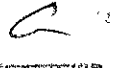


THIRTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

'04 JUL 26 19:20

SENATE

RECEIVED BY



S. No. 1463

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Introduced by Senator Manuel "Lito" M. Lapid

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**EXPLANATORY NOTE**

Republic Act 8042 or the Migrant Workers Act of 1995 has been crafted specifically to provide protection and benefits to an estimated seven (7) million documented migrant employed in various parts of the globe. For many years now, these migrant workers have played a major role in keeping the Philippine economy from going bankrupt, particularly during the financial crunch during the 1990s. Today, our migrant workers have evolved to become the biggest dollar earners for the country, when they used to be behind the semi-conductor and garment industries. This is the reason why the government has branded migrant workers as our modern day heroes.

Be that as it may, migrant workers end up in a sorry state in foreign lands where they have been deployed for work. Several of them have become victims of injustices by their foreign employers, such as non-payment of wages, sexual and physical abuse and maltreatment. This is not to mention risking their lives in war stricken countries like in the Middle East, just to make a living. The recent incident that almost ended the life of Angelo dela Cruz in Iraq is a classic example of the kind of life they have to endure away from their loved ones.

It is about time that the Government give migrant workers their due by providing them and their family insurance, retirement, health and educational benefits as contained in this proposed measure to ensure their financial security in the event that they give up working abroad permanently.


I appeal to my colleagues to join me in the immediate passage of this bill.

  
MANUEL "LITO" M. LAPID  
SENATOR 

THIRTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

04 JUL 26 19:20

SENATE  
1403  
S. No. \_\_\_\_\_

PREPARED BY: 

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Introduced by Senator Manuel "Lito" M. Lapid

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AN ACT  
PROVIDING RETIREMENT, INSURANCE, HEALTH AND EDUCATIONAL  
BENEFITS TO MIGRANT WORKERS AND THEIR DEPENDENTS AMENDING  
FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8042  
OTHERWISE KNOWN AS "MIGRANT WORKERS AND OVERSEAS FILIPINOS  
ACT OF 1995", AND FOR OTHER PURPOSES

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

**SECTION. 1.** – Insert a new Chapter IX and new Sections 32, 33, 34 and  
35 to RA 8042 to read as follows:

**IX. RETIREMENT AND INSURANCE BENEFITS**

*"SEC. 32. PENSION AND RETIREMENT BENEFIT SCHEME FOR  
MIGRANT WORKERS. – IN ORDER TO SECURE THE FUTURE OF RETIRING  
MIGRANT WORKERS, SPECIALLY THOSE WHOSE EARNINGS DURING  
THEIR YEARS OF EMPLOYMENT ABROAD TURN OUT TO BE  
INSUFFICIENT; THE OWWA, THROUGH ITS ACCREDITED PRIVATE  
INSURANCE COMPANIES, SHALL DEVISE AND MANAGE A PENSION AND  
RETIREMENT PLAN FOR ALL MIGRANT WORKERS WHO HAVE BEEN  
EMPLOYED ABROAD FOR AT LEAST FIFTEEN (15) YEARS. SUCH  
BENEFITS SHALL BE DESIGNED IN SUCH A WAY SIMILAR TO THE  
RETIREMENT REMUNERATION OF GOVERNMENT EMPLOYEES UNDER  
THE GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS). THE SCHEME  
SHALL ENSURE MONETARY CLAIMS OF MIGRANT WORKERS OR THEIR  
LEGAL DEPENDENTS, UPON REACHING THE AGE OF SIXTY FIVE (65)."*



"SEC. 33. NON-WAGE PAYMENT INSURANCE FOR MIGRANTS – IN ORDER TO PROTECT MIGRANT WORKERS FROM UNSCRUPULOUS FOREIGN EMPLOYERS AS WELL AS FREE THE SERVICE EXPORTER COMPANIES FROM MONETARY LIABILITY IN THE EVENT OF NON-PAYMENT OF WAGES, AN INSURANCE SCHEME FOR THE PURPOSE SHALL BE PUT IN PLACE TO ASSURE WORKERS OF RECEIVING WHAT IS LEGALLY DUE THEM. THE INSURANCE SYSTEM SHALL BE ESTABLISHED AND MANAGED BY OWWA THROUGH ITS ACCREDITED PRIVATE INSURANCE COMPANIES.

"SEC. 34. HEALTH INSURANCE FOR MIGRANT WORKERS – FOR PURPOSES OF ENSURING THAT THE HOSPITALIZATION NEEDS AND REQUIREMENTS OF MIGRANT WORKERS AND THEIR LEGAL DEPENDENTS, PARTICULARLY THOSE WHOSE NATURE OF WORK RUN A HIGH RISK TO THEIR HEALTH, MEMBERSHIP TO PRIVATE HEALTH INSURANCE COMPANIES SHALL BE ACQUIRED BY OWWA FOR ALL MIGRANT WORKERS, IN ADDITION TO THE MANDATORY MEMBERSHIP WITH THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH).

"SEC. 35. FUNDING SOURCE FOR RETIREMENT AND INSURANCE BENEFITS OF MIGRANT WORKERS - FOR THE EFFECTIVE IMPLEMENTATION OF THESE BENEFITS, AN AMOUNT OF TEN DOLLARS (\$10) CONTRIBUTION FOR EVERY OCWs DEPLOYED, SHALL BE COLLECTED BY THE OWWA FROM ALL ITS LICENSED SERVICE EXPORTER COMPANIES FOR A PERIOD NOT TO EXCEED TWO (2) YEARS OR UNTIL SUCH TIME THAT AN AMOUNT OF ONE BILLION PESOS (P1,000,000,000.00) SHALL HAVE BEEN ACCUMULATED AS SEED FUND.

**Sec. 2.** – Section 37 of RA 8042, is hereby amended to read as

follows:

*“Sec. 37. The Congressional Migrant Workers Scholarship Fund. – There is hereby created a Congressional Migrant Workers Scholarship Fund which shall benefit deserving migrant workers and/or their immediate descendants below twenty-one (21) years of age who intend to [pursue courses or training primarily in the field of science and technology] **ENROLL OR ARE CURRENTLY ENROLLED PREFERABLY IN EXISTING STATE UNIVERSITIES AND COLLEGES (SUCs) WITHIN THE PHILIPPINES.** The initial seed fund of Two hundred million pesos (P200,000,000.00) shall be constituted from the following sources:*

*(a) XXX*

*(b) XXX*

*The Congressional Migrant Workers Scholarship Fund as herein created shall be administered by the DOLE in coordination with the [Department of Science and Technology (DOST)] **COMMISSION ON HIGHER EDUCATION (CHED).** To carry out the objectives of this section, the DOLE and the [DOST] **CHED** shall formulate the necessary rules and regulations.*

**Sec. 3. Separability Clause.** – If, for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other section or provision not otherwise affected shall remain valid thereby.

**Sec. 4. Repealing Clause.** - All laws, Decrees, Issuances, Executive Orders, Letters of Instruction, rules or regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Sec. 5. Effectivity Clause.** – This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation.

Approved,

