SCHATE DEFICE OF THE SECRETARY

13TH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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MECENVED BY:

SENATE

s. BILL NO. 1385

Introduced by SENATOR RALPH G. RECTO

Explanatory Note

It cannot be denied that overseas Filipino workers ("OFW") contribute immensely to our economy; thus they certainly play an important role in this nation's road to economic recovery.

This proposal seeks to ensure that the State manages an overseas employment program coherent not only with national development objectives, but also with the ideal of full employment for its citizens.

The enduring increase of employment mediators worldwide, the present state of our country and the rising circumstances that influence the interests of migrant workers tend to delay the development of deregulation. In this regard, there are various factors that should seriously be considered: the consistent increase in the number of our countrymen working overseas, the feminization of the OFW sector, the increase of helpless skills overseas, the persistent problems of illegal recruitment, welfare cases and recruitment violation as well as the apparent indifference of host countries to the idea of entering into bilateral labor agreement for the protection of OFWs.

It is against this backdrop that the prompt approval of this bill is most earnestly sought.

RALPH G RECTO

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AN ACT

STRENGTHENING THE REGULATORY FUNCTIONS OF THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS FILIPINOS AND OVERSEAS FILIPINOS ACT OF 1995"

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

- 1 SECTION 1. Section 23, paragraph (b.1) of Republic Act No. 8042, otherwise
- 2 known as the "Migrant Workers and Overseas Filipinos Act of 1995" is hereby
- 3 amended to read as follows:
- 4 "(b.1) Philippine Overseas Employment Administration [Subject to
- 5 deregulation and phase-out as provided under Sections 29 and 30 herein, t]The
- 6 Administration shall regulate private sector participation in the recruitment and
- 7 overseas placement of workers by setting up a licensing and registration system.
- 8 It shall also formulate and implement, in coordination with appropriate entities
- 9 concerned, when necessary, a system for promoting and monitoring the
- 10 overseas employment of Filipino workers taking into consideration their welfare
- and the domestic manpower requirements."
- SEC. 2. Section 29 of the same law is hereby repealed.
- 13 "[SEC. 29. Comprehensive Deregulation Plan on Recruitment Activities.
- 14 Pursuant to a progressive policy of deregulation whereby the migration of
- workers becomes strictly a matter between the worker and his foreign employer,
- the DOLE within one (1) year from the effectivity of this Act, is hereby mandated
- 17 to formulate a five-year comprehensive deregulation plan on recruitment

- 1 activities taking into account labor market trends, economic conditions of the
- 2 country and emerging circumstances which may affect the welfare of migrant
- 3 workers.]
- 4 SEC. 3. Section 30 of the same law is hereby repealed.
- 5 "[SEC. 30. Gradual Phase-out of Regulatory Functions. Within a
- 6 period of five (5) years from the effectivity of this Act, the DOLE shall phase-out
- 7 the regulatory functions of the POEA pursuant to the objectives of
- 8 deregulations.]"
- 9 SEC.4. All laws, orders, issuances, rules and regulations or
- 10 part thereof inconsistent with the provisions of this Act are hereby repealed,
- amended or modified accordingly.
- 12 SEC. 5. This Act shall take effect within fifteen (15) days after
- its publication in the Official Gazette or in at least two (2) newspapers of general
- 14 circulation, whichever comes earlier.
- 15 Approved,