RESTRUCTURING OF THE SURVIVORSHIP BENEFITS UNDER RA 8291

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RESOLVED: That in accordance with the recommendation of the Senior Vice President (Corporate Services Group), to APPROVE the restructuring of the survivorship benefits under RA 8291 through the adoption of the following policies:

1.

The survivors of deceased members who have been in the service for fifteen (15) years or more of creditable service[*]shall receive the following:

- For members who died while in the service, survivorship benefit shall be survivorship pension and cash payment equivalent to eighteen (18) times the basic monthly pension (BMP); or

- For those who died with the status of an inactive member, the survivorship benefit shall be the survivorship pension only.

2.

The survivors of deceased members who have less than 15 years of creditable service[*] shall receive a cash benefit/payment equivalent to:

- For those who died while in the service, the cash payment/benefit shall be an amount equivalent to 100% of the average monthly compensation for every year of creditable service; or

- For those who died with the status of an inactive member and was less than sixty (60) years old at time of death, the cash payment/benefit shall be an amount equivalent to 100% of the average monthly compensation for every year of creditable service, but not less than P12,000; provided, however, that the deceased member had at least three (3) years of creditable service (or 36 monthly contributions).

- Survivors of members who died with the status of an inactive member and were at least sixty (60) years old at time of separation from the service shall not be entitled to receive survivorship benefits.

3.

The survivors of members who retired under retirement laws not administered by the GSIS shall not be entitled to receive any survivorship benefit since they were never entitled to the grant from the System under the said laws.

4. The survivorship benefits of a retiree-pensionser or a member receiving the monthly income benefit for permanent total disability shall be entitled the survivorship pension.

5. The survivorship pension shall not be guaranteed yearly adjustments due to inflation.

6. Applications for survivorship benefits should be filed within a period of four (4) years from the death of the member or pensioner.

The proposed policies shall be applied prospectively and shall be implemented upon Board approval to covered members under the following guidelines:

1.

Survivorship Benefits of Members in Active Service

1.1.

If at the time of death, a member was in the service and has rendered at least 15 years of creditable service[*] ;

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His primary beneficiaries[**] shall receive the survivorship pension and cash payment equivalent to 18x the basic monthly pension (BMP); or

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In the absence of primary beneficiaries, his secondary beneficiaries[*] shall receive the cash payment;

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In the absence of primary and secondary beneficiaries, the legal heirs of the member shall receive the cash payment.

1.2

If at the time of death, the member was in the service with less than 15 years of creditable service[*];

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His primary beneficiaries[**] shall receive the cash payment/benefit equivalent to 100% of the average monthly

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compensation for every year of creditable service, but not less than P12,000.

2.

Survivorship Benefits of Inactive Members

2.1

Survivors of members who retired under retirement laws not administered by the GSIS shall not receive any survivorship benefits from the System;

2.2

Primary beneficiaries[**] of inactive members who have at least 15 years of creditable service[*] shall receive the survivorship pension;

2.3

Primary beneficiaries[**] of inactive members who have at least 3 years but less than 15 of creditable service[*] and were less than 60 years of age at time of death shall receive a cash benefit/payment equivalent to 100% of the deceased inactive member's average monthly compensation for every year of creditable service, but not less than P12,000;

2.4

Primary beneficiaries[**] of inactive members who have less than 15 years of creditable service[*] and were at least 60 years of age at time of separation from the service, shall not be entitled to receive survivorship benefits. (However, if the member has not yet received the separation benefit within four years after his/her separation, the primary beneficiaries shall receive the cash benefit equivalent to 100% of the inactive member's average monthly compensation for every year of creditable service, but not less than P12,000)

3.

GSIS Pensioner/Recipients of Monthly Income Benefits for Permanent Total Disability

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The survivorship benefits of a retiree-pensioner or a member receiving the monthly income benefit for permanent total disability shall be entitled to:

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The primary beneficiaries shall receive the survivorship pension;

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In the case of a pensioner who dies within the period covered by the lump sum, the survivorship pension shall be paid after the expiration of the said period.

4. Composition and Payment of survivorship Pension Benefits

The survivorship pension shall consist of the basic survivorship pension (BSP) and the dependents' pension (DP), which are defined and shall be disbursed as follows:

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Fifty percent (50%) of the BMP, constituting the basic survivorship pension (BSP), shall be paid to the dependent spouse for life until he/she remarries; and

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Ten percent (10%) of the BMP, constituting the dependents' pension, shall be paid to every dependent child not exceeding five (5), counted from the youngest and without substitution, for as long as they are qualified;

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The payment of the survivorship pension between the dependent spouse and/or the dependent children when the remaining survivor is either one of them shall be in accordance with the provisions of R.A. 8291;

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The dependent spouse and the dependent children shall be determined on the basis of the definition provided by R.A. 8291, reiterated as follows:

"Sec. 2. Definition of Terms. - xxxx

(f)

Dependents - Dependents shall be the following: (a) the legitimate spouse dependent for support upon the member or pensioner (b) the legitimate, legitimated, legally adopted child, including the illegitimate child, who is unmarried, not gainfully employed, not over the age of majority, or is over the age of majority, but incapacitated or incapable of self-support due to a mental or physical defect acquired prior to age of majority; and (c) the parents dependent upon the member for support

5. Prescription Period

Applications for survivorship benefits should be filed with the GSIS within a period of four (4) years. Applications received before the effectivity date of this policy shall be covered by the previous policies governing the filing of survivorship benefits.

6. Average Monthly Compensation (AMC)

Consistent with the Premium-Based Policy, the AMC shall be the average salary for the last three years of service of the member prior to his/her death or separation, where the corresponding premium contributions have been paid and remitted to the GSIS.

RESOLVED FURTHER, to direct the Vice President (Public Affairs) to publish in the Official Gazette and in newspapers of general circulation the foregoing policies adopted in the restructuring of the survivorship benefits under R.A. 8291.

Adopted: 13 Aug. 2003 (Board Meeting No. 15)

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[*] For this purpose, creditable service shall be the aggregate of 12 monthly contributions, hence, 15 creditable years shall be equivalent to 180 monthly contributions.

[**] As defined under R.A. 8291.

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