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Outsourcing brief

Q3 2015



BIR update

RMC No. 59, s2015: Availability of the Update of Exemption of Employees (UEE) Data Entry Module in filing of the BIR Form No. 2305 (Certificate of Update of Exemption and of Employers and Employee's Information) and 2305 Batch File Validation Module

Employers shall be responsible for electronic filing of the tax exemption updates of their employees using BIR Form 2305. The form is used for the following:

1. Updating of employee's additional exemption for dependents;
2. Change of status;
3. Execution of the "Waiver to Claim the Additional Exemption" by the husband; or revocation of the previously executed waiver.

No employees shall visit the Revenue District Offices (RDOs)/Large Taxpayers Divisions (LTDs) in filing of BIR Form 2305. The filing shall be coursed through the employer and shall be electronically filed containing all the required information in the prescribed electronic format using any of the following:

- Option 1: Microsoft Excel CSV Format
- Option 2: Taxpayer's own extract program; or

- Option 3: BIR's UEE Data Entry Module

Employers who will be using Option 1 or Option 2 are required to use the 2305 Batch File Validation Module. The UEE Data Entry Module and 2305 Batch File Validation Module are available at www.bir.gov.ph/index.php/downloadables.html.

The employers are required to submit the following to the RDO before the 10th of the next month:

1. Accomplished and signed BIR Form 2305 with supporting documents
2. Systems-generated email notification of electronically filed Form 2305
3. Printed Alphalist of Employees and Information Update (Alpha_1_) (Annex F)

To see the full version of the circular, please visit the BIR website at www.bir.gov.ph.



DOLE updates

Wage Order No. RX-18: Prescribing a new minimum wage rate in Region X

The DOLE-RTWPB of Region X issued Wage Order RX-18 granting P12/day basic wage increase which became effective 3 July 2015.

Wage Category I - Cities of Cagayan de Oro and Iligan, and the Municipalities of Tagaloan, Villanueva and Jasaan

Wage Category II - Cities of Malaybalay, Valencia, Gingoog, El Salvador and Ozamiz, and the Municipalities of Maramag, Quezon, and Manolo Fortich

Wage Category III - Cities of Oroquieta and Tangub and the Municipalities of Lugait, Opo and Mambajao; All establishments employing ten (10) workers or less

Wage Category IV - All other areas not covered under the above categories

| Daily Minimum Wage Rates Region X Per Wage Order No. RX-18 Effective 3 July 2015 | | | | | | |
|--|--------------------------|------------------------------|-----------------------------|--------------------------|------------------------------|-----------------------------|
| Classification | Non-Agriculture | | | Agriculture | | |
| | MWR under WO RX-17 | Increase in Basic Wage | New Minimum Wage Rate | MWR under WO RX-17 | Increase in Basic Wage | New Minimum Wage Rate |
| Wage Category I | P 306 | P 12 | P 318 | P 294 | P 12 | P 306 |
| Wage Category II | 301 | 12 | 313 | 289 | 12 | 301 |
| Wage Category III | 296 | 12 | 308 | 284 | 12 | 296 |
| Wage Category IV | 91 | 12 | 303 | 279 | 12 | 291 |

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Wage Order No. RB I-17: Prescribing the new minimum wage rates of workers in the agriculture (non-plantation) and non-agriculture (micro) sectors in Region I

The DOLE-RTWPB of Region I issued Wage Order RB I-17 increasing the basic minimum wage of the non-agriculture (micro) and agriculture (non-plantation) sectors in the region by P14 to be given in two tranches:

- P7 upon effective 19 July 2015
- P7 effective 1 December 2015

Region I covers the provinces of Ilocos Norte, Ilocos Sur, La Union and Pangasinan and the cities of Laoag, Batac, Vigan, Candon, San Fernando, Urdaneta, Dagupan, San Carlos and Alaminos.

