

Douglas F. Downard, FSA  
Vice President

245 Park Avenue  
New York, NY 10167-1028  
212 309-3562

*Towers Perrin*

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May 25, 1993

Sr. Juan Jose Rodriguez  
Manager  
KPMG Peat Marwick  
250 Munoz Rivera Avenue  
American International Plaza  
11th Floor  
Hato Rey, PR 00918

Dear Juan:

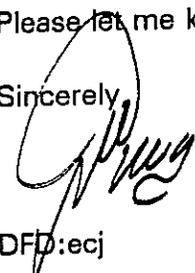
RETIREMENT SYSTEM OF THE GOVERNMENT OF PUERTO RICO AND ITS  
INSTRUMENTALITIES

As requested, enclosed are the following exhibits relating to our most recent  
actuarial update for the above:

1. The Summary of Pension Benefit Obligations and Market Value of Assets as of  
July 1, 1990
2. The Summary of Plan Provisions as of July 1, 1990 for:
  - The Employees Retirement System (Old Plan)
  - The Employees Retirement System (New Plan)
  - The Judiciary Retirement System
3. The Summary of Actuarial Assumptions as of July 1, 1990

Please let me know, if your review raises any questions.

Sincerely,

  
DFD:ecj

Enclosures

cc: Srta. Elba I. Medina (ASR)

**The Retirement System of the Government of Puerto Rico and Its Instrumentalities  
Summary of Pension Benefit Obligations and Market Value of Assets**

	Employees System		Judiciary System	
	July 1, 1988	July 1, 1989	July 1, 1988	July 1, 1990
(a) Retirees, beneficiaries, and terminated employees	\$1,650,000,000	\$1,834,700,000	\$23,600,000	\$26,000,000
(b) Current employees:				
accumulated employee contributions	735,000,000	787,000,000	9,000,000	7,500,000
employer-financed vested benefits	1,075,000,000	1,262,500,000	13,700,000	11,500,000
employer-financed non-vested benefits	110,000,000	124,800,000	1,400,000	1,500,000
total	1,920,000,000	2,174,300,000	24,100,000	20,500,000
(c) Total pension benefit obligation: (a)+(b)	3,57,000,000	4,009,000,000	47,700,000	46,500,000
(d) Net assets available for benefits	656,000,000	695,800,000	22,300,000	28,300,000
(e) Unfunded pension benefit obligation: (c)-(d)	2,914,000,000	3,313,200,000	25,400,000	18,200,000

**Commonwealth of Puerto Rico****Retirement System of the Government of Puerto Rico and Its Instrumentalities**

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*Summary of Actuarial Assumptions as of July 1, 1990*

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1. Interest Rate	9% a year
2. Salary Increases	6% a year
3. Mortality	GA '51 Mortality Table set forward two years (see table)
4. Termination	Medium Turnover Table commensurate with anticipated experience (see table)
5. Disability	65% of Third Railroad Retirement Table Rates (see table)
6. Retirement Age	Graded scale of retirement ages commensurate with anticipated experience
7. Proportion of Participants with Spouses	80% of participants assumed to be married, with wives assumed to be four years younger than husbands
8. Number of Employees Electing Higher Contributions	15% of retiring employees assumed to pay retroactive contributions at retirement

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**Table of Mortality, Disability and Termination Assumptions**

Age	Annual Rate per 1,000 Participants					
	Mortality		Disability		Termination	
	Male	Female	Male	Female	Male	Female
15-19	0.595	0.517	1.560	2.340	85.0	85.0
20-24	0.724	0.595	1.560	2.340	62.0	62.0
25-29	0.935	0.724	1.560	2.340	45.0	45.0
30-34	1.281	0.935	1.586	2.382	36.5	36.5
35-39	1.849	1.281	1.729	2.594	30.0	30.0
40-44	3.147	1.849	2.067	3.101	25.0	25.0
45-49	5.807	3.147	3.237	4.856	14.0	14.0
50-54	9.563	5.807	6.013	9.022	6.0	6.0
55-59	14.379	9.563	12.084	18.129	1.0	1.0
60-64	22.067	14.379	20.046	30.069	0.0	0.0
65-69	35.943	22.067	21.320	31.980	-	-
70-74	57.077	35.943	21.320	31.980	-	-
75-79	90.946	57.077	21.320	31.980	-	-

M - GA'51  
D - 65% 3RR  
T - Medium

# Commonwealth of Puerto Rico

## Employees Retirement System of the Government of Puerto Rico and its Instrumentalities

### Summary of Plan Provisions

#### Plan Provisions as of July 1, 1990 (Old Plan)

Note: The plan provisions in this summary shall affect only those regular full-time employees hired on or before March 31, 1990, or those attaining permanent status before that date.

**General Note:** Participants may elect to coordinate coverage under the Plan with Federal Social Security by selecting the lower of two contribution options. These options are described in detail at the end of this Summary. Those participants selecting Option (i), the Coordination Plan, are subject to a benefit recalculation at age 65. Those selecting Option (ii), the Supplementation Plan, will continue to receive the pre-age 65 benefits for life. At any time up to retirement, participants may change from Option (i) to (ii) by making a contribution including interest to the System, retroactive to the earlier of July 1, 1968 or the date of plan entry, that will bring their career Accumulated Contributions to the Option (ii) level.

