

SENATE

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JT. RES. NO. 6

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Introduced by Senator Vicente C. Sotto III

**JOINT RESOLUTION
PROVIDING RETIREMENT BENEFITS FOR ITS OFFICERS AND EMPLOYEES,
APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES**

1 WHEREAS, Congress of the Philippines, as the primal policy-making body of the country,
2 entails highly competent, trustworthy and morally upright public servants who will serve the people
3 with honesty, integrity, and efficiency;

4 WHEREAS, the President of the Senate and the Speaker of the House of Representatives fix
5 and determine salaries, allowances and other benefits of employees, and make adjustments and
6 reorganization of positions in the regular personnel with the corresponding transfer of items of
7 appropriation or create new item in the Offices of the Senate and House of Representatives,
8 respectively;

9 WHEREAS, Congress of the Philippines is being served by competent legislative officers and
10 employees over the years with utmost dedication, competency, integrity and technical skills that
11 shaped the production of quality laws contributing to our thrust towards nation building;

12 WHEREAS, it is high time that we pay homage to the patrimonial and sincere services
13 rendered by the men and women of the Philippine Congress who have already served for more than a
14 decade by way of providing them with retirement and pension benefits;

15 WHEREAS, such retirement package likewise gives way for young and equally competent
16 talents to join the pool of employees of Congress by replacing qualified retirees, who will contribute
17 fresh ideas for the betterment of our society: Now, thereof, be it

18 Resolved by the Senate and the House of Representatives in Congress assembled:

1 SEC. 1. COMPULSORY RETIREMENT – Retirement shall be compulsory for an officer or
2 employee of Congress upon reaching the age of sixty-five (65) years: Provided, that he/she has
3 rendered at least fifteen (15) years of service in the Congress of the Philippines. If he/she has rendered
4 less than fifteen (15) years of service, he/she shall be allowed to continue in service to complete the
5 fifteen (15) year period subject to Civil Service rules and regulations. Upon compulsory retirement, an
6 officer or employee shall be entitled to a lump sum gratuity of five years or sixty (60) months
7 multiplied by two (2) months salary he/she was receiving as of the date of his/her retirement. Upon
8 expiration of five (5) years from retirement, he/she shall be entitled to a monthly pension for the
9 duration of his/her natural life equivalent to the salary of the incumbent of the position he/she was
10 retired from.

11 Except for the retirement benefits granted herein, officials and employees of Congress shall
12 remain covered by the compulsory life insurance program of the Government Service Insurance
13 System (GSIS), and shall thereof be entitled to and may avail of GSIS benefits: **Provided**, that they
14 shall pay three percent (3%) of their monthly compensation as personal share with a corresponding
15 employer share of three percent (3%) for the life insurance coverage.

16 SEC. 2. SURVIVORSHIP BENEFITS – Upon the death of an officer or employee who has
17 been retired, his/her surviving legal heirs shall receive seventy percent of the monthly retirement pay
18 which he/she has been receiving: Provided, That no payment under this Section shall be made to the
19 surviving spouse who remarries.

20 SEC. 3. OPTIONAL RETIREMENT – An officer or employee, who has rendered at least
21 twenty (20) years of aggregate legislative service in Congress, may choose to retire from the service
22 under the optional retirement plan who shall be entitled to receive a lump sum gratuity equivalent to
23 two (2) months salary for every year of service: **Provided**, that incumbents who have rendered at least
24 fifteen (15) years of aggregate service in Congress at the time of the adoption of this Joint Resolution
25 may likewise avail of the optional retirement who shall receive a lump sum gratuity equivalent to one
26 and a half (1 1/2) months salary for every year of service. A retiree under this section shall not be
27 eligible for appointment to or employment in Congress or any branch or instrumentality of the

1 Government whether on a permanent, temporary, casual or emergency status within a period of five
2 (5) years after retirement.