To see the full versions of the Wage Orders, please refer to the website of the National Wages and Productivity Commission (NWPC) at www.nwpc.dole.gov.ph.

| Daily Minimum Wage Rates Region I Per Wage Order No. RB 1-17 Effective 19 July 2015 | | | | | |
|---|----------------------------------|-------------------------------|---|-------------------------------|--|
| Industry / Sector | Minimum Wage under WO No. RB1-16 | Amount of Basic Wage Increase | New Minimum Wage Rates Effective 19 July 2015 | Amount of Basic Wage Increase | New Minimum Wage Rates Effective 1 December 2015 |
| 1. Non-Agriculture | | | | | |
| Large | P 253 | P - | P 253 | P - | P 253 |
| Medium | 244 - 253 | - | 244 - 253 | - | 244 - 253 |
| Small | 233 | - | 233 | - | 233 |
| Micro | 213 | 7 | 220 | 7 | 227 |
| 2. Agriculture | | | | | |
| Plantation | 233 | - | 233 | - | 233 |
| Non-Plantation | 213 | 7 | 220 | 7 | 227 |
| 3. Commercial Fishing | | | | | |
| | 253 | - | 253 | - | 253 |

DOLE updates

Department Order No. 146-15: Revised rules for the issuance of employment permits to foreign nationals

The DOLE issued the Department Order No. 146-15 for the strict enforcement of the revised rules for the issuance of alien employment permits (AEPs) to foreign nationals. The following are the changes per revised rules:

1. **Gainful employment** was defined – “As used in this Rules, gainful employment shall refer to a state or condition that creates an employer-employee relationship between the Philippine-based company and the foreign national where the former has the power to hire or dismiss the foreign national from employment, pays the salaries or wages thereof and has authority to control the performance or conduct of the tasks and duties”.
2. The below provision of **Section 2 (Exemption)** was deleted:
 - c. Foreign nationals elected as members of the governing board who do not occupy any other position, but have only voting rights in the corporation.
3. The list of foreign nationals who are excluded to secure an AEP permit was provided.

Section 3. Exclusion. – The following categories of foreign nationals are excluded from securing an employment permit:

- a. Members of the governing board with voting rights only and do not intervene in the management of the corporation or in the day to day operation of the enterprise.
- b. Corporate officers as provided under the Corporation Code of the Philippines, Articles of Incorporation, and By-Laws of the Corporation such as President, Secretary and Treasurer.
- c. Those providing consultancy services who do not have employers in the Philippines.
- d. Intra corporate transferee who is a manager, executive or specialist as defined below in accordance with Trade Agreements and an employee of the foreign service supplier for at least one (1) year prior to deployment to a branch, subsidiary, affiliate or representative office in the Philippines.
 - i. an **Executive**: a natural person within the organization who primarily directs the management of the organization and exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business; an executive would not directly perform tasks related to the actual provision of the service or services of the organization;
 - ii. a **Manager**: a natural person within the organization who primarily directs the organization/ department/subdivision and exercises supervisory and control functions over other supervisory, managerial or professional staff; does not include first line supervisors unless employees supervised are professionals; does not include employees who primarily perform tasks necessary for the provision of the service; or
 - iii. a **Specialist**: a natural person within the organization who possesses knowledge at an advanced level of expertise essential to the establishment/provision of the service and/or possesses proprietary knowledge of the organization’s service, research equipment, techniques or management; may include, but is not limited to, members of a licensed profession.
- e. Contractual service supplier who is a manager, executive or specialist and an employee of a foreign service supplier which has no commercial presence in the Philippines:
 - i. who enters the Philippines temporarily to supply a service pursuant to a contract between his/her employer and a service consumer in the Philippines;

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- ii. *must possess the appropriate educational and professional qualifications; and*
 - iii. *must be employed by the foreign service supplier for at least one year prior to the supply of service in the Philippines.*
 - 4. The below were added in the **Procedure in the Processing of Applications for AEP:**
 - a. *(4). copy of employer’s understudy training program to be conducted by the foreign national to transfer knowledge and/or skills to the Filipino worker.*
 - d. *At any given time only one (1) AEP shall be issued to a foreign national. A foreign national may be issued one (1) AEP only at any given time.*
 - 5. The fees for application, renewal, and replacement of AEP were increased. Application – P9,000 with a validity of one year and additional P4,000 for every additional year or fraction thereof.
Renewal – P4,000 for each year of validity or fraction thereof.
Replacement – P1,500 in case of loss of AEP or change of information or entries in the AEP.
 - 6. Provision for **ocular inspection** is added.
 - 7. The maximum **validity of AEP** was reduced to three (3) years from five (5) years.
 - 8. An application for **renewal of AEP** shall be filed not earlier than sixty (60) days before its expiration.
 - 9. The below was added in the grounds for **denial of application for new or renewal of AEP:**
 - d. *grave misconduct in dealing with or ill treatment of workers*
 - 10. The below were added in the grounds for **cancellation/revocation of AEP:**
 - g. *grave misconduct in dealing with or ill treatment of workers*
 - h. *disapproval of the application for an Authority to Employ Alien by the Department of Justice (DOJ) or Special Temporary Permit by the Professional Regulation Commission (PRC), if applicable.*
 - 11. **Effect of denial/cancellation or revocation of AEP** is amended as follows:
A foreign national whose AEP has been denied or cancelled is disqualified to re-apply within a period of ten (10) years in case the grounds for denial or cancellation is any of the following:
 - a. *conviction of criminal offense or fugitive from justice in the country or abroad; or*
 - b. *grave misconduct in dealing with or ill treatment of workers*
 - 12. The provisions for **suspension of AEP** and **verification inspection** were deleted.
- To see the full version of the Department Order, please refer to the DOLE website at www.dole.gov.ph.

