

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Philippines

**Thirteenth Congress**  
**First Regular Session**



**HOUSE BILL NO. 3286**

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**Introduced by Honorable Eduardo V. Roquero, M.D.**

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**EXPLANATORY NOTE**

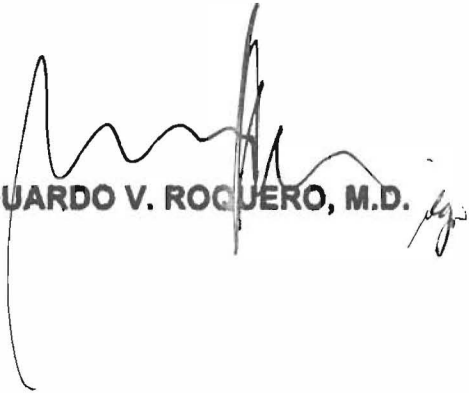
As we move towards economic development, social justice, social stability, peace of mind and prosperity, one among of the most compelling concerns that we must address is to uplift the standard of living of every Filipino citizen, specially in securing financial securities to ensure the future education of the next generation while the head of the family is young and productive as well as to ensure the same during old age and/ or retirement years of every Filipino citizen.

Towards this end financial security means providing a viable financial resources that could sufficiently provide a decent way of preparation for the future education every SSS members as a direct and immediate social responsibility of every parent to their children and securing a better way of living during retirement years.

Furthermore, the total development of every individual as a functional and productive member of a society is one among of the priority state concerns thereby Article XIV, Section 1 of the Constitution declares to quote ***"The State shall protect and promote the right of all citizens to quality education at all levels and Shall take appropriate steps to make education accessible to all"***. *EP*

**This bill therefore, proposes to provide an Education Trust Fund (ETF) among the Grantees of SSS members, thereby providing of functional and productive members of our society and increasing the minimum monthly pension of SSS pensioners, and provide an annual increase therein purposely to uplift standard of living of every SSS pensioners.**

**In view of the foregoing, the approval of this bill is earnest to by urged**



**EDUARDO V. ROQUERO, M.D.**

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HOUSE BILL NO. 3286

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**AN ACT**  
**PROVIDING FOR AN ANNUAL INCREASE OF FIFTEEN (15%) PERCENT IN MONTHLY PENSION OF SSS RETIREES, PROVIDING FURTHER FOR AN OPTIONAL EDUCATION TRUST FUND FOR GRANTEES OF SSS MEMBERS AND APPROPRIATING FUNDS THEREFOR, THEREBY AMENDING FOR THIS PURPOSE REPUBLIC ACT NJO. 8282, AS AMENDED, OTHERWISE KNOWN AS THE SOCIAL SECURITY LAW.**

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

1           **SECTION 1.** Republic Act No. 8282, as amended, otherwise known as  
2           the "Social Security Law" is hereby further amended to read as follows:

3

4           **SECTION 1. *Short Title.*** – This Act shall be known as the "Social Security  
5           Act of 2004".

6

7           **SECTION 2.** – Section 12. is hereby further amended to read as follows:

8

9           **SECTION 12. *Monthly Pension.*** – (a) The monthly pension shall be the  
10          highest of the following amounts:

11

12           (1) The sum of the following:

13

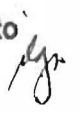
14                   (1)     FIVE HUNDRED PESOS (P500); plus

*flg*

- 1 (ii) THIRTY (30%) PERCENT of the average monthly salary  
2 credit; plus  
3  
4 (iii) TWENTY (20%) PERCENT of the average monthly salary  
5 credit for each credited year of service in excess of ten (10)  
6 years; or  
7  
8 (2) SEVENTY (75%) PERCENT of the average monthly salary credit;  
9 or  
10  
11 (3) TWO THOUSAND (P2,000.00) *Provided*; That, the monthly  
12 pension shall in no case be paid for an aggregate amount of less  
13 than NINETY (90) MONTHS.  
14  
15 (b) Notwithstanding the preceding paragraph, the minimum pension  
16 shall be FOUR THOUSAND (P 4,000) PESOS for members with at  
17 least TEN (10) credited years of service and TEN  
18 THOUSAND (P10,000) PESOS for those with TWENTY (20)  
19 credited years of services. *Provided*, further that the monthly  
20 pension shall be increased by FIFTEEN (15%) PERCENT in every  
21 year thereafter.  
22

