

Pursuant to Republic Act No. 660- An Act to Create and Establish a Government Service Insurance System, Republic Act No. 8291 - Government Service Insurance System (GSIS) Act of 1997, Presidential Decree No. 1146 - Rules on Separated/Retired from service before 24 June 1997, Republic Act No. 7699-Portability Law, and Civil Service Commission (CSC) Memorandum Circular NO. 41, s. 1998 - Omnibus Rules on Leave: Sec. 35 Terminal Leave, the herein Guidelines/Policy is hereby enacted to provide guidance to officials/employees of the Land Registration Authority (LRA) on the availment of their retirement benefits.

This policy defines the requirements, benefits, and procedures for retiring officials and regular employees of the Land Registration Authority, Registries of Deeds and LRA-CARP to ensure that departing employees receive their rightful benefits and to support a smooth transition for both the retiring employee and this Authority.

I. GENERAL POLICIES

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- 1. Optional retirement may be availed of by those officials/employees who have rendered at least 15 years of government service and must be at least 60 years old upon retirement. Compulsory retirement age is 65 years old.
- 2. Officials/Employees who have been permanently and totally disabled and are unable to work as a result of an injury or illness incurred while in the performance of their duties may avail of the disability retirement subject to the following eligibility requirements, to wit:
 - a. The employee must have made at least 36 monthly contribution within the last 10 years prior to the disability
 - b. If less than 36 monthly contribution, the amount of benefits shall be proportionate to the number of contributions made;
 - c. Provided further that in both instances, it is also required that the employee must have made at least one (1) monthly contribution within the last six (6) months prior to disability;

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- d. Disability finding was made by a GSIS-accredited physician; and
- e. Having submitted the necessary documents to support the claim.

3. The following are not eligible to claim disability retirement:

- a. Pre-existing conditions: If the employee has a pre-existing condition that caused or contributed to the disability, the employee may not be eligible for disability retirement benefits.
- b. Age requirement: Employees who are 60 years old or older are not eligible for disability retirement benefits, as they are already qualified for retirement benefits.
- c. Optional Retirement: An employee who has already reached the optional retirement age and has not availed of it cannot avail of disability retirement.
- d. Separated from service: An employee who has been separated from service due to resignation, abandonment, or termination for cause may not be eligible for disability retirement benefits.

II. GSIS BENEFITS

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The following are some of the benefits that a GSIS member is entitled to aside from his/her pension:

1. **Compulsory Life Insurance** - GSIS members are automatically covered by a life insurance policy that provides financial assistance to their beneficiaries in case of death. The amount of insurance coverage is based on the member's salary grade and length of service.

There are 2 types of compulsory life insurance coverage for members:

- a. Life Endowment Policy (LEP) Designed to provide members with life insurance coverage while still in active service, the LEP provides maturity benefits to policy-holders upon reaching the maturity of their policy; and
- b. Enhanced Life Policy (ELP) which took effect last 01 August 2003 covers those who entered the service starting 01 August 2003; those whose policies matured on or after 21 July 2003; and those who will continue to be active members after the maturity date.
- c. Members may opt or will opt to convert their LEP into ELP that provides an automatic yearly insurance coverage to new members of GSIS based on their monthly compensation. The objective of ELP is to provide an enhanced death benefit for the member's family.

ELP Particular LEP Up to 31 July 2003 01 August 2003 onwards Implementation Date Age bracket/Insurance Plan Type plan Yearly Renewable Term E-45 30 yrs old & below Insurance E-55 31 yrs old to 40 41 yrs old to 59 E-65 60 yrs old and over OL Last Monthly Salary x 12 Insurance Plan Amount of Insurance (AOI) * x 1.5 * Age at Issue 1. Basic Salary 1. 2. 2. CERTIFIED TELIS COPY: 白豆酸浓酸钙白 MAT Laster MORINANT TOMAS whief, Central Records Section

Policy feature of LEP and ELP:

	An insurance factor is applied to the Annual Salary to get the AOI					
Policy Loan	50% of the Cash Value	90% of the Termination Value				
Maturity Value	Original Amount of Insurance plus Supplementaries	Not Applicable				
Dividends	Based on the policy reserves*	Based on the Accumulated Termination Value**				
	(*reserves is the ideal amount that must be set aside for the policy to provide the promised benefits)	(**Termination value represents the value earned by ELP, which accumulates at a rat equivalent to 25% for every monthly life insurance premium due and paid in full))				

2. **Funeral Benefits** - GSIS provides funeral benefits to the surviving beneficiaries of a deceased member to help cover the cost of funeral expenses.

