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PHIL. STAR

**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)**

Number: 1401642

Promulgated: 11 NOV 2014

Re: Amendment to Section 7, Rule III,  
Implementing Rules and Regulations, as Amended

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### RESOLUTION

**WHEREAS**, Section 6 of Republic Act No. 10154, entitled "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", mandates the Civil Service Commission to promulgate and issue the appropriate rules and regulations necessary to carry out the provisions of the law, after consultation and coordination with the government agencies and/or instrumentalities affected by Republic Act No. 10154;

**WHEREAS**, pursuant to the said mandate, the Commission promulgated CSC Resolution No. 13-00237 on January 30, 2013 adopting the Implementing Rules and Regulations (IRR) of Republic Act No. 10154;

**WHEREAS**, in CSC Resolution No. 13-02242 dated October 1, 2013<sup>1</sup>, the Commission amended certain provisions in the said IRR, among which was requiring the retiring official or employee to execute a Declaration of Pendency/Non-pendency of Case in lieu of submitting clearances;

**WHEREAS**, prior to the said amendment, the Commission on Audit issued COA Circular No. 2012-001 dated June 14, 2012<sup>2</sup> prescribing, among others, the submission of a clearance from the Office of the Ombudsman as additional documentary requirement for the release of retirement benefits;

**WHEREAS**, to harmonize existing rules on the release of retirement benefits, a consultative meeting with concerned agencies was conducted on September 15, 2014 and therein it was proposed to amend the IRR of Republic Act No. 10154 to require, in addition to the Self Declaration of Pendency/Non-Pendency of Case, a Certification of Pending/No Pending Case from the Office of the Ombudsman;

**WHEREFORE**, the Commission hereby **ADOPTS** and **AMENDS** Section 7, Rule III of the IRR, as amended, to read, as follows:

*Section 7. Ombudsman Certification and Self-Declaration of Pendency/Non-Pendency of Case. - The retiring employee shall execute a statement under oath declaring whether or not he/she has a pending case, as*

<sup>1</sup> Published on October 4, 2013 and became effective on October 20, 2013.

<sup>2</sup> Subject: Amendment to COA Circular No. 2012-001 dated June 14, 2012 prescribing additional documentary requirement for retirement benefits and increasing the amount of cash advance requiring fidelity bond from P2,001 to P5,001

*In a R. A. C. E. to Serve: Responsive, Accessible, Courteous and Effective Public Service*

Certified True Copy:

**SEYMOUR R. PAJARES**  
Chief Personnel Specialist  
Commission Secretariat & Liaison Office

herein defined. In the event that he/she has a pending case, he/she shall disclose the nature and status of the same.

The oath may be administered by a notary public or any administering officer of the employer-agency designated by the head of agency.

The retiree shall use the form for the Declaration of Pendency/Non-Pendency of Case (Annex "A" of this Resolution).

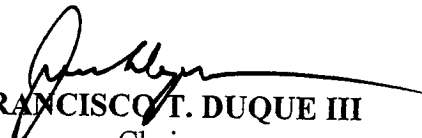
Notwithstanding the foregoing and in connection with Item 8 of the Declaration of Pendency/Non Pendency of Case, the Human Resource Management Office (HRMO) of the concerned agencies shall submit the names of retirees to the Office of the Ombudsman and CSC for verification of pendency of cases **not later than six (6) months before mandatory retirement. For optional retirement, the submission shall be made within fifteen (15) days after the receipt of the official or employee's written expression of intent to retire.**

In addition to and simultaneous with the above submission, the HRMO shall secure a Certification from the Office of the Ombudsman whether the employees applying for retirement have pending/no pending case.

The HRMO shall include said Certification from the Office of the Ombudsman among the documents to be endorsed by the employer-agency to the GSIS, the Department of Budget and Management (DBM) and other concerned agencies.

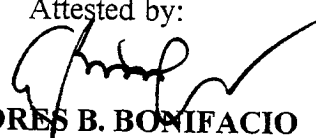
This amendment shall take effect after fifteen (15) calendar days from its publication in the Official Gazette or in a newspaper of general circulation.

Quezon City.

  
FRANCISCO T. DUQUE III  
Chairman

  
ROBERT S. MARTINEZ  
Commissioner

  
NIEVES L. OSORIO  
Commissioner

Attested by:  
  
DOLORES B. BONIFACIO  
Director IV  
Commission Secretariat and Liaison Office