

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

04 JUN 30 PM 57

SENATE

S. No. 638

RECEIVED BY: *Ordo*

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

EXPLANATORY NOTE

Ask any ship captain in the world if he has met a Filipino, and he is sure to reply that there is one or two among his crew. With an average of 200,000 Pinoy seamen deployed each year for the past decade, the Philippines today is the principal supplier of seafarers to the world.

Aside from the pride that they bring the country, the dollar remittances of our seafarers helped pump prime the economy. For 2003 alone, our seafarers infused 1.3 billion U.S. dollars into the country's Gross National Product.

In return for their sacrifices and their efforts, this bill aims to fix the minimum death benefits of Filipino seafarers and to establish a mechanism at the Philippine Overseas Employment Agency which shall be tasked to review and realign on a regular basis the said minimum standard rates for death benefits.

In view of the foregoing, passage of this bill is earnestly recommended.



MANUEL B. VILLAR, JR.

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SENATE

S. No. 638

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INTRODUCED BY HON. MANUEL B. VILLAR, JR.

AN ACT
FIXING THE MINIMUM STANDARD FOR DEATH BENEFITS TO FILIPINO
SEAFARERS EMPLOYED OVERSEAS AND ESTABLISHING A MECHANISM
AT THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION FOR
ITS REGULAR REVIEW AND REALIGNMENT TO PREVAILING
INTERNATIONAL STANDARDS AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. This Act shall be known as the "Death Benefits for Seafarers Act of 2004."

SECTION 2. *Declaration of Policy*-. It is the policy of the State to promote the welfare of Filipino seafarers employed overseas by setting-up minimum standard of death benefits for seafarers at level with the prevailing international standards.

SECTION 3. *Death Benefits*. -

- a. In case of death of a Filipino seafarer during the term of his contract, the employer shall indemnify the former's beneficiaries the Philippine currency equivalent of the amount of Fifty Thousand US Dollars (US\$50,000.00) at the exchange rate prevailing during the time of payment.
- b. The benefits shall be separate and distinct from and in addition to whatever benefits which the seafarer is entitled to under the Philippine laws and regulations.
- c. No benefits shall be payable in case of death resulting from a willful act by the seafarer. In connection thereto, the employer can prove that such death is directly attributable to the seafarer.

SECTION 4. *Review of Benefits*. - The Philippine Overseas & Employment Administration shall, upon consultation, with the seafarer's unions and associations of manning agencies and shipping companies, undertake a regular annual review of the death benefits provided under this Act and through its governing board, update or amend the death benefits to keep it at a level with prevailing international standards.

SECTION 5. *Separability Clause.* - If any provision of this Act is declared invalid, the remaining provisions shall not be affected thereby.

SECTION 6. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, or parts thereof contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,