1. **Effective Date.** January 1, 1952. Most recent amendment adopted and effective July 1, 1989.
  
2. **Eligibility.** All regular full time employees of the Government of Puerto Rico who have completed 12 months of service with no intervening breaks in service of more than 3 consecutive months, and who are not contributing to other Retirement Systems. Employees include those in the following categories:
  - Police of Puerto Rico
  - Justices of the Peace of Puerto Rico
  - Members and employees of the Legislature
  - Officers and employees of the Government of Puerto Rico, public enterprises and municipalities
  - Members of the Employees Association of the Commonwealth of Puerto Rico
  - Irregular employees fulfilling the requirements of a regular employee

Participation is mandatory, except for members of the Legislature, Government Secretaries, Heads of Agencies and Public Instrumentalities, Assistants to the Governor, the Controller of Puerto Rico, gubernatorial Board and Committee appointees and Experimental Service Station employees.

**Commonwealth of Puerto Rico  
Employees Retirement System**

3. Definitions.

- a. **Compensation.** Annual salary, excluding bonus and overtime pay.
- b. **Final Average Compensation.** The average of the highest annual rates of Compensation during any three years of Credited Service.
- c. **Maximum Compensation.** The highest annual salary received during term of Government service.
- d. **Regular Interest.** The annually compounded interest rate prescribed by the Board of Trustees.
- e. **Accumulated Contributions.** The sum of all participant contributions, credited and compounded with Regular Interest.
- f. **Actuarial Equivalent.** The amount of pension payable at a commencement date other than normal retirement or payable to a survivor which may be funded by the total contributions accrued toward a pension payable at normal retirement of the participant. The equivalence is calculated based on annuity and mortality tables adopted by the Board of Trustees and based on the actual experience of the System with the recommendations of the actuary.
- g. **Credited Service.** The years and months of plan participation, during which contributions have been made, beginning on the later of date of hire or Effective Date and ending on date of separation from service. For the purposes of calculating Credited Service, the following schedule shall apply:

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**Credited Service Eligibility**

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<i>Service During a Fiscal Year</i>	<i>Credited Service</i>
9 months or less	1 year
6 - 9 months	3/4 year
3 - 6 months	1/2 year
Less than 3 months	None

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**Commonwealth of Puerto Rico  
Employees Retirement System**

Employees with 15 or more days of service in one month shall be credited with one month of Credited Service.

In general, Credited Service may be earned for any period of employment during which no contributions were made if Accumulated Contributions for such periods are paid to the System. The same rule holds for rehired employees who previously received a refund of Accumulated Contributions at separation.

**4. Normal Retirement Pension.****a. Participants Eligible.** All participants attaining:

- i. **Benefit (1) - Merit Pension.** Age 55 and 30 years of Credited Service
- ii. **Benefit (2) - Merit Pension.** 30 years of Credited Service
- iii. **Benefit (3).** Age 58 and 10 years of Credited Service
- iv. **Benefit (4).** Age 50 with 8 years of service as a Mayor
- v. **Benefit (5).** Age 50 and 25 years of Credited Service as a member of the Police or Firefighters

**b. Pension Benefit.** Corresponding to eligibility above:

- i. **Benefit (1).** 75% of Final Average Compensation.
- ii. **Benefit (2).** 65% of Final Average Compensation.

**Note:** Except for Police, Firefighters and those selecting contribution Option (ii), benefits (1) and (2) recalculated at age 65 as follows:

1½% of Final Average Compensation up to \$6,600 times Credited Service plus

- (1) 75% of Final Average Compensation in excess of \$6,600
- (2) 65% of Final Average Compensation in excess of \$6,600.

- iii. **Benefit (3).** 1½% of Final Average Compensation times Credited Service to 20 years, plus 2% of Final Average Compensation times Credited Service in excess of 20 years. If annual benefit according to formula is less than \$1,500, the lesser of \$180 or an amount needed to increase the annual benefit to \$1,500 shall be added to the benefit.

**Commonwealth of Puerto Rico  
Employees Retirement System**

Maximum: 75% of Final Average Compensation.

Note: Except for Police, Firefighters, Mayors and those selecting contribution Option (ii), benefit (3) recalculated at age 65 as follows:

1% of Final Average Compensation up to \$6,600 times Credited Service to 20 years, plus 1½% of Final Average Compensation up to \$6,600 times Credited Service in excess of 20 years, plus 1½% of Final Average Compensation in excess of \$6,600 times Credited Service to 20 years, plus 2% of Final Average Compensation in excess of \$6,600 times Credited Service in excess of 20 years, plus \$180 or the portion thereof which was added to the benefit computed prior to age 65.

Minimum for recalculated benefits (1), (2) and (3): The amount which, when added to the Social Security benefit, is not less than the pre-age 65 benefit.

- iv. **Benefit (4).** 5% of Maximum Salary times Credited Service as a Mayor up to 10 years, plus 1½% of Maximum Salary times non-mayoral Credited Service up to 20 years, plus 2% of Maximum Salary times non-mayoral Credited Service in excess of 20 years.