Funeral benefit is intended to help defray the expenses incident to the burial and funeral of the deceased member, pensioner or retiree under RA 660, RA 1616, PD 1146 and RA 8291. It is payable to any qualified individual, in accordance with the following order of priority:

- a. Legitimate spouse,
- b. Legitimate child who spent for the funeral services, or
- c. Any other person who can show incontrovertible proof that he shouldered the funeral expenses of the deceased.

Funeral benefit shall be paid upon the death of:

- a. an active GSIS member; or
- b. a member who has been separated from the service with more than 15 years of creditable service, but entitled to future separation or retirement benefits; or
- c. old age or disability pensioner; or
- d. a retiree who at the time of his retirement is at least 60 years of age and with at least 20 years of service but who opted to retire under RA 1616 on or after 24 June 1997; or
- e. a member who retired under RA 1616 prior to 24 June 1997 with at least twenty (20) years of service, regardless of age.

The prevailing amount approved by the Board of Trustees at the time of death of the member or pensioner (currently, it is fixed at Php30,000.00)

Basic requirements for the Funeral Benefit Claim:

IF THE CLAIMANT IS THE SPOUSE	IF THE CLAIMANT IS OTHER THAN THE SPOUSE
 Duly accomplished Application Form	 Duly accomplished Application Form
for Funeral Benefit; Death Certificate of member issued	for Funeral Benefit Death Certificate of member issued
by Local Civil Registrar (LCR) or	by LCR OR PSA If claimant is not a GSIS member,
Philippine Statistics Authority (PSA) Marriage Contract of member with	Birth Certificate issued by LCR or
the surviving spouse issued by LCR	PSA or two valid government issued
OR PSA If surviving spouse is not a GSIS	IDs with date of birth and signature Death Certificate of legal spouse
member, Birth Certificate issued by	issued by LCR OR PSA if married

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 PSA or LCR, OR two valid government issued IDs with date of birth and signature ➤ If deceased members is an IP or Muslim and the claimant-spouse is not the sole wife, a Sworn Statement recognizing the existence and the right of the other spouses to the Funeral Benefit (reference: PPG No. 329-18) 	 If legal spouse is living, notarized waiver in favor of the claimant with two (2) valid IDs of the legal spouse with signature If the legal spouse cannot be located, affidavit of the claimant stating that despite earnest efforts, the legal spouse cannot be located to sign a notarized waiver in favour of the claimant attested by two (2) disinterested persons and their two (2) valid government-issued IDs. (reference: PPG 329-18) Official receipt of funeral expenses issued in the name of the claimant

The claimant may either submit his/her Funeral Benefit Claim application via email (online) or through the nearest GSIS branch in the area (walk-in) with following required attachments:

For walk-in process:

- a. 2 Valid IDs in the absence of GSIS UMID eCard or temporary eCard (scanned copy)
- b. Duly accomplished Application Form (Form No. 03182014a-AFB downloadable at www.gsis.gov.ph)
- c. Clear picture of the borrower holding 2 Valid IDs or his GSIS UMID eCard (or Temporary eCard)

Note: Take clear photo of the two (2) valid IDs (front and back) and;

For online process (Please check the designated link at: https://www.gsis.gov.ph/contact-gsis/):

- a. Email all the files with the subject: FUNERAL BENEFIT_(BP NUMBER)_LAST NAME_FIRST NAME_AGENCY
- b. Wait for the acknowledgment notification and further instructions from GSIS

Note: In addition to the scanned copies of the required documents is the photo image of the claimant holding his/her UMID card/temporary eCard, or in the absence of both, 2 valid IDs.

