

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th CONGRESS
First Regular Session

HOUSE BILL NO. 3016

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

Government officials and employees are one of the lowest paid in our country. Despite their low pay, it is refreshing to hear of those who remain and choose to serve the country until the time of their retirement.

When the pay check stops coming after retirement, all the retired civil servant can rely on is his retirement pay. But alas, the bureaucratic red tape is ever present during the processing of retirement papers and thus, the poor civil servant has to wait for his papers to be processed before his retirement pay is received.

To ensure that the retired civil servant will be able to receive his retirement pay immediately upon his retirement, the approval of this bill is earnestly requested.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

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AN ACT
MANDATING THE PAYMENT OF RETIREMENT BENEFITS TO GOVERNMENT
RETIREEES ON THE DATE OF THEIR RETIREMENT

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

SECTION 1. The heads of all government agencies, bureaus and corporations shall see to it that the processing of the papers of all their employees under compulsory and optional retirement, shall be completed three (3) months before the date of their retirement, and for this purpose, immediately after the filing of application of retirement, shall notify or inform the retirees of the required papers and documents, and for them to submit the same within six (6) months before their date of retirement.

SEC. 2. No clearance from the Provincial or City Prosecutor nor from Ombudsman shall be required; a Court Clearance shall be sufficient for the retirement of government employees: *Provided, further:* That any administrative case against a government employee shall be terminated at least three (3) months before the date of his retirement; and *Provided, further:* That any administrative case filed against a compulsory retiree within three (3) months before his date of retirement shall be considered a harassment suit unless otherwise found meritorious by the head of office or agency concerned.

SEC. 3. The government offices, bureaus and agencies or corporations concerned shall see to it that the funds shall be made available to the Government Service Insurance

System (GSIS) for the payment of benefits and gratuities of their retiring employees at least three (3) months before the date of their retirement.

SEC. 4. The GSIS shall expedite the processing of the retirement papers of all government retirees to ensure that the latter shall receive their retirement benefits and gratuities on the day of their actual retirement.

SEC. 5. Penal Clause. Any head of office, and/or the General Manager of the GSIS who fails to comply with the provisions of this Act shall be punished with imprisonment of six (6) years and one (1) days of prison mayor and shall suffer perpetual disqualification to hold public office.

SEC. 6. Repealing Clause. All laws decrees, orders, issuances or regulations inconsistent with the provision of this Act are hereby repealed or amended accordingly.

SEC.7. Separability Clause. In the event any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and in effect.

SEC. 8. Effectivity. This Act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,