

RA 7699

Congress of the Philippines }  
Second Regular Session }

FILED

**SENATE**

**S. No. 1240**

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INTRODUCED BY SENATORS HERRERA, OPLE, ANGARA, TATAD,  
SOTTO III, ROMULO, MACEDA AND MACAPAGAL

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AN ACT INSTITUTING PORTABILITY SCHEME IN THE  
SOCIAL INSURANCE SYSTEMS BY CREDITING  
WORKERS' MEMBERSHIP CONTRIBUTIONS FROM ONE  
SYSTEM TO ANOTHER

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

1           SECTION 1. It is hereby declared the policy of the State to promote  
2 the welfare of our workers by recognizing their efforts in productive  
3 endeavors and to alleviate the plight of these workers by providing  
4 benefits for their long years of contribution to the national economy.

5           SEC. 2. *Definition of Terms.* - As used in this Act, unless the context  
6 indicates otherwise:

7           a) system - means either the Social Security System (SSS) under  
8 RA 1161, as amended, or the Government Service Insurance System  
9 (GSIS) under PD 1146, as amended.

10          b) sector - refers to either the public or private employment sector.

11          c) contributions - means the contribution paid by the employee or  
12 worker to either the GSIS or the SSS on account of his membership.

1           SEC. 3. Existing laws to the contrary notwithstanding, the  
2 contributions of a covered member of the Social Security System or the  
3 Government Service Insurance System, who transfers employment from  
4 one sector to another shall be totaled for purposes of old-age, disability  
5 and survivorship benefits in case the covered member does not qualify  
6 for such benefits in either system without the totalization: *Provided,*  
7 *however,* That overlapping periods of membership shall be credited only  
8 once for purposes of totalization: *Provided, further,* That when the  
9 transfer of said employee from one sector to another results in an  
10 incremental difference in the premiums collected, said employee shall  
11 have the option of paying the differential to the system to which he is  
12 transferring, or enrolling in the said system and paying the contributions  
13 due from the date of their enrollment.

14           SEC. 4. Nothing in this Act shall be construed to diminish or reduce  
15 the benefits being enjoyed by a covered worker arising from existing laws,  
16 issuances, and company policies or practices or agreements between the  
17 employer and the employees.

18           SEC. 5. The Department of Labor and Employment for the private  
19 sector and the Civil Service Commission, for the government sector,  
20 together with the Social Security System and the Government Service  
21 Insurance System shall, within ninety (90) days from the effectivity of this  
22 Act, promulgate such rules and regulations necessary to implement the  
23 provisions hereof.

1           SEC. 6. All laws or parts thereof, decrees, orders, or rules and  
2 regulations inconsistent with this Act are hereby repealed or modified  
3 accordingly.

4           SEC. 7. This Act shall take effect fifteen (15) days after its complete  
5 publication in the *Official Gazette* or in at least two (2) national  
6 newspapers of general circulation, whichever comes earlier.

Approved,