de la Ley Núm. 104, aprobada en 2 de septiembre de 1925, según fue enmendada por la Ley Núm. 33 de 21 de abril de 1928, y por la Ley Núm. 37 de 4 de mayo de 1933, las que se hayan deducido y retenido hasta el presente y se deduzca y retenga en el futuro por las disposiciones de esta Ley, los intereses de esas cantidades, más la asignación que se provee en la sección 20 de la presente, se acreditarán y serán transferidas, consideradas y asignadas a un fondo de reserva que se llamará “Fondo de Retiro de los Funcionarios y Empleados del Servicio Civil de Puerto Rico”, y dicho fondo se utilizará solo-mente para el pago de rentas vitalicias, para devolución de cuotas e intereses devengados, para sueldos de empleados y para gastos de administración de la Junta de Retiro.

A la referida Junta se le autoriza y se le ordena depositar en uno o más bancos locales de reconocida solvencia económica la parte de los fondos que a su juicio no sea inmediatamente necesaria para el pago de las rentas vitalicias, la devolución de cuotas y otros gastos previstos en esta Ley, y el producto de los intereses que devengan los fondos de tal modo depositados sea ingresado en dicho Fondo de Retiro. La Junta de Retiro queda por la presente autorizada para recibir donativos con destino al Fondo de Retiro.
expiration of the probationary period established by the Civil Service Rules of Puerto Rico; *Provided, further,* that any official or employee who has ceased to render services to the Insular Government and who again returns thereto after this Act takes effect, shall serve for at least three consecutive years before he is entitled to enjoy the benefits of this Act.

Section 14.—It shall be understood that every official or employee comprised hereunder, consents and agrees to such deductions of quotas from his salary or compensation as are mentioned in this Act, and that all payments, less such deductions, shall be considered as a full and complete discharge and settlement of all claims of whatever nature for regular services rendered by said officials or employees during the period covered by said payments, with the exception of the right to such benefits as are granted to said officials or employees by the provisions of this Act.

** Appropriations **

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Section 16.—To carry out the provisions of this Act, a board is hereby created, to be known as the “Retirement Board” which shall perform the duties herein assigned to it and which shall be composed of the Treasurer of Puerto Rico as chairman ex officio, and four officials or employees comprised under this Act, to be designated by the Governor of Puerto Rico. The term of office of the members of said board shall be four (4) years; Provided, that in appointing a new board, the Governor shall appoint for a new term at least one of the members of the outgoing board. The Retirement Board shall elect a vice-chairman and a secretary from among its members, and shall appoint such office personnel as may be necessary for the purposes of this Act, and it shall fix their compensation. For this purpose and for office expenses, equipment, office supplies, etc., a sum of not over five thousand (5,000) dollars a year shall be made available, chargeable to the Retirement Fund; however, in case it should be necessary to make a financial survey of the solvency of the Retirement Fund, the Board may dispose of an additional appropriation of five thousand (5,000) dollars, with the approval of the Governor of Puerto Rico. The employees appointed by the Retirement Board may be included under the benefits of this Act. The Commissioner of the Interior shall provide the Retirement Board with the quarters necessary for the establishment of its office.

Exemption from Attachment

Section 17.—Title to life annuity is personal, and its assignment or transfer shall be null. The life annuity shall not be liable for debts contracted by the pensioned, shall be tax-free, and shall not be attached or affected by any judicial proceeding.

Section 18.—Any official or employee comprised under this Act, who, as such, has not contributed to the Retirement Fund created under Act No. 22 of 1923, and who desires to be given credit for the time of the services rendered from January 1, 1924, to November 30, 1925, may be granted such credits provided that, before he applies for retirement, he pays to the Retirement Fund two (2) per cent of his salary during said period of time.

Section 19.—Every pensioner shall cease to receive his annuity during such time as he may be holding any position with salary or compensation of any kind derived from any governmental source, whether Federal, Insular, or municipal, or when his income from any source is equal to or exceeds the salary which he received at the time of his annuity. 

Exención de Embargo

Sección 17.—El derecho a una renta vitalicia es personal y su cesión o traslado será nulo. La renta vitalicia no responderá de deudas contraídas por la persona jubilada, no estará sujeta a contribución de ninguna clase, y no podrá ser embargada ni afectada por ningún procedimiento judicial.

Sección 18.—Al funcionario o empleado comprendido en esta Ley, que como tal no hubiera contribuido al Fondo de Retiro creado por la Ley Núm. 22 de 1923, y que desee ser dado crédito por el tiempo de servicios prestados desde enero primero de 1924 hasta noviembre 30 de 1925, podrá concedérsele ese crédito siempre que abone al Fondo de Retiro el dos (2) por ciento de sus sueldos durante dicho período de tiempo y antes de solicitar su retiro.