3. Loan programs - GSIS offers various loan programs to assist members with their financial needs, such as:

a. Consolidated Loan

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The Consolidated loan (Conso-loan) combines five different loan products into one—Salary Loan, Restructured Salary Loan, Enhanced Salary Loan, Emergency Loan Assistance, and Summer One-Month Salary Loan. Members availing of a conso-loan for the first time receive a one-time automatic condonation from the outstanding penalties or surcharges incurred from these loans.

b. Policy Loan

The Policy loan is a loan program which a member may avail from his/her GSIS life insurance policy. The loan, bearing an 8% interest rate, may be paid either through monthly amortization or deduction from a member's existing life insurance policy contract.

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c. Emergency Loan

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The Emergency loan provides assistance to GSIS to members affected by natural calamities.

Members and pensioners may apply for these loans using their GSIS eCard through the GSIS Wireless Automated System (GWAPS) kiosks located in all GSIS branches, selected government agencies and Robinsons Malls.

4. GSIS Educational Subsidy Program (GESP) - a form of financial assistance to be given to dependents of qualified program recipients enrolled in any year level in a Commission on Higher Education (CHED) registered private or state college or university. GSIS aims to extend aid to more recipients and support its members' aspiration to fulfil their dependent's educational aspirations.

The GESP recipient shall be entitled to a subsidy of One Thousand Pesos (Php1,000.00) not to exceed Ten Thousand Pesos (Php10,000.00) per academic year. The GESP grant is non-transferable.

Interested employees may contact the GSIS Corporate Social Advocacies and Public Relations Facilities Department at telephone nos. (02)-84793571 / (02)-84793572, mobile no.: 09157364175, or email address gesp@gsis.gov.ph.

5. Survivorship benefits - GSIS provides survivorship benefits to the surviving beneficiaries of a deceased member, such as a survivorship pension and other benefits.

The Surviving Benefit Pension Claim of the minor children will be 10% each of the pension of the deceased pensioner. The number of dependent pensioners must not be more than five, counting from the youngest.

Survivorship pension is given to the legal spouse of the following deceased members and pensioners:

a. Old-age and disability pensioners

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- b. Active members who have at least 15 years of periods with paid premiums
- c. Inactive members who have at least 15 years of periods with paid premiums

Under the Survivor Benefit Pension Claim, the following are the benefits and privileges:

- a. The legal spouse is entitled to receive a monthly pension equivalent to 50% of the pension of the deceased member or pensioner. The maximum basic survivorship pension must not exceed 50% of the current salary (Step 8) of an undersecretary.
- b. Survivorship benefits will be stopped if the survivor pensioner remarries, cohabits with a person of the opposite sex, or engages in a common-law relationship.
- c. The spouses of a deceased male Muslim member or pensioner (who has more than one legal spouse) are entitled to survivorship pension. The pension will be divided equally among the spouses, which should not exceed 4 wives. This in accordance with PD 1083 (Code of Muslim Personal Laws of the Philippines).

A Dependent's pension is given to minor children and mentally or physically incapacitated children of a deceased member or pensioner whose handicap has been acquired prior to age of majority.

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To qualify for the dependent's benefit pension claim, the claimant should be the legitimate, or illegitimate, and legally adopted children who are not over 21 years of age (for pensioners under RA 660 and PD 1146) and not over 18 years (for pensioners under RA 8291).

III. RETIREMENT PROGRAMS

The retiree shall have the following retirement program options:

1. Retirement under Republic Act No. 8291 (GSIS Act of 1997)

There are two (2) options under Republic Act No. 8291:

- a. Option 1: 5-Year Lump Sum and Old Age Pension: Under this option, retirees can get their five-year pension in advance. The lump sum is equivalent to 60 months of the Basic Monthly Pension (BMP) payable at the time of retirement. After five years, retirees will start receiving their monthly pension.
- b. Option 2: Cash payment and Basic Monthly: Under this option retirees will receive a Cash Payment equivalent to 18 times the Basic Monthly Pension (BMP) payable upon retirement and then a monthly pension for life, payable immediately after retirement date.

Formula in computing your Basic Monthly Pension (BMP):

a. If period with paid premiums is less than 15 years:

BMP = .375 x RAMC (Revalued Average Monthly Compensation)

b. If period with paid premiums is 15 years and more:

 $BMP = .375 \times RAMC BMP = .025 \times RAMC \times Period with Paid Premiums$

BMP, however, shall NOT exceed 90% of the Average Monthly Compensation.

