

Template 8. Petition for Collection of Unpaid/Underpaid SS Contributions and/or Unremitted Salary Loan/Calamity Loan Amortizations

Republic of the Philippines
SOCIAL SECURITY COMMISSION
Makati City

SOCIAL SECURITY SYSTEM,
Petitioner,

- versus -

SSC CASE NO. _____

_____,
Respondent/s,

x ----- x

P E T I T I O N

COMES NOW Petitioner, by counsel, and unto this Honorable Court, most respectfully states that:

1. Petitioner is a government-owned and controlled corporation, created by virtue of Republic Act No. 1161, as amended, with principal office at SSS Bldg., East Avenue, Diliman, Quezon City and is charged with the duty of implementing and enforcing the provisions of the said act;
2. Respondent/s (*state the name/s of respondent/s*) is/are the owner/s or proprietor/s of (*state name of business*) located at (*state the business address*), where summons and other legal processes may be served;

IN CASE OF JURIDICAL ENTITY/IES:

CORPORATION –

Registered Name of the Corporation: _____

Principal Place of Business: _____

Names of Officers/Directors:

Addresses:

President _____

Corporate Secretary _____

Corporate Treasurer _____

In-house Counsel _____

Other officers/directors:

IN CASE OF PARTNERSHIP/S –

Registered Name of the Partnership: _____

Principal Place of Business: _____

Names of Partners:

Addresses:

IN CASE OF ORGANIZATION/ASSOCIATION -

Registered Name of Organization/Association: _____

Principal Place of Business: _____

Names of Officers:

Addresses:

3. Respondent/s is/are obliged under Sections 18, 19 and 22 of the Social Security Law, as amended, to report the names of his/her/its/their employees and to deduct and remit to the SSS the latter's SS contributions, together with the employer's share;
4. Assessment and Demand Letters addressed to the respondent/s were duly received by respondent/s through (state the name/s of the person/s who received the letters and his/her/their respective position/s or relationship/s with respondent/s). Copies thereof are attached as Annexes “___” and “___”;
5. However, despite receipt of the above letters, respondent/s fail/s, refuse/s and still fail/s and refuse/s to report the names of his/her/its/their employees **and/or** to deduct and remit to the SSS unpaid/underpaid SS contributions of his/her/its/their employees for the period/s (state period/s of delinquency) in the amount of ₱_____, plus 3% penalty for late payment in the amount of ₱_____ (computed as of _____) **and/or** to remit to the SSS salary loan/calamity loan amortizations of his/her/its/their employees in the amount of ₱_____, plus penalties and interests in the amount of ₱_____ (computed as of _____);
6. A copy of the Consolidated Statement of Contributions and Penalties covering the above delinquency/ies is attached as Annex “___”;
7. The foregoing delinquency/ies is/are clear violation/s of (state provision/s of laws, rules, regulations violated), to wit:

(Cite the applicable laws, rules and regulations)

8. A Field Investigation Report dated _____ (attached as Annex “__”) was submitted by (*state the SSS Branch who conducted the inspection/investigation*) to determine the continuance or cessation of respondent/s’ business operations at his/her/its/their last known business address at _____, wherein it was found that his/her/its/their business operation/s:

- still continue/s
- stopped/ceased
- transferred at (*state new business address*)

P R A Y E R

WHEREFORE, it is most respectfully prayed of this Honorable Commission that an Order be issued:

- directing respondent/s to report his/her/its/their employees for SS coverage effective the latter’s actual date/s of employment
- directing respondent/s to pay the SSS all unpaid/underpaid contributions in favor of his/her/its/their employees covering the period _____ in the amount of ₱_____, plus the 3% per month penalty imposed thereon for late payment in the amount of ₱_____ (computed as of _____) and without prejudice to the accrued penalties until fully paid
- directing respondent/s to pay the SSS the unremitted salary loan/calamity loan amortizations in the amount of ₱_____, plus penalties and interests in the amount of ₱_____ (computed as of _____)
- Others, specify _____

Other reliefs as may be just and equitable in the premises, are likewise prayed for.

(place signed), Philippines, (date signed).

(Name of petitioner and his/her signature or name/s and signature/s of his/her counsel or the assisting law student and his/her supervising attorney)

**VERIFICATION AND CERTIFICATION
AGAINST FORUM SHOPPING**