Sección 19.—Toda persona jubilada cesará en el goce de su retiro mientras ocupe cualquier cargo con sueldo derivado de cualquier fuente de gobierno, fuere ésta federal, insular o municipal o cuando sus ingresos de cualquier fuente fueren iguales o mayores al sueldo que disfrutaba cuando fué pensionada. No obstante, los funcionarios y
of his retirement. However, retired officials and employees may hold any elective office in the Legislature or a municipal assembly without detriment to the life annuity they enjoy; *Provided*, That officials and employees retired under this Act may return to active service in the Government of Puerto Rico if they so desire, the life annuity enjoyed by them being suspended in the meantime. In such cases, the rights acquired within the Civil Service by officials and employees shall not, upon their return to the service, be affected by the Puerto Rican Civil Service Law and Rules. Neither shall the rights acquired by such officials and employees to obtain again a life annuity be affected, and the Retirement Board shall, therefore, grant them, without further requirements, the life annuity they are entitled to when they again leave the service. Retired officials and employees returning to active service shall again contribute to the Retirement Fund.

Section 20.—There is hereby appropriated for the fiscal year 1935–36, and yearly thereafter during four fiscal years, the sum of fifty thousand (50,000) dollars from the general funds of the Treasury of Puerto Rico, which amount shall be preferentially set aside annually by the Treasurer of Puerto Rico and shall be carried into the Retirement Fund in equal monthly installments; *Provided*, that the Treasurer is hereby authorized and directed to cover into the said fund a like sum each successive fiscal year, without need of further authorization by the Legislature of Puerto Rico, which appropriation shall be included in the annual budget of expenditures of the Government of Puerto Rico.

Section 21.—The Retirement Board of the officials and employees shall submit to the Governor of Puerto Rico annually a complete report of all life annuities granted and those which may hereafter be granted in accordance with the provisions of this Act.

Section 22.—If any clause, sentence, paragraph, or part of this Act is for any reason declared null and void by a court of competent jurisdiction, said decision shall not affect, prejudice, or invalidate the rest of the Act, but the effect of such decision shall be limited to the clause, sentence, paragraph, or part hereof in controversy by reason of which such judgment shall have been rendered.

Section 23.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 24.—This Act, being of an urgent and necessary character, shall take effect July 15, 1935.

*Approved, July 16, 1935.*

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empleados retirados podrán desempeñar cualquier cargo electivo en
la Asamblea Legislativa o en una asamblea municipal sin menoscabo
de la renta vitalicia que disfruten; *Disponiéndose*, que los funcio-
narios y empleados jubilados de acuerdo con la presente Ley podrán
volver al servicio activo del Gobierno de Puerto Rico, si así lo dese-
aren, quedando mientras tanto suspendida la renta vitalicia que dis-
frutan. Los derechos adquiridos dentro del Servicio Civil por los
funcionarios y empleados que se encuentren en este caso no serán
afectados, al volver al servicio, por las leyes y reglamentos del Ser-
vicio Civil Puertorriqueño, ni tampoco serán afectados los derechos
adquiridos por tales funcionarios y empleados para obtener nueva-
mente una renta vitalicia, debiendo, por lo tanto, la Junta de Retiro
autorizarles, sin otros requisitos, la renta vitalicia a que tuvieren de-
recho al retirarse nuevamente del servicio. Los funcionarios y em-
pleados jubilados que volvieren al servicio activo contribuirán otra
vez al Fondo de Retiro.

Sección 20.—Por la presente se asigna para el año fiscal 1935–
1936 y anualmente en lo sucesivo, durante cuatro años económicos,
de los fondos generales del Tesoro de Puerto Rico, la cantidad de
cincuenta mil (50,000) dólares, suma que el Tesorero de Puerto Rico
separará con preferencia anualmente e ingresarán al Fondo de Retiro
en plazos iguales mensuales; *Disponiéndose*, que el Tesorero queda
autorizado y ordenado por la presente a ingresar al referido Fondo
igual suma en cada año económico sucesivo, sin que haya necesidad
de nueva autorización de la Asamblea Legislativa de Puerto Rico,
debiendo dicha asignación incluirse en el presupuesto anual de gastos
del Gobierno de Puerto Rico.

Sección 21.—La Junta de Retiro de los funcionarios y empleados
rendirá anualmente al Gobernador de Puerto Rico, un informe com-
pleto de todas las rentas vitalicias concedidas y que de ahora en
adelante se concedan de acuerdo con las disposiciones de esta Ley.

Sección 22.—Si cualquier cláusula, oración, párrafo o parte de
da Ley es por cualquier motivo declarada nula por un tribunal
de jurisdicción competente, dicho fallo no afectará, perjudicará ni
invalidará el resto de la ley; sino que su efecto quedará limitado a
la cláusula, oración, párrafo o parte de la presente envuelta en la
controversia con motivo de la cual se haya dictado el fallo.

Sección 23.—Toda ley o parte de ley en conflicto con la presente,
queda por ésta derogada.

Sección 24.—Esta Ley, por ser de carácter urgente y necesario,
empezará a regir el quince de julio de 1935.

*Aprobada en 16 de julio de 1935.*