Maximum: 90% of Maximum Salary.

- v. **Benefit (5).** 1½% of Final Average Compensation times Credited Service to 20 years, plus 2% of Final Average Compensation times Credited Service in excess of 20 years. If annual benefit according to formula is less than \$1,500, the lesser of \$180 or an amount needed to increase the annual benefit to \$1,500 shall be added to the benefit.

Maximum: 75% of Final Average Compensation.

Minimum for all benefits described above: \$200 per month.

**Commonwealth of Puerto Rico  
Employees Retirement System**

5. **Early Retirement Pension.**

a. **Participants Eligible.**

- i. **Benefit (1).** No provision.
- ii. **Benefit (2).** No provision.
- iii. **Benefit (3).** All participants attaining age 55 and 25 years of Credited Service.
- iv. **Benefit (4).** No provision.
- v. **Benefit (5).** No provision.

b. **Pension Benefit.** Corresponding to eligibility above:

- i. **Benefit (1).** No provision.
- ii. **Benefit (2).** No provision.
- iii. **Benefit (3).** Accrued Normal Retirement benefit to early retirement, actuarially reduced for each year payment commences before attainment of age 58.

Except for Police, Firefighters and those selecting contribution Option (ii), benefit (3) recalculated at age 65 as described in 4(b)(iii).

- iv. **Benefit (4).** No provision.
- v. **Benefit (5).** No provision.

6. **Postponed Retirement Pension.**

- a. **Participants Eligible.** Except for Police and Firefighters, participants may remain in service until any age. For Police and Firefighters, separation from service is compulsory at age 62.

- b. **Pension Benefit.** Benefits described in 4, based on Final Average Earnings (or final Salary) and Credited Service at postponed retirement date. Payment commences on postponed retirement date. If a member of the Police or Firefighters reaches mandatory retirement without earning 10 years of Credited Service, he shall receive a full refund of all Accumulated Contributions.

**Commonwealth of Puerto Rico  
Employees Retirement System**

7. Vested Pension.

a. Participants Eligible. All participants attaining:

- i. Benefit (1). No provision.
- ii. Benefit (2). No provision.
- iii. Benefit (3).
  - A. 10 years of Credited Service
  - B. 25 years of Credited Service
- iv. Benefit (4). 8 years of service as a Mayor.
- v. Benefit (5). No provision.

b. Vested Pension Benefits. Corresponding to eligibility above:

- i. Benefit (1). No provision.
- ii. Benefit (2). No provision.
- iii. Benefit (3). Accrued Normal Retirement benefit to termination date. Payments commence upon attainment of:
  - A. Age 58. If annual benefit according to formula is less than \$1,500, the lesser of \$180 multiplied by the ratio of Credited Service to 25 years of Credited Service, or an amount needed to increase the annual benefit to \$1,500 shall be added to the benefit.
  - B. Age 55 (age 50 for Police and Firefighters).
- iv. Benefit (4). Accrued Normal Retirement benefit to termination date. Payments commence upon attainment of age 50.
- v. Benefit (5). No provision.

No benefit is payable if the participant receives a refund of his Accumulated Contributions.

**Commonwealth of Puerto Rico  
Employees Retirement System**

8. Disability Pension.

a. Occupational Disability.

i. Participants Eligible.

- A. **Benefit (1).** Any participant certified as disabled and unable to perform the duties of any position in Government service by two physicians appointed by Plan Administrator; receiving compensation under the Workmen's Accident Compensation Act.
- B. **Benefit (2).** (Law no. 127 of June 27, 1958) Members of the Police or Firefighters, Internal Revenue, Justice Department, or Penal and Correctional agencies certified as disabled in the line of duty and unable to perform the duties of any other position in Government service by the Plan Administrator.

ii. Disability Benefit.

- A. **Benefit (1).** 50% of final Salary at date of separation from service. Benefit recalculated at age 65 as benefit (3) under 4(a)(iii).
- B. **Benefit (2).** 100% of final Salary at date of separation of service.

b. Nonoccupational Disability.

- i. **Participants Eligible.** Any participant certified as permanently and totally disabled by two physicians appointed by Plan Administrator; attained 10 years of Credited Service and has not yet attained age 65.
- ii. **Disability Benefit.** 30% of Final Average Earnings at date of separation from service, plus 1% of Final Average Earnings times Credited Service in excess of 10 years. Benefit recalculated at age 65 as benefit (3) under 4(a)(iii).

Maximum: 50% of Final Average Earnings at date of separation from service.

Note: If participant engages in employment, both types of disability pension shall be reduced an amount by which the disability pension plus employment income exceeds Compensation at the date of disability.

**Commonwealth of Puerto Rico  
Employees Retirement System**

9. Preretirement Death Benefit.

a. Occupational.

i. Beneficiaries Eligible.

- A. **Benefit (1).** The spouse, children or designated beneficiary of a participant who dies from an employment-related cause under the Workmen's Accident Compensation Act.
- B. **Benefit (2).** (Law no. 127 of June 27, 1958) The spouse, children or designated beneficiary of members of the Police or Firefighters, Internal Revenue, Justice Department, or Penal and Correctional agencies who die in the line of duty.

ii. Benefits Payable.

