

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

Senate  
Office of the Secretary

'15 MAY 12 P12:03

SENATE

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COMMITTEE REPORT NO. 138

Submitted by the Committee on Foreign Relations on MAY 12 2015.

Re: P.S. Res. No. 1335, prepared by the Committee

Recommending its approval without amendment.

Sponsor: Senator Miriam Defensor Santiago

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**MR. PRESIDENT:**

The Committee on Foreign Relations, to which was referred the Agreement, entitled:


**AGREEMENT ON SOCIAL SECURITY  
BETWEEN THE PORTUGUESE REPUBLIC AND  
THE REPUBLIC OF THE PHILIPPINES**

has considered the same and has the honor to report it back to the Senate with the recommendation that Proposed Senate Resolution No. 1335, prepared by the Committee, entitled:

**RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE  
AGREEMENT ON SOCIAL SECURITY  
BETWEEN THE PORTUGUESE REPUBLIC AND  
THE REPUBLIC OF THE PHILIPPINES**

be approved without amendment.

Respectfully submitted:

  
**MIRIAM DEFENSOR SANTIAGO**  
Chair  
Committee on Foreign Relations



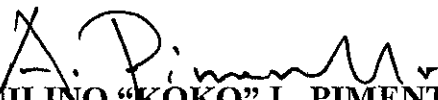
**FERDINAND R. MARCOS JR.**

*Vice-Chair:*



**SONNY M. ANGARA**

*Members:*



**AQUILINO "KOKO" L. PIMENTEL III**



**CYNTHIA A. VILLAR**



**PIA S. CAYETANO**

**TEOFISTO L. GUINGONA III**



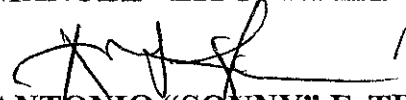
**LOREN B. LEGARDA**



**MANUEL "LITO" M. LAPID**



**RAMON BONG B. REVILLA JR.**



**ANTONIO "SONNY" F. TRILLANES IV**



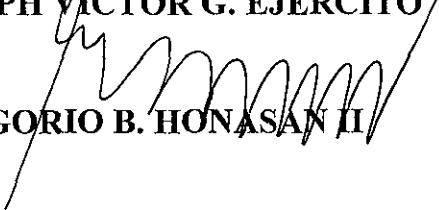
**MARIA LOURDES NANCY S. BINAY**



**JOSEPH VICTOR G. EJERCITO**

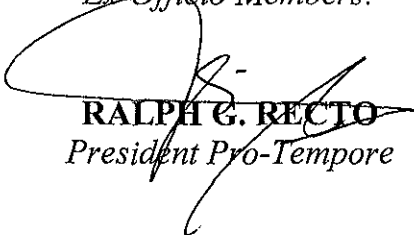


**JINGGOY EJERCITO ESTRADA**



**GREGORIO B. HONASAN II**

*Ex-Officio Members:*



**RALPH G. RECTO**

*President Pro-Tempore*

**ALAN PETER S. CAYETANO**

*Majority Leader*

**JUAN PONCE ENRILE**

*Minority Leader*



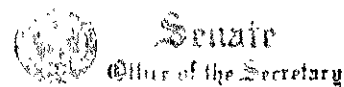
**VICENTE C. SOTTO III**

*Acting Minority Leader*

**FRANKLIN M. DRILON**

*Senate President*

SIXTEENTH CONGRESS OF THE REPUBLIC )  
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Second Regular Session )



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SENATE

P.S. RES. NO. 1335

RECEIVED BY: *[Signature]*

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Prepared by the Committee on Foreign Relations

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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