



HOUSE OF REPRESENTATIVES

H. No. 3862

BY REPRESENTATIVES CASTRO, GOLEZ, ESCUDERO, SALVACION,
PRIMICIAS-AGABAS, YU, PIAMONTE, PADILLA, YAP (S.), VILLAR,
SYJUCO, CALIMBAS-VILLAROSA, EVARDONE, SARMIENTO (C.),
LACSON-NOEL, ACOP AND SAKALURAN, PER COMMITTEE
REPORT NO. 429

AN ACT REQUIRING ALL GOVERNMENT OFFICES TO ENSURE THE
RELEASE OF THE RETIREMENT BENEFITS OF ITS
EMPLOYEES WITHIN FIFTEEN (15) DAYS FROM RETIREMENT

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

1 SECTION 1. The head or chief of any government agency, bureau or
2 corporation shall ensure the release of all retirement benefits and gratuities of
3 an employee under compulsory or optional retirement within fifteen (15) days
4 from the date of retirement: *Provided*, That all requirements are submitted to
5 the Government Service Insurance System (GSIS) sixty (60) days prior to the
6 effective date of retirement.

7 SEC. 2. Any administrative case filed against a government employee
8 shall be terminated at least three (3) months before the date of his/her
9 retirement: *Provided*, That any administrative case filed against a compulsory
10 retiree within three (3) months before his/her date of retirement shall be

1 considered a harassment suit unless otherwise found meritorious by the head of
2 office or agency concerned.

3 SEC. 3. The head or chief of any government office who fails to
4 comply with Section 1 of this Act shall be punished with six (6) months
5 suspension without pay. This penalty shall not apply if the release of the
6 retirement benefits could not be accomplished due to *force majeure* and other
7 insuperable causes. In such cases, the fifteen (15)-day period shall be counted
8 from the time such cause(s) cease(s) to exist.

9 SEC. 4. All laws, decrees, orders and regulations or parts thereof
10 inconsistent with this Act are hereby repealed or amended accordingly.

11 SEC. 5. This Act shall take effect fifteen (15) days after its publication
12 in any newspaper of general circulation.

Approved,

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