A. **Benefit (1).**

**Spouse's Benefit.** 50% of participant's final Compensation at date of death, payable as an annuity until death or remarriage.

**Children's Benefit.** An annuity for each child of \$10 per month (\$20 if full orphan) payable to child's age 18 (age 25 if student).

**Maximum Family Benefit.** 75% of participant's final Salary at date of death.

If no spouse nor children: Benefit payable to designated beneficiary equal to a refund of Accumulated Contributions, plus a lump sum benefit of 100% of final Compensation at date of death.

B. **Benefit (2).**

**Spouse's Benefit.** 50% of final Salary at date of death, payable as an annuity.

**Children's Benefit.** 50% of final Salary at date of death, payable as an annuity and shared in equal amounts.

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Employees Retirement System**

If no spouse nor children: Full benefit of 100% of final Salary is payable to designated beneficiary (divided equally if more than one).

Upon death of any beneficiary, the share of the deceased beneficiary will be redistributed among the remaining beneficiaries.

**b. Nonoccupational.****i. Beneficiaries Eligible.**

A. **Benefit (1).** All participants

B. **Benefit (2).** (Law no. 8 of February 18, 1976) Members of the Police.

**ii. Benefits Payable.**

A. **Benefit (1).** Benefit payable to designated beneficiary equal to a refund of Accumulated Contributions, plus a lump sum benefit of 100% of final Compensation at date of death.

B. **Benefit (2).** Benefit payable to surviving spouse and dependent children based on Accumulated Contributions (minimum: \$1,500 annually) in the form of an annuity. Benefit shall be reduced in an amount equal to benefits received from any other sources.

**10. Postretirement Death Benefit.****a. Beneficiaries Eligible.** Beneficiaries of any participant who is:

i. **Benefit (1).** Single with no minor children, or receiving a life annuity as normal form of payment.

ii. **Benefit (2).** Married or with minor children, and receiving a joint and survivor annuity as normal form of payment. Except for Police and Firefighters, surviving spouse must have attained age 60 in order to receive benefit.

iii. **Benefit (3).** Receiving an occupational annuity under Law no. 127 of June 27, 1958 as described in 8(a), and who dies as a result of the disability.

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Employees Retirement System**

- b. **Benefit.** Corresponding to eligibility above:
  - i. **Benefit (1).** Refund of Accumulated Contributions at retirement in excess of total pension payments received prior to date of death, payable to designated beneficiary. Minimum benefit – \$500.
  - ii. **Benefit (2).** Lump sum benefit of \$500.
  - iii. **Benefit (3).** Benefit of 100% of final Salary at date of disability, payable to designated beneficiaries as an annuity.
  
- 11. **Employee Contributions.** Contributions may be made at one of two levels:
  - a. **Option (i) – Coordination Plan.** 5.775% of Compensation up to \$6,600 plus 8.275% of Compensation in excess of \$6,600.
  - b. **Option (ii) – Supplementation Plan.** 8.275% of all Compensation. This is the only choice available to Police, Firefighters and Mayors.
  
- 12. **Employer Contributions.** 9.275% of all Compensation, contributed by the Government to the System concurrently with employee contributions.
  
- 13. **Forms of Payment.**
  - a. **Normal Form.** 30% (60% for Police and those retired under Law no. 127 of June 27, 1958 who die for reasons unrelated to their disability) joint and survivor annuity, payable to spouse or children under age 18 (age 25 if students); life annuity if single.  
  
Minimum for survivors of Police and retirees under Law no. 127 of June 27, 1958:  
\$180 per month.
  - b. **Optional Forms.** Reversionary annuity.
  
- 14. **Christmas Gift.** All pensioners and beneficiaries are entitled to a Christmas Gift of \$150 per family group, payable in December of each year.

# Commonwealth of Puerto Rico

## Employees Retirement System of the Government of Puerto Rico and its Instrumentalities

### Summary of Plan Provisions

#### Plan Provisions as of July 1, 1990 (New Plan)

**Note:** The plan provisions described in this summary shall affect only those regular full-time employees hired on or after April 1, 1990, or those attaining permanent status after that date.

1. **Effective Date.** April 1, 1990.
  
2. **Eligibility.** All regular full time employees of the Government of Puerto Rico who have completed 12 months of service with no intervening breaks in service of more than 3 consecutive months, and who are not contributing to other Retirement Systems. Employees include those in the following categories:
  - Police of Puerto Rico
  - Justices of the Peace of Puerto Rico
  - Members and employees of the Legislature
  - Officers and employees of the Government of Puerto Rico, public enterprises and municipalities
  - Members of the Employees Association of the Commonwealth of Puerto Rico
  - Irregular employees fulfilling the requirements of a regular employee

Participation is mandatory, except for members of the Legislature, Government Secretaries, Heads of Agencies and Public Instrumentalities, Assistants to the Governor, the Controller of Puerto Rico, gubernatorial Board and Committee appointees and Experimental Service Station employees.

