

09 09 2013



PPA MEMORANDUM CIRCULAR

No. 09 - 2013

SUBJECT: Prescribing Guidelines and Procedures for the Processing of Applications and Release of Retirement Benefits to PPA Officials and Employees Pursuant to Republic Act No. 10154

Pursuant to Civil Service Commission (CSC) Resolution No. 1300237 dated January 30, 2013 and Department of Budget and Management (DBM) Budget Circular No. 2013-1 dated April 12, 2013, implementing Republic Act No. 10154, s. 2011, 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", the following guidelines and procedures are hereby prescribed to govern the processing and approval of retirement applications of officials and personnel of the Philippine Ports Authority (PPA) and the subsequent release of retirement pay and other benefits.

COVERAGE

These guidelines and procedures shall apply to the processing and approval of applications for all forms of retirement of PPA official and personnel under existing retirement laws and the release/payment of retirement gratuities and other related benefits payable from and/or chargeable against internal corporate PPA funds.

GUIDELINES

1. Retiring PPA officials or employees, either for compulsory or optional/early retirement from the PPA service shall submit their respective retirement application/written intent to retire addressed to the General Manager, at least one hundred and twenty (120) days prior to effective date of retirement. **(Section 5, CSC Resolution No. 13-00237)**
2. Retirement benefits/gratuities and/or other related benefits due to the retiring PPA official or employee shall be released and paid within a period of thirty (30) days from the actual retirement date of the PPA official or employee concerned. **(Section 5, CSC Resolution No. 13-00237)**

3. The Head Office HRMD or the PDO/PMO RMD shall ensure that all documentary requirements of the retiring PPA official or employee relative to applications for retirement are completed, processed and submitted for approval by the General Manager, at least ninety (90) days prior to the effective date of retirement of the PPA official or employee concerned. **(Section 5, CSC Resolution No. 13-00237)**
 - 3.1 The application for optional or early retirement shall be subject to the acceptance of the General Manager. Provided, however, that the application of the concerned retiring official or employee with pending administrative cases punishable by dismissal or removal shall be held in abeyance until the final disposition of such cases without prejudice to their receiving benefits in case of acquittal, Provided also that applications of the concerned official or employee with a pending criminal case of grave nature committed in relation to his office shall be held in abeyance. A Declaration of Pendency/Non-Pendency of Case may be required to be executed by the concerned retiree. (See attached Annex "A"). **(Section 7 of R.A. No. 6683)**
4. The release of retirement benefits may be withheld if the retiring PPA official or employee has a pending administrative case or as may be authorized by law, subject to the following provisions: **(Section 6, CSC Resolution No. 13-00237)**
 - 4.1 The General Manager shall ensure that any pending administrative case filed before PPA against a retiring official or employee is resolved and/or terminated within a period of three (3) months from effective date of the compulsory or early/optional retirement, as authorized by law, of the PPA official or employee concerned. **(Section 6, CSC Resolution No. 13-00237 in relation to Section 7 of R.A. No. 6683)**
 - 4.1.1 For pending administrative case/s filed before the Office of the Ombudsman and Civil Service Commission, the retiring official or employee concerned shall notify in writing the said government agencies of his/her pending retirement application.
 - 4.2 After the lapse of the above prescribed 3-month period and the case still remains unresolved without justifiable reason/s and/or without fault or delay attributable to the retiring official/employee, except when an appeal is taken by the said official/employee, all retirement benefits/gratuities due shall be immediately released to the concerned retiree without prejudice to the outcome of the case. Provided, that the concerned retiree shall execute and submit a duly notarized Affidavit of Undertaking (with at least 2 guarantors), binding

him/her to return all benefits/gratuities received from PPA in case of adverse decision and/or he/she is found guilty. (See attached Annex "B"). (**Ombudsman Memorandum Circular No. 10, series of 1995 in relation to COA Circular No. 2012-001 dated June 14, 2012**)

- 4.3 Terminal/accrued leave benefits of a retiring official or employee shall not be withheld due to a pending administrative case, and shall, therefore, be paid immediately upon effective date of retirement. (**Section 6, CSC Resolution No. 13-00237**)

PROCEDURES

1. The Head Office HRMD or the PDO/PMO RMD concerned shall notify in writing their respective personnel who are due for compulsory retirement at least one (1) year prior to the effective date of compulsory retirement. Notwithstanding said notification, the concerned retiring employee is required to submit a letter of intent to retire.