3 An officer or employee who shall retire under the compulsory or optional retirement plan
4 shall be entitled to a refund of GSIS personal contributions and the corresponding share of the
5 government with interest earned. Likewise, all retiring officers and employees shall be entitled to the
6 commutation of unused vacation and sick leave in accordance with existing rules and regulations.

7 SEC. 4. SEPARATION BENEFITS – When an officer or employee is permanently
8 incapacitated to discharge the duties of his office, or dies while in the service or is otherwise separated
9 from the service for reasons beyond his control and who is not qualified for retirement under Section
10 1 hereof, his/her heirs shall be paid a lump sum equivalent to two (2) month salary for every year of
11 service, computed on the basis of the highest monthly salary which he/she was receiving on the date
12 of his/her incapacity, death or separation from the service. This shall be properly certified by the
13 Secretary of the Senate or the Secretary General of the House of Representatives, as the case may be.

14 SEC. 5. RETIREMENT BENEFITS OF THE SECRETARY OF THE SENATE AND
15 SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES - The Secretary of the
16 Senate and the Secretary General of the House of the Representatives, and likewise the Sergeant-At-
17 Arms of both Houses may avail of the retirement and separation benefits subject to the conditions
18 provided under Sections 1, 2, 3 and 4 hereof.

19 SEC. 6. ENFORCEMENT OF RETIREMENT BENEFITS – The House of Representatives
20 and the Senate of the Philippines or its successors shall take charge of the enforcement and operation
21 of retirement benefits under this Law and no officer or employee of Congress shall be entitled to
22 receive any gratuity or pension herein provided for unless from the month following the approval of
23 this Law, in case of an actual incumbent, or from the month following his/her appointment and
24 qualification as such, in case of a future appointment, he/she shall have contributed to the retirement
25 funds, by paying a monthly contribution equivalent to ten percent (10%) of his basic monthly salary,
26 three percent (3%) shall be allotted for insurance premium and seven percent (7%) for retirement,
27 with employer counterpart of twelve percent (12%). The retirement fund shall be held in trust by the

1 Government Service Insurance System which fund shall be made available for the payment of the
2 benefits under this Law. In case of deficiency in the fund, the deficiency shall be paid out of the
3 appropriation of either the House of Representatives or the Senate of Philippines or its successor.

4 SEC. 7. EXEMPTION FROM TAXES – All income derived from the retirement benefits
5 granted by this joint resolution shall be exempted from the payment of any applicable levied taxes:

6 SEC. 8. IMPLEMENTING RULES AND REGULATIONS – Upon the recommendation of
7 the Secretary of the Senate and the Secretary General of the House of Representative, the President of
8 the Senate and the Speaker of the House of Representatives, shall jointly promulgate such rules and
9 regulations for the proper implementation of this Law.

10 SEC. 9. APPROPRIATIONS – The funding allocations required for the initial
11 implementation of this Law shall be sourced from the Miscellaneous Personnel Benefits Fund for the
12 current year. Such sums as may be necessary for the continued implementation of this Law shall be
13 included in the General Appropriations Act of the year following its enactment into law and
14 thereafter.


15 SEC. 10. APPLICABILITY OF THE CIVIL SERVICE LAW – The provisions of the Civil
16 Service Law and the rules and regulations issued by the Civil Service Commission not inconsistent
17 herewith shall be applicable to the Legislative Career Service of Congress.

18 SEC. 11. SEPARABILITY CLAUSE – Any portion or provision of this Joint Resolution that
19 may be declared unconstitutional shall not have the effect of nullifying other portions or provisions
20 thereof as long as such remaining portions or provisions can still subsist and be given effect in their
21 entirety.

22 SEC. 12. REPEALING CLAUSE – All laws, orders, decrees, rules and regulations, and other
23 issuance, or parts thereof, inconsistent herewith, are hereby repealed or modified accordingly.

1 SEC. 13. EFFECTIVITY – This Joint Resolution shall take effect fifteen (15) days following
2 its publication in two (2) national newspapers of general circulation.

3 Adopted,



VICENTE C. SOTTO III