POLICY ON THE TREATMENT OF PREMIUM CONTRIBUTIONS RECEIVED BY GSIS FROM MEMBERS BEYOND THE AGE OF 65 YEARS

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WHEREAS, Section 3 of R.A. 8291 states that membership in the GSIS shall be compulsory for all employees receiving compensation who have not reached the mandatory retirement age, regardless of employment status, except members of the Armed Forces of the Philippines and the Philippine National Police, subject to the condition that they must settle first their financial obligation with the GSIS, and contractuals who have no employer and employee relationship with the agencies they serve;

WHEREAS, Section 13 (b) of R.A. No. 8291 states that unless the service is extended by appropriate authorities, retirement shall be mandatory for an employee at sixty-five (65) years of age with at least fifteen (15) years of service; Provided, that if he has less than fifteen (15) years of service, he may be allowed to continue in the service in accordance with existing civil service rules and regulations;

WHEREAS, in the absence of a clear policy on the treatment of members still in the service beyond 65 years of age, agencies still continue to remit premium contributions for said employees and GSIS continues to receive the remittances;

WHEREAS, there is a need to adopt a policy in order to ensure the uniform treatment of members still in the service beyond the mandatory retirement age of 65 years;

WHEREAS, the Senior Vice President, Corporate Services Group and Corporate Planning Office, in her report to the Corporate Governance Committee on 15 March 2012, proposed a policy on the treatment of premium contributions received by GSIS from members beyond the age of 65 years;

RESOLVED, to APPROVE and CONFIRM the proposal of the Senior Vice President of the Corporate Services Group and Corporate Planning Office, as follows:

Premium contributions remitted for due month May 2012 from members who have reached the mandatory retirement age of 65 years shall no longer be credited by the GSIS and shall be returned to the member through the remitting agency;

All premium contributions already collected by GSIS prior to the cut-off date above for service rendered beyond the mandatory retirement age of 65 and which have not yet been refunded by the GSIS shall be honored, and the years of service corresponding to said premium contributions shall be considered in the computation of the record of creditable service (RCS) unless the member opts for the refund of the premium contributions:

Exceptions:

A. Continuance of Coverage of Membership. - GSIS shall continue to compulsorily cover and consequently collect monthly premium contributions from the following members who are already beyond 65 years of age but were allowed, under existing civil service rules and regulations, to continue in the service:

- Presidential appointees whose extension of services in the government service has been approved by the Office of the President pursuant to Executive Order No. 136, s. of 1999; or

- Non-Presidential appointees whose services were extended by the Civil Service Commission (CSC) pursuant to CSC Memorandum Circular No, 27, s. of 2001, for the purpose of completing the fifteen (15) years of service required under R.A. No. 8291 to qualify for retirement benefits;

B. Optional Continuance of Membership. - The following members are given the option to continue their membership in GSIS and pay monthly premium contributions, even beyond the mandatory retirement age of 65:

- An official elected to public office before the age of 65 but who will reach the mandatory retirement age of 65 during his/ her term. The elective official shall be allowed to continue paying premium contributions until the end of his/her term, including any periods of re-election or election to another public office; Provided, That such period/s of re-election or elections is/ are continuous;

- An official appointed by the President of the Philippines to public office before age 65 for a fixed term and with a fixed monthly compensation but who will reach the mandatory retirement age during his/her tenure. The appointive official shall be allowed to continue paying premium contributions until the end of his/her tenure, including any periods of term extension or re-appointment to another office; Provided, That such period/s of extension or re-appointment is/are continuous; and

- An official or employee who holds a co-terminous or highly confidential position who reaches the age of 65 years, and whose services are considered automatically extended until the expiration of the official or employee's appointment or until the official or employee's services are earlier terminated pursuant to CSC Memorandum Circular No, 27, s. of 2001;

Members falling under Item B (Optional Continuance of Membership) shall be informed of their option to either continue or discontinue their membership with GSIS;

Premium contributions of those who opt to continue their membership in the GSIS under Item B (Optional Continuance of Membership) shall be honored and the years of service corresponding to the period of optional coverage of membership shall be considered in the computation of the RCS;

Those who opt to stop their membership in GSlS after the cut-off date shall be refunded of their excess premium contributions, as follows:

- Excess personal share of member from the time of appointment to the last payment considered shall be refunded to the member;

- Excess government share for the same period shall be refunded to the agency, provided the agency is not suspended and that a reconciliation of the agency's account is made to ascertain its status prior to the refund.

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