RAMC stands for Revalued Average Monthly Compensation and is computed as follows :

RAMC = Php700 + AMC (Average Monthly Compensation)

AMC = Total Monthly Compensation received during the last 36 months of service divided by 36

Note: The last three years of service need not be continuous.

2. Retirement Under Republic Act No. 660 (Magic 87)

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This retirement option may be availed by members who are 52 years old for as one of the past 35 years.

To be qualified under the Magic 87 retirement plan option:

- a. The member must have entered government service on or before May 31, 1977;
- b. Last three years of service prior to retirement should have been continuous, except in cases of death, disability, abolition, and phaseout of position due to reorganization;
- c. Appointment status should be permanent;
- d. Meet the age and service requirements under the "Magic 87" formula. Based on the formula, a retiree's age and years in service should be added up and should total at least 87.

Magic 87 Formula: (Age + No. of years in service = 87)

1 152	53	54	55	56	57	58	59	60	01	02	03	04	00
Age 52 No. of years in Service 35	34	33	32	31	30	29	28	27	26	25	24	23	22

The maximum monthly pension for those above 57 years old shall be 80% of the Average Monthly Salary (AMS) received during the last three years immediately preceding retirement. The maximum pension for those aged 57 and below shall be 75% of AMS

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Retirement Packages Options under the Magic 87:

Option 1: Automatic Pension – Under this option, retirees below 60 years old may choose to receive either an automatic monthly pension for life or an option to avail of a lump sum. The lump sum, which can be requested every six months, means they can receive their one-year monthly pension in advance for a period of five years. On the sixth year, they will start receiving their lifetime monthly pension.

Option 2: Initial three-year lump sum – Those who are at least 60 years old but less than 63 years on the date of retirement are entitled to a three-year lump sum. The subsequent two-year lump sum will be paid to retirees on their 63rd birthday. Retirees still living after the five-year guaranteed period, will be entitled to a monthly pension for life.

Option 3: 5-Year Lump sum - Those who are 63-65 years old may avail of a five-year lump sum. After five years, they will receive a monthly pension for life.

3. Retirement Under Republic Act No. 1146 (Expanded the coverage and benefits of the system)

There are two (2) Options under Republic Act No. 1146:

a. **Option 1: Basic Monthly Pension (BMP)** - This option is available for retirees who are at least 60 years old and who have rendered 15 years of service. Those qualified under this option will receive a Basic Monthly Pension (BMP) guaranteed for five (5) years. After the five-year guaranteed period, retirees will receive a basic monthly pension for life. Retirees may also request to convert their five-year

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guaranteed BMP into a lump sum subject to a six (6) percent discount rate.

BMP is computed as follows:

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- 1. If period with paid premiums is less than 15 years: BMP= .375 x RAMC
- 2. If period with paid premiums (PPP) is 15 years or more: BMP= .025 x RAMC x PPP

RAMC stands for Revalued Average Monthly Compensation. It is computed as follows:

RAMC = AMC+ P140.00 The maximum RAMC is P3,140.00

In either case, BMP shall not exceed 90% of the Average Monthly Compensation (AMC).

AMC is computed as follows:

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AMC = <u>Total compensation received during the last 3 years</u> Total number of months during which compensation was

- received
- b. Option 2: Cash Payment (CP) This option is available to retirees who are at least 60 years old and who have rendered at least three (3) years but less than 15 years of service. Those who are qualified under this option will receive a cash payment equal to 100% of the Average Monthly Compensation (AMC) for every year of service.

The Cash Payment is computed as follows:

CP = Total monthly contributions paid x AMC

4. Retirement Benefit under Republic Act No. 7699 (Portability Law)

Under this Law, retirees may combine their years of service in the private sector represented by contributions to the Social Security System (SSS) with their government service and contributions to the GSIS to satisfy the required years of service under PD 1146 (GSIS Act of 1997 - Expanded Coverage) and RA 8291 (GSIS Act of 1997).

However, if retirees have already satisfied the required years of service under the GSIS retirement option they have chosen, they would not be allowed to incorporate their contributions to the SSS anymore for availment of additional benefits.

In case of death, disability and old age, the periods of creditable services or contributions to the SSS and GSIS shall be added to entitled retirees to receive the benefits under either PD 1146 or RA 8291.