3. **Definitions.**
  - a. **Compensation.** Annual salary, excluding bonus and overtime pay.
  
  - b. **Final Average Compensation.** The average of the annual rates of Compensation during the final five years of Credited Service. If the Compensation for any one year included in the averaging period exceeds the average of Compensation in the remaining four years by more than 10%, the amount in excess of 10% shall be excluded in the computation of Final Average Compensation.
  
  - c. **Maximum Compensation.** The highest annual salary received during the term in Government service.

**Commonwealth of Puerto Rico  
Employees Retirement System**

- d. **Regular Interest.** The annually compounded interest rate prescribed by the Board of Trustees.
- e. **Accumulated Contributions.** The sum of all participant contributions, credited and compounded with Regular Interest.
- f. **Actuarial Equivalent.** The amount of pension payable at a commencement date other than normal retirement or payable to a survivor which may be funded by the total contributions accrued toward a pension payable at normal retirement of the participant. The equivalence is calculated based on annuity and mortality tables adopted by the Board of Trustees and based on the actual experience of the System with the recommendations of the actuary.
- g. **Credited Service.** The years of plan participation during which contributions have been made based on full calendar months of service, beginning on date of hire and ending on date of separation from service.

In general, Credited Service may be earned for any period of employment during which no contributions were made if Accumulated Contributions for such periods are paid to the System. The same rule holds for rehired employees who previously received a refund of Accumulated Contributions at separation. A participant has one year from the date he reacquires his participant status to apply for reinstatement of credited service and to reimburse refunded contributions (either as a lump sum or installments).

**4. Normal Retirement Pension.**

- a. **Participants Eligible.** All participants attaining:
  - i. **Benefit (1).** Age 65 with 10 years of service.
  - ii. **Benefit (2).** Age 50 with 8 years of service as a Mayor.
  - iii. **Benefit (3).** *Hazardous Service Pension:* Age 55 and 30 years of Credited Service as a member of the Police or Firefighters.
  - iv. **Benefit (4).** *Hazardous Service Pension:* 30 years of Credited Service as a member of the Police or Firefighters.
  - v. **Benefit (5).** Age 50 and 25 years of Credited Service as a member of the Police or Firefighters.

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Employees Retirement System**

## b. Pension Benefit. Corresponding to eligibility above:

- i. Benefit (1). 1½% of Final Average Compensation times Credited Service to 40 years.
- ii. Benefit (2). 5% of Maximum Salary times Credited Service as a Mayor up to 10 years, plus 1½% of Maximum Salary times non-mayoral Credited Service up to 20 years, plus 2% of Maximum Salary times non-mayoral Credited Service in excess of 20 years.

Maximum: 90% of Maximum Salary.

- iii. Benefit (3). 75% of Final Average Compensation.
- iv. Benefit (4). 65% of Final Average Compensation.
- v. Benefit (5). 1½% of Final Average Compensation times Credited Service to 20 years, plus 2% of Final Average Compensation times Credited Service in excess of 20 years.

Maximum: 75% of Final Average Compensation.

## 5. Early Retirement Pension.

## a. Participants Eligible.

- i. Benefit (1). All participants attaining age 55 and 10 years of Credited Service.
- ii. Benefit (2). No provision.
- iii. Benefit (3). No provision.
- iv. Benefit (4). No provision.
- v. Benefit (5). No provision.

**Commonwealth of Puerto Rico  
Employees Retirement System****b. Pension Benefit.** Corresponding to eligibility above:

- i. **Benefit (1).** Accrued Normal Retirement benefit to early retirement, actuarially reduced for each year payment commences before attainment of age 65.
- ii. **Benefit (2).** No provision.
- iii. **Benefit (3).** No provision.
- iv. **Benefit (4).** No provision.
- v. **Benefit (5).** No provision.

**6. Postponed Retirement Pension.**

- a. **Participants Eligible.** Except for Police and Firefighters, participants may remain in service until any age. For Police and Firefighters, up to December 31, 1993, separation from service is compulsory at age 62 unless continued employment is approved. No continuation for officers shall be permitted in any event beyond age 65.
- b. **Pension Benefit.** Benefits described in 4, based on Final Average Compensation (or final Salary) and Credited Service at postponed retirement date. Payment commences on postponed retirement date. If a member of the Police or Firefighters reaches mandatory retirement without earning 10 years of Credited Service, he or she shall receive a full refund of all Accumulated Contributions.

**7. Vested Pension.**

- a. **Participants Eligible.** All participants attaining:
  - i. **Benefit (1).** 10 years of Credited Service.
  - ii. **Benefit (2).** 8 years of service as a Mayor.
  - iii. **Benefit (3).** No provision.
  - iv. **Benefit (4).** No provision.
  - v. **Benefit (5).** 25 years of Credited Service as a member of the Police or Firefighters.

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Employees Retirement System**

- b. **Vested Pension Benefits.** Corresponding to eligibility above:
- i. **Benefit (1).** Accrued Normal Retirement benefit to termination date. Payments commence upon attainment of age 65.
  - ii. **Benefit (2).** Accrued Normal Retirement benefit to termination date. Payments commence upon attainment of age 50.
  - iii. **Benefit (3).** No provision.
  - iv. **Benefit (4).** No provision.
  - v. **Benefit (5).** Accrued Normal Retirement benefit to termination date. Payments commence upon attainment of age 50.

