Republic of the Philippines
Congress of the Philippines
Metro Manila

Fifteenth Congress

First Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand ten.

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[REPUBLIC ACT NO. 10154]

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

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

SECTION. 1. *Declaration of State Policy.* – It is hereby declared that it is the policy of the State to ensure the timely and expeditious release of the retirement pay, pensions, gratuities and other benefits of all retiring employees of the government. Public officers and employees who have spent the best years of their lives serving the government and the public should not be made to wait to receive benefits which are due to them under the law. Accordingly, it is hereby mandated that highest priority shall be given to the payment and/or

settlement of the pensions, gratuities and/or other retirement benefits of retiring government employees.

SEC. 2. *Period for Release of Retirement Benefits.* – The head of the government agency concerned, the President and other responsible officers of the Government Service Insurance System (GSIS), the President and other responsible officers of the Home Development Mutual Fund (Pag-IBIG Fund) and/or the Secretary and other responsible officers of the Department of Budget and Management (DBM) shall ensure the release of the retirement pay, pensions, gratuities, and other benefits of a retiring government employee within a period of thirty (30) days from the date of the actual retirement of said employee: *Provided,* That all requirements are submitted to the concerned government agency at least ninety (90) days prior to the effective date of retirement: *Provided, further,* That in the case of the GSIS, it shall pay the retirement benefits of the retiring employee on his/her last day of his/her service to the government, pursuant to the GSIS Charter.

SEC. 3. *Retiring Employees With Pending Cases.* – In the case of retiring government employees with pending cases and whose retirement benefits are being lawfully withheld due to possible pecuniary liability, the head of the agency where such case is pending shall ensure that the said case shall be terminated and/or resolved within a period of three (3) months from the date of the retirement of the concerned employee: *Provided,* That in case the concerned agency fails to terminate and/or resolve the case within the said period without any justifiable reason(s), the retirement benefits due to the employee shall be immediately released to him/her without prejudice to the ultimate resolution of the case; except, when the delay is deliberately caused by the retiring employee.

SEC. 4. *Coverage.* – This Act shall cover all branches, agencies and/or instrumentalities of the government, including government-owned and/or -controlled corporations (GOCCs), excluding personnel of the Armed Forces of the Philippines, and shall be applicable both to applications for compulsory retirement and optional or early retirement as authorized by law.

SEC. 5. *Penal Provisions.* – The unjustified failure and/or refusal to release the pension, gratuities and other retirement benefits due to a retiring government employee within the periods prescribed above or to comply with any provision of this Act shall be a ground for the filing of administrative disciplinary action against the erring officer(s) and/or employee(s). Such erring officer(s) and/or employee(s) shall, after hearing and due proceedings, be penalized with suspension from the service without pay from six (6) months to one (1) year, at the discretion of the disciplining authority.

This penalty shall not apply if the release of the retirement benefits could not be accomplished due to *force majeure* and other insuperable causes. In such cases, the thirty (30)-day period shall be counted from the time such cause(s) cease(s) to exist.

SEC. 6. *Implementing Rules and Regulations.* – The Civil Service Commission (CSC), after consultation and coordination with the government agencies and/or instrumentalities affected by this Act, including, but not limited to, the GSIS, the Pag-IBIG Fund, the Constitutional Commissions, the Legislature and the Judiciary as well as the Office of the Government Corporate Counsel (OGCC) and the Department of the Interior and Local Government (DILG), shall promulgate and issue the appropriate rules and regulations for the proper implementation of this Act.

Such rules and regulations shall include provisions prescribing uniform periods for the advance filing of retirement applications in the different agencies concerned, as well as standard periods for the processing and release of claims for retirement benefits, gratuities and allowances which will pinpoint responsibility in case of delay in the release thereof.

SEC. 7. *Separability Clause.* – If any provision, part or portion of this Act shall be held as invalid, the provisions, parts or portions of this Act not otherwise affected thereby shall remain valid and effective.

SEC. 8. *Repealing Clause.* – All laws, executive issuances, orders and rules and regulations contrary to or
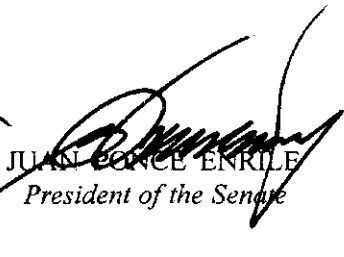
inconsistent with the provisions of this Act or any part thereof are hereby repealed, amended and/or modified accordingly.

SEC. 9. *Effectivity*. – This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation in the country.

Approved,

FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*

JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 2748 and House Bill No. 3862 was finally passed by the Senate and the House of Representatives on May 30, 2011 and June 1, 2011, respectively.
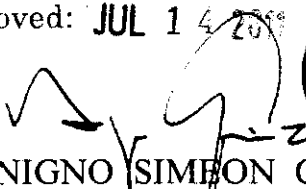
MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*

EMMA LIRIO-REYES
Secretary of the Senate

Approved: **JUL 1 4 2011**

BENIGNO SIMEON C. AQUINO III
President of the Philippines

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