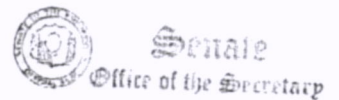


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )



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SENATE

SENATE BILL NO. 1753

RECEIVED BY:

*Prepared jointly by the Committees on Government Corporations and Public Enterprises, and Labor, Employment, and Human Resources Development with Senators Recto, Villanueva, Trillanes IV, Villar, Ejercito, Binay, Legarda, Escudero, Poe, Sotto III, Zubiri, Gordon and Gatchalian as authors thereof.*

AN ACT

RATIONALIZING AND EXPANDING THE POWERS AND DUTIES OF THE SOCIAL SECURITY COMMISSION TO ENSURE THE LONG-TERM VIABILITY OF THE SOCIAL SECURITY SYSTEM, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 1161, AS AMENDED BY REPUBLIC ACT NO. 8282, OTHERWISE KNOWN AS THE "SOCIAL SECURITY ACT OF 1997"

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

1           **SEC. 1.** Section 4 of Republic Act No. 1161, as amended, is hereby further amended to read  
2 as follows:

3                           "SEC. 4. *Powers and Duties of the Commission and SSS.* –

4                           (a) The Commission. - For the attainment of its main objectives as set forth in  
5 Section 2 hereof, the Commission shall have the following powers and duties:

6                           “(1) To adopt, amend and rescind, [subject to the approval of the President of the  
7 Philippines,] such rules and regulations as may be necessary to carry out the provisions and  
8 purposes of this Act;

9                           “(2) To establish a provident fund for the members which will consist of voluntary  
10 contributions of employers and/or employees, self-employed and voluntary members and their  
11 earnings, for the payment of benefits to such members or their beneficiaries, subject to such  
12 rules and regulations as it may promulgate [and approved by the President of the Philippines];

13                           "x x x;

1           “(6) To compromise or release, in whole or in part, any interest, penalty or any civil  
2 liability to SSS in connection with the investments authorized under Section 26 hereof, under  
3 such terms and conditions as it may prescribe [and approved by the President of the  
4 Philippines];

5           “(7) ANY LAW TO THE CONTRARY NOTWITHSTANDING, TO CONDONE, ENTER  
6 INTO A COMPROMISE OR RELEASE, IN WHOLE OR IN PART, SUCH PENALTIES  
7 IMPOSED UPON DELINQUENT SOCIAL SECURITY CONTRIBUTIONS REGARDLESS OF  
8 THE AMOUNT INVOLVED UNDER SUCH VALID TERMS AND CONDITIONS IT MAY  
9 PRESCRIBE THROUGH RULES AND REGULATIONS WHEN THE FINANCIAL POSITION  
10 OF THE EMPLOYER DEMONSTRATES A CLEAR INABILITY TO PAY THE ASSESSED  
11 DELINQUENCY.

12           “THE COMMISSION SHALL SUBMIT TO BOTH THE SENATE AND THE HOUSE  
13 OF REPRESENTATIVES AN ANNUAL REPORT ON THE EXERCISE OF THE POWERS  
14 UNDER THIS PROVISION, STATING THEREIN THE FOLLOWING FACTS AND  
15 INFORMATION, AMONG OTHERS: NAMES AND ADDRESSES OF EMPLOYERS WHOSE  
16 PENALTY DELINQUENCIES HAVE BEEN THE SUBJECT OF COMPROMISE OR  
17 CONDONATION; AMOUNT INVOLVED; AMOUNT COMPROMISED OR CONDONED AND  
18 THE JUSTIFICATIONS THEREON, TO DETERMINE THAT SAID POWERS ARE  
19 REASONABLY EXERCISED AND THAT THE SSS IS NOT UNDULY DEPRIVED OF  
20 REVENUES;

21           “(8) TO DETERMINE AND FIX FROM TIME TO TIME, THROUGH RULES AND  
22 REGULATIONS, THE MINIMUM AND MAXIMUM MONTHLY SALARY CREDITS OF  
23 MEMBER-EMPLOYEES, THE SCHEDULE AND THE RATE OF CONTRIBUTIONS OF  
24 EMPLOYERS AND MEMBER-EMPLOYEES, THE RATE OF PENALTY ON DUE BUT  
25 UNREMITTED CONTRIBUTIONS OF EMPLOYERS AND MEMBER-EMPLOYEES AND