No benefit is payable if the participant receives a refund of his Accumulated Contributions.

**8. Disability Pension.****a. Occupational Disability.****i. Participants Eligible.**

- A. **Benefit (1).** Any participant certified as disabled and unable to perform the duties of any position in Government service by physicians appointed by the Plan Administrator; receiving compensation under the Workmen's Accident Compensation Act; attained 6 months of Credited Service.
- B. **Benefit (2).** (Law no. 127 of June 27, 1958) Members of the Police or Firefighters, Internal Revenue, Justice Department, or Penal and Correctional agencies certified as disabled in the line of duty and unable to perform the duties of any other position in Government service by the Plan Administrator; eligible for compensation under the Workmen's Accident Compensation Act.

**ii. Disability Benefit.**

- A. **Benefit (1).** 40% of final Salary at date of separation from service, reduced by Social Security benefits. Benefit recalculated at age 65 as benefit (1) under 4(a)(i).
- B. **Benefit (2).** 80% of final Salary at date of separation of service.

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Employees Retirement System**

b. **Nonoccupational Disability.**

- i. **Participants Eligible.** Any participant certified as permanently and totally disabled by physicians appointed by Plan Administrator; attained 10 years of Credited Service and has not yet attained age 65.
- ii. **Disability Benefit.** 25% of Final Average Compensation at date of separation from service, plus 1% of Final Average Compensation times Credited Service in excess of 10 years. Benefit recalculated at age 65 as benefit (1) under 4(a)(i).

Maximum: 40% of Final Average Compensation at date of separation from service.

**Notes:** If participant engages in employment, both types of disability pension shall be reduced an amount by which the disability pension plus employment income exceeds Compensation at the date of disability. Such disability pension shall be payable for one year only after the date of the participant's reemployment.

If for any reason the disabled participant refuses to submit to periodic reexamination, his annuity will be discontinued.

9. **Preretirement Death Benefit.**

a. **Occupational.**

i. **Beneficiaries Eligible.**

- A. **Benefit (1).** The spouse, children or designated beneficiary of a participant who dies from an employment-related cause under the Workmen's Accident Compensation Act.
- B. **Benefit (2).** (Law no. 127 of June 27, 1958) The spouse, children or designated beneficiary of members of the Police or Firefighters, Internal Revenue, Justice Department, or Penal and Correctional agencies who die in the line of duty.

ii. **Benefits Payable.**

A. **Benefit (1).**

**Spouse's Benefit.** 40% of participant's final Compensation at date of death, payable as an annuity until death or remarriage.

**Commonwealth of Puerto Rico  
Employees Retirement System**

**Children's Benefit.** An annuity for each child of \$10 per month (\$20 if full orphan) payable to child's age 18 (age 25 if student).

Maximum Family Benefit: 100% of participant's final Salary at date of death.

If no spouse nor children: Benefit payable to designated beneficiary equal to a refund of Accumulated Contributions, plus a lump sum benefit of 75% of final Compensation at date of death.

**B. Benefit (2).**

**Spouse's Benefit.** 40% of final Salary at date of death, payable as an annuity.

**Children's Benefit.** 40% of final Salary at date of death, payable as an annuity and shared in equal amounts.

If no spouse nor children: Full benefit of 80% of final Salary is payable to designated beneficiary (divided equally if more than one).

Upon death of any beneficiary, the share of the deceased beneficiary will be redistributed among the remaining beneficiaries.

**b. Nonoccupational.**

**i. Beneficiaries Eligible.**

**A. Benefit (1).** All participants.

**B. Benefit (2).** (Law no. 8 of February 18, 1976) Members of the Police.

**ii. Benefits Payable.**

**A. Benefit (1).** Benefit payable to designated beneficiary equal to a refund of Accumulated Contributions, plus a lump sum benefit of 75% of final Compensation at date of death.

**B. Benefit (2).** Benefit payable to surviving spouse and dependent children based on Accumulated Contributions (minimum: \$1,500 annually) in the form of an annuity. Benefit shall be reduced in an amount equal to benefits received from any other sources.

**Commonwealth of Puerto Rico  
Employees Retirement System****10. Postretirement Death Benefit.****a. Beneficiaries Eligible.** Beneficiaries of any participant who is:

- i. **Benefit (1).** Single with no minor children, or receiving a life annuity as normal form of payment.
- ii. **Benefit (2).** Married or with minor children, and receiving a joint and survivor annuity as normal form of payment. Except for Police and Firefighters, surviving spouse must have attained age 60 in order to receive benefit.
- iii. **Benefit (3).** Receiving an occupational annuity under Law no. 127 of June 27, 1958 as described in 8(a), and who dies as a result of the disability.

**b. Benefit.** Corresponding to eligibility above:

- i. **Benefit (1).** Refund of Accumulated Contributions at retirement in excess of total pension payments received prior to date of death, payable to designated beneficiary. Minimum benefit – \$500.
- ii. **Benefit (2).** 60% of retiree's pension at date of death (30% if covered under Title II of the Social Security Act.)
- iii. **Benefit (3).** Benefit of 80% of final Salary at date of disability, payable to designated beneficiaries as an annuity.

