

[PVAO MEMORANDUM, October 12, 2005]

GUIDELINES ON DISPOSITION OF POSTHUMOUS PENSIONS

Pursuant to Section 52 of DO No. A-042 (Implementing Rules of RA No. 6948), the following guidelines shall apply in the processing and payment of uncollected pensions:

1. Entitlement – Pursuant to the DOJ Opinion No. 23, Series of 2001, old age, disability and death pensions under the provisions of Republic Act No. 6948 as amended by Republic Act No. 7696 and its implementing rules and regulations, due the estate of a deceased veteran or his/her widow shall be claimed in due form by his/her legal heirs by PVAO in cases only where the veteran or his/her widow/er has duly approved application for such pension benefit.

2. Basic Requirements – In all cases and regardless of the amount of the accrued/uncollected/posthumous pension, the following documents shall be submitted:

- a.) Certified True Copy of the Death Certificate of the deceased pensioner – veteran/surviving spouse pensioner or with approved claim duly issued by the NSO with corresponding Official Receipt of payment;
- b.) Evidence of filiation/relationship of the person/s claiming the accrued/uncollected/posthumous pension, e.g., birth certificate/s, marriage certificate, certified true copies thereof issued by NSO with Official Receipts of payments; AND
- c.) Application form duly accomplished and filed by qualified claimant to the posthumous pension, marked as PVAO PP Form A.

3. Procedures –

- a.) Applications for Posthumous Pensions shall be received and docketed by designated frontline officers and transmitted for verification of the due execution and authenticity of the submitted basic requirements as mentioned above.
- b.) The file folder shall be officially transmitted after verification to the Legal Division to evaluate and ascertain the documents. Simultaneously, the transmittal shall be furnished the Finance Division for certification of the total amount of uncollected pensions.
- c.) Upon receipt from Finance Division the statement of uncollected pension, Legal Division shall advise claimant of the additional requirements as mentioned in the succeeding paragraph depending on the amount, and after review of the legal sufficiency thereof, shall recommend for approval of the Administrator.

4. Additional Requirements – Aside from the basic requirements mentioned in No. 2 above, and in all cases, the following shall be required depending on the amount of the accrued/uncollected/posthumous pension:

Requirements

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| a. Less than P10,000.00 | - Notarized Affidavit of Claim with Waiver of Rights and Deed of Indemnity signed by all the Heirs of the Decedent (PVAO Form C). |
| b. P10,000.00 or more but less than P20,000.00 | - Notarized Affidavit of Claim with Waiver of Rights and Deed of Indemnity by all the Heirs of the decedent, and with Certificate of Indemnity executed by two (2) solvent persons preferably PVAO pensioners (PVAO Form), unless the claimant is the surviving spouse, in which case, such certificate by solvent person shall no longer be required. The consideration of the indemnity shall be double the amount certified as uncollected pension. The Deed of Indemnity shall be enforceable for a period of two (2) years from date of release/payment of accrued/uncollected/posthumous pension. |
| c. P20,000.00 or more but not exceeding 50,000.00 | <ul style="list-style-type: none">- Notarized Affidavit of Claim with Waiver of Rights and Certificate of Indemnity by all heirs and two solvent persons (PVAO Form C).- Heirs' Bond which may either be a cash Bond, or Surety Bond to be secured by the heirs from a reputable Surety Company acceptable to PVAO with PVAO as beneficiary callable on demand and for a period of two (2) years from date of release/withdrawal of accrued/posthumous pension. |
| d. More than P50,000.00 | <ul style="list-style-type: none">- The Decedent pensioner's heirs may either:<ul style="list-style-type: none">(i) institute intestate proceeding in court; |