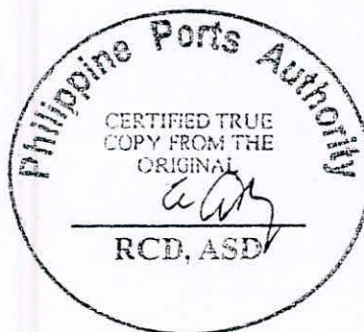
In the case of early or optional retirement application, official or employee concerned shall submit his/her written intent to retire at least four (4) months before the effective date of optional retirement. (**Sections 8 and 9 of CSC Resolution No. 13-00237**)

- 1.1 Upon submission of the retiring employee's written intent to retire, the Head Office HRMD or the PDO/PMO RMD concerned shall provide the retiring employee with the application form accompanying the checklist of all the requirements for retirement purposes.
2. Upon receipt of retirement applications with the complete documentary requirements (**See attached Checklist**) from the retiring officials or employees, the Head Office HRMD or the PDO/PMO RMD concerned shall have one hundred twenty (120) days from date of receipt to process the respective retirement applications.
3. To ensure the timely payment prescribed in Item No. 2 of Guidelines under this Memorandum Circular, the Head Office HRMD shall be responsible for facilitating the request from the Controllership Department for the immediate release of funds for retirement benefits/gratuities and terminal leave benefits due to retiring officials or personnel concerned whose retirement under Republic Act Nos. 660 and 1616 have been approved by the General Manager.

4. The Head Office HRMD or the PDO/PMO RMD concerned shall ensure that all retirement applications of Head Office or PDO/PMO officials and employees for retirement benefits under RA 8291 are promptly forwarded to the GSIS within five (5) working days after such retirement applications have been completely processed and subsequently approved by the General Manager.
5. In case the total accumulated length of government service of a particular PPA official/employee due for compulsory retirement should be less than fifteen (15) years to qualify for retirement benefits, the Head Office HRMD, in coordination with the PDO/PMO RMD concerned, shall officially notify within five (5) days after evaluation of documents that official/employee concerned regarding this matter, and further assist him/her in personally requesting the Civil Service Commission for an extension of service which shall not exceed one (1) year subject to existing civil service laws, rules and regulations. **(Section 8.a Rule IV)**
6. In case a retiree claims for a permanent disability or dies before application of his/her retirement or pending approval of his/her application or release of retirement benefits, the same shall be promptly reported to Head Office HRMD or the PDO/PMO RMD concerned and the necessary documents (**See attached Checklist – Claim for Survivorship Benefits**) be submitted. This is without prejudice for any claim of benefits by the heirs of the retiree or employee that may have under RA 8291.

This Memorandum Circular takes effect immediately and shall apply to all pending retirement applications currently being processed by the Head Office HRMD or the PDO/PMO RMD, and all other succeeding retirement applications received after issuance of this Circular.


JUAN C. STA. ANA
General Manager



DECLARATION OF PENDENCY/NON-PENDENCY OF CASE

I, _____, Filipino, of legal age, with permanent address at _____, and holder of the position _____ at the _____, after being sworn in accordance with law, hereby depose and state that:

1. I am applying for my OPTIONAL/COMPULSORY retirement from the government service effective _____;

2. I have:

2.1 no pending case¹

2.2 a pending case

- administrative disciplinary case
▪ criminal case

Vertical column of four empty boxes for marking responses.

3. The NATURE/SPECIFIC OFFENSE CHARGED in the pending criminal/administrative disciplinary case is: _____

4. The venue of the investigation/trial: _____

5. On appeal:

YES NO checkboxes

6. The appeal is pending before: _____

7. I am executing this Declaration of Pendency/Non-Pendency of Case to attest to the truth of the foregoing facts and to enable me to process and secure the release of my retirement benefits.

8. By executing this Declaration of Pendency/Non-Pendency of Case, I hereby authorize the GSIS to verify the status of any case(s) filed against me in any forum.

9. Further, I am executing this Declaration of Pendency/Non-Pendency of Case under pain of criminal and/or administrative liability under existing laws.

Signature over printed name

SUBSCRIBED AND SWORN to before me this _____ day of _____, affiant exhibiting to me his/her _____.

(Person Administering Oath)

1 A pending case shall refer to both criminal and administrative disciplinary case. An administrative disciplinary case is considered when the disciplining authority has issued a formal charge or a notice of charge to the respondent, while a criminal case shall be considered pending from the time an Information or Complaint is filed in Court.