11. **Minimum Pension.** No normal, early or vested retirement benefit payable to a retiree, nor any benefit payable to a beneficiary, shall be an amount less than \$200 per month.

12. **Employee Contributions.** 8.275% of all Compensation.

13. **Employer Contributions.** 9.275% of all Compensation, contributed by the Government to the System concurrently with employee contributions.

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Employees Retirement System**

14. Forms of Payment.

- a. **Normal Form.** 30% (60% for Police and those retired under Law no. 127 of June 27, 1958 who die for reasons unrelated to their disability) joint and survivor annuity, payable to spouse or children under age 18 (age 25 if students); life annuity if single.

Minimum for survivors of Police and retirees under Law no. 127 of June 27, 1958:  
\$200 per month.

- b. **Optional Forms.** Reversionary annuity.

- 15. **Christmas Gift.** All pensioners and beneficiaries are entitled to a Christmas Gift of \$150 per family group, payable in December of each year.

# Commonwealth of Puerto Rico

## Puerto Rico Judiciary Retirement System

### Summary of Plan Provisions

#### Plan Provisions as of July 1, 1990

1. **Effective Date of Plan.** July 1, 1954. Most recent amendment adopted July 24, 1985 and effective retroactively to July 1, 1985.
2. **Eligibility.** All persons holding a position as Justice of the Supreme Court, Judge of the Superior Court or the District Court, or Municipal Judges of the Commonwealth of Puerto Rico.
3. **Definitions.**
  - a. **Salary.** Annual compensation received by a judge for his services in that capacity.
  - b. **Final Average Earnings.** The average of the annual salaries in the last three consecutive years of Credited Service, ending on the earliest of termination, early retirement or normal retirement date.
  - c. **Credited Service.** The years and months (where fractional months are counted as full months of service) of plan participation, beginning on Date Credit Begins and ending on date of separation from service. All intervening periods of resignation or expiration of the appointed or elective term are excluded. Periods for which no contributions have been made or for which contributions were refunded are also excluded. However, credit will be granted for refund periods if the participant returns any refunded Accumulated Contributions to the plan.
  - d. **Actuarial Equivalent.** The amount of pension payable at a commencement date other than normal retirement or payable to a survivor which may be funded by the total contributions accrued toward a pension payable at normal retirement of the participant. The equivalence is calculated based on annuity and mortality tables adopted by the Board of Trustees and based on the actual experience of the System with the recommendations of the actuary.
  - e. **Interest Credit.** The annual rate of 2½%, or any other rate recommended by the Board of Trustees, based on the experience of the System.
  - f. **Accumulated Contributions.** The sum of all participant contributions, credited and compounded with Interest Credit.

**Commonwealth of Puerto Rico  
Judiciary Retirement System**

## g. Date Credit Begins.

- i. Participants with eight or more years of Credited Service as a judge. Credit begins on the earlier of the day of appointment as a judge or the day first employed by the Government of Puerto Rico.
- ii. Participants with less than eight years of Credited Service as a judge. Credit begins on the day of appointment as a judge.

## 4. Normal Retirement Pension.

- a. Participants Eligible. All participants on the date coinciding with the attainment of:
  - i. **Benefit (1).** Age 60 and 10 years of Credited Service; serving as judge with a fixed term of duration.
  - ii. **Benefit (2).** Age 60 and 10 years of Credited Service; serving as judge without a fixed term of duration.
  - iii. **Benefit (3).**
    - A. 30 years of Credited Service before age 60, 8 of which were in service as a judge or
    - B. Age and Credited Service according to the following table with the last 8 years in service as a judge:

<u>Age</u>	<u>Credited Service</u>
62	20
61	21
60	22
59	23
58	24
57	25
56	26
55	27

**Commonwealth of Puerto Rico  
Judiciary Retirement System**

b. Pension Benefit. Corresponding to eligibility above:

- i. **Benefit (1).** 25% of Final Average Earnings, plus  $4 \frac{1}{6}\%$  of Final Average Earnings times Credited Service in excess of 10 years.

Maximum: 75% of Final Average Earnings.

- ii. **Benefit (2).** The sum of (A) and (B), but in no event to exceed (C):

A. If served as a judge for 8 years (not necessarily consecutive). 50% of final Salary

If served as a judge for less than 8 years. 25% of final Salary

B.  $4 \frac{1}{6}\%$  of final Salary times Credited Service in excess of 10 years.

C. 75% of final Salary.

- iii. **Benefit (3).** 75% of Final Average Earnings.

5. **Early Retirement Pension.**

a. **Participants Eligible.** All participants on the date coinciding with the attainment of:

- i. **Benefit (1).** 22 years of Credited Service before age 60; serving as judge with a fixed term of duration.

- ii. **Benefit (2).** 22 years of Credited Service before age 60; serving as judge without a fixed term of duration.