23 **SECTION 12-A. Dependents' Pension.** – Where monthly pension is  
24 payable on account of death, permanent total disability or retirement, dependents'  
25 pension equivalent to TWENTY (20%) PERCENT of the monthly pension or ONE  
26 THOUSAND (P1,000.00) PESOS, whichever is higher, shall also be paid for each  
27 dependent child conceived on or before the date of the contingency but not  
28 exceeding FIVE (5), beginning with the youngest and without substitution, the  
29 former shall be preferred.  
30

31 **SECTION 12-B. Retirement Benefit.** – (a) A member who has paid at  
32 least one hundred twenty (120) monthly contributions prior to the semester of  
33 retirement and who (1) has reached the age of sixty (60) years and is already  
34 separated from employment or has ceased to be self-employed or (2) has  
35 reached the age of sixty five (65) years, shall be entitled for as long as he lives to



1 the monthly pension: *Provided*, That he shall have the option to receive his first  
2 THIRTY SIX (36) monthly pensions in lump sum. *Provided Further*, that the  
3 monthly regular pension shall commence on the SEVENTH (7<sup>th</sup>) MONTH upon the  
4 effectivity of retirement without prejudice to pension and/or any other benefit due  
5 and payable to the pensioner.  
6

7 (b) A covered member who is sixty (60) years old at retirement and who does  
8 not qualify for pension benefits under paragraph (a) above, shall be entitled to a  
9 lump sum benefit equal to the total contributions paid by him inclusive of the  
10 employer's share on his behalf plus an aggregate dividend and/or interest to be  
11 determined by the actuarial department of SSS. *Provided*, That he is separated  
12 from employment and is not continuing payment of contributions to the SSS on his  
13 own and/or as self-employed SSS member.  
14

15 (c) The monthly pension shall be suspended upon the reemployment or  
16 resumption of self-employment of a retired member who is less than SIXTY FIVE  
17 five (65) years old. He shall again be subject to Section 18 and his employer to  
18 Section 19 of this Act.  
19

20 (d) Upon the death of the retired member, his primary beneficiaries as of the  
21 date of his retirement shall be entitled or receive the monthly pension equivalent  
22 to the regular monthly pension of the deceased member: *Provided*, That if he has  
23 no primary beneficiaries and he dies within THIRTY SIX (36) MONTHS from the  
24 start of his monthly pension, his secondary beneficiaries shall be entitled to a lump  
25 of the five-year guaranteed period, excluding the dependents' pension.  
26

27 (e) The monthly pension of a member who retires after reaching the age SIXTY  
28 (60) shall be the higher of either: (1) the monthly pension computed at the earliest  
29 time he could have retired and had he been separated from employment or  
30 ceased to be self-employed plus all adjustments thereto; or (2) the monthly  
31 pension computed at the time when he actually retires.  
32

33 **SECTION 12-C. Optional Education Trust Fund (ETF) Benefit.** – A  
34 member who has paid at least three (3) monthly contributions upon membership  
35 shall be qualified to avail an optional Education Trust Fund (ETF) Benefit for  
36 his/her grantees according to the implementing rules and regulations, guidelines 

1 and procedures being adopted and implemented by SSS Education Trust Fund  
2 (ETF) Department.  
3

4 **SECTION 3. *Separability Clause.*** – If any provision of this Act is  
5 declared invalid, the other provisions not affected thereby shall remain valid.  
6

7 **SECTION 4. *Repealing Clause.*** – All laws, proclamations, executive  
8 orders, rules and regulations or parts thereof inconsistent with this Act are hereby  
9 repealed, modified are amended accordingly: *Provided*, That no person shall be  
10 deemed to be vested with any property or other right by virtue of the enactment or  
11 operation of this Act.  
12

13 **SECTION 5. *Effectivity Clause.*** – This Act shall take fifteen (15) days  
14 after its complete publication in the *Official Gazette* or in at least two (2) national  
15 newspapers of general circulation whichever comes earlier.   
16

17 **Approved**