SSS updates

SSS Circular No. 12, s2015: List of documentary requirements for registration in SSS (Issuance of SS Number) and in requesting for correction, change and updating of member data record

In this Circular, the revised list of documentary requirements for the application of registration in SSS (issuance of SS number) and the request for correction, change and updating of member data record were issued as follows:

- I. Registration in SSS (Issuance of SS Number) – the registrant shall submit to the SSS a duly accomplished Personal Record Form (SS Form E-1) together with the following:
 - A. Required ID cards and/or documents for the issuance of SS number
 - B. Additional supporting documents
 - C. Required documents for local enrolment in the Flexi-fund Program
- II. Requesting for correction, change and updating of member data record – the member shall submit to the SSS a duly accomplished Member Data Change Request Form (SS Form E-4) together with the required documents, whichever is applicable to the following:

- A. Change of membership type
- B./C. Correction of name and/or date of birth
- D. Correction of sex
- E. Change of civil status
- F. Updating of contact information
- G. Updating of bank information
- H. Updating of member record status (from “Temporary” to “Permanent”)
- I. Updating of dependent(s)/beneficiary(ies)

For the detailed list of requirements for registration in SSS and amendments of member data record, please refer to the SSS website at www.sss.gov.ph.

SSS Circular No. 13, s2015: Salary loan releases thru the bank Union Bank of the Philippines (UBP) - Via e-PayCard Quick Card

SSS approved the Salary Loan Releases through the Union Bank of the Philippines (UBP) Program to selected SSS branches on 8 July 2015. It is a program wherein SSS authorizes UBP to provide an efficient and convenient mode for the release of salary loan proceeds of the member-borrowers. It can be either direct crediting to SSS member-borrower’s UBP Quick Card, which is an ATM card linked to UBP savings account, or if readily available, through existing UBP Checking/Savings Account (CASA).

The program is available to all SSS member-

borrowers who are currently employed, self-employed and voluntary paying members. The program shall be implemented by phase in the following SSS branches:

| Phase I | Phase II | Phase III | Phase IV | Phase V |
|--------------------|----------------|-----------|----------|----------------|
| Diliman | Makati – Ayala | Alabang | Dagupan | Cebu |
| Makati - Gil Puyat | Kalookan | Bacoor | Baguio | Iloilo |
| Pasig - Shaw | Mandaluyong | Biñan | | Davao |
| | Manila | | | Cagayan de Oro |

Implementing guidelines:

1. SSS requires member-borrowers who opt to avail of the UBP ePaycard Quick Card to indicate such option in the Member Loan Application Form.
2. The SSS member-borrowers may use their existing UBP Current/Savings Account or open a UBP Quick Card account for the release of their salary loan proceeds.
3. UBP On-Site Kiosk manned by UBP personnel will be stationed to sixteen (16) selected SSS branches to facilitate member-borrower’s account opening thru UBP ePaycard Quick Card or to certify the correctness of the existing UBP Current/Savings Account Number.
4. UBP shall fund directly the member-borrower’s account within two (2) days from the receipt of debit advice from SSS. The cut-off time for same day funding is 12 noon.

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5. The loan proceeds shall be available to member-borrower's account within three (3) to five (5) working days from approval date of the loan. The salary loan proceed is accessible through any Megalink, Bancnet and Expressnet automated machines.
6. Member-borrowers who will avail of the program for the first time must file the member loan application personally.

SSS Circular No. 15, s2015: Electronic sickness notification for the employed members

To facilitate the submission of sickness notifications and to avoid reduction or denial of sickness claims, SSS established an online notification system for sickness benefit (E-Sickness Notification or E-SN) through its website. With the establishment of E-SN System through the web, employers shall use this facility to notify SSS of their employees' absences.