If qualified under RA 8291, all the benefits shall apply EXCEPT the cash payment.

The Portability Law provides that only benefits common to both Systems (GSIS and SSS) shall be paid. Cash payment is NOT included in the benefits provided by the SSS. CERTIFIED TELIE COPY:

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The law allows Filipino workers who have worked abroad to continue making contributions to the SSS or GSIS, and to receive benefits from these systems even if they are no longer working overseas

IV. PRESCRIPTIVE PERIOD ON THE FILING OF GSIS RETIREMENT BENEFITS

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Claims for benefits under this Act except for life and retirement shall be prescribed after four (4) years from the date of contingency. (Sec 28 of Republic Act No. 8291, as amended)

V. RETIREMENT APPLICATION OF PUBLIC OFFICERS WITH OFFENSES FALLING UNDER GRAFT AND CORRUPT PRACTICES (AS DEFINED UNDER REPUBLIC ACT NO. 3019) - GSIS MC NO. 002-2015, S. 2015

GSIS shall release the retirement benefit of public officers with offenses falling under Graft and Corrupt Practices in the following instances:

- a. If the claim was filed before effective date of retirement, and the case remains pending or unresolved after 90-day period (from the date of retirement) without any response from the Head of Agency or Disciplining Authority;
- b. If the claim was filed on or after the effective date of retirement, and the case remains pending or unresolved after 90-day period (from the date of filing) without any response from the Head of the Agency or Disciplining Authority;

The GSIS shall continue to withhold the release of the retirement benefits of retirees whose cases are on appeal pursuant to Rule III, Sec. 6 of CSC MC No. 07, s. 2013 Re: Implementing Rules and Regulations of Republic Act No. 10154, Otherwise Known as an Act Requiring All Concerned Government Agencies to Ensure the Early Release of the Retirement Pay, Pensions, Gratuities and Other Benefits of Retiring Government Employees

SECTION 35 (TERMINAL LEAVE), CSC MC NO. 41, S. 1998 VI. AMENDMENT TO THE OMNIBUS RULES ON LEAVE)

"Terminal leave is applied for by an official or an employee who intends to sever his connection with his employer. Accordingly, the filing of application for terminal leave requires as a condition sine qua non, the employee's resignation, retirement or separation from the service without any fault on his part. It must be shown first that public employment cease by any of the said modes of severances."

An employee who has rendered at least one (1) year of service is entitled to a terminal leave benefit equivalent to the commutable value of the total accumulated vacation leave (VL) and sick leave (SL) credits, not exceeding a maximum of 90 days. This benefit is computed based on the employee's latest salary rate and is subject to applicable deductions and taxes

1. Approval of Terminal Leave: "Application for commutation of vacation and sick leave in connection with separation through no fault of an official or employee shall be sent to the head of the concerned department for approval. In this connection, clearance from the

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Ombudsman is no longer required for processing and payment of terminal leave, as such, clearance is needed only for payment of retirement benefits." (Sec 36, CSC MC No. 41, s. 1998)

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- 2. **Payment of terminal leave:** "Any official/employee of the government who retires, voluntarily resigns, or is separated from the service through no fault of his own, and who is not otherwise covered by special law, shall be entitled to the commutation of his leave credits exclusive of Saturdays, Sundays and Holidays without limitation and regardless of the period when the credits were earned." (Sec 37, CSC MC No. 41, s. 1998)
- 3. **Period within which to claim terminal leave pay:** "Request for payment of terminal leave benefits must be brought within ten (10) years from the time the right of action accrues upon an obligation created by law." (Sec 37, CSC MC No. 41, s. 1998)
- 4. **Basis of computation of terminal leave:** "Payment of terminal leave for purposes of retirement or voluntary resignation shall be based on the highest monthly salary received at any time during his period of employment in the government service and not on his latest salary, unless the latter is the highest received by the retiree." (Sec. 39, CSC MC No. 41, s. 1998)
- 5. **Computation of terminal leave:** The terminal leave benefits shall be computed as follows: (CSC MC No. 02, s. 2016 Re: Amendment to the constant factor in the formula used in computing Terminal Leave Benefits under Sec. 40 and Leave Monetization under Sec. 24 of the Omnibus Rules on Leave (CSC MC No. 41, s. 1998 as.amended by CSC MC No. 14, s. 1998)

