

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11352**



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

Republic Act No. 7699, otherwise known as the “Limited Portability Law,” allows workers who have rendered service or made contributions under both the Social Security System (SSS) and the Government Service Insurance System (GSIS) to totalize their creditable periods for purposes of qualifying for benefits. This recognizes the contributions and years of service of workers who have moved between the private and public sectors.

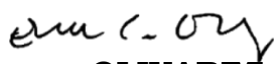
Despite this recognition, pensioners who qualify under the portability scheme have not always received benefits on the same basis as similarly situated old-age pensioners of the respective systems, particularly with respect to supplemental pension benefits and pension increases.

This measure seeks to ensure fair and equal treatment by granting qualified pensioners under Republic Act No. 7699 the same annual Christmas cash gift, thirteenth-month pension, and pension increases granted to similarly situated pensioners of the SSS and GSIS. A pensioner receiving pensions from both systems shall be entitled to the applicable benefits from both systems, based on the pension payable by each.

The measure further seeks to protect existing benefits and ensure that the implementation of the law shall not result in the diminution or reduction of benefits already enjoyed by portability pensioners.

The passage of this measure will uphold the principle that workers who have contributed to both social insurance systems should not be placed at a disadvantage merely because their pension entitlement was established through the portability scheme.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ERIC L. OLIVAREZ

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House Bill No. 11352

Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

**“AN ACT
PROVIDING FOR FAIR TREATMENT OF CERTAIN SENIOR CITIZEN
PENSIONERS BY GRANTING ANNUAL CHRISTMAS CASH GIFT,
THIRTEENTH-MONTH PENSION, AND PENSION INCREASES TO
PENSIONERS OF THE SOCIAL SECURITY SYSTEM AND GOVERNMENT
SERVICE INSURANCE SYSTEM WHO ARE BENEFICIARIES OF REPUBLIC
ACT NO. 7699, “AN ACT INSTITUTING LIMITED PORTABILITY SCHEME IN
THE SOCIAL SECURITY INSURANCE SYSTEMS BY TOTALIZING THE
WORKERS’ CREDITABLE SERVICES OR CONTRIBUTIONS IN EACH OF THE
SYSTEMS”**

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

SECTION 1. — Notwithstanding any provision of law, rules, regulations, or issuances to the contrary, pensioners who are beneficiaries of Republic Act No. 7699, “An Act Instituting Limited Portability Scheme in the Social Security Insurance Systems by Totalizing the Workers’ Creditable Services or Contributions in Each of the Systems,” shall be entitled to receive the same benefits granted to similarly situated old-age pensioners of the respective systems, including an annual Christmas cash gift from the Government Service Insurance System (GSIS), a thirteenth-month pension from the Social Security System (SSS), and pension increases granted by the SSS and GSIS.

A pensioner receiving pensions from both the SSS and GSIS pursuant to Republic Act No. 7699 shall be entitled to receive the annual Christmas cash gift from the GSIS, the thirteenth-month pension from the SSS, and the pension increases granted by both the SSS and GSIS, in accordance with the pension payable by each System.

SECTION 2. — Within sixty (60) days from the effectivity of this Act, the SSS and GSIS, in consultation with the Department of Finance and duly recognized organizations of SSS and GSIS pensioners, shall promulgate the rules and regulations necessary to implement this Act: *Provided*, that any conflict in the interpretation of this Act and the implementing rules and regulations shall be resolved in favor of the pensioners.

SECTION 3. — Nothing in this Act shall be construed to diminish or reduce the benefits being enjoyed by pensioners under Republic Act No. 7699 arising from existing laws, issuances, or SSS and GSIS Board Resolutions.

SECTION 4. — All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, SSS and GSIS Board resolutions, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SECTION 5. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.