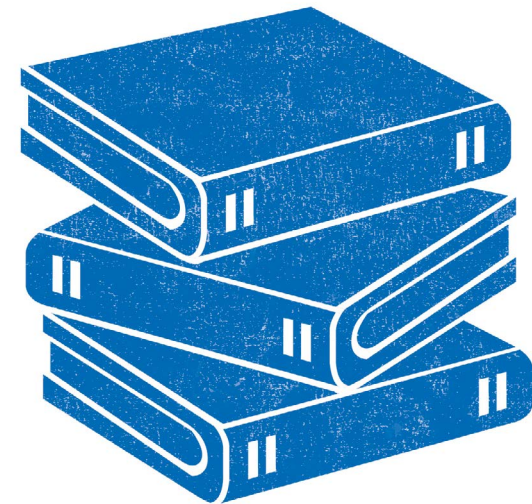
- I. Date of encoding by the employer shall be the date of notification/filing to SSS.
- II. The following data shall be encoded by the employer in the E-SN Form:
 - A. Member's SS Number (System to display name of member)
 - B. Start date of confinement/sickness
 - C. Claim type (SS or EC)
 - D. No. of days being claimed
 - E. Hospital confinement (Yes or No)

F. Physician's license number

The employer's authorized signatory shall review details of the sickness notification submitted by the employee member, certify and submit electronically to the system. Only eligible E-SN shall be included in the transmittal list.

- III. Employer shall submit the following to the SSS branch of jurisdiction within thirty (30) days from electronic notification.
 - A. System generated transmittal list;
 - B. Hard copy of the encoded E-SN; and
 - C. Supporting documents, if any.

To see the full versions of the Circulars, please visit the SSS website at www.sss.gov.ph.



PhilHealth updates

PhilHealth Circular No. 16, s2015: Registration of household employers and coverage of domestic workers (kasambahays) in the National Health Insurance Program (NHIP)

Republic Act (RA) 10361 entitled “An Act Instituting Policies for the Protection and Welfare of Domestic Workers” categorically mandated that “as employer of the Kasambahay, he/she shall register himself/herself with, and enroll the latter as his/her employee to the SSS, PhilHealth, and Pag-Ibig. To ensure that PhilHealth membership of the Kasambahay is sustained, employers are required to register their Kasambahays with PhilHealth and pay the corresponding PhilHealth premium contributions for the rendered services until the date of separation.

Household employers are mandated to:

- a. Register their Kasambahays and their qualified dependents with PhilHealth;
- b. Report their Kasambahays within thirty (30) calendar days upon employment, and/or give notice also within the said grace period upon separation of the Kasambahay; and
- c. Pay the corresponding PhilHealth premium contributions for the rendered services until the date of their separation.

In accordance with RA 10361, the premium contributions of the Kasambahay/s shall be

shouldered solely by the household employer. However, if the Kasambahay is receiving a monthly salary of P5,000 or above, he/she shall pay the proportionate share. The following is the premium contribution schedule for the Kasambahay based on the latest PhilHealth issuance on premium contributions schedule for the employed sector under the formal economy:

| Salary Bracket | Personal Share | Employer Share | Total Monthly Premium |
|-----------------------|----------------|----------------|-----------------------|
| 0 – 4,999.99 | None | 200.00 | 200.00 |
| 5,000.00 – 8,999.99 | 100.00 | 100.00 | 200.00 |
| 9,000.00 – 9,999.99 | 112.50 | 112.50 | 225.00 |
| 10,000.00 – 10,999.99 | 125.00 | 125.00 | 250.00 |
| 11,000.00 – 11,999.99 | 137.50 | 137.50 | 275.00 |
| 12,000.00 – 12,999.99 | 150.00 | 150.00 | 300.00 |
| 13,000.00 – 13,999.99 | 162.50 | 162.50 | 325.00 |
| 14,000.00 – 14,999.99 | 175.00 | 175.00 | 350.00 |
| 15,000.00 – 15,999.99 | 187.50 | 187.50 | 375.00 |
| xxx | xxx | xxx | xxx |
| 35,000.00 – and up | 437.50 | 437.50 | 875.00 |

* Pursuant to PhilHealth Circular No. 27, s2013

The household employer shall pay or remit the premium contributions of the Kasambahay/s on or before the 25th calendar day of the month following the applicable month for which the payment is due and applicable. In case the deadline for the payment of premium contribution falls on a Saturday or Sunday, or has been declared a

regular/special or a non-working holiday, payment shall be made on the next working day.