 $TLB = S \times D \times CF$

Where:

i. TLB = Terminal Leave Benefits stii. S = Highest monthly salary received

- iii. D = No. of Accumulated Vacation and Sick Leave Credits
- iv. CF = Constant Factor of .0481927
- 6. Official/Employee on terminal leave does not earn leave credits: "The official/employee who is on terminal leave does not earn any leave credits as he is already out of the service. While on terminal leave, he merely enjoys the benefits derived during the time of such employment. Consequently, he is no longer entitled to the benefits or salary increases that may be granted thereafter." (Sec. 41, CSC MC No. 41, s. 1998)
- Employees on extension of service do not earn leave credits: "The official/employee who has reached the compulsory retirement age of 65 but whose service has been extended by the Commission for another six (6) months, no longer earns leave credits." (Sec. 42, CSC MC No. 41, s. 1998)

VII. DOCUMENTARY REQUIREMENTS FOR THE CLAIM OF GSIS RETIREMENT BENEFITS

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- 1. All Government Agencies and Instrumentalities are informed and reminded of requiring GSIS Clearance. The practice of securing GSIS Clearance before payment of terminal leave to promote accountability of employees in the government (GSIS Memorandum Circular 005 s. 2018)
- 2. Compliance of COA Circular No. 2012-001 dated 14 June 2012 providing documentary requirements for the payment of terminal leave benefits of government employees, which include among others, the applicant's authorization (in affidavit form) to deduct all financial obligations with the employer/agency;
- 3. Requirement for GSIS Retirement Benefit Claim:
 - a. GSIS Retirement Application Form
 - b. Two (2) Valid Identification Cards with photocopies
 - c. Service Records

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- 4. In addition to GSIS Clearance, the applicant shall submit within 30 days prior to the date of retirement, the officer/employee is requested to submit the following:
 - a. Letter of Intent
 - b. Application for Terminal Leave;
 - c. Clearance from money, property, records & documents accountability signed by the immediate supervisor;
 - d. Sworn Statement of Assets, Liabilities and Networth (SALN) as of date of retirement:
 - e. Affidavit Undertaking;
 - f. Certification of no pending administrative case (LRMD)
 - g. General Clearance
 - h. Ombudsman Clearance
- 4. For Pag-Ibig Claim:
 - a. Pag-Ibig Application Form
 - b. Two (2) Valid Identification Cards with photocopies
 - c. Service Records

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d. Birth Certificate (PSA)

VIII. PERIOD OF RELEASE OF RETIREMENT BENEFITS

In accordance with Implementing Rules and Regulations of Republic Act No. 10154, the retirement benefits of retiring government employees shall be released to them within a period of thirty (30) days from the actual retirement date of the concerned employee. The employer-agency must, however, submit all requirements for purposes of retirement to the concerned agency at least ninety (90) days prior to the effectivity date of the retiree's retirement.

To complete all said requirements in due time, the employee concerned shall file his/her expression of intent to retire at least one hundred twenty (120) days prior to his/her actual retirement date.

The occurrence of force majeure or other insuperable causes shall toll the running of the prescribed period. Upon cessation of the occurrence of force majeure or other insuperable causes, the running of the prescribed period shall continue.

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Retirement benefits granted under the Government Service Insurance Act of 1997 shall be released to the retiree on his/her last day of service in the government provided that:

- All requirements are submitted to the Government Service Insurance System (GSIS) at least ninety (90) days prior to the effective date of retirement.
- Should the employer-agency fails to submit all requirements to the GiSiS at least ninety (90) days prior to the effective date of retirement, the release of the retirement benefits shall be moved corresponding to the number of days of delay of submission of the complete requirements:
- Employees who avail themselves of the optional retirement in making his/her intention to retire known upon the filing of the application to retire, will be released his/her benefit one hundred (100) days after his/her submission of the complete documents to his/her employer-agency.

For inquiries and concerns regarding the availment of the abovementioned retirement benefits and programs, please coordinate with the Human Resource Development Division at email address hrddmailbox@lra.gov.ph.

For information and guidance.

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