- iii. **Benefit (3).**

A. 30 years of Credited Service before age 60, 8 of which were in service as a judge.

B. 20 years of Credited Service with the last 8 years in service as a judge.

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Judiciary Retirement System**

b. **Pension Benefit.** Corresponding to eligibility above:

- i. **Benefit (1).** Accrued Normal Retirement Benefit, based on Final Average Earnings and Credited Service at early retirement, actuarially reduced for each year payment commences before age 60.
- ii. **Benefit (2).** Accrued Normal Retirement Benefit, based on final Salary and Credited Service at early retirement, with no reduction for early commencement of payment.
- iii. **Benefit (3).** Accrued Normal Retirement Benefit, based on Final Average Earnings at early retirement, adjusted as follows, according to eligibility:
  - A. No reduction for early commencement of payment.
  - B. Actuarially reduced for each year payment commences before earliest age at which unreduced benefit is first payable, in accordance with 4(a)(iii).

6. **Postponed Retirement Pension.**

- a. **Participants Eligible.** Participants may remain in service until any age. There is no mandatory retirement provision.
- b. **Pension Benefit.** The benefits described in 4 above, based on Final Average Earnings (or final Salary) and Credited Service at postponed retirement date. Payment commences on postponed retirement date.

Any participant not fulfilling eligibility requirements for a pension at separation from service receives a full refund of all Accumulated Contributions.

7. **Vested Pension.**

- a. **Participants Eligible.** All participants who terminate employment after completing 10 or more years of Credited Service.
- b. **Vested Pension Benefit.** Accrued Normal Retirement Benefit to termination date. Payments commence upon attainment of age 60.

No benefit is payable if the participant receives a refund of his Accumulated Contributions.

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8. Disability Pension.

a. Occupational Disability.

- i. **Participants Eligible.** Any participant certified as incapable or unable to discharge duties as judge by two physicians appointed by Plan Administrator and receiving compensation under the Workmen's Accident Compensation Act.
- ii. **Disability Benefit.** 50% of final Salary at date of separation from service, reduced by any payments received from the State Insurance Fund under the Workmen's Accident Compensation Act.

b. Nonoccupational Disability.

- i. **Participants Eligible.** Any participant certified as permanently and totally disabled by two physicians appointed by Plan Administrator, and who has attained 10 years of Credited Service but has not yet attained age 60.
- ii. **Disability Benefit.** 30% of Final Average Earnings at date of disability, plus 1% of Final Average Earnings times Credited Service in excess of 10 years.

Maximum: 50% of Final Average Earnings at date of disability.

**Note:** If participant engages in employment, both types of disability pension shall be reduced an amount by which the disability pension plus employment income exceeds Salary at the date of disability.

9. Preretirement Death Benefit.

a. Occupational.

- i. **Beneficiaries Eligible.** The spouse and children, or designated beneficiary of a participant who dies from an employment-related cause under the Workmen's Accident Compensation Act.
- ii. **Spouse's Benefit.** 50% of participant's final Salary at date of death, payable as an annuity until death or remarriage.
- iii. **Children's Benefit.** An annuity for each child of \$10 per month (\$20 if full orphan) payable to child's age 18 or until completion of studies.

Maximum Family Benefit: 75% of participant's final Salary at date of death.

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- iv. **If no spouse nor children.** Benefit payable to designated beneficiary equal to a refund of all Accumulated Contributions, plus a lump sum benefit of 100% of final Salary at date of death.

b. **Nonoccupational.**

- i. **Beneficiaries Eligible.** Beneficiaries of any participant who is:

- A. **Benefit (1).** Ineligible for survivor benefit 9(b)(ii)(B).

- B. **Benefit (2).** Married or with children under age 21, and has reached attainment of age 60 and 22 years of Credited Service.

- ii. **Benefits.** Corresponding to eligibility above:

- A. **Benefit (1).** Benefit payable to designated beneficiary equal to a refund of Accumulated Contributions, plus a lump sum benefit of 100% of final Salary at date of death.

- B. **Benefit (2).** Benefit equal to 60% of the pension that would have been payable had the participant retired on the date of death.

10. **Postretirement Death Benefit.**

a. **Beneficiaries Eligible.**

- A. **Benefit (1).** Single with no minor children, or receiving a life annuity as normal form of payment.

- B. **Benefit (2).** Married, or with eligible dependents, and receiving joint and survivor annuity as normal form of payment.

b. **Benefits.** Corresponding to eligibility above:

- A. **Benefit (1).** Refund of Accumulated Contributions at retirement in excess of total pension payments received prior to date of death, payable to designated beneficiary. Minimum benefit — \$500.

- B. **Benefit (2).** Lump sum benefit of \$500 payable to designated beneficiary in addition to survivor portion of annuity.

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11. **Employee Contributions.** All participants are required to make contributions to the Plan equal to 7½% of Salary throughout active service.
  
12. **Employer Contributions.** The amounts contributed by the Government which, when combined with participant contributions, interest and other income to the System, are adequate to meet the benefit and administrative costs of the System.
  
13. **Forms of Payment.**
  - a. **Normal Form.** 60% joint and survivor annuity, payable to spouse and children under age 21; life annuity if single.
  
  - b. **Optional Forms.** Reversionary annuity.