



SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session

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SENATE

P. S. R. NO. 381

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

RESOLUTION
URGING THE GOVERNMENT SERVICE INSURANCE SYSTEM
(GSIS), SOCIAL SECURITY SYSTEM (SSS), AND HOME
DEVELOPMENT MUTUAL FUND (HMDF) TO IMPLEMENT A 6-
MONTH MORATORIUM ON REMITTANCES OF CONTRIBUTIONS
IN REGIONS GREATLY AFFECTED BY YOLANDA

WHEREAS, supertyphoon Yolanda has been called the most powerful storm to make landfall in recorded history. The worst hit provinces are Leyte and Eastern Samar, with a combined population of 2.3 million, which experienced sustained winds of 270 kph, gusts of up to 312 kph, and a storm surge as high as 7 meters or 21 feet.¹

WHEREAS, GSIS was created in order to promote the efficiency and welfare of the employees of the Government of the Philippines.²

WHEREAS, under Section 2 of the Social Security Law (Republic Act No. 8282), SSS was created to establish, develop, promote and perfect a sound and viable tax-exempt social security system suitable to the needs of the people throughout the Philippines which shall promote social justice and provide meaningful protection to members and their beneficiaries against the hazards of disability, sickness, maternity, old age, death and other contingencies resulting in loss of income or financial burden.

¹ <http://www.gov.ph/crisis-response/updates-typhoon-yolanda/>

² Section 3, Government Service Insurance Act (Commonwealth Act No. 186)

WHEREAS, HDMF was created to attain the policy of the State to establish, develop, promote, and integrate a nationwide sound and viable tax-exempt mutual provident savings system suitable to the needs of the employed and other earning groups, and to motivate them to better plan and provide for their housing needs, by membership in the Home Development Mutual Fund, with mandatory contribution support of the employers in the spirit of social justice and the pursuit of national development.³

WHEREAS, under the GSIS Law, agencies which delay the remittance of any and all monies due the GSIS shall be charged interests as may be prescribed by the Board but not less than two percent (2%) simple interest per month.⁴

WHEREAS, Section 22 of the SSS Law provides a penalty wherein every employer required to deduct and to remit such contribution shall be liable for their payment and if any contribution is not paid to the SSS as prescribed by the law, such employer shall pay besides the contribution a penalty thereon of three percent (3%) per month from the date the contribution falls due until paid.

WHEREAS, under Section 3 (b) of the Implementing Rules and Regulation of the Home Development Mutual Fund Law of 2009, every employer required to set aside and remit such contributions as prescribed under R.A. No. 9679 shall be liable for their payment, and non-payment thereof shall further subject the employer to a penalty of three percent (3%) per month of the amounts payable from the date the contributions fall due until paid.

WHEREAS, in addition to the above mentioned penalties, defaulting loan borrowers of the concerned Government Owned and Controlled Corporations (GOCCs) are also subject to penalties, interest and surcharges for failure to pay their monthly amortization.

WHEREAS, due to the effects of supertyphoon Yolanda, the businesses and sources of income of the people in Eastern Visayas and other affected areas have been distressed and destroyed. As such, they are now susceptible to the imposition of penalties, interests and surcharges by the GOCCs.

WHEREAS, different agencies of the government are drafting their post-Yolanda recovery and reconstruction plan such as Department of Labor and Employment, Department of Health,

³ Section 2, Home Development Mutual Fund Law of 2009 (Republic Act No. 9679)

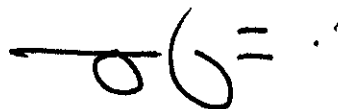
⁴ Section 7, The Government Service Insurance System Act of 1997 (Republic Act No. 8291)

National Economic Development Authority and Department of Public Works and Highways.

WHEREAS, as a means to help the victims of the catastrophic typhoon for their immediate recovery, the grant of a six-month moratorium on the remittances of their contributions and waiver of penalties and charges to the members of the concerned GOCCs are appropriate and fitting.

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED by the Philippine Senate, urging the concerned Government Owned and Controlled Corporations (GOCCs) to grant and implement a six-month moratorium on remittances of contributions and waiver of penalties, interests, and surcharges to their loan borrowers located in Eastern Visayas and other areas greatly affected by Yolanda.

ADOPTED,



JOSEPH VICTOR G. EJERCITO