

**[ DOLE DEPARTMENT ORDER NO. 12, S. 1997,  
June 17, 1997 ]**

**GUIDELINES IN DETERMINING THE THREE (3) YEAR PERIOD  
FOR THE FORFEITURE OF UNDISTRIBUTED/UNCLAIMED CASH  
BONUS FUND**

In the interest of the service and pursuant to consistent demands for a clear interpretation of Republic Act 6982 and its Implementing Rules and Regulations, this Department Order is hereby issued for the guidance of all concerned.

**On the Forfeiture of the Undistributed/Unclaimed Cash Bonus**

1. The counting of the three (3) year period shall be reckoned from the date of remittance after which, the undistributed/unclaimed cash bonus shall be forfeited in favor of socio economic projects for sugar workers. (Sect. 9, RA 6982)

The three (3) month period in the Rules (Sec. 3, Rule VIII) refers to the period within which the mill/planters' associations/cooperatives shall remit the undistributed/unclaimed cash bonus to the DOLE while, the date of remittance in the law refers to the date of actual remittance to the DOLE of said amount.

What is mandatory under the law (Sect. 9, RA 6982) and the Rules (Sec. 4, Rule VIII) is that the DOLE must hold in trust the undistributed/unclaimed cash bonus for a period of three (3) years. Hold in trust means that the DOLE must have actually retained possession of the undistributed amount.

There is no conflict between the law and the rules.

2. In case of delay for several months in the remittance of the undistributed/unclaimed cash bonus, the date to be used for the counting of the three (3) year period for purposes of forfeiture shall be the date of actual remittance of the same to the DOLE.

This Order shall take effect immediately upon its issuance.

Adopted: 17 June 1997

(SGD.) CRESENCIO B. TRAJANO  
*Acting Secretary*

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