Certified True Copy:
SEYMOUR R. PARES
Chief Personnel Specialist
Commission Secretariat & Liaison Office

Republic of the Philippines }
CITY OF _____ }

AFFIDAVIT OF UNDERTAKING

I, _____, of legal age, Filipino citizen, married/single and a resident of _____, after having been duly sworn in accordance with law, hereby depose and say:

1. That I am presently employed at the Philippine Ports Authority (PPA), _____(RC), holding the position of _____;
2. That I applied for compulsory/optional retirement effective _____, under RA 8291 / RA 1616 ;
3. That I am indebted to the PPA the sum of P _____ which covers the following:

4. That I undertake to pay the PPA the said amount and hereby request the PPA to deduct the same from my retirement benefits;
5. That I am executing this affidavit to attest to the truth of the aforementioned facts for all legal intents and purposes.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____ at _____, Philippines.

Affiant

WITNESS:

SUBSCRIBED AND SWORN to before me this _____ day of _____ in the City of _____, by Affiant, with PPA Employee ID No. _____, known to me to be the same person who personally signed before me the foregoing affidavit and acknowledged that he/she executed to me the same.

Notary Public

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20____.

C H E C K L I S T

(Optional/Compulsory)

Date : _____

Name of Employee : _____

Dept/PDO/PMO : _____

Position/Salary : _____

Type of Claim : _____

Effectivity of Separation : _____

DATE FILED

- | | | |
|-------|---|--|
| _____ | 1. Application for RETIREMENT (GSIS or PPA Form) | |
| _____ | 2. Service Record (indicate LWOP, if any) ** | |
| _____ | 3. HO-Clearance fr Money & Property Accountabilities | |
| _____ | 4. PDO/PMO-Clearance fr Money & Property Account.**
Notarized Affidavit of Undertaking (for those with | |
| _____ | 5. Outstanding Loans/accountabilities - see attached
format)** | |
| _____ | 6. Certificate of Leave Credits ** | |
| _____ | 7. Certificate of No Pending Administrative Case | |
| _____ | 8. Civil Service Clearance per CSC MC # 15-2013 | |
| _____ | 9. Declaration of Pendency/Non-Pendency of Case (Annex A) | |
| _____ | 10. Ombudsman Clearance | |
| _____ | 11. Statement of Assets, Liabilities & Networth (as of & Exit) | |
| _____ | 12. PPA ID | |
| _____ | 13. NOSA (For RA 1616 retirees/Terminal Leave) | |
| _____ | 14. Last Appointment (For RA 1616 retirees/Terminal Leave) | |
| _____ | 15. Application for Terminal Leave | |
| _____ | 16. Leave cards (certified photo copy) | |

**** Please send in advance to expedite processing of HO/PDO Clearance**

C H E C K L I S T

(CLAIM FOR SURVIVORSHIP BENEFITS)

Date : _____
 Name of Employee : _____
 Dept/PDO/PMO : _____
 Position/Salary : _____
 Type of Claim : _____
 Effectivity of Separation : _____

DATE FILED

- | | | |
|-------|--|--|
| _____ | 1. Application for Survivorship Benefits (RA 8291)(GSIS Form#SURV-2009-10-001) | |
| _____ | 2. Service Record (indicate LWOP, if any) | |
| _____ | 3. HO-Clearance fr Money & Property Accountabilities | |
| _____ | 4. PDO/PMO-Clearance fr Money & Property Account. | |
| _____ | 5. Notarized Affidavit of Undertaking for those w/ accountabilities | |
| _____ | 6. Certificate of Leave Credits | |
| _____ | 7. Certificate of No Pending Administrative Case | |
| _____ | 8. Civil Service Clearance per CSC MC # 15-2013 | |
| _____ | 9. Ombudsman Clearance | |
| _____ | 10. Statement of Assets, Liabilities & Networth (Exit) | |
| _____ | 11. PPA ID | |
| _____ | 12. Death Certificate of Member issued by NSO w/ attached OR | |
| _____ | 13. Marriage Contract issued by NSO w/ attached OR | |
| _____ | 14. Birth Certificate of Member, if single, issued by NSO w/ attached OR | |
| _____ | 15. Birth Certificates of children issued by NSO w/ attached OR | |
| _____ | 16. Birth Certificate of surviving spouse issued by NSO w/ attached OR | |
| _____ | 17. Notarized Affidavit of Surviving Spouse ** | |
| _____ | 18. Notarized Proofs of Surviving Legal Heirs and Guardianship** | |
| _____ | 19. Notarized Joint Affidavit of Surviving Legal Heirs (prep by a Lawyer) | |
| _____ | 20. Two (2) valid IDs (orig. & xerox) of all surviving legal heirs | |
| _____ | 21. Leave cards (certified photocopies)/Applic. For TL | |
| _____ | 22. Certificate of Last Day of Actual Service | |
| _____ | 23. NOSA & Appointment (If under RA 1616) | |
| _____ | 24. Claims for CSV/Termination/Maturity(GSIS Rev Form 2012 | |

**GSIS prescribed form