Failure to remit the required premium contributions shall make the household employer liable for reimbursement of payment for a properly filed claim in case the Kasambahay or his/her dependent/s avail of PhilHealth benefits, without prejudice to the imposition of other penalties.

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PhilHealth Circular No. 17, s2015: On-site visits of authorized PhilHealth personnel

Effective 21 August 2015, authorized PhilHealth personnel shall conduct visits to all private and public employers to inspect their premises including their books and pertinent records.

Section 221 of the Revised Implementing Rules and Regulations (RIRR) of the National Health Insurance Act of 2013 on the Visitorial Powers of PhilHealth states that “any representative of the Corporation as duly authorized by the President and CEO or by the concerned Regional Vice President shall have the power to visit, enter and inspect facilities of health care providers and employers during office hours, unless there is a reason to believe that inspection has to be done beyond office hours, and where applicable, secure copies of their medical, financial, and other records and data pertinent to the claims, accreditation, premium contribution and that of their patients or employees, who are members of the Program.”

Relative to this, all employers in the government and private sectors are hereby enjoined to recognize and extend all necessary assistance and cooperation with the duly authorized PhilHealth personnel conducting

site visits to perform the following activities:

- Determine compliance with the regulations and other requirements, particularly in the payment of premium contributions and reportorial requirements;
- Verify the accuracy of submitted information;
- Conduct information education and dissemination of updates on the National Health Insurance Program; and
- Secure soft and hard copies of the payroll.

Authorized PhilHealth personnel conducting the visits should be able to present a valid ID and a Special Order clearly indicating the objective, period, and other pertinent details of the visit.

PhilHealth Circular No. 19, s2015: Modified computation of interests and/or surcharges on delayed employer remittances

Starting the applicable month of August 2015, interests and/or surcharges for late payments by employers both in the government and private sectors shall be computed as follows:

Interest/surcharge = remittable amount x 2% x number of months delayed or P200,

whichever is higher

Where: Remittable amount is the total premium contributions due, inclusive of interests and/or surcharges incurred from the previous month/s’ late payment of contributions.
Number of months delayed shall be computed by counting the number of months starting from the day immediately after the deadline to the actual date of remittance, inclusive of Saturdays, Sundays and holidays. A fraction of a month shall be computed as one whole month delayed; i.e. premium contribution delayed for 1 day shall already be considered a delay for one month.

This is in pursuant to Section 16(v) of RA 7875 as amended which provides that “notwithstanding the provisions of any law to the contrary, to impose interest and/or surcharges of not exceeding three percent (3%) per month, as may be fixed by the Corporation, in case of any delay in the remittance of contributions which are due within the prescribed period by an employer, whether public or private.”

PhilHealth updates

PhilHealth Circular No. 26, s2015: Strengthening of engagement with employers through the PhilHealth Employer Engagement Representatives (PEERs)

Title III, Rule I, Section 6(f) of the Implementing Rules and Regulations of Republic Act 7875 as amended mandates PhilHealth to establish and maintain an updated membership and contribution database. The PhilHealth Employer Engagement Representatives (PEERs) will help the employers to ensure that the membership and contribution records of their agency/company, among others, are updated with PhilHealth. The PEERs will also serve as the link between the employer and PhilHealth in the effective dissemination of pertinent information regarding the latest PhilHealth issuances concerning the Formal Sector.

Specifically, the PEERs shall be responsible for the following:

- Manage the registration and updating of membership records of employees, and premium remittance and reporting using the Electronic Premium Reporting System (EPRS), and
- Facilitate the empowerment of employee-members on their rights and benefits as PhilHealth members by organizing orientation, seminar, information, education and communication activities

in coordination with their respective PhilHealth Accounts Information Management Specialist (PAIMS).

The following are the steps or procedures in PEER registration:

- a) The PEER shall fill-out and submit the PEER Information Sheet.
- b) PhilHealth shall issue a certification stating the rights and responsibility as PEER of their employer.
- c) The PEER shall be required to execute a 'Non-Disclosure Agreement' (NDA) in favor of PhilHealth as a pre-requisite to engagement.

For the full versions of the Circulars, please refer to the PhilHealth website at www.philhealth.gov.ph.

