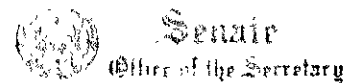



SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 MAY 12 P12:03

SENATE

P.S. RES. NO. 1335

RECEIVED BY: 

Prepared by the Committee on Foreign Relations

1 RESOLUTION
2 CONCURRING IN THE RATIFICATION OF THE
3 AGREEMENT ON SOCIAL SECURITY
4 BETWEEN THE PORTUGUESE REPUBLIC
5 AND THE REPUBLIC OF THE PHILIPPINES

6 WHEREAS, the Constitution, Article 7, Section 21 states: "No treaty or international
7 agreement shall be valid and effective unless concurred in by at least two-thirds of all the
8 members of the Senate";

9 WHEREAS, the Philippines has social security agreements with Austria, Canada,
10 France, United Kingdom, Belgium, Switzerland, and Spain; this Social Security Agreement
11 with the Portuguese Republic not only reaffirm the enhanced partnership between the
12 Philippines and Portugal but also manifest the Philippine government's genuine concern for
13 the welfare and well-being of Filipino migrant workers and their families wherever they
14 may be;

15 WHEREAS, the Agreement on Social Security between the Portuguese Republic and
16 the Republic of the Philippines was signed on 14 September 2012 in Lisbon;

17 WHEREAS, the Agreement seeks to reduce or eliminate border, nationality or other
18 restrictions that prevent covered workers from receiving benefits under the social security
19 legislation of the Philippines or Portugal;

20 WHEREAS, the Agreement adopts the fundamental principles of international
21 coordination of social security legislations, namely equality of treatment, export of benefits,
22 and totalization of creditable periods to enable covered workers to access social security
23 benefits such as sickness, maternity, paternity, occupational diseases, invalidity, old age,
24 and survivors' pension;

25 WHEREAS, under these principles, a Filipino who works in Portugal and contributes
26 to the social security scheme of Portugal will be entitled to benefits under the same
27 conditions as nationals of Portugal; the Filipino worker will also be allowed to export
28 benefits he/she is entitled to wherever he/she decides to reside, whether in the Philippines or
29 Portugal;

30
31 WHEREAS, the principle of totalization allows the worker to combine creditable
32 periods under the social security laws of the Philippines and Portugal to be eligible to
33 benefit payments but on a proportional-sharing basis; these same principles shall apply to a

1 Portuguese national who works and contributes to the social security system in the
2 Philippines;

3 WHEREAS, on the part of the Philippines, the agreement shall be implemented in
4 relation to the Philippine Social Security Act, the Government Service Insurance Act, the
5 Portability and Employees' Compensation Act, and the State Insurance Fund; on the part of
6 Portugal, it shall cover the social security schemes applicable to employed and self-
7 employed persons and to optional affiliation schemes of the Portuguese insurance systems;

8 WHEREAS, the provisions of the Agreement are consistent with the State's policy to
9 afford full protection to labor and with the right to social security enshrined in the Universal
10 Declaration of Human Rights and under International Labor Organization (ILO)
11 conventions;

12 WHEREAS, the Agreement, Article 33 provides that it shall enter into force on the
13 first day of the second month after the date of receipt of the last notification, made in writing
14 and through diplomatic channels, informing that the internal legal proceedings required for
15 that purpose in the Parties have been finalized;

16 WHEREAS, the President of the Philippines ratified the Agreement on 16 January
17 2014 and has accordingly submitted it to the Senate for concurrence, in accordance with the
18 Constitution;

19 WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations
20 on 5 March 2015, the following government agencies endorsed the concurrence in the
21 ratification of the Agreement on Social Security between the Republic of the Philippines
22 and the Portuguese Republic:

- 23 1. Department of Foreign Affairs
- 24 2. Department of Labor and Employment
- 25 3. Philippine Overseas Employees Administration
- 26 4. Employees Compensation Commission
- 27 5. Government Service Insurance Service
- 28 6. Social Security System

29 WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as
30 it hereby concurs, in the ratification of the Agreement on Social Security between the
31 Republic of the Philippines and the Portuguese Republic.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Chair
Committee on Foreign Relations