Philhealth Advisory Nos. 07-01-2015, 08-01-2015, 08-03-2015, 09-03-2015: Newly Accredited Collecting Agents (ACAs) under PhilHealth Regional Offices (PROs) VI, XII, CAR, IV-B and VIII

The following Local Government Units (LGUs) will be accepting PhilHealth premium payments from all PhilHealth members:

PRO VI

Effective 1 July 2015:

- LGU - Binalbagan, Negros Occidental

- LGU - Cabatuan, Iloilo
 - LGU - Himamaylan, Negros Occidental
 - LGU - Sta. Barbara, Iloilo
- Effective 16 August 2015:
- LGU - Sigma, Capiz

PRO XII

Effective 16 August 2015:

- LGU – Pres. Roxas, Cotabato

Effective 1 September 2015:

- LGU - Tupi, South Cotabato

Effective 16 September 2015:

- LGU - Malungon, Saranggani
- LGU - Pigcawayan, Cotabato
- LGU - Sen. Ninoy Aquino, Sultan Kudarat

PRO CAR (effective 16 August 2015):

- LGU – Mankayan, Benguet

PRO VIII

Effective 16 August 2015:

- LGU – Malitbog, Southern Leyte
- LGU – Sta. Margarita, Samar

Effective 17 August 2015:

- LGU – Maasin, Southern Leyte

Effective 16 September 2015:

- LGU - Bontoc, Southern Leyte

PRO IV-B (effective 1 September 2015):

- LGU – Bataraza, Palawan

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Philhealth Advisory No. 09-02-2015: Non-acceptance of late payments by PNB and BDO

The Philippine National Bank (PNB) and Banco de Oro (BDO) temporarily shall not accept late premium payments from PhilHealth members. Both banks are currently enhancing their systems to accommodate such payment. PhilHealth members are advised to proceed to other ACAs for their late premium payments.

Philhealth Advisory No. 09-04-2015: Updated list of BancNet member-banks to accept Philhealth premium contributions through eGov facility

The following BancNet member-banks are accredited to accept PhilHealth premium contributions through eGov facility from formal economy members nationwide:

1. Asia United Bank
2. China Banking Corporation
3. CTBC Bank (Philippines) Corporation
4. Development Bank of the Philippines
5. East West Bank Corporation
6. Philippine National Bank
7. RCBC Savings Bank

For a complete list of Accredited Collecting Agents (ACAs), please visit www.philhealth.gov.ph.

Philhealth Advisory No. 09-05-2015: PhilHealth agents receipts issued by PhilPost are postmarked with money order business stamp to be considered as valid proof of payment

The Philippine Postal Corporation (PhilPost), one of PhilHealth's collecting agents, issues PhilHealth Agents Receipt (PAR) as Official Receipt for premium payments received. It is postmarked with Money Order Business (MOB) stamp bearing the Cluster P.O. Code and signature of the Postmaster to be considered as valid proof of premium payment.



HDMF update

New version of Members Change of Information Form (MCIF) now available

A new version of the Members Change of Information Form (MCIF) is now available in the HDMF website.

The following are the changes in the revised MCIF:

1. The check box for information update was trimmed from 6 to 4 options. The “Change of Frequency of MC Payment”, “Updating of Heirs”, and “Change of Address/Contact Details” are no longer available but the “Others” option was added.
2. The “No Middle Name” check box in the name field was deleted.
3. The field “Change of Frequency of MC Payment” is no longer included. Instead, such field was changed to “Others” where some other changes can be specified here.
4. The “Date of Birth” was removed under the “Updating of Heirs” field.
5. “Present home address” and “permanent home address” is currently referred to as “present address” and “permanent

address”, respectively. Moreover, “Preferred Mailing Address” is included as additional field.

6. Under the “Contact Details” field, local number is no longer necessary.
7. The “Change of Employment Details” was added in lieu of “present and previous employment details” (indicated in the second page of the old form).
8. The “Heirs” field was deleted (also in the second page of the old form).

The form (with document name HQP-PFF-049) can be downloaded using this link: [http://www.pagibigfund.gov.ph/DLForms/provident/Member's%20Change%20of%20Information%20Form%20\(MCIF,%20PFF049,%20V03\).pdf](http://www.pagibigfund.gov.ph/DLForms/provident/Member's%20Change%20of%20Information%20Form%20(MCIF,%20PFF049,%20V03).pdf)



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